

ORDINANCE NO. 4849

SEGMENT OF SW 3RD STREET BETWEEN SW FAIRMOUNT DRIVE AND SW ERICKSON AVENUE; SV32023-00256

WHEREAS, on October 17, 2023, the City Council held a public hearing to consider the vacation of an approximately 575-foot-long segment of SW 3rd Street between SW Fairmount Drive and SW Erickson Avenue; and

WHEREAS, the right-of-way is located along the parcels of land owned by Beaverton School District; and

WHEREAS, based on the facts and findings in the Staff Report dated August 16, 2023 (Exhibit C), considered and approved by City Council at the public hearing October 17, 2023, and the record as a whole, the Council finds pursuant to ORS 271.080 and Beaverton Development Code Sections 40.75 that: (1) by publishing notice on September 14, 2023, and September 21, 2023, and posting the site on September 13, 2023, notice was duly given of the public hearing to consider this request; (2) the Council has considered any objections filed with the City over the proposal; and (3) the public interest will not be prejudiced by the vacation of these easements; now, therefore:

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. The recitals above are adopted and incorporated as findings in support of this ordinance.

Section 2. That portion of public right-of-way, approximately 29,655 square feet of right-of located along SW 3rd Street and immediately abutting the property lines of Assessor Map 1S116AC Tax Lot 2150 and Assessor Map 1S116AC Tax Lot 2151, as shown in the legal description attached as Exhibit A to this ordinance, is vacated.

Section 3. This ordinance shall be recorded in the deed records of Washington County, Oregon, together with a survey of the area vacated. The property owner shall be responsible for all costs of surveying and recording. The property owner shall also provide a copy of the recorded ordinance to the Washington County Surveyor's Office.

Section 4. This ordinance shall become effective thirty (30) days after its adoption by the Council.

First reading the 10th day of October, 2023.

Public hearing the 17th day of October, 2023.

Duly passed by the Council the 17th day of October, 2023.

Signed by the Mayor the 20th day of October, 2023.

ATTESTED:

SIGNED:

Sue Ryan
SUE RYAN, City Recorder

Lacey Beaty
LACEY BEATY, Mayor

EXHIBIT A

JOB NO. 2200250

SEPTEMBER 20, 2023

LEGAL DESCRIPTION

A TRACT OF LAND BEING PORTION OF SW THIRD STREET (WIDTH VARIES), PLAT OF BEAVERBROOK ADDITION, WASHINGTON COUNTY PLAT RECORDS, LOCATED IN THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 1 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, CITY OF BEAVERTON, WASHINGTON COUNTY, OREGON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF SAID SW THIRD STREET, SAID POINT BEARS NORTH 88°41'49" WEST 10.00 FEET FROM THE SOUTHEAST CORNER OF LOT 19, PLAT OF ERICKSON ADDITION, WASHINGTON COUNTY PLAT RECORDS;

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY LINE NORTH 88°41'49" WEST 413.76 FEET;

THENCE SOUTH 00°06'49" EAST 23.04 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 27°14'50" WEST;

THENCE ALONG THE ARC OF A 189.42 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 25°58'17" (THE LONG CHORD OF WHICH BEARS SOUTH 49°46'01" WEST 85.13 FEET) AN ARC DISTANCE OF 85.86 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 36°46'53" WEST 99.27 FEET TO THE SOUTHERLY CORNER OF THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED TO BEAVERTON SCHOOL DISTRICT NO. 48, RECORDED FEBRUARY 25, 1970 IN BOOK 772, PAGE 305, WASHINGTON COUNTY DEED RECORDS;

THENCE LEAVING SAID NORTHERLY RIGHT-OF-WAY LINE SOUTH 53°13'07" EAST 50.00 FEET TO THE WESTERLY CORNER OF THAT TRACT OF LAND DESCRIBED IN WARRANTY DEED TO SCHOOL DISTRICT NO. 48, WASHINGTON COUNTY, OREGON, RECORDED MAY 27, 1970 IN BOOK 781, PAGE 628, WASHINGTON COUNTY DEED RECORDS, BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID SW THIRD STREET;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE NORTH 36°46'53" EAST 99.27 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE ALONG THE ARC OF A 139.42 FOOT RADIUS CURVE CONCAVE SOUTHEASTERLY THROUGH A CENTRAL ANGLE OF 54°31'18" (THE LONG CHORD OF WHICH BEARS NORTH 64°02'32" EAST 127.72 FEET) AN ARC DISTANCE OF 132.67 FEET TO A POINT OF TANGENCY;

THENCE SOUTH 88°41'49" EAST 311.39 FEET TO THE BEGINNING OF A TANGENT CURVE;

THENCE ALONG THE ARC OF A 18.00 FOOT RADIUS CURVE CONCAVE SOUTHWESTERLY THROUGH A CENTRAL ANGLE OF 44°45'18" (THE LONG CHORD OF WHICH BEARS SOUTH 66°19'10" EAST 13.71 FEET) AN ARC DISTANCE OF 14.06 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF SW ERICKSON AVENUE (WIDTH VARIES) AND A POINT OF NON-TANGENCY, A RADIAL LINE THROUGH SAID POINT BEARS NORTH 46°03'28" EAST;

THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE NORTH 00°10'49" WEST 31.98 FEET;

THENCE NORTH 00°05'41" WEST 23.26 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 29,655 SQUARE FEET OR 0.681 ACRES, MORE OR LESS.

THE BASIS OF BEARINGS IS THE OREGON COORDINATE REFERENCE SYSTEM, PORTLAND ZONE.

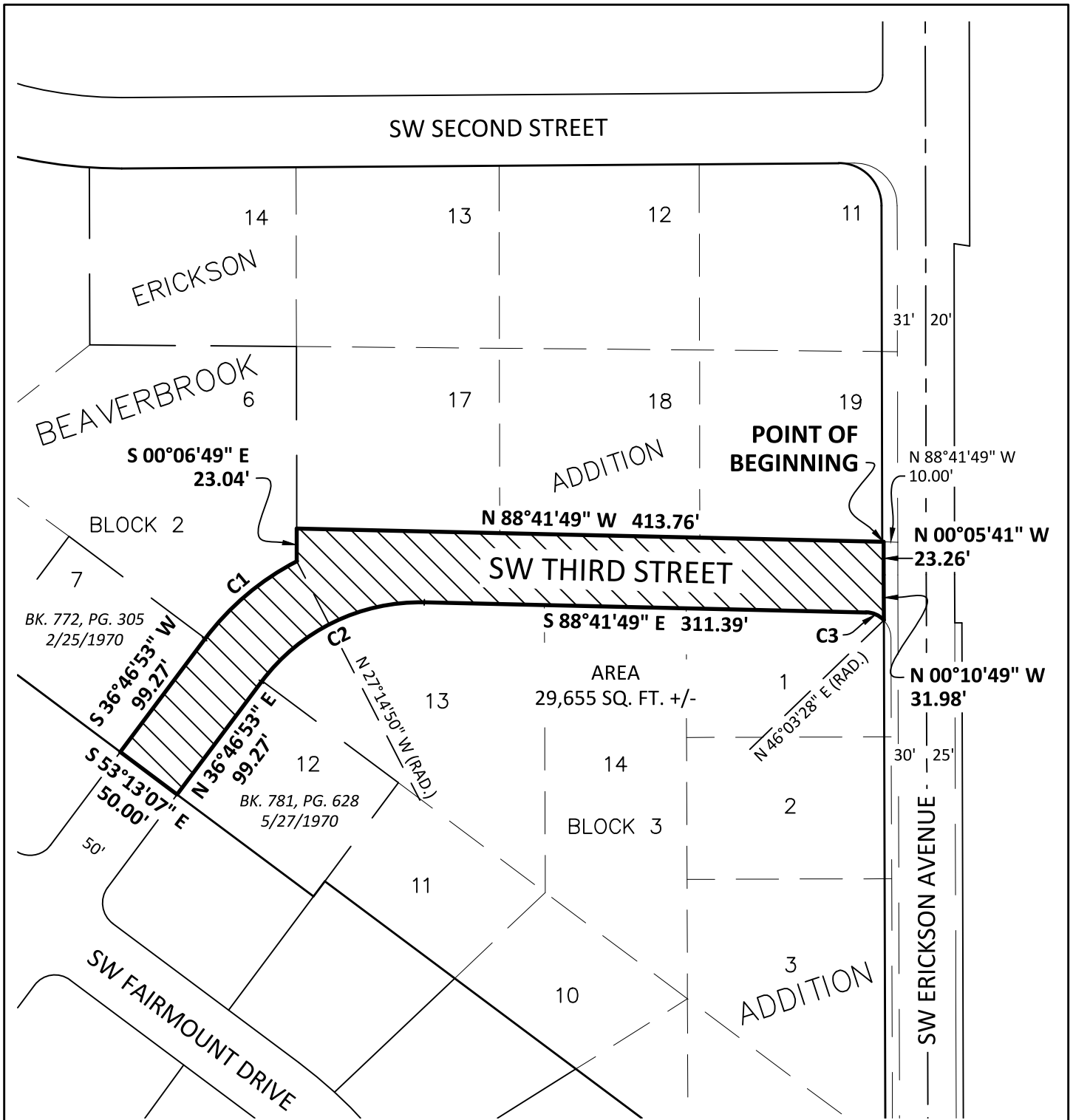
THE TRACT OF LAND ARE SHOWN ON THE ATTACHED EXHIBIT B AND BY THIS REFERENCE MADE A PART THEREOF.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

DIGITALLY SIGNED 2023.09.20
16:40:32-07'00'

OREGON
MAY 13, 2014
JOHN ROBERT DAVIS
88694

RENEWAL 12/31/2023



CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA	CHORD	CHORD BEARING
C1	85.86'	189.42'	25°58'17"	85.13'	S 49°46'01" W
C2	132.67'	139.42'	54°31'18"	127.72'	N 64°02'32" E
C3	14.06'	18.00'	44°45'18"	13.71'	S 66°19'10" E



SCALE: 1" = 100'



111 SW Fifth Ave., Suite 2400
 Portland, OR 97204
 O: 503.227.3251
 F: 503.274.4681
www.kpff.com

EXHIBIT B SW THIRD STREET VACATION NW 1/4 SEC. 16 / T. 1S. / R. 1W. / W.M. CITY OF BEAVERTON / WASHINGTON COUNTY / OREGON	DATE: SEPTEMBER 20, 2023
	DRAWN BY: JBJ
	CHECKED BY: JRD
	PROJECT NO. 2200250
	SHEET: 1 OF 1



CITY OF BEAVERTON
 Planning Division
 Community Development Department
 Tel: 503-526-2420
 www.beavertonoregon.gov

STAFF REPORT

Report Date: August 16, 2023

Application/Project Name: LU32023-00260 Beaverton High School Rebuild

Application Numbers: CU32023-00045 / DR32023-00251 / DDR12023-00446 / HRD32023-00253 / SDM12023-00254 / SDM12023-00255 / SV32023-00256 / TP32023-00258 / VAR32023-00259

Proposal: The applicant, Beaverton School District, requests Design Review Three approval for the replacement of Beaverton High School. The applicant also requests approval for the demolition of the Merle Davies building, identified as a landmark in Beaverton's Historic Resource Inventory. The applicant also requests approval for a Street Vacation, vacating an unbuilt portion of 3rd Street between SW Erickson and SW Fairmont. The applicant also requests approval for a Major Modification of a Conditional Use to increase the overall size of the school by approximately 11,500 square feet, Downtown Design



Review Compliance Letter approval for minor modifications to a site in the Downtown District, Sidewalk Design Modification approval to deviate from sidewalk standards along SW Erickson Avenue and SW 5th Street, Tree Plan Three approval for the removal of historic trees, and a Variance approval to exceed the maximum height of the zone by approximately 27 feet.

Proposal Location: The site is located at 13000 and 13120 SW 2nd Street, specifically identified as Tax Lots 02150, 02151, 02500, on Washington County Tax Assessor's Map 1S116AC, and Tax Lots 07600 and 10900, on Washington County Tax Assessor's Map 1S116AD.

Applicant: Beaverton School District

Recommendation: APPROVAL of LU32023-00260 Beaverton High School Rebuild CU32023-00045 / DR32023-00251 / DDR12023-00446 / HRD32023-00253 / SDM12023-00254 / SDM12023-00255 / SV32023-00256 / TP32023-00258 / VAR32023-00259, subject to conditions of approval

Hearing Information: 6:30 p.m. August 23, 2023, via Zoom Webinar

Note: Public Hearings are held remotely and can be viewed at the following link: <https://beavertonoregon.gov/913/Agendas-Minutes>

Contact Information:

City Staff Representative: Steve Regner, Senior Planner
503-319-4427
sregner@beavertonoregon.gov

Applicant: Beaverton School District
Attn: Steven Sparks
1260 NW Waterhouse Avenue
Beaverton, OR 97006

Property Owner: Beaverton School District
Attn: Steven Sparks
1260 NW Waterhouse Avenue
Beaverton, OR 97006

Existing Conditions

Zoning: Residential Mixed C (RMC) / Regional Center- Old Town (RC-OT)

Site Conditions: The site is developed as a high school campus and includes a small portion of a neighboring property developed as a recreational swimming facility.

Site Size: Campus: Approximately 28 acres.

Location: The site is located at 13000 and 13120 SW 2nd Street, specifically identified as Tax Lots 02150, 02151, 02500, on Washington County Tax Assessor's Map 1S116AC, and Tax Lots 07600 and 10900, on Washington County Tax Assessor's Map 1S116AD.

Neighborhood Association Committee: Central Beaverton NAC

Table 1: Surrounding Uses

Direction	Zoning	Uses
North	Multi-Unit Residential (MR) / General Commercial (GC) / Regional Center – Old Town (RC-OT)	Detached Residential / Attached Residential / Vehicle Dealership
South	Residential Mixed C (RMC) / Residential Mixed B (RMB)	Detached Residential / Attached Residential
East:	Regional Center – Old Town (RC-OT)	Mixed Commercial
West:	Residential Mixed C (RMC)	Detached Residential

Application Information

Table 2: Application Summaries

Application	Application Type	Proposal Summary	Approval Criteria Location
CU32023-00445	Major Modification of a Conditional Use Permit	Increase of overall square footage of an existing Conditional Use by approximately 11,500 square feet.	Development Code Sections 40.03.1 and 40.15.15.4
DR32023-00251	Design Review Three	Redevelopment of a High School, totaling 348,297 square feet, including buildings and other structures.	Development Code Sections 40.03.1 and 40.20.15.3
DDR12023-00446	Downtown Design Review Compliance Letter	Extension of an existing multi-use path on the neighboring recreational swimming facility.	Development Code Section 40.23.15.1
HRD32023-00253	Historic Review – Demolition of a Landmark	Demolition of the Merle Davies Building, which is listed on the local historic inventory.	Development Code Section 40.35.15.3
SDM12023-00254	Sidewalk Design Modification – SW Erickson	Construction portions of SW Erickson frontage that deviates from the required sidewalk and/or landscape strip width.	Development Code Section 40.58.15

Application	Application Type	Proposal Summary	Approval Criteria Location
SDM12023-00255	Sidewalk Design Modification – SW 5th	Construction portions of SW 5th frontage that deviates from the required sidewalk and/or landscape strip width.	Development Code Section 40.58.15
SV32023-00256	Street Vacation	Vacating unbuild portion of SW 3rd Street between SW Erickson and SW Fairmount.	Development Code Sections 40.03.2 and 40.75.15.1
TP32023-00258	Tree Plan Three	Removal of landscaping identified in the Historic Tree registry and Community Trees.	Development Code Section 40.90.15.3
VAR32023-00259	Variance	Portion of the building exceeding the RMC zone's maximum height of 35 by 27 feet, for a total height of 52 feet.	Development Code Section and 40.95.15.1

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete*	120-Day	365-Day**
CU32023-00445	June 28, 2023	June 28, 2023	October 26, 2023	June 27, 2024
DR32023-00251	May 9, 2023	June 28, 2023	October 26, 2023	June 27, 2024
DDR12023-00446	June 28, 2023	June 28, 2023	October 26, 2023	June 27, 2024
HRD32023-00253	May 9, 2023	June 28, 2023	October 26, 2023	June 27, 2024
SDM12023-00254	May 9, 2023	June 28, 2023	October 26, 2023	June 27, 2024
SDM12023-00255	May 9, 2023	June 28, 2023	October 26, 2023	June 27, 2024
SV32023-00256	May 9, 2023	June 28, 2023	October 26, 2023	June 27, 2024
TP32023-00258	May 9, 2023	June 28, 2023	October 26, 2023	June 27, 2024

Application	Submittal Date	Deemed Complete*	120-Day	365-Day**
VAR32023-00259	May 9, 2023	June 28, 2023	October 26, 2023	June 27, 2024

*Project was deemed complete by the applicant

**Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Summary of Public Comment

Exhibit 2.1 Letter from Cal Hamreus, 5075 SW Main, Beaverton, requesting the historic structure not be demolished, noting that value of historic landmarks and suggests alternative uses for the structure.

Staff response: Staff acknowledges the value of historic landmarks and the purposes of the historic registry. However, staff cites the reduced historic integrity of the structure, as detailed in the October 20, 2022 letter from the State Historic Preservation Office, (Exhibit 3.Q of the applicant's materials), as well as the overall lack of historic significance of the structure as detailed in the local historic landmark entry (Exhibit 3.Q of the applicant's materials). Additional analysis can be found in Attachment E of this report. Furthermore, the applicant has posted notice consistent with the requirements of BDC 50.45.7, and no bona fide offer has been made to the applicant for consideration.

Exhibit 2.2 E-mail from Lisa Sandmire, 8925 SW Hillview Terrace, Portland, member of the Beaverton High School design committee, expressing support for the project.

