



## MEMORANDUM

### City of Beaverton

Community Development Department

**To:** Interested Parties  
**From:** City of Beaverton Planning Division  
**Date:** May 4, 2016  
**cc:** LD2015-0024, FS2015-0016, TP2016-0002, SDM2016-0004  
**Subject:** ***Notice of Decision for Walker Road Preliminary Subdivision***

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Please find attached the notice of decision for LD2015-0024, FS2015-0016, TP2016-0002, SDM2016-0004 ***Walker Road Preliminary Subdivision***. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for LD2015-0024, FS2015-0016, TP2016-0002, SDM2016-0004 Walker Road Preliminary Subdivision is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- The case file number designated by the City.
- The name and signature of each appellant.
- Reference to the written evidence provided to the decision making authority by the appellant that is contrary to the decision.
- If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- The appeal fee of \$250.00, as established by resolution of the City Council.

***The appeal closing date for LD2015-0024, FS2015-0016, TP2016-0002, and SDM2016-0004 (Walker Road Preliminary Subdivision) is 4:30 p.m., Monday May 16, 2015.***

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed at the Beaverton Planning Division, Community Development Department, 4<sup>th</sup> Floor, Beaverton Building City Hall; 12725 SW Millikan Way between 7:30 a.m. and 4:30 p.m., Monday through Friday, except holidays. For more information about the case file, please contact Steve Regner, Associate Planner, at (503) 526-2675.





## Staff Report

**DATE:** May 4, 2016

**TO:** Interested Parties

**FROM:** Steve Regner, Associate Planner

**PROPOSAL:** **Walker Road Subdivision**  
**LD2015-0024 / FS2015-0016 / TP2016-0002 / SDM2016-0004**

**LOCATION:** The subject site is located at 17835 NW Walker Road and 775 NW 178th Avenue, northwest of the intersection of NW Walker Road and NW 178th Avenue, Tax Lots 3300 and 3600 on Washington County Tax Assessor's Map 1N131CA.

**SUMMARY:** The applicant requests Preliminary Subdivision, Flexible Setback, Tree Plan, and Sidewalk Design Modification for a proposed residential six lot subdivision, with reduced rear yard setback for four of the lots. The applicant requests Tree Plan Two approval to remove fourteen community trees, and a Sidewalk Design Modification to allow the sidewalk along NW 178th Avenue to remain in its existing location.

**APPLICANT:** ADTM Development LLC  
Mike Safstrom  
6729 SW Childs Road  
Lake Oswego, OR 97035

**PROPERTY OWNERS:** Proteus Investments  
David Walker  
3416 Via Oporto #301  
Newport Beach, CA 92663

**RECOMMENDATION:** **APPROVAL of Walker Road Subdivision LD2015-0024 / FS2015-0016 / TP2016-0002 / SDM2016-0004**

## BACKGROUND FACTS

### Key Application Dates

Application	Submittal Date	Application Deemed Complete	Day 120
LD2015-0024	November 20, 2015	February 12, 2016	June 11, 2016
FS2015-0016	November 20, 2015	February 12, 2016	June 11, 2016
TP2016-0002	January 22, 2016	February 12, 2016	June 11, 2016
SDM2016-0004	January 22, 2016	February 12, 2016	June 11, 2016

### Existing Conditions Table

<b>Zoning</b>	R5 Residential Urban Standard Density District (R5)	
<b>Current Development</b>	Two Single Family Homes	
<b>Site Size &amp; Location</b>	The subject site is northwest of the intersection of NW Walker Road and NW 178 <sup>th</sup> Avenue, and is approximately 0.86 acres.	
<b>NAC</b>	Five Oaks / Triple Creek	
<b>Surrounding Uses</b>	<b>Zoning:</b> <u>North:</u> R5 <u>South:</u> R5 <u>East:</u> R5 <u>West:</u> R5	<b>Uses:</b> <u>North:</u> Single Family Housing <u>South:</u> Single Family Housing <u>East:</u> Single Family Housing <u>West:</u> Single Family Housing

## DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

	<u>Page No.</u>
<b><u>Attachment A:</u> Facilities Review Committee Technical Review and Recommendation Report</b>	FR1 – FR11
<b><u>Attachment B:</u> LD2015-0024 <i>Preliminary Subdivision</i></b>	LD1-LD4
<b><u>Attachment C:</u> FS2015-0016 <i>Flexible Setback for a Proposed Residential Land Division</i></b>	FS1-FS3
<b><u>Attachment D:</u> TP2016-0002 <i>Tree Plan Two</i></b>	TP1-TP6
<b><u>Attachment E:</u> SDM2016-0004 <i>Sidewalk Design Modification</i></b>	SDM1-SDM3
<b><u>Attachment F:</u> <i>Conditions of Approval</i></b>	COA1-COA6

### Exhibits

#### **Exhibit 1. Materials submitted by Staff**

- Exhibit 1.1 Zoning Map (page SR-5 of this report)
- Exhibit 1.2 Aerial Map (page SR-6 of this report)

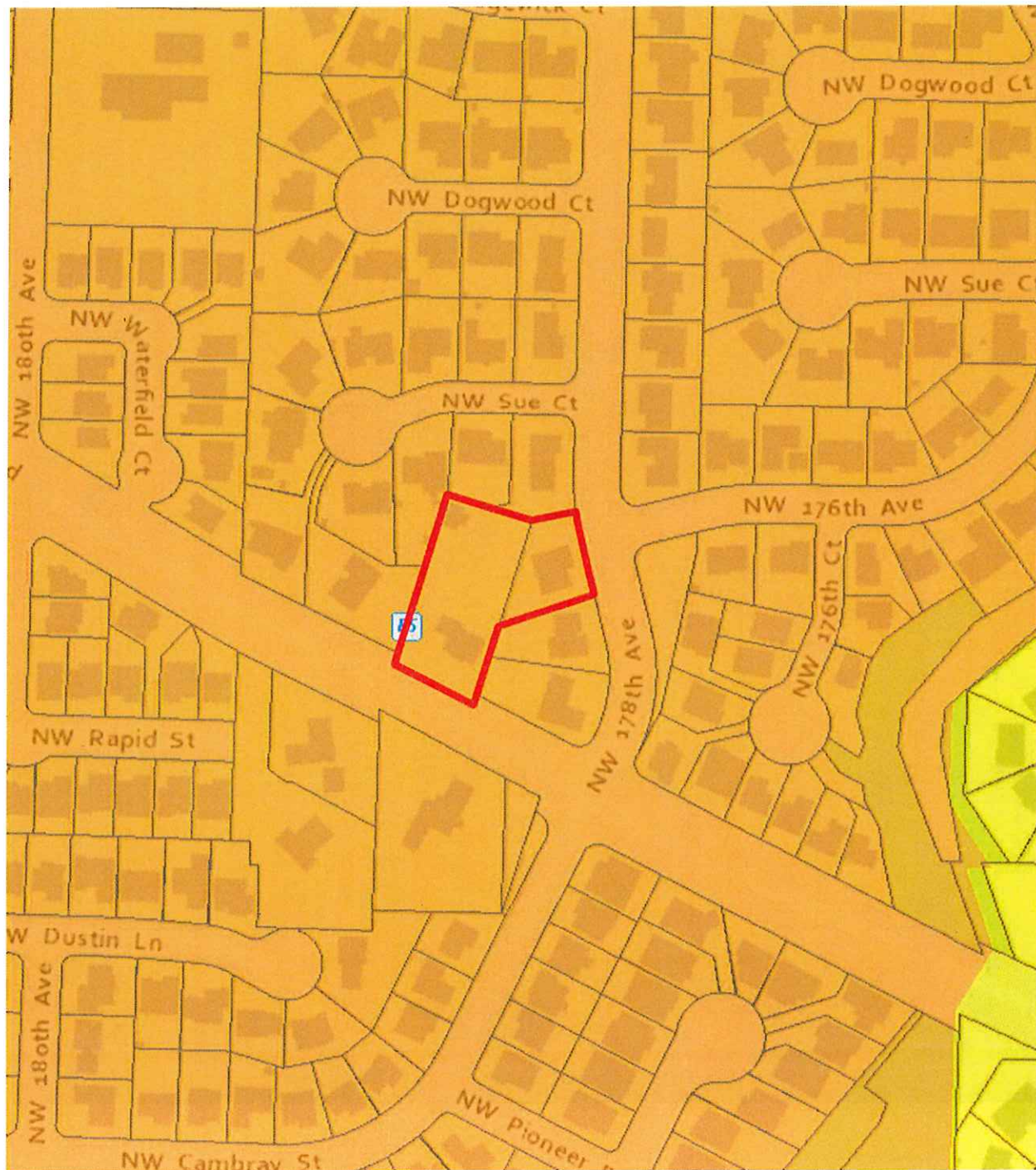
#### **Exhibit 2. Agency Comments**

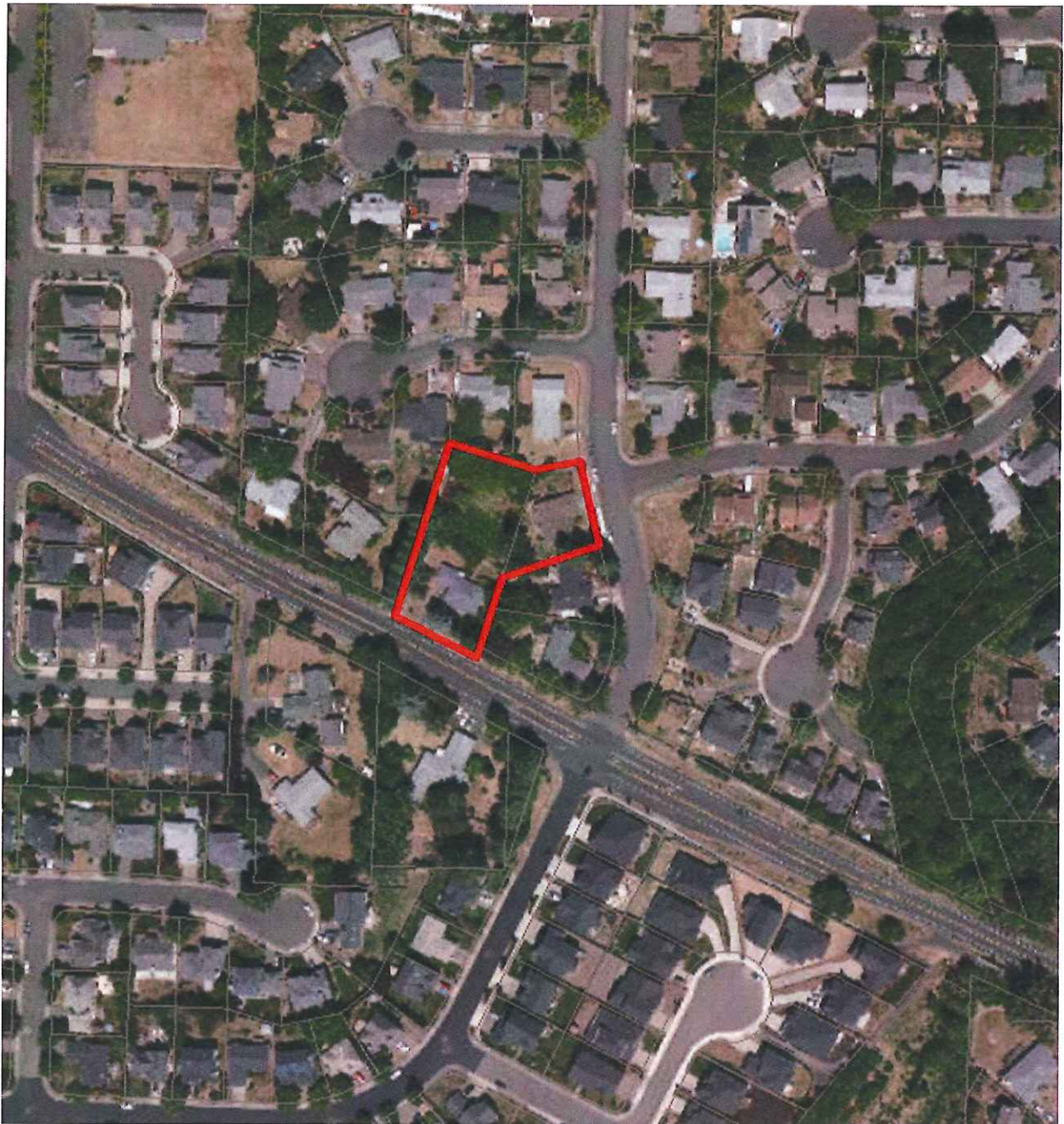
- Exhibit 2.1 Tualatin Valley Fire & Rescue
- Exhibit 2.2 Washington County