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Exhibits

Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Zoning Map (page 9 of this report)

Exhibit 1.2 Vicinity Map (page 10 of this report)

Exhibit 1.3 Historic Tree Inventory

Exhibit 2. Public Comment

Exhibit 2.1 Letter from Cal Hamreus, received August 2, 2023

Exhibit 2.2 E-mail from Lisa Sandmire, received August 15, 2023

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.A.1 Plan Sheet Index

Exhibit 3.A.2 Architectural Plans

Exhibit 3.A.3 Civil Plans

Exhibit 3.A.4 Landscape Plans

Exhibit 3.A.5 Lighting Plans

- Exhibit 3.A.6 Tree Plan
- Exhibit 3.A.7 Phasing Plan
- Exhibit 3.B Tax Maps
- Exhibit 3.C Pre-App Summary
- Exhibit 3.D Traffic Memo
- Exhibit 3.E Stormwater Report
- Exhibit 3.F Geotech Report
- Exhibit 3.G Service Provider Letters
- Exhibit 3.H Lighting Cut Sheets
- Exhibit 3.I Materials Board
- Exhibit 3.J Turning Diagrams
- Exhibit 3.K Street Vacation Documentation
- Exhibit 3.L Neighborhood Meeting Documentation
- Exhibit 3.M Pedestrian Circulation Diagram
- Exhibit 3.N Vehicular Circulation Diagram
- Exhibit 3.O Bike Parking Cut Sheet
- Exhibit 3.P Tree Protection Detail
- Exhibit 3.Q Historic Review Documentation
- Exhibit 3.R Vehicle Parking Diagram
- Exhibit 3.S Bike Parking Diagram
- Exhibit 3.T Posting Affidavit Pictures
- Exhibit 3.U Merle Davies Notice
- Exhibit 3.V Application Forms
- Exhibit 3.W THPRD Authorization

Exhibit 3.X Applicant Narrative

Exhibit 3.Y Queueing Analysis

Exhibit 3.Z Supplemental Memo

Exhibit 3.AA Historic Tree Removal Analysis

Exhibit 1.1 Zoning Map

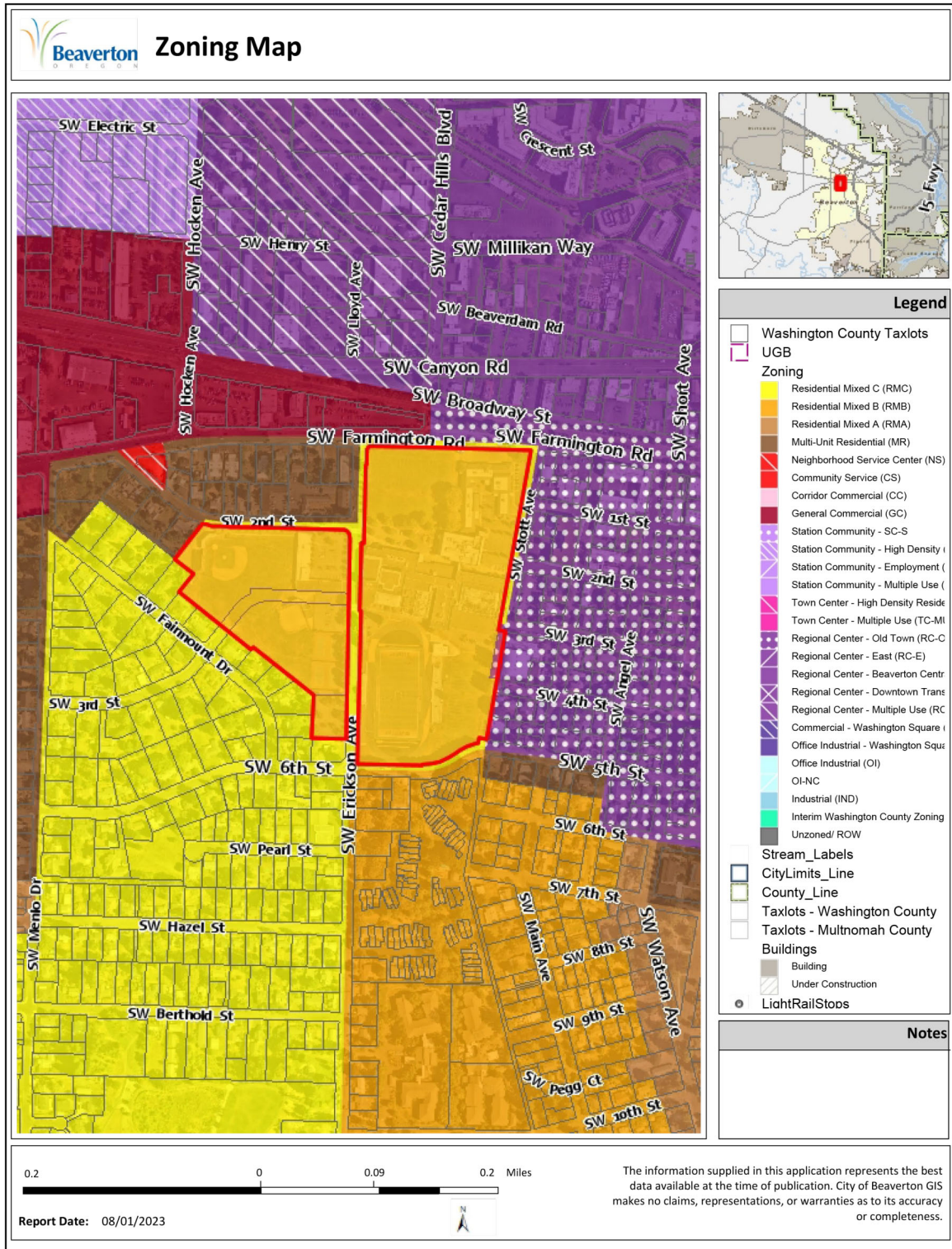
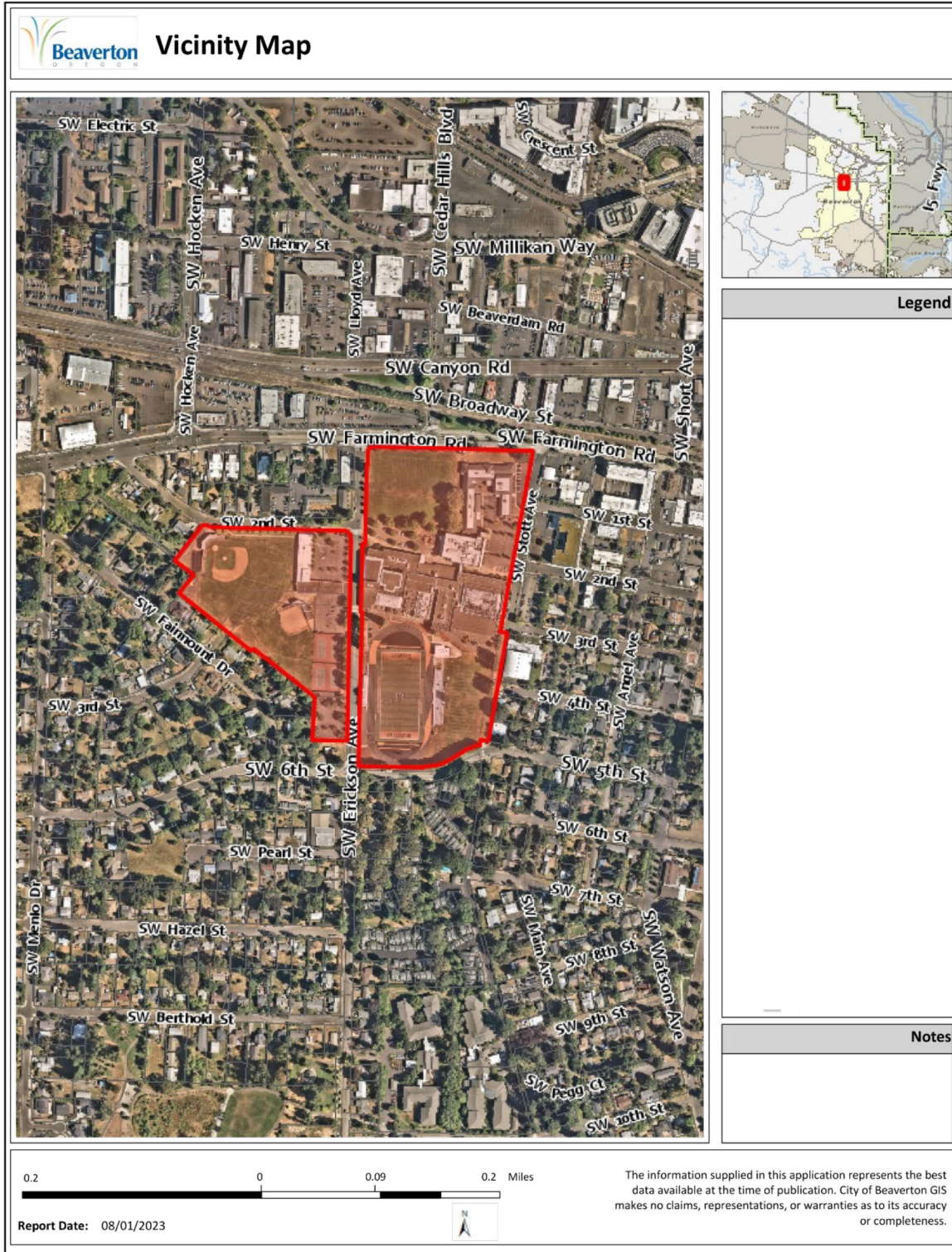


Exhibit 1.2 Vicinity Map



Attachment A: FACILITIES REVIEW COMMITTEE

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Beaverton High School Rebuild

Proposal: The applicant, Beaverton School District, requests Design Review Three approval for the replacement of Beaverton High School. The applicant also requests approval for the demolition of the Merle Davies building, identified as a landmark in Beaverton's Historic Resource Inventory. The applicant also requests approval for a Street Vacation, vacating an unbuilt portion of 3rd Street between SW Erickson and SW Fairmont. The applicant also requests approval for a Major Modification of a Conditional Use to increase the overall floor area of the school by approximately 11,500 square feet, Downtown Design Review Compliance Letter approval for minor changes to a site in the Downtown District, Sidewalk Design Modification approval to deviate from sidewalk standards along SW Erickson Avenue and SW 5th Street, Tree Plan Three approval for the removal of historic trees, and a Variance approval to exceed the maximum height of the zone by approximately 27 feet.

Recommendation: APPROVE CU32023-00045 / DR32023-00251 / DDR12023-00446 / HRD32023-00253 / SDM12023-00254 / SDM12023-00255 / SV32023-00256 / TP32023-00258 / VAR32023-00259

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in a different order. The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted application(s) as identified below:

- All twelve (12) criteria are applicable to the Major Modification of a Conditional Use (CU32023-0045), Design Review Three (DR32023-00251), and Street Vacation (SV32023-00256) applications.
- Facilities Review Committee criteria do not apply to the submitted Downtown Design Review Compliance Letter (DDR12023-00446), Historic Review – Demolition of a Landmark (HRD32023-00253), Sidewalk Design Modifications (SDM12023-00254 and SDM12023-00255), Tree Plan Three (TP32023-00258), or Variance (VAR32023-00259) applications.

Section 40.03.1.A

Approval Criterion: *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.*

FINDING:

Chapter 90 of the Development Code defines “critical facilities” to be services that include potable and non-potable public water; public sanitary sewer; stormwater drainage, treatment, and retention; transportation; and fire protection.

Potable Water: The subject site is served by City of Beaverton Water. The City of Beaverton has provided a Service Provider Letter indicating that there is adequate infrastructure to serve the proposal. The applicant proposes to connect the development to an existing 8-inch water main in the SW 2nd Street to serve the western campus. The western campus will connect to an existing 12-inch water line in SW Stott Avenue, and a new public line will be constructed across the eastern campus, generally from the SW 3rd Street and SW Stott Avenue intersection to the west edge of the eastern campus north of the existing track. The Committee finds that adequate water service can be provided to the site to serve the proposed development.

Non-Potable Water: There is no non-potable water network in the area of development. Therefore, the proposal is exempt from connecting to a non-potable water network.

Sanitary Sewer: The subject site is served by City of Beaverton. The western campus will connect to an existing 8-inch sanitary sewer line which transits the proposed recreation fields, connecting to a 21-inch sanitary sewer line in SW Fairmount. The eastern campus will connect to an existing 8-inch sanitary sewer line in SW Stott Avenue. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: CWS stormwater service is available to the site. The applicant submitted a preliminary stormwater report dated June 2023. The report details how the development will meet water quality standards by installing new site stormwater piping for conveyance, water quality vaults, and catch basins.

The western lot will be served by new water quality filter structures, sports field drainage system and an underground detention system. The new sports field drainage will collect and convey stormwater to water quality filter structures prior to being sent to underground storage. All storm infrastructure will ultimately convey water to the existing piped Erickson Creek.

The eastern lot will be served by water quality filter structures, LIDA flow-through planters, a sports field drainage system and underground detention systems. The existing condition of the north portion of the main campus which flows north is maintained in the proposed

design. Stormwater management for the southern half of the main campus will utilize LIDA facilities or water quality filter structures before entering either a storm main in SW Erickson Avenue or connecting directly to the underground pipe which conveys Erickson Creek

Proposed drainage for the public right-of-way improvements includes LIDA flow-through planters that are incorporated into the landscape strips and curb extensions.

Accordingly, as conditioned, the Committee finds that adequate stormwater drainage, treatment, and retention can be provided to the site to serve the proposed development.

Transportation: The subject site is divided by SW Erickson Ave into the east campus and the west campus. The east campus has frontage on SW Farmington Road, an arterial; SW Erickson Avenue, a collector; SW 5th Street, a collector; and SW Stott Avenue, a local street. The west campus has frontage along SW Erickson Avenue, a collector, and SW 2nd Street, a local street.

East Campus Frontages

Along SW Farmington Road, the applicant will be required to dedicate right of way to accommodate the future complete buildout of the roadway. The amount of dedication varies from 21 feet along the western portion of the frontage to 15 feet along the eastern portion of the frontage. This dedication will accommodate future turn lanes and bike lanes when the road is fully built out, with a varied half street width. The full buildout of SW Farmington Road is not required with this proposal. A six-foot sidewalk will be constructed at its ultimate location, except where it deviates to preserve an existing tree at the northeast corner of the east campus. The existing condition of the SW Farmington Road and SW Cedar Hills Boulevard intersection lacks a crosswalk with curb ramps along the eastern leg. With the reconstruction of the SW Farmington frontage, the applicant will be required to construct a new ramp along Farmington Road, as well as a receiving ramp on the opposite side of Farmington Road, at the northeast corner of the SW Farmington and SW Cedar Hills intersection.

Along SW Erickson Avenue, the applicant will be required to dedicate right of way to accommodate the future complete buildout of the roadway. The amount of dedication varies from 6 feet to 11 feet, depending on the current right of way condition, but will result in a continuous half street width of 31 feet, except near the intersection with SW Farmington Road, where half street width expands to 38 feet to accommodate a left turn lane. A majority of the frontage will be improved with 6-foot sidewalks and 7.5-foot landscape strips, consistent with the Collector Street standard. However, six existing structures -- a maintenance building, stadium seating and four stadium lights -- are located within the area planned for dedication, and full half street improvements cannot be constructed without demolishing the structures. The City of Beaverton typically does not accept right of way dedication with encroaching structures. City Code section 5.05.115 reads as follows:

“A. General Prohibition. Except as otherwise permitted by the code or other City ordinance:

- 1. No person shall obstruct any public right-of-way, or portion of it, or place or cause to be placed on it anything tending to obstruct or interfere with the full and free use of the public right-of-way or in any degree interfere with the normal flow of pedestrian or vehicular traffic.*
- 2. No person shall erect, construct, build, raise, place or maintain any post, pole, sign, wall, fence, tree, building, structure or any other object in or upon any public right-of-way.*
- 3. No person in charge of property shall cause or permit to remain in front of the property upon the sidewalk or parking strip of the street next to the property, anything prohibited by this section or which otherwise restricts the public use of the public right-of-way”.*

However, the City of Beaverton has expressed a willingness to enter into an encroachment agreement with the applicant to allow some or all of the structures to remain in the right of way after dedication, with the understanding that the encroaching structures shall be relocated outside of the right of way under certain circumstances in the future. To address this encroachment issue, the applicant will be required execute an encroachment agreement with City of Beaverton which shall be recorded at the time of right of way dedication. The applicant has submitted a Sidewalk Design Modification application requesting to construct curb tight sidewalks in locations impacted by the encroachments. Further analysis regarding the sidewalk design in areas around the structures and stadium lighting can be found the Sidewalk Design Modification analysis for SW Erickson, Attachment F of this report.

Along SW 5th Street, the applicant will be required to dedicate right of way to accommodate the future complete buildout of the roadway. The amount of dedication varies from 2.67 feet to 6 feet, depending on the current right of way condition, but will result in a continuous half street width of 31 feet. A majority of the frontage will be improved with 6-foot sidewalks and 4-foot landscape strips, except where the existing track prevents a landscape strip, and a 5.5-foot-wide curb tight sidewalk will be constructed. The applicant has submitted a Sidewalk Design Modification requesting to construct narrower landscape strips and curb tight sidewalks. This Sidewalk Design Modification request is addressed in Attachments J and K of this staff report. The track and fencing along the track will be located partially in the right of way after dedication. To address this conflict, the applicant will be required execute and record an encroachment permit from the City of Beaverton at the time of right of way dedication.

Along SW Stott Avenue, no additional right of way dedication is required. A 5-foot sidewalk will be constructed along with a 7.5-foot landscape strip. The landscape strip is one foot wider than required for the Local Street standard to provide greater capacity for streetside stormwater planters.

West Campus Frontages

Along SW Erickson Avenue, no additional right of way dedication is required. A 6-foot sidewalk will be constructed along with a 7.5-foot landscape strip, consistent with the Collector Street standard, except at the south end of the campus, where the sidewalk and landscape strip will transition to meet current conditions on the neighboring property.

Along SW 2nd Street, the applicant will be required to dedicate four feet of right of way. A 5-foot sidewalk will be constructed, along with a 6.5-foot landscape strip, consistent with the Local Street standard.

On-site Pedestrian Walkways

All on-site pedestrian walkways are designed to provide safe and efficient internal circulation throughout the school site and provide connections to building entrances, athletic fields, play areas, plazas and common areas, vehicle and bicycle parking areas, and trash and recycling areas. The walkways will also connect to the new public sidewalks on SW Farmington Road, SW Erickson, SW 2nd Street and SW Stott Avenue. Additionally, the 9.5-foot-wide multi-use trail along the eastern edge of the east campus, partially on the neighboring swim center facility owned by Tualatin Hills Park and Recreation District (THPRD), will be extended north to connect to the public sidewalk system at the intersection of SW Stott Avenue and SW 3rd Street. Authorization for work done on THPRD property is provided in a letter, dated March 24, 2023 in Exhibit 3.W.

Traffic Analysis

The applicant submitted a Traffic Memo dated June 28, 2023, and prepared by DKS Associates. The proposed redevelopment will not exceed existing school capacity, so a full Traffic Impact Analysis was not required. However, due to existing traffic conditions, the memo was required to study existing queuing conditions along SW Farmington Road.

The traffic memo describes the queuing condition along Farmington Road between SW Erickson and SW Cedar Hills Boulevard. The westbound left turn lane on Farmington turning south onto SW Erickson shares the same center turn lane as the eastbound left turn lane turning north onto SW Cedar Hills Boulevard. The limited distance between these two intersections only has capacity for eight total vehicles. During peak hours some eastbound vehicles are impeded by vehicles waiting to enter the left turn storage lane at Farmington and Cedar Hills Boulevard. The traffic memo recommends adjusting signal timing at the intersection of SW Farmington and SW Erickson to allow a westbound left turn movement protected phase.

The Committee recommends incorporating the signal timing recommendation as described in the applicant's traffic memo into the conditions of approval to ensure there are adequate transportation facilities to serve the proposed development.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff issued Service Provider Permit (SPP) approval for the applicant's proposal and stated that a final inspection will be required for the project. TVF&R will verify that their requirements are met prior to site development permit issuance. The Committee finds that adequate fire protection service can be provided to the site to serve the proposed development.

As conditioned, the Committee finds that critical facilities and services can be made available with adequate capacity to serve the proposed development.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.B

Approval Criterion: *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.*

FINDING:

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

Schools: Beaverton High School is part of the Beaverton School District. The proposal is to demolish the existing high school building and replace it with a new high school building. The new school will serve grades 9-12 and will have a permanent capacity for 1,500 students and 120 staff members. Accordingly, the Committee finds the project is designed to ensure the Beaverton School District will have adequate capacity to accommodate students and staff members based on projected future growth.

Transit Improvements: There are two bus stops along the Farmington Road frontage of the subject site for TriMet Bus Line 52, which connects to the Beaverton Transit Center and PCC Rock Creek. Three additional stops are within 800 feet of the subject site on SW Hall Boulevard. One stop serving TriMet Bus Line 52, and two stops serving TriMet Bus Line 76 which connects to the Beaverton Transit Center and Tualatin. Accordingly, as conditioned, the Committee finds there is adequate transit service to serve the proposed development.

Police Protection: The City of Beaverton Police Department will provide police services to the development site. As of the date of this report, Beaverton Police have not provided comments or recommendations to the Committee. Any comments from Beaverton Police

will be forwarded directly to the applicant, and the Committee finds that adequate police protection can be provided to the site to serve the proposed development.

Pedestrian and Bicycle Facilities: The applicant will construct frontage improvements along all frontages as described in Criterion A of this report that will provide adequate pedestrian and bicycle facilities to serve the proposed development, On-site walkways are designed to provide internal pedestrian and bicycle circulation throughout the site and the walkways will also connect to the new sidewalks along the site frontages.

As conditioned, the Committee finds that essential facilities and services can be made available with adequate capacity to serve the proposed development.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.C

Approval Criterion: *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.*

FINDING:

A majority of the subject site is zoned Residential Mixed C (RMC). A small portion of the site is zoned Regional Center-Old Town. The Committee refers to the Chapter 20 Use and Site Development Requirements table at the end of this report, which evaluates the project as it relates to the applicable code requirements of Section 20.05 Residential Land Use Districts. As demonstrated in the table, this proposal complies with all applicable standards in Section 20.05 Residential Land Use Districts, except for maximum building height. The applicant has applied for a Variance to exceed the maximum 35-foot building height in the RMC zone by 27 feet, and this Variance request is addressed in Attachment J of this staff report. Additionally, the applicant has applied for a Major Modification of a Conditional Use for the expansion of an educational institution in the RMC zone. This Major Modification of a Conditional Use request is addressed in Attachment B of this staff report.