#### **Exhibit 3. Public Comment**

- Exhibit 3.1 Letter from Corey & Sarah Eichinger, 17840 NW Sue Court, expressing concerns about the Flexible Setback request and loss of Sequoia Trees
- Exhibit 3.2 Letter from Richard & Deanna Lawrence, 17860 NW Sue Court, expressing concern about drainage and tree removal
- Exhibit 3.3 Letter from Joseph W Batz, 805 NW 178<sup>th</sup> Avenue, expressing concern about tree removal and storm drainage
- Exhibit 3.4 Letter from SFC. Roland Howard, 715 NW 178<sup>th</sup> Avenue, expressing concerns about the Flexible Setback request

- Exhibit 3.5 Letter from Glenna Grossen, 17888 NW Sue Court, expressing concern about impacts to Sequoia Trees, needed privacy fencing, and two story homes in a one story neighborhood
- Exhibit 3.6 Letter from Craig & Kerri Engelmann, 17880 NW Sue Court, expressing interest in the development's compatibility with surrounding neighborhood.
- Exhibit 3.7 Letter from Glenna Grossen, 17888 NW Sue Court, requesting the sequoia trees be saved
- Exhibit 3.8 Letter from Shane Hout, expressing concerns about two story homes on smaller lots in a neighborhood of one story homes on slightly larger lots







**FACILITIES REVIEW COMMITTEE  
TECHNICAL REVIEW AND RECOMMENDATIONS  
WALKER ROAD SUBDIVISION  
LD2015-0024/ FS2015-0016 /  
TP2016-0002 / SDM2016-0004**

**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 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, below.

**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 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, below.

**The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted applications as identified below:**

- **All twelve (12) criteria are applicable to the submitted Land Division application as submitted.**
- **Facilities Review criteria do not apply to the Flexible Setback, Tree Plan Type Two, and Sidewalk Design Modification applications.**

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

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water and public sanitary sewer facilities.

The applicant has provided a Service Provider Letter (SPL) from Clean Water Services which shows compliance with stormwater requirements.

#### Water, Sanitary Sewer, and Stormwater

Water Service will be provided to the site by the Tualatin Valley Water District. The development proposes to connect lots one through five through a commonly owned tract to the existing water line in NW 178<sup>th</sup> Avenue. Lot six currently has water service to NW 178<sup>th</sup>, which will remain. The applicant will need to demonstrate that adequate capacity exists to serve the site, through providing needed approvals from TVWD before issuance of the site development permit.

Sanitary sewer service is provided by the City of Beaverton. The development proposes to connect lots one through five through a commonly owned tract to the existing 8-inch sanitary sewer line in NW 178<sup>th</sup> Avenue. Sewer connections for lot one to NW Walker Road will be disconnected as part of the development. Lot six currently has water service to NW 178<sup>th</sup>, which will remain. Adequate capacity exists to serve the proposed development.

Proposed stormwater drainage has been identified and described in the applicant's narrative and plans, including the storm drainage report prepared by Environmental Management Systems, Inc. The applicant proposes to use incorporate flow through planters on each residential lot for storm treatment. Connections are proposes to the stormwater line in NW 178<sup>th</sup> Avenue. The applicant has provided a Clean Water Services Service Provider Letter (SPL) to show compliance with CWS standards. As such the applicant has shown that adequate stormwater facilities exist to serve the site.

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and detention, transportation and fire protection.

#### Transportation

A traffic analysis was not required of this development. The trip generation of the proposed 6-lot subdivision is not great enough to meet the minimum 200 vehicles per day threshold requirement (Development Code Section 60.55.20.2 Traffic Impact Analysis). NW Walker Rd. is classifies as an Arterial Street and is under the maintenance and operational jurisdiction of Washington County. SW 178th Ave. is a Local Street under the maintenance and operational jurisdiction of the City of Beaverton.

The applicant proposes to dedicate 21 feet of right-of-way along the NW Walker Rd. frontage of the property, consistent with the applicable County standards. As Conditions of Approval, the applicant shall dedicate the right-of-way as shown and record a motor vehicle access restriction along the entire NW Walker Rd. frontage with the final plat. By meeting the Conditions of Approval, the applicant will provide the required critical transportation services.

## Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). Comments and conditions of approval have been received from TVF&R. Conditions of approval submitted by TVF&R are included herein. Staff also cites the findings for Criterion H hereto regarding fire prevention.

To ensure appropriate design and construction of the critical facilities, including but not limited to utility connections, access to manholes and structures, maintenance requirements, and associated construction and utility phasing plans, the Committee recommends standard conditions of approval.

The Committee finds that the applicant has provided sufficient evidence that critical facilities exist or can be made to exist to serve the site. Therefore, the committee finds that the proposal meets the criterion.

**Therefore, the Committee finds that the proposal meets the criterion.**

- B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to 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 years of occupancy.***

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

### Parks

The site will be served by the Tualatin Hills Park and Recreation (THPRD) and will be required to pay any assessed SDC fees for parks with building permit issuance. Autumn Ridge Park is the nearest facility, less than ¼ mile away.

### Police

The City of Beaverton Police currently serve the site and will continue to serve the proposed development.

### Pedestrian/Bicycle/Transit Facilities

The applicant proposes to construct a 6-foot sidewalk along the outer edge of the NW Walker Road right of way, at its ultimate width, alignment, and grade, meeting Washington County Arterial Street standards. As a Condition of Approval, the applicant shall show the sidewalk construction with submittal of the Site Development Permit plans. The applicant has submitted a Sidewalk Design Modification application to retain the existing curb-tight sidewalk along SW 178th Avenue. The site is currently served by transit via the 59 bus line along NW Walker Road. By meeting the Conditions of Approval, the applicant will provide the required essential transportation services.

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

- C. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject proposal.***

Staff cites the Code Conformance Analysis chart on page FR-9, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the R5 Residential Urban Standard Density District (R5) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards.

Therefore, the Committee finds that the proposal meets the criterion.

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

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, in response to the above mentioned criteria.

#### Section 60.55 Transportation Facilities

The proposal is not expected to generate 20 or more trips in any hour onto the adjacent residential street and is not expected to generate 200 or more trips per day, so the thresholds for a Traffic Management Plan and for a Traffic Impact Analysis are not met, therefore, these additional traffic studied were not required.

The proposal provides vehicle and bicycle and pedestrian connections to all of the proposed lots. The proposed common driveway will include 16 feet of asphalt and 4 feet of at-grade concrete walkway. As a Condition of Approval, the applicant shall submit plans showing that the proposed walkway will support the TVF&R fire apparatus, per their standards.

#### NW Walker Road

NW Walker Road is classified as an Arterial on the City's Comprehensive Plan and is under the jurisdiction of Washington County. Access to NW Walker Road is not proposed nor permitted as part of this development approval. The applicant is required to close all existing driveways to NW Walker Road to County standards.

To implement the County's standards for an Arterial street, the applicant will be required to record a motor vehicle access restriction along the entire NW Walker Road frontage as part of the plat recordation.

Consistent with statewide pedestrian circulation/linkage goals of the Transportation Planning Rule and the County's R&O 86-95 (road safety requirements), the County normally requires sidewalk installation as a minimum road safety improvement along site frontage of all County-maintained roads. Sidewalks further establish future street profiles, demarcate County or City right-of-way, and address drainage issues. Sidewalk requirements are not generally waived, even when sidewalk is not currently present on neighboring properties. Rather, even non-contiguous sidewalk is considered to provide some measure of pedestrian refuge and ideally, makes possible eventual connection of sidewalks (as surrounding development takes place and is likewise conditioned to provide sidewalk). Additionally, the Washington County Road Design and Construction Standards require provision of adequate drainage along a site's frontage of a county road.

The subject site does not currently have a complete half-street frontage improvement (gutter/curb/sidewalk/lighting) in accordance with minimum County standards. However, staff notes that this section of NW Walker Road has been identified as a future MSTIP project for the County and City. Therefore, the County and City are in agreement that a sidewalk constructed at ultimate alignment/grade will provide adequate pedestrian access in the interim.

The statewide Transportation Planning Rule requires provision for adequate transportation facilities in order for development to occur. Accordingly, the County has classified roads and road segments within the County system based upon their function. The current Transportation Plan (regularly updated) contains adequate right-of-way, road width and lane provision standards based upon each roadway's classification. Subject right of way is considered deficient if half-width of the existing right of way does not meet that determined necessary within the County's current transportation plan.