The work proposed in the RC-OT zone is limited to pathway improvements and landscaping, reviewed under at Downtown Design Review Compliance Letter, and is not subject to Facilities Review. However, staff notes that the limited scope of work proposed in the RC-OT zone is not subject to setbacks or height restrictions typically reviewed under this criterion.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.D

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

FINDING:

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates to the applicable Code requirements of Chapter 60 (Special Requirements). Staff will provide findings for the Design Review Three request within the applicable section of the staff report.

Section 60.10 Floodplain Regulations: The applicant states that the Erickson Creek floodway passes under the existing track, SW Erickson, tennis courts and recreation fields, traveling from the southeast to the northwest. However, Erickson Creek is piped, and there is no regulatory floodway mapped along this school property. This is confirmed in Figure 5 of the applicant's narrative. As such, BDC 60.10.15, which limits development in the floodway does not apply to this proposal.

BDC Section 60.10.30 significantly limits the development of Critical Facilities in the floodway fringe. The Development Code defines Critical Facilities for the purposes of floodplain regulation as "hospitals, significant medical care facilities, fire stations, police stations, storage of critical records, emergency community shelters, emergency operation centers, emergency management offices, and similar facilities. The subject proposal includes roadway improvements and recreational facilities, neither of which fall under the definition of Critical Facilities. As such, the proposal complies with these provisions.

Section 60.25 Off-Street Loading: The new school will total approximately 337,000 square feet of floor area, including new construction and existing buildings to be retained. Schools with greater than 14,000 square feet in floor area are required to provide one Type B loading berth of a size at least 30 feet in length and 12 feet in width. The applicant has identified a loading berth space in parking lot 1 along the southern curb line, 30 feet in length and 12 feet in width, meeting the required dimensional standards. The applicant acknowledges the loading berth conflicts with the queuing for the Special Education buses. However, the applicant states the queuing for the Special Education buses will only occur between 7-8am and 2-3pm, and that all loading will occur outside of those windows. Staff agrees that the Special Education bus queueing will be for a limited duration, and sufficient time exists for loading outside of bus queueing times.

Section 60.30 Off-Street Parking: The new school will continue to serve grades 9-12 with a permanent capacity for 1,500 students and 120 staff members. The subject property

falls within one half mile of frequent transit service and per Oregon Administrative Rule OAR 660-012-0440 no minimum parking may be required. State law supersedes City of Beaverton Development Code (BDC) requirements and therefore, staff finds that the city's off-street minimum and maximum parking space standards of Section 60.30 of the BDC are not applicable, and no parking spaces are required per OAR 660-012-0440.

The applicant's materials show that 338 parking spaces will be provided on site, with an additional 77 spaces in two existing parking lots east of the school site, which are not a part of this proposal, for a total of 415 parking spaces for use by the high school.

Of the 338 parking spaces provided on site, 317 spaces will be standard-sized, 13 will be compact-sized, and 8 will be accessible, including 2 van spaces. Additionally, all parking lot drive aisles are at least 24 feet wide and comply with the parking lot design standards in BDC 60.30.15.

As outlined in BDC Table 60.30.10.5.B, the school is not required to provide a minimum number of short-term bicycle parking spaces but is required to provide a minimum of 83 long-term bicycle parking spaces. The applicant's plans show that 114 long-term bicycle parking spaces will be provided and that the spaces meet the bicycle parking design standards in Figure 340.1 and Section 340.2 in the City of Beaverton Engineering Design Manual (EDM). Additionally, the applicant's materials, specifically Exhibit 3.O Bike Parking Cut Sheet demonstrate that the bike parking rack dimension requirements of EDM Section 340.4., specifically requiring racks to be 30 inches wide and 36 inches tall is met.

Section 60.55 Transportation Facilities: The Committee refers to approval criterion 40.03.1.A of this report for findings and conditions of approval related to the TIA, pedestrian and bicycle facilities and frontage improvements.

The applicant's site plans (Exhibit 3.A.4, Sheets L2.01 to L2.09) demonstrate that all on-site walkways will meet the minimum width requirements in BDC 60.55.25.10.B.5. Additionally, the applicant's photometric plan (Exhibit 3.A.5, Sheet EPH1.01 through EPH1.09) demonstrates all on-site walkways will be illuminated to a minimum of 0.5 footcandles, in compliance with BDC 60.55.25.10.B.7.

BDC 60.55.25 Street and Bicycle and Pedestrian Connection Requirements seeks to ensure safe and efficient circulation and access for all modes of travel. Specifically, BDC 60.55.25.9 outlines the frequency of accessways when development or redevelopment occurs on larger parcels. Subsection A.1 requires a new accessway where any block length longer than 600 feet is proposed, and Subsection A.2 recommends two or more new accessways when a block length greater than 1200 feet is proposed. The block length of the east campus, measured from SW Farmington Road to SW 5th Street is approximately 1,350 feet. As such, staff recommends two east-west traveling accessways be provided across the east campus connecting SW Stott and SW Erickson. Staff notes that the termini of SW 2nd Street and SW 3rd Street at SW Stott and the high school campus present opportunities to continue the Old Town Beaverton Grid by extending accessways west across the campus aligned with SW 2nd Street and SW 3rd Streets.

Typically, new accessways are expected to be full streets. However, BDC 60.55.25.14 outlines situations where developments are exempt from full street connections. Subsection B. identifies the following situation where exemptions are allowed: "Existing buildings or other development on adjacent lands physically preclude a connection now and, in the future, considering the potential for redevelopment." Staff notes that the existing cafeteria and football stadium, which are both proposed to remain with the school redevelopment, would prevent the full street extension to SW Erickson. Staff also notes that full street extensions would create conflicts for pedestrians traveling across the site north to south and would disrupt the proposed circulation patterns for bus loading, as well as staff and student parking. As such, staff does not recommend full street connections through the site.

Staff observes that the site design, as proposed currently, would accommodate pedestrian and bicycle access from SW Stott to SW Erickson, generally aligned with SW 2nd Street and SW 3rd Street. These two accessways are demonstrated in Exhibit 3.M of the applicant's materials. As such, staff does not recommend any design changes for the proposal to comply with BDC 60.55.25.9. However, staff does seek to ensure that the users are able to travel across the site with minimal physical barriers at initial construction, as well as in the future. As such, staff recommends a condition of approval requiring that no physical barriers be erected that prevent direct physical access for pedestrians and cyclists between SW Stott and SW Erickson aligned with SW 2nd and SW 3rd Streets.

Section 60.60 Trees and Vegetation Requirements: The applicant states that the proposal will include the removal of a total of 643 linear diameter breast height (DBH) of landscape trees, and will propose to mitigate with 657 linear DBH, meeting the mitigations requirements of 60.60.25.9. Additional trees and landscaping on-site are defined as either Community Trees or Historic Trees, and the applicant requests Tree Plan Three approval to remove 79 Community Trees from the site as well as 11 Historic Trees. This request is addressed under Attachment I of this staff report. Community Trees are not subject to the removal, protection, or mitigation standards in BDC Section 60.60; however, the Committee recommends conditioning the applicant to install tree protection fencing prior to the start of construction for trees proposed for retention.

Section 60.65 Utility Undergrounding: The applicant states that all overhead utilities along site frontages will be placed underground consistent with the provisions of BDC 60.65. Staff concurs, noting that applicant's plans do not show any remaining above ground utilities along street frontages or serving new buildings.

As conditioned, the Committee finds the proposal complies with all applicable provisions of Chapter 60 (Special Requirements).

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.E

Approval Criterion: *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.*

FINDING:

Beaverton School District will retain ownership of the site and provide regular maintenance of all private common facilities and areas. The Committee finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.F

Approval Criterion: *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.*

FINDING:

The applicant's site plans show that all on-site pedestrian walkways are designed to provide safe and efficient internal circulation throughout the school site and provide connections to building entrances, athletic fields, play areas, plazas and common areas, vehicle and bicycle parking areas, and trash and recycling areas.

The applicant's plans show how safe and efficient vehicular circulation will be provided for the five on-site parking lots. Parking lot 1, directly east of the existing cafeteria, will be utilized by Special Education (SPED) school buses, delivery vehicles, and select staff member vehicles, and includes 16 parking spaces. As shown on Sheet L2.06, the main traffic flow of Parking Lot 1 will have one-way counterclockwise circulation, which will allow for the efficient movement of school buses, delivery vehicles and passenger vehicles. The applicant provided queuing memo, dated July 27, 2023 (Exhibit 3.Y), states that 7 SPED buses will use the parking lot for drop off in the mornings, and 11 SPED busses will use the parking lot for pickup in the afternoon. Parking Lot 1 has capacity for 9 SPED buses, which is less than required for afternoon pickup. The applicant notes that SPED bus pickup window is between 2pm and 2:35pm, and all 11 busses present at the same time represents a worst-case scenario. To accommodate this potential spillover into the right of way, the applicant requests to sign a portion of SW Stott's frontage adjacent to Parking

Lot 1 as bus loading from 2:00pm to 2:30pm, Monday through Friday. To ensure reliable traffic flow along Stott, the committee recommends a condition of approval to designate a portion of SW Stott as bus loading consistent with applicant's request as detailed in the July 27, 2023 queuing memo (Exhibit 3.Y).

The applicant's plans show emergency vehicle access can be provided to the site through a driveway apron in the northwest corner of Parking Lot 1. Removable bollards have been proposed to eliminate any potential vehicle and pedestrian conflicts.

Parking lot 2, directly south of the existing cafeteria and proposed Lot 1, will be utilized for student pickup and drop-off and student parking, and includes 89 parking spaces. As shown on Sheet L2.06, the main traffic flow of Parking Lot 2 will have one-way counterclockwise circulation, which will allow for the efficient movement of passenger vehicles dropping off students. The applicant's plans indicate that this parking lot has the capacity to support 22 passenger vehicles queuing on-site for student pickup and drop-off. Based on the applicant's queuing memo, staff concur that on-site queuing will not block vehicle travel in this parking lot. While there will be some amount of congestion along SW Stott during pickup and drop-off times, SW Stott is a local street that primarily serves the high school, and disruptions of traffic flow unrelated to the high school will be minimal.

Parking lot 3, directly south of proposed Lot 2, will be utilized as flexible parking spaces for events and staff overflow, and is directly accessed by Lot 2 and includes 34 parking spaces.

Parking lot 4, directly south of the proposed new high school building and west of proposed Lot 2, will be utilized for school bus pickup and drop-off, staff parking and visitor parking, and includes 129 parking spaces. As shown on Sheet L2.05, the main traffic flow of Parking Lot 2 will have one-way counterclockwise circulation, which will allow for the efficient movement of passenger vehicles dropping off students. The applicant's plans indicate that this parking lot has the capacity to support 12 school buses queuing on-site for student pickup and drop-off. It is anticipated that 10 standard school buses will use Parking Lot 4 for pickup and drop-off, therefore this parking lot provides sufficient queuing capacity for standard school buses.

Parking lot 5, located at the southern end of the western campus, currently exists, and will be utilized as flexible parking spaces for events and overflow, and includes 70 parking spaces.

The applicant's turning maneuvers found in Exhibit J (Sheets N.1 to N.4) demonstrate how the on-site parking lots will provide adequate turning radii for delivery trucks, fire trucks, and waste and recycling trucks. Furthermore, TVF&R reviewed the applicant's materials for issues related to fire access and issued SPL approval for the proposal.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.G

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

FINDING:

The applicant's plans show the school's on-site pedestrian walkways will connect to public sidewalks on SW Farmington Road, SW Erickson Avenue, SW 2nd Street, SW Stott Street in a safe, efficient, and direct manner. Multiple pedestrian connections are provided along each public sidewalk connecting.

The applicant's queuing memo dated July 27, 2023 (Exhibit 3.Y) demonstrates that each parking lot has capacity to support staff, student, and bus queuing, with the exceptions of Special Education buses in Parking Lot 1 and student pickup and drop-off in Parking Lot 2. The analysis included in the memo, as well as staff's analysis located in Criterion F of this report demonstrate the expected traffic will have minimal impacts on traffic flow unrelated to the high school.

The applicant's plans including modifying curb extensions at the intersection of SW Stott and SW 3rd, directly east of Parking Lot 2. To ensure the functionality of the intersection, the committee recommends a condition of approval requiring the submittal of standard bus turning templates for both directions.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.H

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

FINDING:

Fire protection will be provided by TVF&R. The layout of the proposed development provides proper spacing, building access, and turning radii. TVF&R staff issued SPP approval for the applicant's proposal, and the agency will verify that their requirements are met prior to site development permit issuance. The Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.I

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

FINDING:

The applicant states that all structures and public facilities serving the development site are designed in accordance with adopted City codes and standards. As of the date of this report, Beaverton Police have not raised any concerns about crime or accident at the development site. Any comments from Beaverton Police will be forwarded directly to the applicant, and the Committee finds the development is designed to provide adequate protection from crime and accident.

The applicant will be required to submit for development permits for life and safety review as part of the building permit review process. Accordingly, the Committee finds that review of the construction documents at the building permit stage will ensure protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.J

Approval Criterion: *Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

FINDING:

The applicant states the development site will be graded in such a way as to not adversely impact neighboring properties, public right-of-way, surface drainage, water storage facilities, or the public storm drainage system. Additionally, the applicant's preliminary grading plans (Exhibit 3.A.3.1, Sheets C2.00 to C2.12) demonstrate compliance with the on-site surface contouring standards for sites within or abutting any residentially zoned property (Section 60.15.10.3).

The Committee has reviewed the proposed preliminary grading plan and finds no adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, or the public storm drainage system are anticipated. The Committee recommends conditions of approval regarding the grading and contouring of the development site, which will be reviewed and approved prior to site development permit issuance.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.K

Approval Criterion: *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.*

FINDING:

The applicant states that all paved on-site pedestrian routes will meet Americans with Disabilities Act (ADA) standards and facilitate efficient pedestrian travel. The applicant will also be required to meet all applicable accessibility standards of the International Building Code, Fire Code, and other standards as required by the ADA. The Committee finds that review of the proposed plans at the site development and building permit stages is sufficient to guarantee compliance with accessibility standards.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.1.L

Approval Criterion: *The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.*

FINDING:

The applicant submitted applications for a Major Modification of a Conditional Use Permit, Design Review Three, Downtown Design Review Compliance Letter, Historic Review – Demolition of Landmark, two Sidewalk Design Modifications, Street Vacation, Tree Plan Three, and Variance. All applications were deemed complete by the applicant on June 28, 2023. As of publication of this document, no additional information has been identified as required by staff or has been conditioned to be provided at a late stage of permitting.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.2.A

Approval Criterion: *The transportation facility, as proposed or modified, conforms to the Transportation System Plan.*

FINDING:

The applicant states that the segment of 3rd Street requested for vacation has never been improved and has been a paper street since the platting of the Beaverbrook Addition Plat in 1940. The Transportation System Plan (TSP) does not include any assumptions or recommendations that this street segment be built out. While the street segment is shown as existing right of way in Chapter 6 of the Comprehensive Plan, it is not identified in the TSP as an existing or future pedestrian or vehicle accessway. Additionally, it is not identified as a Transportation System Plan Improvement need in Chapter 4 of the TSP (Future Needs & Improvements Plans). Therefore, the proposed vacation will not adversely affect connectivity in the City of Beaverton Comprehensive Plan (Transportation Element) or the TSP.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.2.B

Approval Criterion: *There are safe and efficient vehicular and pedestrian circulation patterns within the project boundaries.*

FINDING:

The applicant states that the existing pedestrian and vehicular circulation patterns related to the 3rd Street vacation will not change, as the existing street is unimproved. Current transportation facilities allow for safe and efficient vehicle and pedestrian movement through the adjacent residential neighborhood. The formal vacation of 3rd Street will maintain current conditions and prevent any new street cut throughs. Staff agrees, noting that the proposed recreation improvements in the western campus will allow for safe and efficient circulation within the site via pedestrian pathways and parking lots and service vehicle routes.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.2.C

Approval Criterion: *The proposed development is consistent with all applicable provisions of CHAPTER 60 (Special Requirements) and all improvements, dedications, or both required by the applicable provisions of CHAPTER 60 (Special Requirements) are in place.*

FINDING:

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 (Special Requirements).

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.2.D

Approval Criterion: *Adequate means are provided or proposed to be provided in a satisfactory manner, to ensure continued periodic maintenance and replacement of the following, 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.*

FINDING:

The proposal is to vacate a segment of an unimproved street and no new transportation facility is proposed with this application. Therefore, maintenance is not required.

Conclusion: Therefore, the Committee finds the approval criterion is not applicable.

Section 40.03.2.E

Approval Criterion: *The proposed transportation facility connects to the surrounding circulation systems in a safe, efficient, and direct manner.*

FINDING:

The proposal does not include a new transportation facility. However, staff notes that proposed pedestrian connections are provided connecting to SW Erickson and SW 2nd in multiple locations, and limited access for vehicles, including a service vehicle access point near the proposed field house building, and existing parking lot access points at the southern end of the existing parking lot, which will remain.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.2.F

Approval Criterion: *The proposed transportation facility or modification thereof will provide adequate fire equipment facility access and turnaround area, as well as adequate street lighting for crime and accident prevention as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.*

FINDING:

Tualatin Valley Fire and Rescue (TVF&R) and the City of Beaverton Police Department reviewed the applicant's materials for issues related to fire access, fire turnaround area, and public safety and had no objections to the proposed street vacation. Additionally, no

new transportation facility is proposed with this application; therefore, street lighting is not required.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.2.G

Approval Criterion: *Grading and contouring are the minimum necessary to accommodate the proposed transportation facility, while mitigating adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.*

FINDING:

The proposal does not include a new transportation facility. However, staff notes that some limited grading is proposed related to the recreation amenity improvements on the western campus. The applicant has included a stormwater management plan (Exhibit 3.E) demonstrating that adverse impacts related to stormwater have been mitigated.

Conclusion: Therefore, the Committee finds the approval criterion is not applicable.

Section 40.03.2.H

Approval Criterion: *Access and facilities for physically handicapped people are maintained and/or incorporated into the subject transportation facility, with particular attention to providing continuous, uninterrupted access routes.*

FINDING:

The applicant states that the vacation of 3rd Street will not change existing conditions; this area will remain athletic fields and parking. Transportation facilities, including improvements of existing transportation facilities, are proposed elsewhere on and adjacent to the 3rd Street vacation.

The area proposed to be vacated will feature walkways that are Americans with Disabilities Act (ADA)-compliant, including in terms of walkway materials, widths, and slopes (Landscape Plan, Exhibit 3.A.4). These walkways will connect to other walkways, multi-use paths, and sidewalks that are ADA-accessible.

Staff concurs that accessible routes are provided along the western campus and the vacation of the unimprovement street will not interrupt access throughout the site.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Section 40.03.2.I

Approval Criterion: *The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code.*

FINDING:

The applicant submitted application the Street Vacation application along with Major Modification of a Conditional Use Permit, Design Review Three, Downtown Design Review Compliance Letter, Historic Review – Demolition of Landmark, two Sidewalk Design Modifications, Tree Plan Three, and Variance. All applications were deemed complete by the applicant on June 28, 2023. As of publication of this document, no additional information has been identified as required by staff as related to the Street Vacation.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criterion.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Residential Mixed C (RMC) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20			
Educational Institutions	Conditional Use	The applicant has applied for a Major Modification of a Conditional Use for the expansion of an Educational Institution in the RMC zone	See CU Findings
Development Code Section 20.05.15			
Minimum Land Area	N/A	West Campus: 7.82 feet East Campus: 18.32 acres	YES
Minimum Lot Width	20 feet	West Campus: 680 feet East Campus: 540 feet	YES
Minimum Yard Setbacks	Front: 10 feet Side: 5 feet Rear: 15 feet Minimum Between Buildings: 6 feet	Applicant's site plan demonstrates all minimum yard setbacks are met.	YES
Maximum Building Height	35 feet	The applicant has applied for a Variance for the primary school building to exceed the maximum building height by 27 feet 4 inches. All other structures meet the maximum building height.	See VAR Findings
Development Code Section 20.30.10			
Additional Height Limitations	In the RMC district, the maximum building height at both the front and rear setback lines is 25 feet	The proposed building is located outside of the front and rear setback areas. Therefore, this standard does not apply.	N/A

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Applicant proposes to reconstruct a high school totaling 295,000 new square feet and a Design Review Three is required.	See DR Findings
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	Refer to the Facilities Review Committee findings herein.	YES
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	Applicant is not proposing a food cart or food cart pod.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	N/A
Development Code Section 60.15			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property, and within 25 feet of a Significant Tree or Grove.	Applicant's preliminary grading plans demonstrate compliance with the grading standards in Section 60.15.10.3.	YES
Development Code Section 60.20			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	N/A
Development Code Section 60.25			
Off-Street Loading Requirements	One Type B loading berth is required.	Applicant's plans show one 30 foot long, 12-foot-wide loading berth in parking lot one, east of the existing cafeteria.	YES

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	No parking required due to Oregon Administrative Rule OAR 660-012-0440	Applicant's site plan shows that 338 parking spaces will be provided on-site.	YES
Development Code Section 60.30			
Required Bicycle Parking	<u>High School:</u> Short-Term: Not Required Long-Term: 83 spaces	Applicant's site plans show that 114 long-term bicycle parking spaces will be provided.	YES w/ COA
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	N/A
Development Code Section 60.35			
Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	N/A
Development Code Section 60.40			
Sign Regulations	Requirements for signs.	All signs will be reviewed under a separate sign permit and are not reviewed with this proposal.	N/A
Development Code Section 60.50			
Fences	Height restrictions for fences and walls.	The applicant proposes a variety of fence heights across both campuses. However, the only fencing located within a required yard is six-foot-tall chain link fencing along SW 2nd Street, six-foot-tall chain link fencing along portions of west side of SW Erickson Street, and along SW 5 th Street. All fencing described above are located in the side or rear setbacks, which has an eight-foot limit. As such, those fences comply with this provision. All other proposed fencing is located outside of proposed yards, and therefore are not subject to this provision.	YES
Development Code Section 60.55			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	Refer to the Facilities Review Committee findings herein.	YES w/ COA

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	Refer to the Facilities Review Committee findings herein, as well as the Tree Plan Three findings in Attachment I.	YES w/ COA
Development Code Section 60.65			
Utility Undergrounding	Requirements for placing overhead utilities underground.	The Committee recommends conditioning the applicant to place all affected, applicable existing overhead utilities and any new utility service lines underground.	YES w/ COA
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	There are no Significant Natural Resources on the subject site.	N/A
Development Code Section 60.70			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A

Attachment B: MAJOR MODIFICATION OF A CONDITIONAL USE CU32023-00445

ANALYSIS AND FINDINGS FOR MAJOR MODIFICATION OF A CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CU32023-00445**, subject to the applicable conditions identified in Attachment K.

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B, and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, by meeting the conditions of approval, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criteria.

Section 40.15.05 Purpose:

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district but because of their size, operation, or other characteristics require review on a case-by-case basis. These uses are subject to the regulations in this Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional Uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.15.15.2.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on Major Modification of a Conditional Use Applications. The Planning Commission will determine whether the application as presented meets the Major Modification of a Conditional Use approval criteria. In this portion

of the report, staff evaluates the application in accordance with the criteria for on Major Modification of a Conditional Use.

To approve a Major Modification of a Conditional Use application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.15.15.5.C.1

The proposal satisfies the threshold requirements for a Major Modification of a Conditional Use application.

FINDING:

The applicant proposes to reconstruct Beaverton High School, currently conditionally approved under casefile CUP 4-70, as well as several subsequent modifications, resulting in an overall increase of approximately 11,500 square feet in floor area. The high school is located in the RMC zone, a Residential zoning district. Accordingly, staff finds the proposal is subject to a Major Modification of a Conditional Use review by meeting Threshold 1 which reads:

- 1 An increase in the gross floor area of an existing Conditional Use more than 10% or more than 1,000 gross square feet of floor area for all properties that are located in a Residential zoning district or within a distance of up to and including 50 feet of a Residential zoning district.*

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.15.15.5.C.2

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

FINDING:

The applicant paid the required fee for this Major Modification of a Conditional Use application.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.15.15.5.C.3

The proposal complies with the applicable policies of the Comprehensive Plan.

FINDING:

The applicant identifies the following goals and policies as applicable to the proposal.

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.

The applicant states that 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 commercial uses (to the north and east) and lower to higher density residential uses (to the east, south, and west). The site will continue to be accessed from every direction via public sidewalks and internal walkways and a multi-use path.

Staff concurs, noting that the site is an existing school in a central, urbanizing locations with a mix of uses surrounding the school. East-west traveling internal pathways across the site, as well as the north-south traveling mixed use path along the east edge of the school provide connectivity and continue the grid development pattern of Old Town Beaverton.

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.

The applicant notes that as intended by Policy 5.7.1a, they as the School District is seeking to provide a larger school facility – with updated learning environments – on land that is already developed with a smaller school. By rebuilding on the site, the District can

accommodate Beaverton's population and educational needs while utilizing existing District property.

The rebuilt school is located in the RMC zoning district and is adjacent to other residential zoning districts, as well as some commercial and multiple use zoning. Additionally, the property is currently used as a school and has been a school site since 1910. Therefore, a new use is not being introduced into the neighborhood. The school provides an essential and ongoing urban service to the neighborhood and does not conflict with the purposes of the RMC zoning district.

The existing school is centrally located and is easily accessible to residents of the community by multiple modes.

Staff concurs with the applicant, recognizing the rebuild will continue provide school services to the community. The site is already integrated into the community, and is well connected through streets, sidewalks, and multi-use paths.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.15.15.5.C.4

The existing use has been approved as a Conditional Use as governed by the regulations in place when the use was established and complies with the applicable conditions of the Conditional Use approval unless the applicant has received or is concurrently requesting one or more conditions be removed or modified as part of the current application.

FINDING:

The site was granted a Conditional Use permit in 1970 (casefile CUP 4-70), and subsequently modified by several additional approvals. The applicant has not requested to modify any previous conditional of approval, and no conflicts have been identified between the proposal and previous conditions of approval.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.15.15.5.C.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.

FINDING:

The site has served continually as a school since 1910. While the overall size of the development of the redevelopment will be approximately 14,200 square feet larger than

the current development, an approximately 4% increase, the site will be utilized relatively the same as the current school. Outdoor recreation facilities make up the western campus, primary academic instruction will be located at the north end of the east campus, and the stadium at the south end of the eastern campus. The applicant has provided a queuing analysis (Exhibit 3.Y) describes the traffic patterns and on-site capacity, demonstrating how the new development will have limited impacts on traffic flow. The applicant also notes that the proposed student enrollment will remain at 1,500 students.

Staff concurs that the proposal is designed in a way to remain reasonably compatible with the neighborhood and will have minimal impact on livability on the surrounding site.

Conclusion: Therefore, staff finds that the proposal meets the criterion for approval.

Section 40.15.15.5.C.6

The proposal will not modify previously established conditions of approval for the prior Conditional Use consistent with Section 50.95.6. of the Development Code.

FINDING:

The site was granted a Conditional Use permit in 1970 (casefile CUP 4-70), and subsequently modified by several additional approvals. The applicant has not requested to modify any previous conditional of approval, and no conflicts have been identified between the proposal and previous conditions of approval.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.15.15.5.C.7

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

FINDING:

The applicant has submitted a Design Review Three, Downtown Design Review Compliance Letter, Historic Review, Two Sidewalk Design Modification, Street Vacation, Tree Plan Three and Variance application to be processed concurrently with Major Modification of Conditional Use request. Staff recommends a condition of approval requiring that the Design Review Three, Historic Review, Tree Plan Three and Variance applications be approved along with this Major Modification of a Conditional Use.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of CU32023-00445, subject to the applicable conditions identified in Attachment K.

Attachment C: DESIGN REVIEW THREE DR32023-00251

ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR32023-00251**, subject to the applicable conditions identified in Attachment K.

Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B, and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, by meeting the conditions of approval, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criteria.

Section 40.20.05 Purpose:

The purpose of Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary, and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by ensuring the proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development. The purpose of Design Review as summarized in this Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Three Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type Three Design Review.

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:

Section 40.20.15.3.C.1

The proposal satisfies the threshold requirements for a Design Review Three application.

FINDING:

The applicant proposes to reconstruct Beaverton High School, which includes 336,379 square feet of gross floor area. Additionally, the site is located in the Residential Mixed C (RMC) zoning district, a Residential zoning District. Accordingly, staff finds the proposal is subject to a Design Review Three review by meeting Threshold 2 which reads:

- 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.*

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.20.15.3.C.2

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

FINDING:

The applicant paid the required fee for this Design Review Three application.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.20.15.3.C.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).

FINDING:

The proposal meets threshold 2, therefore, this criterion is applicable. Staff cites the Design Guidelines Analysis at the end of this Design Review section, which evaluates the project as it relates the applicable Design Review Guidelines found in Section 60.05 of the Development Code. Staff reviews each Guideline with respect to the applicability of the Guideline to the project, the applicant's response and illustrative representation of the proposal. Staff provides an evaluation of the proposal in relation to the Guideline and a statement as to whether the Guideline is met.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.20.15.3.C.4

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

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

FINDING:

The proposal consists of new construction, not additions to existing structures.

Conclusion: Therefore, staff finds the criterion is not applicable.

Section 40.20.15.3.C.5

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 this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.

FINDING:

The applicant does not propose a Design Review Build-out Concept Plan (DRBCP); therefore, this criterion is not applicable.

Conclusion: Therefore, staff finds the criterion is not applicable.

Section 40.20.15.3.C.6

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).

FINDING:

This criterion does not apply, as the proposal meets threshold 2 for the Design Review Three.

Conclusion: Therefore, staff finds the criterion is not applicable.

Section 40.20.15.3.C.7

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).

FINDING:

This criterion does not apply, as the proposal meets threshold 2 for the Design Review Three.

Conclusion: Therefore, staff finds the criterion is not applicable.

Section 40.20.15.3.C.8

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

FINDING:

The applicant has submitted a Major Modification of Conditional Use, Downtown Design Review Compliance Letter, Historic Review, Two Sidewalk Design Modification, Street Vacation, Tree Plan Three and Variance application to be processed concurrently with this Design Review Three request. Staff recommends a condition of approval requiring that the Major Modification of a Conditional Use, Downtown Design Review Compliance Letter, Historic Review, both Sidewalk Design Modification applications, Street Vacation, Tree Plan Three and Variance applications be approved along with this Design Review Three.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of DR32023-00251, subject to the applicable conditions identified in Attachment K.

Design Review Guidelines Analysis

In the following analysis, staff has only identified the Design Guidelines that are relevant to the subject development proposal. Non-relevant Guidelines have been omitted.

60.05.35 Building Design and Orientation Guidelines.

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)**

FINDING:

Main School Building

The applicant states that variations in height, roof pitch, architectural features and buildings materials are included to provide visual interest. The applicant notes that roof levels step down at major road intersections on Farmington Road at Stott Avenue and Erickson Avenue, as well as along the length of Stott Avenue. Additionally, rooflines are broken up by large inset aperture windows. In addition, at the north frontage, façade planes are angled and a portion of the upper-level massing cantilevers over the ground level to provide visual interest and relate to the context.

The applicant also notes that operable windows add articulation and scale as well as visual interest. In addition, alternating strips of metal siding of varying widths and fiber cement panels provide articulation and visual interest. The applicant cites inclusion of horizontal datum lines which help to further break down the scale of the building and windows are featured prominently on all elevations.

Staff concur that the main school building has varied architectural features that provided visual interest and reduce apparent massing through varying roof levels, architectural features, and changes in exterior materials.

West Field House

The applicant notes that the Erickson Street façade of the west fieldhouse has vertical elements of smooth textured, black colored fiber cement board and painted metal louvers. These elements break up the continuous chevron profiled metal wall panels. Due to the nature of this building (storage and batting cages), windows are not appropriate, but the louvers and fiber cement board are designed to be proportional to the windows and panels of the main building across the street. Additionally, a 2'-0" high base of dark gray colored, ground face concrete masonry block has been added to ground the building and this element has been carried around to all sides of the fieldhouse. For durability, the north side of the restroom and storage areas have been clad in the same concrete masonry unit

(CMU) as the rest of the building. All the blocks on the fieldhouse are stacked in a bond pattern and the roof has a pitch of 4:12.

Staff concur that the smaller field house provides visual interest through vertical elements and changes in materials.

Stadium Storage

The applicant states that the new structure will be set back 115 feet from the nearest right of way and will not be readily visible from public view.

Staff notes that the small, one-story outbuilding (approximately 1,340 square feet) will have a pitched roof similar to the west field house and utilizes three different materials exterior materials. Staff also concur that this building will not be easily visible from the right of way and concur that sufficient visual interest has been provided for the structure.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

Main School Building

The applicant states the primary building entry on the south façade includes a two-story entry vestibule, highlighted with an accent color and awning to help emphasize its presence and use as the main entry. The predominant pattern on the façade is vertically oriented. At the north, west and east facades, window and entry apertures connect multiple floors to break up facades, create visual interest, and balance horizontal features.

Staff concur that the main school building utilizes a variety of vertical elements to balance the horizontal length of the building, including main entries as well as vertical insets and apertures.

West Field House

The applicant notes that the restroom entrance is the only significant building entry. The doors have been recessed to provide weather protection as well as visual privacy. Above the doorways on the north and west facades black fiber cement board has been placed to provide scale and balance the broad facades with vertically proportioned lines.

Staff concur that vertical elements have been included on the building through changes in materials, an inset restroom door.

Stadium Storage

The applicant states This building is set back approximately 115' from the nearest property line (5th Street). It is not clearly visible to pedestrians. The building is used

seasonally; its only function is to store equipment for spring track & field and fall football. There are no regular users or occupants of this building. Chain link gates on the north and south elevations are placed to allow natural ventilation of the track & field and football storage areas. They provide a vertical element to balance the horizontally oriented building material.

Staff concur, also observing the building is 115 feet from the closest right of way, and the longest elevation is only 40 feet long.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

Main School Building

The applicant states that the school building orientation and building elements contribute to the pedestrian orientation and scale of the proposed development. The school building itself is shaped around a central courtyard. The building has a significant number of windows and glazing on the ground floor.

Where possible, windowsills extend to the floor slab to allow views into interior spaces of the ground floor from the sidewalk and walkways. Small operable windows contribute to a smaller pedestrian scale. Awnings over exterior doors as well as landscaping at the building also contribute to a comfortable pedestrian experience.

Staff concur that the exterior façade promotes a comfortable pedestrian scale through ground floor windows and awnings.

West Field House

The applicant notes that the fieldhouse has vertical elements of smooth textured, black colored fiber cement board and painted metal louvers. These elements break up the continuous chevron profiled metal wall panels. Although this building has no windows, the louvers and fiber cement board are designed to be proportional to the windows and panels of the main building across the street.

Staff concur that the proximity of the building to the street, door orientation to the public sidewalk, and changes in materials provide a comfortable pedestrian experience.

Stadium Storage

The applicant states that this building is set back approximately 115' from the nearest property line and is not clearly visible to pedestrians. Nonetheless, the overall small

size of the building – roughly 34’ wide by 40’ tall and 16’ tall – makes it human-scale.

Staff concur, noting that the building is not adjacent to public walkways, but the small scale of the building promotes a comfortable walking experience on-site.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

Main School Building

The applicant states that the school building is articulated with vertical strips of metal of differing widths and fiber cement panels that shift focus between floors to add visual interest. Other items of visual interest include stair plinths, windows and glazing along all facades, large aperture windows to break up facades, and operable windows to add to human scale and visual interest.

Staff concur that the exterior façade have significant visual interest, relying on changes in materials, inset windows and other features to provide visual interest.

West Field House

The applicant states that there are vertical elements of smooth textured, black colored fiber cement board and painted metal louvers on the fieldhouse. These elements break up the continuous chevron profiled metal wall panels. Although there are no windows, louvers and fiber cement board are designed to be proportional to the windows and panels of the main building across the street. Additionally, a 2’-0” high base of dark gray colored, ground face concrete masonry block has been added to ground the building and this element has been carried around to all sides of the fieldhouse.

Staff concur that visual interest has been provided through louvers changes in material to avoid any undifferentiated blank walls.

Stadium Storage

The applicant states that this building is set back approximately 115’ from the nearest property line and is not clearly visible to pedestrians. Nonetheless, the south elevation that may be partially visible from SW 5th Street is differentiated through changes in material and a peaked roof.

Staff concur, noting that the building is not adjacent to public walkways, but the southern elevation that may partially be visible from the right of way does have changes in material and a peaked roof for visual interest.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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)**

FINDING:

Main School Building

The main school building has flat roofs. See response to criterion 2.B below.

West Field House

The applicant states that the west field house has a 4:12 roof pitch.

Stadium Storage

The applicant states that the stadium storage building has a 4:12 roof pitch.

Staff concurs that the West Field House and Stadium Storage buildings have significantly pitched roofs that are visible from the street.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

Main School Building

The applicant states that variation in the roofline is provided because the roofline follows the building massing and the massing consists of a variety of one-, two- and three-story buildings with different portions of the massing at different angles.

There are apertures on Level 3, which are insets in the facade where exterior walls splay outward and the adjacent exterior walls that frame the apertures are an accent color. At these apertures, the roofline is broken to accentuate these spaces and further break down the scale of the building.

Thus, roofline interest comes from it being broken by the apertures, as well as it steps down with the massing and being treated similarly to the horizontal banding at floor levels to create a cohesive composition.

Staff concurs that sufficient visual interest is provided along the flat roofline of the main school building.

West Field House

The west field house does not have a flat roof.

Stadium Storage

The stadium storage building does not have a flat roof.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

There are no additions to existing structures.

Conclusion: Therefore, staff finds the criterion is not applicable.

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)**

FINDING:

Main School Building

The applicant states that the primary school building entrance is located on the south façade. It is recessed, with a large canopy at Level 1 that extends outward. Other building exits are protected with canopies as well.

West Field House

The applicant states the fieldhouse restroom entrance is the only significant building entry. The doors have been recessed to provide weather protection as well as visual privacy. Above the doorways on the north and west facades black fiber cement board has been placed to provide scale and balance the broad facades with vertically proportioned lines.

Stadium Storage

The applicant states the building is used seasonally; its only function is to store equipment for Spring Track & Field and Fall Football. There are no regular users or occupants of this building and, thus, no pedestrians using the building and needing weather protection.

Staff concurs that each proposed building has an appropriately emphasized building entrance based on the scale, users, and frequency of use of the building.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

Main School Building

The applicant states that the primary building entry on the south façade is the building's only primary entrance. It is designed as a recessed two-story aperture, with cladding in an accent color surrounding it to draw attention to it. The entry includes a large canopy that extends outward, further signaling that it is the main entry.

West Field House

The applicant states the restroom entrance is the only significant building entry for the fieldhouse. The doors have been recessed to provide weather protection as well as visual privacy.

Stadium Storage

The applicant states This building is not used by pedestrians. Nonetheless, entrances on the north and south facades are distinguished by a large metal door and chain link gates to allow natural ventilation of the track & field storage areas.

Staff concurs that each proposed building has been given special attention to highlight building entrance based on the scale and use of the building.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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)**

FINDING:

Main School Building

The applicant states that the main school building's proposed primary building materials are profiled metal panels and high-density fiber cement panels, both prefinished, with the cement panels also being integrally colored. Metal and cement convey durability.

Accent materials include brightly colored fiber cement panels. Windows are provided throughout the ground floor where the interior program allows. Where possible and the floor is above grade, glazing extends to the top of the foundation slab to allow for as much light and transparency as possible.

West Field House

The applicant states the fieldhouse uses many of the same elements as the school building, as well as including fiber cement board and painted metal louvers. These elements break up the continuous chevron profiled metal wall panels but, due to the nature of this building's use, windows are not appropriate. However, the louvers and fiber cement board are designed to be proportional to the windows and panels of the main building across the street. Additionally, a 2'-0" high base of dark gray colored, ground face concrete masonry block has been added to ground the building and this element has been carried around to all sides of the fieldhouse. Additionally, all the blocks on the fieldhouse are stacked in a bond pattern.

Stadium Storage

The applicant states that durability is a primary consideration for this building; thus, concrete masonry block (CMU) is the primary wall material. The dark gray ground face block is used to match the existing nearby stadium concession stand. Windows are not appropriate for this building, but chain link gates and walling are used on the north and south elevations for natural ventilation of the Track & Field storage areas.

Staff concurs that each proposed building conveys an impression of permanence and durability through the exterior materials chosen.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

Main School Building & West Field House

For these two buildings, the applicant states that dark gray brick is proposed – and proposed in a running bond pattern – but not as a primary material in the school building. Rather, this brick would be at grade, below the lowest horizontal datum; it is a minor finish material. In this way, this guideline is not applicable. For the fieldhouse, all the blocks have been stacked in a bond pattern.

Stadium Storage

The applicant states this building is not intended to be used by pedestrians and is used for seasonal storage only.

Staff concurs that the limited use of masonry on the main school building and west field house are in less emphasized areas of the building and do not meet the intended application of this criterion. Areas of emphasis, such as entrances, building corner and pedestrian levels are primarily metal panels or fiber cement panels.

Staff also concurs that the stadium storage building is set away from the view and use of pedestrians, and its smaller scale use as seasonal storage only does not warrant the decorative masonry design more applicable to a larger more prominent building.

Conclusion: Therefore, staff finds the criterion is not applicable.

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

FINDING:

Main School Building

The applicant states that all rooftop equipment will be screen by metal panels used on the exterior building façade.

West Field House

The applicant states that no mechanical equipment proposed to be visible for the West Field House.

Stadium Storage

The applicant states that the building will be set approximately 115 feet from the nearest public right of way and will not be readily visible from the public right of way. A wall or roof

mounted exhaust fan will be located in a yet to be determined location on the storage building.

Staff concurs that appropriate screening is proposed for the main school building and the west field house. However, staff observes that the size and location of the exhaust fan on the storage building has not been identified. Due to this lack of information, staff recommends a condition of approval requiring that the applicant demonstrate that the exhaust fan is not visible from the nearest public right of way, SW 5th Street, prior to issuance of the building permit for the stadium storage building.

Conclusion: Therefore, by meeting the conditions of approval, staff finds that the proposal meets the criterion.

60.05.40 Circulation and Parking Design Guidelines.

- 1. Connections to public street system. The on-site pedestrian, bicycle and motor vehicle circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan. (Standard 60.05.20.1)**

FINDING:

The applicant's proposal includes five parking areas in two areas well connected by public and private pathways. Vehicle access is taken from SW Stott for the east campus and SW Erickson for both campus parcels. Regular pedestrian access is provided into the site for both the east and west campus parcels.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

New on-site service areas, outdoor storage areas, disposal facilities, and recycling containers include two new trash/recycling enclosures for the school building/cafeteria area and the new fieldhouse and one new enclosure in conjunction with the new stadium storage. These do not abut a public street and are enclosures and, thus, are screened from public view.

Existing trash/recycling and storage areas will be retained and not modified with this proposal.

Conclusion: Therefore, staff finds the 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)**

FINDING:

The new loading berth in Parking Lot 1 is shared with the Special Education bus queuing and is not readily apparent to be a loading berth. The applicant's narrative notes that the loading activities will take place outside of Special Education bus queuing hours. The loading is compatible as the site is already used for a high school.

Conclusion: Therefore, staff finds the guideline is met.

3. Pedestrian circulation.

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

FINDING:

The applicant states that the internal pedestrian network connects all buildings, parking areas and open spaces. Staff concurs that all major pedestrian destinations are well linked on both the west and east campus. Furthermore, staff notes that an enhanced, raised crosswalk at SW Erickson and SW 2nd facilitate a safe crossing of SW Erickson between the two campuses.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant states that direct pedestrian access is provided to each public street frontage along both campuses. A multiuse path provides access to SW 5th Street to the south, which is otherwise fenced for security purposes.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant states that the primary building entrances for the proposed buildings are connected to each of the adjacent public streets, as well as other on-site pedestrian destinations.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

Staff observes that the pedestrian connections are well spaced across the site and minimize the need for pedestrian travel through the site. Pedestrian walkways are provided along the edges of each parking lot, and a well-defined, east-west pedestrian path through the largest parking lot, Lot 4, is provided as an additional safe pathway for pedestrians.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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)

FINDING:

All street frontages are designed for high levels of pedestrian activity. Minimum six-foot-wide sidewalks are provided along all frontage, meeting the Engineering Design Manual. The lone exception is a small segment of SW 5th Street, where the existing track will reduce the sidewalk width to 5.5 feet. See Attachment G for analysis regarding the requested Sidewalk Design Modification for SW 5th Street. The new school building at the north end of the east campus will be located adjacent to SW Erickson, SW Farmington, and SW Stott, providing pedestrian engagement as well.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

All proposed walkways will be constructed with concrete, providing a hard durable surface.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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).

FINDING:

The applicant states that trees and landscaping are proposed to be planted along the perimeter of the five parking areas. All parking areas will feature landscaping along their frontages.

Staff concur that all surface parking lots along public streets will be landscaped.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant states Landscape islands are provided in all the parking areas, with trees and other plantings. Their maximum spacing is one every 11 parking spaces (Parking Lot 5). Landscaping and trees are also provided around the perimeter of the parking areas.

Staff concurs that landscape islands and trees are located evenly throughout the parking lots and will lessen the visual impacts of the parking lots.

Conclusion: Therefore, staff finds the proposal meets the guideline.

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones.

A. On-Site vehicle circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8)

FINDING:

The applicant states that the proposed parking areas include clear pavement markings, curbs, raised pedestrian walkways, and landscaped islands with trees. The layout of the parking areas will provide suitable turning space for large trucks, school buses, and fire trucks as shown on the Turning Diagrams.

Staff concurs that the vehicle circulation areas, including bus and passenger vehicle queuing areas are easily recognizable, with the use of curbs, raised walkways and landscaping to clearly designate circulation areas.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant states the parking areas are broken up into five lots, surrounded by walkways, plazas, and landscaping to minimize the visual impact of the parking areas.

Staff concur that long continuous aisles are not included in the proposal, and the five smaller parking areas reduce the apparent size of the parking lots on-site.

Conclusion: Therefore, staff finds the proposal meets the guideline.

60.05.45 Landscape, Open Space and Natural Areas Design Guidelines.

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)

FINDING:

The applicant's materials show the site planted with trees, shrubs and other planting across the site, including areas around new buildings, parking areas, loading areas, and along all abutting roads. These plantings will help soften the edges of the hardscapes on site. In addition to perimeter landscaping, landscape islands in parking areas will help break up the parking lots and lessen their visual impact.

Staff concurs that the landscaping as provided will soften edges and enhance the attractiveness of the site.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

The applicant states that a courtyard is proposed in the center of the new school building. It connects to the existing cafeteria building. The courtyard incorporates trees and landscaping, concrete seat wall platforms, and paved concrete walkways. Additionally, there are plazas or common areas adjacent to the baseball field seating and tennis courts, one northeast of the stadium, both on the western campus, and at the school entry which functions as a drop-off plaza on the eastern campus. All plazas incorporate trees, landscaping, and concrete seat wall platforms to accommodate pedestrian traffic.

Staff concurs that the plazas are design for pedestrian traffic.

Conclusion: Therefore, staff finds the guideline is not applicable.

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

FINDING:

The applicant states that all proposed plant species consist of native and drought-adapted species that are appropriate for the region. Proposed plantings have been developed based on site microclimates and to provide appropriate mixture for shared zones around buildings, more exposed southern edges of the site, and transitions around east and west edges of the site.

Staff concurs that the proposal utilizes native vegetation where practical to be compatible with local climate conditions.

Conclusion: Therefore, staff finds the guideline is not applicable.

- 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)**

FINDING:

The applicant states that mature trees will be retained where possible. Staff cites the findings in the Tree Plan Three application, Attachment I of this report as applicable to this Design Guideline.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant states that a diversity of trees and shrubs are provided. Staff notes that the applicant's landscape plans (Exhibit 3.A.4, Sheet L3.0A) show three types of coniferous trees, 11 deciduous trees, 4 stormwater planter shrubs and grasses, and wide variety of shrubs and grasses across various planting areas on site.

Staff concurs that a broad diversity of trees and shrubs have been provided with this proposal.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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).

FINDING:

One retaining wall is proposed that is approximately 300 feet long and four feet high along the northeast and north sides of the athletic field east of the stadium. The retaining wall is incorporated into the landscape plan through plantings along the face of the wall for a depth of at least 10 feet, with shrubs that will grow up to four feet in height. The applicant also notes that the wall is a minimum of 400 feet from the nearest public right of way, further minimizing the visibility of the wall from public view.

Staff concurs that the retaining wall is incorporated appropriately into the landscape plan.

Conclusion: Therefore, staff finds the proposal meets the guideline.

7. Fences and walls.

a. Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.9)

FINDING:

The applicant states proposed fences along the side and rear property lines will be 72" black, vinyl coated chain link fence for security and visibility. Additionally, black ornamental fencing is proposed in the interior of the site near the new school building as well as entries to the public plaza near the stadium.

Staff concurs that the proposed fences will be constructed of attractive, durable materials.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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)

FINDING:

No fences are proposed in any front yard setback.

Conclusion: Therefore, staff finds the guideline is not applicable.

- 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)**

FINDING:

The applicant states that appropriate grading and erosion control measures will be undertaken. Grading adjacent to residential properties to the west, southwest, and southeast of the school site will be limited and existing contours will largely be maintained. Thus, grading in these areas will not result in any conflicts in drainage, damage to tree root zones of trees to be retained, or the blocking of sunlight.

Staff concurs that the changes to grades and contouring near residential property lines will be minimal and will have limited impacts on neighboring properties.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

The applicant states that the stormwater management plan will utilize LIDA planters, catch basins, and a regional water quality facility to provide treatment. The applicant states that these facilities are integrated into the design of landscaping and parking lot facilities.

Staff concurs, noting that a majority of treatment and detention of stormwater will occur in subterranean facilities, and LIDA flow through planters are integrated into the site design.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 10. 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)**

FINDING:

No natural areas like streams or wetland are located on site. Analysis on the preservation of mature trees can be found in the Tree Plan Three analysis, located in Attachment I of this report.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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)**

FINDING:

The applicant states that a landscape buffer is provided for areas of the campus that directly abut residential properties to the west and southwest, where there is generally a minimum 20' landscape buffer (Exhibit 3.A.4, Sheets L3.03 and L3.07). A portion of the existing baseball field abuts residential properties and is to remain as part of the redeveloped school site. Most of these areas consist of athletic fields where a "field buffer" of trees and shrubs is provided between the field and the residential properties.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

The applicant states that the proposed development does not change the use; it replaces existing educational institutional buildings and makes site improvements in the RMC zoning district. The existing sports fields, including a baseball and softball field are also to remain.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

Native vegetation and vegetation compatible with local conditions are proposed in the Landscape Plan and are listed in the Plant Schedule

Staff concurs that the perimeter and landscape buffers are composed of a variety of trees and shrubs that will complement the overall visual character of the site and the neighborhood.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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).**

FINDING:

The applicant states that an existing sports field on the southwest portion of the west campus is preventing the planting of a 20 foot buffer along an approximately 200 foot long portion of the abutting residential property. The baseball field is existing and is not proposed to be modified with the proposal. The use of the space and its visual impact on the adjacent properties will maintain existing conditions and will not change because of the redevelopment. The existing 15' chain link fence provides protection from balls, and the fencing has site obscuring screening slats in the bottom 6 feet along the entire length of the SW property line for visual buffering.

Staff concurs that existing baseball field presents a unique condition on site that merits a width reduction of the landscape buffer.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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)**

FINDING:

Pole mounted and non-pole mounted lighting sources are proposed throughout the site. Pedestrian-scale light poles are proposed in the courtyard and plaza areas to illuminate walkways. Pedestrian-scale light columns will also be placed throughout the campus along walkways. LED light poles will illuminate the parking areas and bus drop-off areas.

Staff concurs that lighting is proposed strategically across the site to create safe, well-lit areas for site users.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

The applicant states that the lighting used across the site will be consistent. Staff concurs, citing the lighting cut sheet in Exhibit 3.H, indicating that 4 luminaire types will be used across the site.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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)**

FINDING:

Direct and indirect glare from BHS exterior lighting will be minimized using shields and direction/positioning of the lighting. Interior lighting is designed to be aimed to the interior and not exterior. Thus, only ambient interior light will be seen from the outside.

Staff concurs, noting that the provided photometric plans in Exhibit 3.A.5 shows no light trespass beyond 0.5 footcandles, consistent with the City's Technical Lighting Standards. Furthermore, the use of shields and directional lighting will further minimize any glare caused by proposed lighting.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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.**

FINDING:

The applicant has provided a photometric plan with the submittal materials. This photometric plan indicate that the proposed lighting will meet the minimum footcandle requirements for all pedestrian and vehicle maneuvering areas and will not exceed the maximum required footcandle limits at the property line.

Conclusion: Therefore, staff finds the proposal meets the guideline.

Attachment D: DOWNTOWN DESIGN REVIEW COMPLIANCE LETTER DDR12023-00446

ANALYSIS AND FINDINGS FOR DOWNTOWN DESIGN REVIEW COMPLIANCE LETTER APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DDR12023-00446**, subject to the applicable conditions identified in Attachment K.

Section 40.23.05 Purpose:

The purpose of Downtown Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by ensuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development.

To achieve this purpose, the Downtown Design Review process is divided into two major components; Design Standards and Design Guidelines. Both standards and guidelines implement Design Principles, which are more general statements that guide development of the built environment. Most Design Standards have a corresponding Design Guideline.

The Design Standards are intended to provide a clear and objective approach to designing a project. Depending on the design thresholds, designing a project to the standards would result in an administrative review process.

An applicant for Downtown Design Review approval can address design review requirements through a combination of satisfying applicable Design Standards, and in instances where it elects not to utilize Design Standards, satisfy the corresponding applicable Design Guidelines. In cases reviewed through a public hearing, the hearing and decision will focus on whether or not the project satisfies the requirements of the applicable Design Guidelines only.

The purpose of Downtown Design Review as summarized in this Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.23.15.1.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Downtown Design Review Compliance Letter Applications. The Commission will determine whether the application as presented, meets the Downtown Design Review Compliance Letter approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Downtown Design Review Compliance Letter.

To approve a Downtown Design Review Compliance Letter application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.23.15.1.C.1

The proposal satisfies the threshold requirements for a Downtown Design Compliance Review Letter.

FINDING:

The applicant proposes to remove a driveway and extend an existing multiuse path on a parcel within the Downtown Design District, impacting about 4,000 square feet of the parcel. The remaining portion of the site will be landscaped. Therefore, the proposal meets Threshold 1 for a Downtown Design Review Compliance Letter.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.23.15.1.C.2

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

FINDING:

The applicant paid the required fee for this Downtown Design Review Compliance Letter application.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.23.15.1.C.3

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

FINDING:

All required submittal materials have been provided for the Downtown Design Review Compliance Letter.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.23.15.1.C.4

The proposal meets all applicable Development Standards of Sections 70.15.2 of the Development Code unless the applicable provisions are subject to an Adjustment, Planned Unit

Development, or Variance application which shall be already approved or considered concurrently with the subject proposal

FINDING:

The proposal is limited to a multi-use path, which is accessory to primary use on the site, which is a recreation swimming facility. No structures are proposed, so setback and floor area ratio standards are not applicable.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.23.15.1.C.5

The proposal is consistent with all applicable Design Standards of 70.20 (Downtown Design Standards and Guidelines).

FINDING:

Staff cites the Design Standards Analysis Table at the end of this Downtown Design Review section, which evaluates the project as it relates the applicable Downtown Design Review Standards found in Section 70.20 of the Development Code. Staff reviews each Standard with respect to the applicability of the Standard to the project, the applicant's response and illustrative representation of the proposal. Staff provides an evaluation of the proposal in relation to the Standard and a statement as to whether the Standard is met.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.23.15.1.C.6

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

FINDING:

Staff cites the analysis in Attachment A, specifically Criterion D, E and F as applicable to this criterion. Based on the findings in Attachment A, staff finds that all applicable provisions of Chapter 60 complied with.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.23.15.1.C.7

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

FINDING:

The applicant has not requested to modify any previous conditional of approval, and no conflicts have been identified between the proposal and any previous conditions of approval.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.23.15.1.C.8

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

FINDING:

The applicant has submitted a Major Modification of Conditional Use, Design Review Three, Historic Review, Two Sidewalk Design Modification, Street Vacation, Tree Plan Three and Variance application to be processed concurrently with this Downtown Design Review Compliance Letter request. Staff recommends a condition of approval requiring that the Design Review Three, be approved along with this Downtown Design Review Compliance Letter.

Conclusion: Therefore, by meeting the conditions of approval, staff finds the proposal meets the criterion for approval.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of DDR12023-00446, subject to the applicable conditions identified in Attachment K.

Table 4: Section 70.04 Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Pedestrian Circulation		
70.20.05.6.S1 One pedestrian connection for every 300 feet.	The north frontage of the parcel is 260 feet long. With the proposed multi-use path proposed, three pedestrian connections are provided.	YES
70.20.05.6.S2 Accessible access with sustainability component.	The applicant states that pathway will be constructed with scored concrete with an SRI of 40. Additionally, trees will be planted along the pathway to provide greater than 50% canopy coverage.	YES
70.20.05.6.S3 Pedestrian connections abutting parking areas	No parking areas are proposed in the Downtown Design District.	N/A
70.20.05.6.S4 Pedestrian connections crossing drive aisles	No parking areas are proposed in the Downtown Design District.	N/A
70.20.05.6.S5 Pedestrian connections through parking lots	No parking areas are proposed in the Downtown Design District.	N/A
70.20.05.6.S6 Fences between buildings and creeks	No creeks are on or near the site.	N/A
70.20.05.6.S7 Sidewalk Widths	The sidewalk proposed along the 3rd Street Frontage will be 10 feet wide and have at least a 5 foot unobstructed walkway.	YES
Landscaping		
70.20.05.8.S1 Landscape requirements for sites over one acre	Approximately 75% of the area of the site impacted by development will have landscaping.	YES
70.20.05.8.S2 Planting and ground cover requirements	Site is covered turf grasses as well as four new trees.	YES
70.20.05.8.S3 Irrigation	Permanent in-ground irrigation will installed.	YES
Lighting		
70.20.05.9.S1 Must meet BDC 60.05.30	Photometrics provided demonstrate compliance with Table 60.05.1 Technical Lighting Standards for all areas of circulation. See sheet EPH 1.06 of Exhibit 3.A.5. Pole mounted lights will be 15 feet tall.	YES

Attachment E: HISTORIC REVIEW – DEMOLITION OF A LANDMARK HRD32023-00253

ANALYSIS AND FINDINGS FOR HISTORIC REVIEW – DEMOLITION OF A LANDMARK

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **HRD32023-00253**, subject to the applicable conditions identified in Attachment K.

Section 40.35.05 Purpose:

The purpose of Historic Review is to preserve, enhance, and perpetuate landmarks and districts which represent or reflect elements of the City's cultural, social, economic, and architectural history and to promote the use of historic districts and landmarks for the education, pleasure, housing and public welfare of the City's current and future citizens. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.35.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Historic Review – Demolition of a Landmark Applications. The Commission will determine whether the application as presented, meets the Historic Review – Demolition of a Landmark approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Historic Review – Demolition of a Landmark.

To approve a Historic Review – Demolition of a Landmark 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:

Section 40.35.15.3.C.1

The proposal satisfies the threshold requirements for a Demolition of a Landmark application.

FINDING:

The applicant proposes to demolish the Merle Davies Building, which is listed in the city's Historic Resource Inventory. Staff finds this request satisfies Threshold 1, which states:

1. *Demolition of an existing landmark.*

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.35.15.3.C.2

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

FINDING:

The applicant paid the required fee for this Historic Review application.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.35.15.3.C.3

The economic, social, environmental, and energy consequences of allowing the demolition outweigh the preservation of the historic landmark.

FINDING:

The applicant states that economic, social, environmental, and energy consequences of demolishing the building far outweighs the benefit of preserving the historic landmark. The applicant makes the below arguments for each of the categories.

Economic Considerations

As a single-story structure, the Merle Davies Building occupies a relatively large amount of the high school site. The site is already constrained and challenged in providing modern educational spaces and the full complement of high school-level activities in this urban setting. Retaining the Merle Davies Building would severely limit the buildable area for a new structure, resulting in construction of a new four-to five-story building – versus the three-story building being proposed – to accommodate the equivalent classroom area.

In addition, the cost of bringing the Merle Davies Building up to code for critical safety elements – such as seismic, asbestos, and lead – is prohibitive when compared with building a new code compliant structure. The Merle Davies Building is not expected to withstand a significant seismic event, thus contributing to further disruption in educational service and community shelter that would be needed – and would be extremely costly to otherwise provide – after such an event.

Last, it is not feasible – including economically feasible – for the District to establish sufficient temporary facilities for classrooms and athletic spaces during construction of the proposed project. Thus, a design has been developed that allows the existing high school to remain fully functional until the new building is complete. All new construction will be concentrated on the north part of the site, including on the footprint of the existing Merle Davies Building.

Social Considerations

It is acknowledged that a historically affiliated building will be lost. However, it should also be acknowledged that the building has been determined to be of limited historical integrity, as described below in response to Criterion 5, preventing it from qualifying as a national historic landmark. In a related vein, there have been no offers from the community to buy and relocate the building, as noted below in response to Criterion 4. New compelling uses were not identified in discussions with the community, such that it would be crucial to preserve the building.

The new BHS design was presented at the Neighborhood Meeting held on October 27, 2022. The presentation included discussion of the plans to demolish the Merle Davies Building in order to provide adequate space for the new high school building. The efficiencies of the existing one-story Merle Davies Building were discussed as they relate to the area needed for a multi-story high school environment and the need to utilize all available site area to provide programs essential to a modern high school. Community consensus was that it was important to honor the significance of Merle Davies in the new building, but maintaining the existing building was not the best use for the redevelopment and reinvention of the high school.

Evidence suggests that the building had been considered historic because of its namesake, Merle Davies. The District will memorialize Merle Davies within the new school building by acknowledging her contribution to the education of Beaverton students and the significance of the original Merle Davies Building.

The demolition will allow the District to provide a school environment for students and staff to be safe and thrive in. The interior program will boast 21st century learning spaces, meeting, or exceeding educational standards and providing more parity across district high schools. The building interior will be supported by more efficiently functioning and socially cohesive outdoor spaces. The demolition will allow the existing high school to remain fully functional until the new building is complete, a significant social benefit to staff, students, and their families.

As noted above, the new building will also be able to immediately meet critical health and safety standards related to seismic, asbestos, and lead codes. In addition, mechanical systems in the new building will be able to bring in more outdoor air so that the indoor air quality will be significantly better than in the current Merle Davies Building.

Environmental Considerations

Existing trees and landscaping will be removed with the proposed demolition and development. The existing landscape surrounding the Merle Davies Building is lawn with a sporadic arrangement of shrubs along the building edge. Four large London Plane trees border the west side of the building, and a large Cedar of Lebanon tree sits at a prominent location on the corner of SW Farmington Road and SW Stott Avenue. Street trees lining

the edges of the property adjacent to the Merle Davies Building are primarily Norway Maples, a species on the District's Prohibited Plant List. Between the prohibited street trees and the high-maintenance lawn, the current Merle Davies landscape is not providing benefits for native species, the school's maintenance team, or the changing climate.

The proposed development would replace street trees with species more beneficial to native birds and other urban wildlife, with consideration for the projected changes to Oregon's climate in the future. Proposed ornamental grasses, shrubs, and ground cover would be a combination of native, low-maintenance, and low water-use plants. By replacing the water-intensive lawn with a rich array of plantings and trees, the environmental consequences of removing the large London Plane trees could be offset. In addition, the large Cedar of Lebanon will be preserved for ecological, cultural, and aesthetic values. New planting will complement the Cedar of Lebanon; establish a highly attractive, welcoming building façade on SW Farmington Road; and match the green, pedestrian-friendly aesthetic of Beaverton's neighboring and burgeoning Downtown.

As noted above, the proposed demolition will also address lead and asbestos concerns associated with the Merle Davies Building. Removal and disposal of the construction debris will be completed in accordance with State and Federal requirements.

The proposed demolition and redevelopment of the site will improve the efficient use of land in an urban environment. This relates to energy considerations discussed in the next section.

Energy Considerations

As an element that applies to other categories in this analysis, there are energy efficiency gains to be made in providing a denser, more compact urban form. The proposed demolition also allows for the campus to be focused more northerly on the site, where it will be closer to major transit, pedestrian, and bike networks. The proposed building itself will be a far more energy-efficient building. Aluminum storefront windows will be used in the school's rebuilding; at the end of the building's life cycle, these can easily be recycled. The building is expected to exceed the current Energy Code and reduce the school's Energy Use Intensity (EUI) targets.

Staff concur with the applicant that the economic, social, environmental, and energy consequences benefits of redevelopment outweigh the preservation of the structure. In particular, staff agree that the cost of constructing a buildings 4 or 5 stories tall due to a smaller footprint would be considerably greater due to construction methods and possible need to shift to different construction materials for taller buildings. Furthermore, the cost of retrofitting the existing building, including asbestos and lead mitigation, and seismic upgrades to be appropriate for school use adds considerable cost to the effort of preserving the building.

In reviewing the Historic Landmark Inventory for this building, staff agrees with the applicant that the main purpose of recognizing the building was an effort to acknowledge and celebrate the Merle Davies themselves, and not the specific characteristics of the building. Including information about Merle Davies the person, as well as the original building the new construction, as suggested by the applicant, would appear to commemorate the original intention of the landmark designation, while allowing a modern building to provide the academic facilities needed for high school instruction.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.35.15.3.C.4

The applicant has not rejected the highest bona fide offer for sale and relocation of the building.

FINDING:

The applicant states that notice was published in the Beaverton Valley Times consistent with BDC 50.45.7.A, which requires publishing once a week for two consecutive weeks. The applicant also states that the site was posted for greater than 30 days. The applicant has provided evidence of the postings in Exhibits 3.T and 3.U of the applicant's materials. As of the publication of this report, no bona fide offers have been made for purchase and relocation of the structure.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.35.15.3.C.5

If applicable, the historic or architectural significance of the resource is not sufficient to warrant its continued preservation.

FINDING:

The applicant states that in correspondence with the State Historic Preservation Office (SHPO), it was determined that the Merle Davies Building was no longer eligible for listing on the National Register of Historic Place. This was due an irreversible loss of historic integrity, as it has been heavily modified over time, including significant alterations to the exterior, replacement of windows, original entry reorientation, and additions to the building. The interior has been significantly modified as well to suit evolving educational needs. The Merle Davies Building started as an Elementary School but is now part of a larger high school campus. Furthermore, it is noted that the historical significance of the building is tied to Merle Davies, a former Beaverton School District employee, and not to the architectural significance of the building.

Staff concur, noting that the Historic Inventory listing for the structure focuses heavily on the ties to Merle Davies themselves, and focuses less on contributing features of the building. In reviewing permit history for the property, it appears that most of, if not all of

the exterior work described above happened prior to the local historic landmark designation. It was not until SHPO more closely examined the building in 2022 was it determined that the building was not eligible for listing on the National Register of Historic Place. Staff further note that any work done in the building interior does not trigger Historic Review in Beaverton. Based on staff's research, it appears that all work done on the building was done in compliance with local requirements and did not conflict with any requirements related to Beaverton's Development Code regarding Historic Review.

As discussed in Criterion 3, staff agrees with the applicant that the main purpose of recognizing the building was an effort to acknowledge and celebrate Merle Davies himself, and not the specific characteristics of the building. Including information about Merle Davies the person, as well as the original building in the new construction, as suggested by the applicant, would appear to commemorate the original intention of the landmark designation, while allowing a modern building to provide the academic facilities needed for high school instruction.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.35.15.3.C.6

If applicable, the physical condition of the building is such that it is not practical to improve its condition to meet applicable building codes.

FINDING:

The applicant states that the building has not deteriorated to the point of requiring improvement. However, the applicant states that cost of asbestos and lead treatment, as well as seismic upgrades, are cost prohibitive compared to the contributions the building can make to both academic instruction as well as the historic significance of the site.

Staff concurs, noting that the building could be improved to meet building code, but is cost prohibitive to do so.

Conclusion: Therefore, staff finds the criterion is not applicable.

Section 40.35.15.3.C.7

If within a Historic District, the loss of the structure will not diminish the overall integrity of the District.

FINDING:

The Merle Davies Building is not located in a Historic District.

Conclusion: Therefore, staff finds the criterion is not applicable.

Section 40.35.15.3.C.8

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

FINDING:

The applicant has submitted a Major Modification of Conditional Use, Design Review Three, Downtown Design Review Compliance Letter, Two Sidewalk Design Modifications, Street Vacation, Tree Plan Three and Variance applications to be processed concurrently with this Historic Review request. Staff recommends a condition of approval requiring that the Design Review Three application be approved along with this Historic Review application.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of HRD32023-00253, subject to the applicable conditions identified in Attachment K.

Attachment F: SIDEWALK DESIGN MODIFICATION SDM12023-00254

ANALYSIS AND FINDINGS FOR SIDEWALK DESIGN MODIFICATION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **SDM12023-00254**, subject to the applicable conditions identified in Attachment K.

Section 40.58.05 Purpose:

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.58.15.C of the Development Code provides standards to govern the decisions of the decision making authority as they evaluate and render decisions on Sidewalk Design Modification Applications. The decision making authority will determine whether the application as presented, meets the Sidewalk Design Modification approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Sidewalk Design Modification.

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 all the following criteria are satisfied:

Section 40.58.15.1.C Approval Criteria

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 all the following criteria are satisfied:

Section 40.58.15.1.C.1

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

FINDING:

The applicant proposes to construct portions of the SW Erickson frontage along the eastern campus as curb tight 6-foot wide sidewalks, instead of constructing new 6-foot-

wide sidewalks with a 7-foot wide planter strip, as required in the EDM. Staff finds this request satisfies Threshold 1, which states:

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

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.58.15.1.C.2

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

FINDING:

The applicant paid the required fee for this Sidewalk Design Modification application.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.58.15.1.C.3

One or more of the following criteria are satisfied:

- 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.
 - 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.
- 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.
- 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.

FINDING:

The applicant proposes 6-foot-wide curb tight sidewalks for an approximately 500-foot-long segment of the eastern frontage of SW Erickson. The applicant states that several existing structures prohibit the full construction of the six-foot wide sidewalk and seven-

foot-wide landscape strip. Two buildings, a maintenance building and the stadium seats, will be partially located in the right of way after dedication. There are also four stadium lights that will be fully located in the right of way after dedication. Each of these structures prevent full frontage improvements and would require curb tight sidewalks in their vicinity. The presence of these structures satisfies subsection b.i of this criterion.

While the City of Beaverton as a policy does not accept right of way dedications with structural encroachments (Beaverton City Code 5.05.115.A), the city has expressed a willingness to enter into an encroachment agreement for at least some of the encroachments. It is recognized that a partial demolition of the subject buildings would reduce or eliminate their functionality, and there is not sufficient room on the site for a full relocation/reconstruction of the buildings. It is also highly desired by the City of Beaverton to obtain full right of way dedication at the time of the high school redevelopment to accommodate future full right of way improvements when the southern portion of the high school site redevelops. As such, the city has expressed willingness to agree to the encroachments of the maintenance building and the stadium seating. However, the city has not yet expressed willingness to include they stadium lights in the encroachment agreement, because unlike the buildings, the street lights can be relocated. The final decision of what structures will be included in the agreement will be made by the City Engineer. This decision is not anticipated to be made by time these land use requests go before a public hearing for consideration by Planning Commission.

The City Engineer is most likely to select one of two scenarios for the encroachment agreement. Either the agreement includes all six structures, including both of the buildings and all four lights, or the agreement will only include some of, but not all of the encroaching structures. As such, staff recommends a condition of approval that anticipates either outcome, requiring the applicant to obtain an encroachment agreement that includes all six structures, or provide plans showing full sidewalk and landscape strip improvements for street segments where approved encroaching structures do not exist.

Conclusion: Therefore, by meeting the conditions of approval, staff finds that the proposal meets the criterion.

Section 40.58.15.1.C.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).

FINDING:

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated in the narrative and submitted right of way civil plans (Sheets ST7.1 to ST7.3). Additionally, the applicant has applied for this Sidewalk Design Modification to request a project-specific modification to the EDM standards for sidewalks and planter strips, in accordance with Section 60.55.30.2. Staff also refers to the Facilities Review Committee findings for approval criteria A and D in reference to compliance with Section

60.55. The applicant must show compliance with the conditions of approval for the proposed transportation facilities prior to final inspection or final occupancy.

Conclusion: Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion.

Section 40.58.15.1.C.5

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

FINDING:

The applicant has submitted a Conditional Use, Design Review Three, Downtown Design Review Compliance Letter, Historic Review, an additional Sidewalk Design Modification, Street Vacation, Tree Plan Three and Variance applications to be processed concurrently with this Sidewalk Design Modification request. Staff recommends a condition of approval requiring that the Design Review Three application be approved along with this Sidewalk Design Modification application.

Conclusion: Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion.

Section 40.58.15.1.C.6

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

FINDING:

The applicant states the Sidewalk Design Modification will provide safe and efficient pedestrian circulation on SW Erickson Avenue provide connections to other pedestrian facilities, like SW 5th Street and SW Farmington Road sidewalks. Staff concurs, noting the proposed sidewalks will improve public pedestrian access, as they meet the six-foot width requirement of the Engineering Design Manual, will meet ADA accessible grades, and will tie into existing adjacent sidewalks with the most direct and efficient route of travel, providing safe circulation connections within the neighborhood.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of SDM12023-00254, subject to the applicable conditions identified in Attachment K.

Attachment G: SIDEWALK DESIGN MODIFICATION SDM12023-00255

ANALYSIS AND FINDINGS FOR SIDEWALK DESIGN MODIFICATION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **SDM12023-00255**, subject to the applicable conditions identified in Attachment K.

Section 40.58.05 Purpose:

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.58.15.C of the Development Code provides standards to govern the decisions of the decision making authority as they evaluate and render decisions on Sidewalk Design Modification Applications. The decision making authority will determine whether the application as presented, meets the Sidewalk Design Modification approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Sidewalk Design Modification.

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 all the following criteria are satisfied:

Section 40.58.15.1.C Approval Criteria

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 all the following criteria are satisfied:

Section 40.58.15.1.C.1

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

FINDING:

The applicant proposes to construct portions of the SW 5th Street frontage along the eastern campus as curb tight 5.5-foot wide sidewalks, instead of constructing new 6-foot-

wide sidewalks with a 7-foot wide planter strip, as required in the EDM. Staff finds this request satisfies Threshold 1, which states:

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

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.58.15.1.C.2

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

FINDING:

The applicant paid the required fee for this Sidewalk Design Modification application.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.58.15.1.C.3

One or more of the following criteria are satisfied:

- e. 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.
 - 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.
- f. 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.
- g. 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.
- h. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.

FINDING:

The applicant states that the existing track and abutting fencing is not proposed to be modified with the proposal, but its location prevents the full buildout of the adjacent sidewalk. The proposed curb tight sidewalk at this location narrows to 5.5 feet due to the

location of the track, fencing, and curb location. Staff concurs that an existing structure prevents the construction of the full sidewalk and planter strip as required by the Engineering Design Manual.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.58.15.1.C.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).

FINDING:

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated in the narrative and submitted right of way civil plans (Sheets C1.0 to C1.5). Additionally, the applicant has applied for this Sidewalk Design Modification to request a project-specific modification to the EDM standards for sidewalks and planter strips, in accordance with Section 60.55.30.2. Staff also refers to the Facilities Review Committee findings for approval criteria A and D in reference to compliance with Section 60.55.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

Section 40.58.15.1.C.5

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

FINDING:

The applicant has submitted a Conditional Use, Design Review Three, Downtown Design Review Compliance Letter, Historic Review, an additional Sidewalk Design Modification, Street Vacation, Tree Plan Three and Variance applications to be processed concurrently with this Sidewalk Design Modification request. Staff recommends a condition of approval requiring that the Design Review Three application be approved along with this Sidewalk Design Modification application.

Conclusion: Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion.

Section 40.58.15.1.C.6

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

FINDING:

The applicant states the Sidewalk Design Modification will provide safe and efficient pedestrian circulation on SW 5th Street provide connections to other pedestrian facilities, like SW Erickson sidewalks and the multiuse path east of the high school. Staff concurs, noting the proposed sidewalks will improve public pedestrian access, as the proposed sidewalk is one foot wider than the existing sidewalk, will meet ADA accessible grades, and will tie into existing adjacent sidewalks with the most direct and efficient route of travel, providing safe circulation connections within the neighborhood.

Conclusion: Therefore, staff finds that the proposal meets the criterion.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of SDM12023-00255, subject to the applicable conditions identified in Attachment K.

Attachment H: STREET VACATION

ANALYSIS AND FINDINGS FOR STREET VACATION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **SV32023-00256**, subject to the conditions of approval identified in Attachment K.

Section 40.03.2 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B, and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.2.A-I

FINDING:

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-I, and therefore meets the criterion for approval.

Conclusion: Therefore, the Committee finds that the proposal meets the approval criteria.

Section 40.75.05 Purpose:

The purpose of Street Vacation is to recognize that changes to the City's existing street system are occasionally required. Therefore, the following application has been established to allow limited changes to the City's existing street system without adversely affecting safe and efficient circulation throughout the City. A Street Vacation is a legislative action which is not subject to the 120 day rule of ORS 227.178. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.75.15.1 of the Development Code provides standards to govern the decisions of Planning Commission as they evaluate and render recommendations on Street Vacation applications. Planning Commission will determine whether the application as presented, meets the Street Vacation approval criteria. Planning Commission may choose to adopt, not adopt, or modify the Committee's findings as a recommendation to City Council for final decision making. In this portion of the staff report, staff evaluates the application in accordance with the Street Vacation approval criteria.

To recommend approval of a Street Vacation application to City Council, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.75.15.1.C.1

The proposal satisfies the threshold requirements for a Street Vacation application.

FINDING:

An application for Street Vacation shall be required when the following threshold applies:

- 1. Abandonment or otherwise vacation of an existing public transportation right-of-way or public easement that is within the City of Beaverton.*

The applicant is proposing to vacate a segment of unimproved 3rd Street right of way between SW Erickson and SW Fairmount. Accordingly, this proposal meets the Street Vacation application threshold.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.75.15.1.C.2

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

FINDING:

The applicant paid the required Street Vacation application fees.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.75.15.1.C.3

The proposed Street Vacation meets the eligibility provisions of ORS 271.080.

FINDING:

ORS 271.080(1) Whenever any person interested in any real property in an incorporated city in this state desires to vacate all or part of any street, avenue, boulevard, alley, plat, public square or other public place, such person may file a petition therefor setting forth a description of the ground proposed to be vacated, the purpose for which the ground is proposed to be used and the reason for such vacation.

The applicant requests to vacate a segment of right of way. The applicant submitted a signed Street Vacation application with supporting documentation for this request. Accordingly, staff finds the proposal meets the requirements of ORS 271.080(1).

ORS 271.080 (2) There shall be appended to such petition, as a part thereof and as a basis for granting the same, the consent of the owners of all abutting property and of not less than two-thirds in area of the real property affected thereby. The real property affected

thereby shall be deemed to be the land lying on either side of the street or portion thereof proposed to be vacated and extending laterally to the next street that serves as a parallel street, but in any case not to exceed 200 feet, and the land for a like lateral distance on either side of the street for 400 feet along its course beyond each terminus of the part proposed to be vacated. Where a street is proposed to be vacated to its termini, the land embraced in an extension of the street for a distance of 400 feet beyond each terminus shall also be counted. In the vacation of any plat or part thereof the consent of the owner or owners of two-thirds in area of the property embraced within such plat or part thereof proposed to be vacated shall be sufficient, except where such vacation embraces street area, when, as to such street area the above requirements shall also apply. The consent of the owners of the required amount of property shall be in writing.

The applicant has provided signed forms (Exhibit 3.K) consenting to the proposed vacation of SW 3rd Street representing 90% of the land area described as affected real property. As 90% is greater than the 2/3rds requirement, *ORS 271.080 (2) has been satisfied.*

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.75.15.1.C.4

The proposed Street Vacation will not adversely impact street connectivity as identified in the Transportation Element of the Comprehensive Plan.

FINDING:

Staff refers to the findings in approval criteria 40.03.2.A and 40.03.2.B in Attachment A of this staff report, which details how the proposed easement vacations will not adversely impact pedestrian or street connectivity and how the proposal complies with Chapter 6 (Transportation Element) of the City of Beaverton Comprehensive Plan and the TSP.

Furthermore, the applicant provides responses to applicable Comprehensive Plan policies:

6.2.1 Goal: Transportation facilities designed and constructed in a manner to enhance Beaverton's livability and meet federal, state, regional, and local requirements.

6.2.1. Protect neighborhoods from excessive through traffic and travel speeds while providing reasonable access to and from residential areas. Build streets to minimize speeding.

The applicant notes that the right of way is already developed with school uses (athletic fields and parking). However, official vacation of the street will eliminate the potential to create a new cut-through route to an existing, established low-density residential area. Therefore, this proposal is consistent with this policy.

6.2.2. Goal: A balanced multimodal transportation system that provides mobility and accessibility for users.

6.2.2.a Recognize that streets are important to community identity and provide a needed service. Implement Beaverton's public street standards that recognize the multi-purpose nature of the street right-of-way for a combination of utility, pedestrian, bicycle, transit, truck, auto uses, and railroad crossings.

The applicant notes that in the case of SW 3rd Street, it has not functioned as a street since the right-of-way was platted by the Beaverbrook Addition Plat in 1940. It currently serves the important community purpose of providing school fields and parking, and this proposal will allow it to continue serving that purpose.

6.2.2.b Provide a seamless and coordinated transportation system that is barrier-free, provides affordable and equitable access to travel choices, and serves the needs of people and businesses.

6.2.2.c Develop and provide a safe, complete, attractive, efficient, and accessible system of pedestrian ways and bicycle ways, including bike lanes, cycletracks, bike boulevards, shared roadways, multi-use paths, and sidewalks according to the pedestrian and bicycle system maps, and the Development Code and Engineering Design Manual requirements.

The applicant states that the segment SW 3rd Street that is being vacated does not currently contribute to the transportation network. After vacation the land would continue to provide athletic fields and parking uses that are key uses for the high school and community. Therefore, this proposal is consistent with these policies.

Staff concurs with the applicant's analysis of the applicable Comprehensive Plan Goals and Policies.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.75.15.1.C.5

The proposed Street Vacation will not adversely impact police, fire, and emergency service in the area.

FINDING:

TVF&R and the City of Beaverton Police Department reviewed the applicant's materials and had no objections to the proposal. The unimproved right of way has not been used to provide emergency services, and no plans are in place to utilize the right of way for emergency services in the future. Accordingly, staff finds the proposal will not adversely impact police, fire, and emergency service in the area.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.75.15.1.C.6

That the vacation of the street will not hinder accessibility to any above ground or underground public facilities.

FINDING:

The right of way proposed for vacation does not provide access to any existing public facilities, nor are any public facilities proposed that would require access from the subject right of way. Therefore, the proposed right of way vacation will not hinder accessibility to any above ground or underground public facilities.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.75.15.1.C.7

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

FINDING:

The applicant has submitted a Major Modification of Conditional Use, Design Review Three, Downtown Design Review Compliance Letter, Historic Review, Two Sidewalk Design Modifications, Tree Plan Three and Variance applications to be processed concurrently with this Street Vacation request. No additional applications or documents are needed at this time.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of SV32023-00256 subject to the conditions of approval in Attachment K.

Attachment I: TREE PLAN THREE TP32023-00258

ANALYSIS AND FINDINGS FOR TREE PLAN THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **TP32023-00258**, subject to the applicable conditions identified in Attachment K.

Section 40.20.05 Purpose:

The purpose of the Tree Plan application is to maintain healthy trees and urban forests that provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and SNRAs, and Community Trees thus helping to preserve and enhance the sustainability of the City's urban forest. This Section is carried out by the approval criteria listed herein and implements the SNRA, Significant Grove, Significant Individual Tree, and Historic Tree designations as noted or mapped in Comprehensive Plan Volume III.

Historic Tree Inventory Background

In 1991, Beaverton City Council adopted an ordinance (Exhibit 1.3) acknowledging a desire for tree preservation specifically tied to "those designated by the City to be of historic significance based upon their association with historic figures, properties or general growth and development of the City." The ordinance included a historic inventory composed of six sites, one of which is the subject site, Beaverton High School, addressed 13000 SW Farmington. The inventory for the subject is located on pages 20 and 21 of Exhibit 1.3.

The inventory at the time of adoption designated approximately 42 trees for preservation on the east campus. Over time, many of the trees in this inventory were lost, either through natural causes or approved for removal through the land use process. Through coordination with the applicant, staff was able to confirm that there are 12 trees on the historic inventory remaining on the site. Referring to the historic inventory in Exhibit 1.3, the following trees remain on site:

- Group A – 1 Sweet Cherry
- Group C – 1 Cedar of Lebanon (this tree proposed to be retained)
- Group E – 2 Ponderosa Pines
- Group F – 4 Norway Maples (Staff observes the applicant's materials in Exhibit 3.A.6 and 3.X identify 6 Norway Maples as historic. However, two of these trees are located in tree grates within the SW Farmington Frontage, and are not part of the Historic Inventory)
- Group G – 4 London Planes

Planning Commission Standards for Approval:

Section 40.90.15.3.C of the Development Code provides standards to govern the decisions of the decision-making authority as they evaluate and render decisions on Tree Plan Applications. The decision-making authority will determine whether the application as presented, meets the Tree Plan Three approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for Type Three Tree Plan.

To approve a Tree Plan Three application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.90.15.3.C.1

The proposal satisfies the threshold requirements for a Tree Plan Three application.

FINDING:

The applicant proposes to remove 11 historic trees on the property. One tree is proposed to be preserved, a Cedar of Lebanon in the northeast corner of the east campus. Threshold 3 of the Tree Plan Three application reads:

- 3. Removal of individual Historic Trees.*

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.90.15.3.C.2

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

FINDING:

The applicant paid the required fee for this Tree Plan Three application.

Conclusion: Therefore, staff finds the proposal meets the criterion for approval.

Section 40.90.15.3.C.3

If applicable, removal of a diseased tree or a tree is necessary because the tree has been weakened by age, storm, fire, or other condition.

FINDING:

The applicant does not claim that tree removal is necessary due to disease or other damage. This criterion is not applicable.

Conclusion: Therefore, staff finds the criterion is not applicable to this proposal.

Section 40.90.15.3.C.4

If applicable, removal is necessary to enhance the health of the grove or adjacent tree(s) to reduce maintenance, or to eliminate conflicts with structures or vehicles.

FINDING:

The applicant states that the tree removal is required due to new physical development and is not being undertaken to enhance the health of adjacent trees or eliminate conflict with existing structures or vehicles.

Conclusion: Therefore, staff finds the criterion is not applicable to this proposal

Section 40.90.15.3.C.5

If applicable, removal 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.

FINDING:

The applicant does not claim that the trees need to be for good forestry practices. This criterion is not applicable.

Conclusion: Therefore, staff finds the criterion is not applicable to this proposal.

Section 40.90.15.3.C.6

If applicable, removal is the minimum necessary to accommodate physical development because no reasonable alternative exists for the development at another location on the site and variances to setback provisions of the Development Code will not allow the tree(s) to be saved or will cause other undesirable circumstances on the site or adjacent properties.

FINDING:

The applicant states that the removal of the Group A Sweet Cherry and all four Group G London Plane trees are required due to the construction of the new main school building. Due to the programmatic needs of the school and existing development on site, the new school building is required to be located at the north end of the east campus. The footprint of the new building will necessitate the removal of these five historic trees. Staff notes that a Variance is being requested to build a taller structure than permitted in the zone, which helps reduce the overall footprint of the building. Despite the reduced footprint accommodated by the taller building height, the need location and footprint of the building still requires removal of these five trees.

Conclusion: Therefore, staff finds that the proposal meets the criterion for approval.

Section 40.90.15.3.C.7

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

FINDING:

The applicant does not claim that tree removal is due to nuisance reasons. This criterion is not applicable.

Conclusion: Therefore, staff finds the criterion is not applicable to this proposal.

Section 40.90.15.3.C.8

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

FINDING:

Staff observes that six trees identified as historic are located in areas that will receive frontage improvements. Two ponderosa pines (trees 141 and 142) are located along the SW Erickson frontage, and six Norway Maples along the SW Farmington Frontage (trees 143, 144, 145, and 146). The applicant has provided additional analysis in Exhibit 3.AA, which outlines the following challenges in retaining these trees.

The two Ponderosa Pines (Group E in the historic inventory) will be required for removal due to the expansion of SW Erickson to a three-lane collector. The applicant states that they considered shifting the sidewalk to the east to allow for a larger landscape strip, but it was found not to be feasible due to the adverse impacts to the root zones of the two trees. The applicant notes that the current condition of an open, irrigated field to the east has contributed greatly to the health of the tree, and the new structure, sidewalk, and underground utilities will eliminate 55% of the root zone area, which is too much damage for the tree to survive. Finally, the applicant notes that the standard seven-foot landscape strip is too narrow, citing Beaverton's Urban Forestry guidelines, noting that a minimum of nine feet is required for a ponderosa pine.

The four Norway Maples (Group F in the historic inventory) will be located within a 24-foot-wide landscape strip after construction. However, the applicant notes that the root zones of these trees will be heavily impacted by the need for trenching for electrical conduit for the new streetlights proposed for SW Farmington. The westernmost maple will also be impacted by trenching for a new stormwater drainage lin. Similarly, the third tree from the

west will also be impacted by a new stormwater line extended from SW Farmington. The applicant also notes that Norway Maples are not an approved street tree but will be located in the right of way after dedication. Finally, the applicant notes that in the future, SW Farmington Road will be expanded and will require the removal of these trees if they were to remain now.

Staff concurs that the six trees along the site frontage will be adversely impacted by public improvements sufficient to necessitate their removal.

Conclusion: Therefore, staff finds that the proposal meets the criterion for approval.

Section 40.90.15.3.C.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.

FINDING:

The proposed trees are not part of an SNRA or Significant Grove.

Conclusion: Therefore, staff finds the criterion is not applicable to this proposal.

Section 40.90.15.3.C.10

If applicable, removal of tree or trees within a Significant Grove will not reduce the size of the grove to a point where the remaining trees may pose a safety hazard due to the effects of windthrow.

FINDING:

The proposed trees are not part of a Significant Grove.

Conclusion: Therefore, staff finds the criterion is not applicable to this proposal.

Section 40.90.15.3.C.11

If applicable, removal of a tree within a Historic Grove will not substantially reduce the significance of the grove in terms of its original designation on the list of Historic Groves.

FINDING:

The trees proposed for removal are not part of a Historic Grove. Each Historic Tree proposed for removal is identified as individual Historic Trees.

Conclusion: Therefore, staff finds the criterion is not applicable to this proposal.

Section 40.90.15.3.C.12

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

FINDING:

Pursuant to Section 50.25.1, the application package includes all of the necessary submittal requirements.

Conclusion: Therefore, staff find the proposal meets the criterion for approval.

Section 40.90.15.3.C.13

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.

FINDING:

The applicant's plans show that on-site and site frontage grading will satisfactorily convey storm water, and no adverse impacts to neighboring properties or the right of way are expected.

Conclusion: Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion.

Section 40.90.15.3.C.14

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

FINDING:

The applicant submitted the Tree Plan Three application on May 9, 2023, and staff deemed the application complete on June 28, 2023. No additional documents are expected to be required.

Conclusion: Therefore, staff finds that by meeting the conditions of approval, the proposal

Section 40.90.15.3.C.15

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

FINDING:

The applicant has submitted a Major Modification of a Conditional Use, Design Review Three, Downtown Design Review Compliance Letter, Historic Review, two Sidewalk Design Modifications, Street Vacation, and Variance applications to be processed concurrently with Tree Plan Three request. Staff recommends a condition of approval requiring that the Design Review Three application be approved along with this Tree Plan Three application.

Conclusion: Therefore, staff finds that by meeting the conditions of approval, the proposal

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of TP32023-00258, subject to the applicable conditions identified in Attachment K.

Attachment J: VARIANCE VAR32023-00259

ANALYSIS AND FINDINGS FOR VARIANCE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **VAR32023-00259** subject to the conditions of approval in Attachment K.

Section 40.95.05 Purpose

The purpose of a Variance application is to provide for the consideration of varying from the applicable provisions of the Development Code where it can be shown that, owing to special and unusual circumstances, the literal interpretation of these provisions would cause an undue or unnecessary hardship without a corresponding public benefit. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval

Section 40.95.15.1.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Variance applications. The Commission will determine whether the application as presented meets the Variance approval criteria. The Commission may choose to adopt, not adopt, or modify staff's findings. In this portion of the report, staff evaluates the application in accordance with the approval criteria for Variance applications.

In order to approve a Variance 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:

Section 40.95.15.1.C.1

The proposal satisfies the threshold requirements for a Variance application.

FINDING:

The applicant proposes to exceed the maximum 35-foot height requirement by 27 feet three inches, a 78% deviation from the standard.

The applicable threshold is identified below:

1. A change of more than fifty percent (50%) to the numerical standards specified in the Site Development Requirements contained in CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.95.15.1.C.2

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

FINDING:

The City of Beaverton received the appropriate fee for a Variance application.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.95.15.1.C.3

Special conditions exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, buildings, or structures in the same zoning district.

FINDING:

The applicant states that the site conditions are unique to the RMC zone for several reasons. First, the applicant notes that the entirety of the eastern edge of the site is abutting the Downtown Design District, which permits much taller and denser development than the RMC zone. Second, the applicant notes that the site is constrained given the number and size of activities to be accommodated on site. More than half the site is dedicated to athletic facilities, parking and circulation, resulting in the need for a taller primary academic instruction building at the north end of the site. The applicant notes that the proposed design will result in greater efficiency, with all academic and support spaces located in a single building and will result in greater safety and better circulation for pedestrians and vehicles. The applicant further notes that the greater than average floor to ceiling height and need for a three-story building to accommodate the needed programming for the high school results in the proposal exceeding the building height. The applicant states that the larger ceiling heights are driven by the natural slope on site, incorporation of universal design principles, and various programing needs for the high school.

Staff concurs with the applicant, noting that the varied programming needs for the site, lack of room for expansion of the school, and adjacency to a denser downtown zoning district result in special conditions exist on this site that are not applicable to other locations in the same zoning district.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.95.15.1.C.4

Strict interpretation of the provisions of this ordinance would deprive the applicant of the rights commonly enjoyed by other properties in the same zoning district under the terms of the Development Code.

FINDING:

The applicant notes that the subject site has been a school since 1911, and Beaverton High School was established four years later in 1915, and has operated continuously on the site since that time. The applicant asserts that the evolving standards and needs of today's staff and students requires the proposed expansion, even though it does not comply with the height standard of the zone. The applicant further notes that that schools are considered an essential public facility in the City's Development Code. Strict interpretation of the code would result in a considerably smaller building and would preclude Beaverton School District from providing the needed services of the essential public facility.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.95.15.1.C.5

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

FINDING:

The special conditions result from a need for greater safety and efficiency on the site, needing to provide accommodations for the unique set of programs associated with the high school. The conditions are not a result of actions from the application, nor are they driven by financial hardship or inconvenience.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.95.15.1.C.6

If more than one (1) variance is being requested, the cumulative effect of the variances result in a project which is still consistent with the overall purpose of the applicable zone.

FINDING:

Only one variance is requested with this application.

Conclusion: Therefore, staff finds that the approval criterion is not applicable.

Section 40.95.15.1.C.7

Any variance granted shall be the minimum variance that will make possible a reasonable use of land, building, and structures.

FINDING:

The applicant states that Education Specifications require a theater be provided in high school facilities. Staff notes that the fly tower portion of the theater exceeds other portion of the building by at least eight feet. The applicant states that undergrounding a portion of the theater to reduce the overall height was explored, but the high-water table level in the area prevented that option. The applicant also notes that the need for a three-story building to accommodate the needed programming and the larger than normal floor to ceiling heights resulting in a taller overall building mass.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.95.15.1.C.8

For a proposal for a variance from sign regulations, no variance shall be granted unless it can be shown that there are special circumstances involving size, shape, topography, location or surroundings attached to the property referred to in the application, which do not apply generally to other properties in the same zoning district, and that the granting of the variance will not result in material damage or prejudice to other property in the vicinity and not be detrimental to the public safety and welfare. Variances shall not be granted merely for the convenience of the applicant or for the convenience of regional or national businesses which wish to use a standard sign.

FINDING:

The applicant is requesting the Variance to exceed the maximum height of the zone. A sign variance is not requested.

Conclusion: Therefore, staff finds that the approval criterion is not applicable.

Section 40.95.15.1.C.9

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 the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance which shall be already approved or considered concurrently with the subject proposal.

FINDING:

The applicant's proposal complies with all provisions of Chapter 20 (Land Uses), except for the maximum building height, which is requested to deviate from through this Variance application. Staff cite responses in Attachment Facilities Review 40.03.1.C and the

subsequent chart as relevant to this criterion. As demonstrated in the chart, the proposal complies with all applicable regulations.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.95.15.1.C.10

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.

FINDING:

The applicant's proposal complies with all provisions of Chapter 60 (Special Regulations), Staff cite responses in Attachment Facilities Review 40.03.1.D and the subsequent chart as relevant to this criterion. As demonstrated in the chart, the proposal complies with all applicable regulations.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.90.15.2.C.11

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

FINDING:

The applicant submitted the Variance application on May 9, 2023, and staff deemed the application complete on June 28, 2023. No additional documents are expected to be required.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Section 40.90.15.2.C.12

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

FINDING:

The applicant has submitted a Major Modification of Conditional Use, Design Review Three, Downtown Design Review Compliance Letter, Historic Review, Two Sidewalk Design Modification, Street Vacation, and Tree Plan Three applications to be processed concurrently with the Variance request. Staff recommends a condition of approval

requiring that the Design Review Three application be approved along with this Variance application.

Conclusion: Therefore, staff finds that the proposal meets the approval criterion.

Conclusion and Recommendation

Based on the facts and findings presented, staff recommends APPROVAL of VAR32023-00259, subject to the applicable conditions identified in Attachment K.

Attachment K: RECOMMENDED CONDITIONS OF APPROVAL

Application: Beaverton High School

Recommendation: APPROVE CU32023-00045 / DR32023-00251 / DDR12023-00446 / HRD32023-00253 / SDM12023-00254 / SDM12023-00255 / SV32023-00256 / TP32023-00258 / VAR32023-00259

Major Modification of a Conditional Use (CU32023-00045)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications DR32023-00251, HRD32023-00253, TP32023-00258, VAR32023-00259 have been approved and are consistent with the submitted plans. (Planning / SR)

Design Review Three (DR32023-00251)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications CU32023-00045, DDR12023-00446, HRD32023-00253, SDM12023-00254, SDM12023-00255, SV32023-00256, TP32023-00258, and VAR32023-00259 have been approved and are consistent with the submitted plans. (Planning / SR)
2. Not construct or erect any physical barriers that prevents the direct travel of pedestrians and cyclists across the east campus between SW Stott and SW Erickson along the two east-west accessways generally aligned with the intersection of SW 2nd and SW Stott and the intersection of SW 3rd and SW Stott. These two accessways are shown on the applicant's plans, Exhibit 3.M (Planning / SR)

B. Prior to issuance of the site development permit for the grading and erosion control associated with the Merles-Davies building demolition, the applicant shall:

3. Submit the required plans, application form, fee, and other items needed for a complete site development grading permit application per the applicable review checklist. (Site Development Div. / SAS)
4. Submit plans for erosion control per the 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City for review, comment, and approval. The applicant shall use the plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development

Div. / SAS)

5. Retain a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / SAS)
6. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. Improvements include any site demolition, grading, and erosion control. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div. / SAS)
7. Provide secure guarantee to all City-owned and maintained public improvements including grading by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. Acceptable forms of security include a letter notification of security deposit to an assurance account per the intergovernmental agreement between the City and the Beaverton School District (Site Development Div. / SAS)

C. Prior to issuance of the demolition permit of the Merles-Davies Building, the applicant shall:

8. Have obtained a site development permit for the grading and erosion control associated with the Merles-Davies building demolition. (Site Development Div. / SAS)

D. Prior to release of the Merles-Davies building demolition performance security, the applicant shall:

9. Have the demolition site completely stabilized or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div. / SAS)

E. Prior to issuance of the site development permit for the Beaverton High School re-build, the applicant shall:

10. Have closed out the site development permit associated with the grading and erosion

control for the Merles-Davies building demolition. (Site Development Div. / SAS)

11. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div. / SAS)
12. Retain a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / SAS)
13. Submit a completed and executed City Standard Agreement to Construct Public Improvements and Retain Design Professional(s) Registered in Oregon. Public improvements include public utilities, stormwater management facilities, public right-of-way improvements, grading, and erosion control. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div. / SAS)
14. Provide secure guarantee to all City-owned and maintained public improvements including grading, storm water management facilities, driveway and fire lane drive aisle paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. Acceptable forms of security include a letter notification of security deposit to an assurance account per the intergovernmental agreement between the City and the Beaverton School District. (Site Development Div. / SAS)
15. Submit executed and ready for recording public easements including PUE along all frontages of the site when required, to the City for recordation. The PUE shall be shown on all frontages with proposed improvements, including SW Farmington Rd., SW Stott St., SW Erickson Ave., and SW 5th St. The city will require approval of legal description and form prior to execution. (Site Development Div. / SAS)
16. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div. / SAS)
17. Have obtained a 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit). The applicant shall use the standard plan format per requirements for sites 5 acres or larger

adopted by DEQ and Clean Water Services for the 1200-C Permit application submittal. (Site Development Div. / SAS)

18. Provide construction plans and a drainage report demonstrating compliance with City surface water management requirements per City 2019 Engineering Design Manual, Resolution 4542, Section 530; and with CWS Resolution and Order 2019-22 for quantity control for conveyance capacity, hydromodification and quality treatment. Fee-in-lieu can be requested if development meets criteria set forth in City EDM Sections 190, table 530.1, and 530.1.A.4 and CWS Design & Construction Standards Section 4.03.7.a and 4.04.2.a. (Site Development Div. / SAS)
19. Provide a drainage analysis of the subject site prepared by a professional engineer meeting the standards set by the City. The analysis shall identify all contributing drainage areas and plumbing systems for this project with the site development permit application. The analysis shall also delineate all areas for this project that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. In addition, the analysis shall delineate any mapped FEMA floodplains and flood ways. (Site Development Div. / SAS)
20. Prove site plans clearly showing the 100-year flood limits on each plan that contains elevation information. The flood conveyance and storage of the project area at each 1-foot contour must be preserved or enhanced with cut/fill balance and a zero-rise certification by a registered professional engineer. (Site Development Div. / SAS)
21. Provide written statement/agreement to the amount of system development charge credits from the City Utilities Engineer for any extra-capacity water, sanitary, and storm water facility improvements, as defined by Beaverton code. (Site Development Div. / SAS).
22. Submit a grading plan showing building pad elevations and minimum finished floor elevations (FFE). Proposed building pad elevations shall be at least one foot higher and FFE shall be at least three feet higher than the 100 year/emergency overflow of the storm water management facility. (Site Development Div. / SAS)
23. Submit a grading plan for any changes to the land use approved grading. Changes must meet provisions of Beaverton Code 9.05.110 and 9.05.115. No grading can occur within 10 feet of a property line, or half the height of the vertical embankment created, whichever is greater. This applies to all exterior property boundaries of the proposed project. (Site Development Div. / SAS)
24. Provide plans showing a proprietary stormwater treatment system for treatment of the site's piped surface water runoff. Plans shall also show a trash capture water quality pre-treatment unit located directly upstream from any proprietary stormwater treatment system vaults or manholes. (Site Development Div. / SAS)

25. Pay any required storm water system development charges (storm water quality, quantity, hydromodification and overall system conveyance) for the new impervious area proposed. (Site Development Div. / SAS)
26. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div. / SAS)
27. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. Any building demolition is credited at one equivalent surface unit (2640 square feet). The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site. (Site Development Div. / SAS)
28. Provide construction plans showing all required public water improvements and demonstrating compliance with Water Service Provider Letter and associated agency's design and construction standard. (Site Development Div. / SAS)
29. Provide plans for the placement of underground utility lines within the site for services to the proposed new building. No overhead services shall remain on the site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div. / SAS)
30. Submit plans that show access for a maintenance vehicle within 9-feet from the front, or within 19-feet from the side of a vehicle to all control structures unless otherwise specifically approved by the City Engineer. (Site Development Div. / SAS)
31. Submit proposed private plumbing plans to the City Building Division for review. Private plumbing plans shall show private sewer systems crossing lot lines and within a private easement and drainage within cover areas. (Site Development Div. / SAS)
32. Submit ODOT ADA curb ramp design checklist and standard detail DET1720 and DET1721 showing level of design detail for every public curb ramp proposed with this development. Maximum designed ramp slope shall be 7.5%, maximum designed cross slope, flat landing or turning space shall be 1.5%. Two directional ADA ramps shall be provided at all corners of all intersections, regardless of curb type. See ODOT standard drawings RD754, RD155, RD756, RD757, RD758 and RD759 for ramp

details. (Site Development Div. / SAS)

33. Dedicate private property for right of way purposes along the site's frontage of SW Farmington Road, ranging from 15-feet to 21-feet as shown on the applicant's submitted site plans (Exhibit 3.A.3, plan sheets ST4.1 and ST4.2). (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)
34. Submit plans and detailed drawings for the required ADA compliant curb ramp and new crosswalk for the eastern leg of SW Farmington Road and SW Cedar Hills Boulevard intersection. (Transportation / KM)
35. Dedicate private property for right of way purposes along the site's frontage of SW 5th Street, ranging from 1-foot to 6-feet, as shown on the applicant's submitted site plans (Exhibit 3.A.3, plan sheet ST8.1) in order to meet the minimum standard widths for a three-lane collector. The deed of dedication shall be accompanied by an executed Encroachment Agreement with the City, in a form approved by the City Attorney (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)
36. Dedicate private property for right of way purposes along the site's eastern frontage of SW Erickson Avenue, ranging from 6-feet to 11-feet as shown on the applicant's submitted site plans (Exhibit 3.A.3, plan sheets ST7.1 through ST7.3) in order to meet the minimum standard widths for a two-lane collector with an additional lane approaching the intersection of SW Farmington Road. The deed of dedication shall be accompanied by an executed Encroachment Agreement with the City, in a form approved by the City Attorney. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)
37. Dedicate private property for right of way purposes along the site's western frontage of SW Erickson Avenue of varying widths, up to 6-feet, as shown on the applicant's submitted site plans (Exhibit 3.A.3, plan sheet ST7.1 and ST7.2) in order to meet the minimum standard widths for a two-lane collector. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)
38. Dedicate 4-feet of private property for right of way purposes along the site's northern frontage of SW 2nd Street (west of SW Erickson Avenue) in order to meet the minimum width standards for an L1 Local Street. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)
39. Submit street lighting plans, including photometric data, to demonstrate that all adjacent public rights of way meet the minimum street illumination standards established in the Engineering Design Manual, Section 450. (BDC 40.03.1.A, B, D, G, I, and K, and BDC 60.55.10) (Transportation / KM)
40. Submit preliminary sight distance for all new and modified accesses to the site. Sight distance shall be measured in accordance with the City's Engineering Design Manual, Section 2. (BDC 40.03.1.A, D, and G, and BDC 60.55.35) (Transportation / KM)

41. Submit preliminary sight distance for all modified public street intersections resulting from the required property dedication for right of way purposes and street improvements. Sight distance shall be measured in accordance with the City's Engineering Design Manual, Section 2. (BDC 40.03.1.A, D, and G, and BDC 60.55.35) (Transportation / KM)
42. Submit turning templates for standard size school busses travelling through the modified intersection of SW Stott Avenue and SW 3rd Street, in both directions, to demonstrate there is sufficient width for these turning movements. (BDC 40.03.1.A, B, D, and G, and BDC 60.55.10) (Transportation / KM)
43. Resubmit site plans demonstrating that there are no encroachments located within the vision clearance triangle for every new and modified driveway associated with the proposal consistent with the City's Engineering Design Manual Section 210.18.1, "Visibility at Intersections". (BDC 40.03.1.A, D, and G, and BDC 60.55.35) (Transportation / KM)
44. Submit plans demonstrating compliance with the City's minimum standards for long-term bicycle parking (BDC 60.30.10.2.B.2 and EDM Section 340). (Planning / SR)
45. Submit a signal timing adjustment plan consistent with the recommendation in the applicant's traffic memo dated June 28, 2023 (Exhibit 3.D). (Planning / SR)
46. Submit plans showing the segment of the SW Stott curb space adjacent to Parking Lot 1 signed for bus parking only consistent with the applicant's queueing memo dated July 27, 2023. (Planning / SR)

F. Prior to building permit issuance, the applicant shall:

47. Have obtained the issuance of site development permit from the Site Development Division. (Site Development Div. / SAS)
48. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div. / SAS)
49. Have a professional architect, engineer, or surveyor submit plans and specifications to the City Engineer and City Building Official verifying that all at-risk elements of the new construction (in particular gate controllers, mechanisms, and electrical system) are either elevated or floodproofed as appropriate per City Code, FEMA requirements, IBC Appendix G (Flood-resistant Construction), and ASCE/SEI 24-05, and as determined by the City Floodplain Administrator and City Building Official. As the floodplain elevations change throughout the site, individual floodplain elevations will be identified on plans. (Site Development Div. / SAS)

G. Prior to building permit issuance of the stadium storage building, the applicant shall:

50. Provide plans demonstrating that any mechanical equipment placed on the roof or exterior wall of the stadium storage building, including exhaust fans, are not visible from SW 5th Street. (Planning / SR)

H. Prior to Temporary Occupancy of New Beaverton High School Building, the applicant shall:

51. Substantially complete the required street improvements along the site's frontage of SW Farmington Road including reconstructed 6-foot-wide sidewalks to be placed 0.5-feet from the right of way line and street lighting to be consistent with the adopted street standards for an arterial. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

52. Substantially complete the required street improvements along the site's western frontage of SW Stott Street between SW Farmington Road to approximately the northern boundary of Parking Lot 2. Street improvements include reconstructing the sidewalk to provide a 5-foot-wide sidewalk, and a minimum 7.5-foot-wide planter strip, consistent with the City's adopted local street standards. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

53. Substantially complete the required street improvements along the site's eastern frontage of SW Erickson Avenue between SW Farmington Road and approximately the southern edge of Parking Lot 4. Street improvements include constructing 6-foot-wide sidewalks, 7.5-foot planter strips, and street lighting consistent with the City's adopted collector street standards, except where otherwise approved by the concurrent Sidewalk Design Modification application. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

I. Prior to Temporary Occupancy of New Stadium Storage Building, the applicant shall:

54. Substantially complete the required street improvements along the site's eastern frontage of SW Erickson Avenue from approximately the southern edge of Parking Lot 4 to SW 5th Street. Street improvements include constructing 6-foot-wide sidewalks, 7.5-foot planter strips, and street lighting consistent with the City's adopted collector street standards, except where otherwise approved by the concurrent Sidewalk Design Modification application. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

55. Substantially complete the required street improvements along the site's frontage of SW 5th Street. Street improvements include constructing 6-foot-wide sidewalks and

4.5-foot planter strips as approved by concurrent Sidewalk Design Modification application. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

56. Substantially complete the required street improvements along the northern frontage of SW 2nd Street west of SW Erickson Avenue. Street improvements include constructing 5-foot-wide sidewalks and 6.5-foot-wide planter strips consistent with the City's adopted L1 Local Street standards. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

57. Substantially complete the required street improvements along the site's western frontage of SW Erickson Avenue between SW 2nd Street and the northern boundary of Parking Lot 5. Street improvements include constructing 6-foot-wide sidewalks, 7.5-foot-wide planter strip, and street lighting consistent with the City's adopted street standards for a collector. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

58. Substantially complete the required street improvements along the site's eastern frontage of SW Erickson Avenue adjacent to Parking Lot 4. Street improvements include constructing 6-foot-wide sidewalks, 7.5-foot planter strip, and street lighting consistent with the City's adopted collector street standards, except where otherwise approved by the concurrent Sidewalk Design Modification application. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

J. Prior to Temporary Occupancy of New Field House Building, the applicant shall:

59. Substantially complete the required street improvements along the site's western frontage of SW Stott Street adjacent to Parking Lot 2. Street improvements include reconstructing the sidewalk to provide a 5-foot-wide sidewalk, and a minimum 7.5-foot-wide planter strip, consistent with the City's adopted local street standards. (BDC 40.03.1.A, B, D, G, and K, BDC 60.55.10, and BDC 60.55.30) (Transportation / KM)

60. Substantially complete the multi-use path extension along the site's eastern property line, located on tax lot 1S116AD07600, consistent with the applicant's submitted site plans (Exhibit 3.A.4, plan sheet L3.06). (BDC 40.03.1.B, D, G, and K, BDC 60.55.10, and BDC 60.55.25) (Transportation / KM)

K. Prior to final inspection/occupancy of any building permit, the applicant shall:

61. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div. / SAS)

62. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / SAS)
63. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / SAS)
64. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / SAS)
65. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div. / SAS)
66. Have a professional architect, engineer, or surveyor submit a certification on Federal Emergency Management Agency (FEMA) standard form, to the City Building Official, verifying that the lowest finished floor is at least one foot above base flood elevation (BFE) 197.0 feet, NAVD-88 and higher or flood-proofed to one foot above the BFE. (Site Development Div. / SAS)

L. Prior to release of performance security, the applicant shall:

67. Have completed the site development improvements and verify that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div. / SAS)
68. Submit any required easements, executed and ready for recording, to the City for recordation. City will require approval of legal description and form prior to execution. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div. / SAS)
69. Provide a post-construction cleaning, system maintenance, and any proprietary stormwater treatment system recharge/replacement servicing report per manufacturer's recommendations for the site's proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer. Additional service report will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / SAS)
70. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to

achieve establishment of the vegetation as shown on the approved plan within the storm water management facilities as determined by the City Engineer. If the plants are not well established (as determined by the City) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. Acceptable forms of security include a letter notification of security deposit to an assurance account per the intergovernmental agreement between the City and the Beaverton School District. (Site Development Div. / SAS)

71. Provide a 2-year Maintenance Security at 25 percent of the cost to construct City-owned and maintained public improvements including grading, storm water management facilities, driveway, and fire lane drive aisle paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security for the plant establishment and is released 2 years after project acceptance following the correction of any identified defects. Acceptable forms of security include a letter notification of security deposit to an assurance account per the intergovernmental agreement between the City and the Beaverton School District. (Site Development Div. / SAS)

Downtown Design Review Compliance Letter (DDR12023-00446)

A. General Conditions, the applicant shall:

1. Ensure the associated land use application DR32023-00251 has been approved and are consistent with the submitted plans. (Planning / SR)

Historic Review – Demolition of a Landmark (HRD32023-00253)

A. General Conditions, the applicant shall:

1. Ensure the associated land use application DR32023-00251 has been approved and are consistent with the submitted plans. (Planning / SR)

Sidewalk Design Modification – SW Erickson (SDM12023-00254)

A. General Conditions, the applicant shall:

1. Ensure the associated land use application DR32023-00251 has been approved and are consistent with the submitted plans. (Planning / SR)

B. Prior to issuance of the site development permit for the Beaverton High School re-build, the applicant shall:

2. Submit either an executed and ready for recording encroachment agreement between the City of Beaverton and Beaverton School District allowing the encroachment of all six existing structures proposed to encroach the SW Erickson right of way, including four stadium lights, the maintenance building, and the stadium seating, or provide plans demonstrating that the eastern frontage of SW Erickson will be built to the three-lane collector standard including 6-foot sidewalks and 7.5-foot landscape strips except for segments where structures approved to remain through the encroachment agreement are present and directly prevent full frontage improvements as well as the transition areas for curb tight sidewalks. (Planning / SR)

Sidewalk Design Modification – SW 5th (SDM12023-00255)

A. General Conditions, the applicant shall:

1. Ensure the associated land use application DR32023-00251 has been approved and are consistent with the submitted plans. (Planning / SR)

Street Vacation (SV32023-00256)

A. General Conditions, the applicant shall:

1. Ensure the associated land use application DR32023-00251 has been approved and are consistent with the submitted plans. (Planning / SR)
2. Prior to the Street Vacation becoming effective, a land survey of the approved vacation is to be recorded with Washington County by the applicant. A copy of the recorded document shall be provided to the City. (Planning / SR)

Tree Plan Three (TP32023-00258)

A. General Conditions, the applicant shall:

1. Ensure the associated land use application DR32023-00251 has been approved and are consistent with the submitted plans.

B. Prior to issuance of the site development permit, the applicant shall:

2. Submit plans showing tree protection for all trees identified for retention consistent with BDC 60.60.20 or as approved by the City Arborist. (Planning / SR)

C. Prior to the start of construction, the applicant shall:

3. Install tree protection fencing in compliance with BDC 60.60.20. Any alternatives to

the standards in BDC 60.60.20 shall be approved by the City Arborist. (Planning / LS)

Variance (VAR32023-00259)

A. General Conditions, the applicant shall:

1. Ensure the associated land use application DR32023-00251 has been approved and are consistent with the submitted plans. (Planning / SR)

**BEFORE THE PLANNING COMMISSION FOR
THE CITY OF BEAVERTON, OREGON**

IN THE MATTER OF A REQUEST FOR APPROVAL) OF A STREET VACATION, BEAVERTON SCHOOL) DISTRICT, APPLICANT.	ORDER NO. 2955 SV32023-00256 ORDER RECOMENDING APPROVOL OF LU32023-00260 BEAVERTON HIGH SCHOOL REBUILD, STREET VACATION.
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The matter came before the Planning Commission on August 23, 2023, on a request for a Street Vacation of a segment of SW 3rd Street between SW Fairmount Drive and SW Erickson Avenue, associated with the rebuild of Beaverton High School. The site is located at 13120 SW Second Street, specifically identified as Tax Lots 7600 and 10900 on Washington County Tax Assessor's Map 1S116AC and Tax Lots 02150, 2151 and 2500 on Washington County Tax Assessor's Map 1S116AC.

Pursuant to Ordinance 2050 (Development Code) Section 50.45, the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated August 16, 2023, the supplemental memo dated August 23, 2023 and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03.2 and 40.75.15.1 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that the Planning Commission **RECOMMENDS APPROVAL** of **SV32023-00256**, based on the testimony, reports and exhibits, and evidence presented during the public hearing on the matter and based on the facts, findings, and conclusions found in the Staff
ORDER NO. 2955

Report dated August 16, 2023, the supplemental memo dated August 23, 2023, and the findings contained therein, subject to the conditions of approval as follows:

A. General Conditions, the applicant shall:

1. Ensure the associated land use application DR32023-00251 has been approved and are consistent with the submitted plans. (Planning / SR)
2. Prior to the Street Vacation becoming effective, a land survey of the approved vacation is to be recorded with Washington County by the applicant. A copy of the recorded document shall be provided to the City. (Planning / SR)

Motion **CARRIED**, by the following vote:

AYES: Lawler, Ellis, Akkal, Nye, Winter.
NAYS: None.
ABSTAIN: None.
ABSENT: Glenewinkel, McCann.

Dated this 30th day of August, 2023.

The Planning Commission's recommendation will go before City Council in a public hearing for a final decision.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

Steve Regner

Digitally signed by Steve Regner
DN: C=US, E=sregner@beavertonoregon.gov,
O=City of Beaverton, OU=Planning Division,
CN=Steve Regner
Reason: I am approving this document
Date: 2023.08.29 10:49:41-0700'

STEVE REGNER
Senior Planner

JENNIFER NYE
Chair



Jana Fox

Digitally signed by Jana Fox
DN: C=US,
E=jfox@beavertonoregon.gov,
O=City of Beaverton, OU=Planning
Division, CN=Jana Fox
Date: 2023.08.29 10:25:59-0700'

JANA FOX
Current Planning Manager