The applicant is required to dedicate additional right-of-way to provide 51 feet from the centerline of NW Walker Road (5 lane Arterial/Enhanced Major Street Bikeway).

#### NW 178<sup>th</sup> Avenue

NW 178<sup>th</sup> Avenue is classified as a Neighborhood Route. All of the surrounding streets are under the jurisdiction of the City. A 5-foot curb tight sidewalk currently exists along the site frontage. With the approval of the Sidewalk Design Modification application, the existing street improvements meet the applicable standards for street design.

#### 60.60 Trees and Vegetation Requirements

There are no significant or historic trees on site. The proposal includes the removal of fourteen community trees. The applicant proposes to preserve nine giant sequoias along the west edge of the property; four on the subject property, identified as trees 6 through 9 in the applicant's tree plan, and five giant sequoias on the adjacent parcel to the west, trees 20 through 24 in the applicant's tree plan. Due to the large root zones of the giant sequoias, site improvements on lot 2 or removal of any of these trees may significantly impact the health and stability of remaining giant sequoias.

The committee recommends a condition of approval requiring the applicant to provide an arborists report demonstrating that any site improvements or home construction on

lot 2 within the root zones of trees 6 through 9 and 20 through 24 will not threaten the health or stability of the trees.

60.65 Utility Undergrounding

To meet the requirements of Section 60.65, staff recommends a standard condition of approval requiring that utility lines are placed underground.

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

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

The applicant's narrative states that a maintenance agreement will be in place binding lots one through five to ensure continued maintenance of the private road and other facilities located within Tract A. 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.

**Therefore, the Committee finds that the proposal meets the criterion.**

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

The applicant states that the proposed 16-foot private road will have a 4-foot sidewalk even with the private road on one side for pedestrian access. Pavers or other distinguishing material shall be used to the pedestrian sidewalk to clearly delineate pedestrian and vehicle travel area.

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

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

As noted above, the vehicular and pedestrian circulation systems connect to the surrounding systems in a safe, efficient, and direct manner. Staff cite the findings in criteria B and D above as relevant to criterion G.

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

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

Preliminary comments and conditions of approval have been received from Tualatin Valley Fire and Rescue District (TVF&R). Specific details regarding fire flow and hydrant placement will be reviewed for flow calculations and hydrant locations during site development and building permit stages.

The Committee concludes that, subject to meeting the conditions of approval the site can be designed in accordance with City codes and standards and provide adequate fire protection.

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

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

The applicant states that all proposed facilities have been designed in accordance with city codes. The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

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

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

The applicant's states that all grading and contouring has been designed in accordance with City codes and closely matches the contours of neighboring properties. Grading design will also direct storm drainage to proposed flow through planters as well as the common driveway in Tract A. No grading for individual home pads have been provided.

The applicant must show compliance with Site Development erosion control measures at the time of Site Development permit issuance.

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

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

The Committee finds that as proposed, the street sidewalks and walkways internal to the development appear to meet applicable accessibility requirements and through the site development and building permitting reviews will be thoroughly evaluated. Therefore, the Committee finds that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and would thereby be in conformance with Development Code Section 60.55.65 and the criterion will be met.

**Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion for approval.**

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

The applicant submitted the applications on February 12, 2016 and the application was deemed complete on January 27, 2016. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

**Therefore, the Committee finds the proposal meets the criterion for approval.**



**Code Conformance Analysis**  
**Chapter 20 Use and Site Development Requirements**  
**R2 Residential Urban Standard Density (R5) Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 20.05.20 (R5)</b>			
Use- Permitted	Detached Dwellings	Detached Dwellings	Yes
<b>Development Code Section 20.05.15 (R2)</b>			
Minimum Lot Area	5,000	Range: 4,514 - 6,293 square feet. Utilizing Lot Averaging Per Section 20.05.15, Footnote 3	Yes
Minimum Corner Lot Dimensions Width Depth	None None	Varies Varies	Yes
Minimum Yard Setbacks Front Side Rear	15' 5' 20'	Lot 1 Front: 15' Side: 5', 5' Rear: 5'  Lot 2 Front: 15' Side: 5', 5' Rear: 5'  Lot 3 Front: 15' Side: 5', 5' Rear: 20'  Lot 4 Front: 15' Side: 5', 5' Rear: 20'  Lot 5 Front: 15' Side: 5', 5' Rear: 5'  Lot 6 Front: 15' Side: 5', 5' Rear: 6'	Yes w/ Approval of Flexible Setback Request
Maximum Building Height	35'	No structures proposed	Yes w/COA

## Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.05</b>			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	No Design Review Proposed, Single Family Home Subdivision	N/A
<b>Development Code Section 60.07</b>			
Drive-Up window facilities	Requirements for drive-up, drive-through and drive-in facilities.	No drive-up window facilities are proposed.	N/A
<b>Development Code Section 60.10</b>			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	No mapped floodplains are located within the subject site.	N/A
<b>Development Code Section 60.12</b>			
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 techniques proposed.	N/A
<b>Development Code Section 60.15 – Land Division Standards</b>			
Land Division Standards	Standards pertaining to Land Divisions	Six Lot Subdivision	See LD Findings
<b>Development Code Section 60.25 – Off Street Loading</b>			
Loading Facilities	No loading facilities are required for this use.	No loading facilities are proposed	N/A
<b>Development Code Section 60.30 – Off-Street Parking</b>			
Off-street motor vehicle parking Parking Zone A	<u>Detached Dwellings</u> 1 space per unit	Driveway required for each unit	YES
Required Bicycle Parking	Not Required for Detached Dwellings	Not provided	N/A
<b>Development Code Section 60.55 – Transportation</b>			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes- with COA
<b>Development Code Section 60.60</b>			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Proposes removing fourteen community trees, along with five trees that do not meet the definition of non-exempt survey tree.  Giant sequoias identified as Trees 6-9 and 20 - 23 appear likely to be impacted by construction of home on lot two. Depending on removal technique, these trees may be	YES – with COA

		impacted by construction of lot 2, and removal of any of the other giant sequoias. An arborist report detailing tree preservation will be required for any construction or site improvements within the root zone of trees 6-9 and 20-23.	
<b>Development Code Section 60.65</b>			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant states that they are aware of the undergrounding requirements. To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy.	<b>Yes- with COA</b>

**LD2015-0024  
ANALYSIS AND FINDINGS FOR  
PRELIMINARY SUBDIVISION**

**Section 40.45.05 Land Division Applications; Purpose**

*The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.*

**Section 40.45.15.5.C Approval Criteria**

*In order to approve a Preliminary Subdivision application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

- 1. *The application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met.***

The applicant proposes to divide two parcels into six parcels, and no Legal Lot Determination is pending for either parcel, meeting the threshold for a Preliminary Subdivision below.

- 1. The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.*

**Therefore, staff find that the proposal meets the criterion for approval.**

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

The applicant has paid the required application fee for a Preliminary Subdivision application.

**Therefore, staff find that the proposal meets the criterion for approval.**

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

Lot 3300 was platted as part of the Autumn Ridge Subdivision in 1977. The proposed development does not conflict with any City approvals related to the Autumn Ridge subdivision. Lot 3600 is not part of any subdivision. The proposed application will not affect or modify any applicable current or previous land use approvals.

**Therefore, staff find that the proposal meets the criterion for approval.**

4. ***Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.***

No oversized parcels are proposed with this development.

**Therefore, staff find that the criterion for approval does not apply.**

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

The proposal does not request phasing with this development

**Therefore, staff find that the criterion for approval does not apply.**

6. ***Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following:***

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

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

The proposal allows the unusually shaped site to meet minimum density requirements of the Development Code. The subject site and surrounding properties are zoned R5 residential, therefore there is no opportunity to create a lot size transition for adjacent differently zoned properties. The proposed grading is minimal, limited to building pads and the shared driveway to serve five of the six homes.

**Therefore, staff find that the proposal meets the criterion for approval.**

7. ***Applications that apply the lot area averaging standards of Section 20.05.15.D. do not require further Adjustment or Variance approvals for the Land Division.***

The proposal includes lot averaging standards outlined in Section 20.05.15.D, but does not request an Adjustment or Variance.

Therefore, staff find that the proposal meets the criterion for approval.

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

The proposal only includes lots zoned R5 Residential. No proposed lot will have more than one zoning designation.

Therefore, staff find that the proposal meets the criterion for approval.

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

The applicant has submitted this Preliminary Subdivision application, Flexible Setback with Land Division, Tree Plan Two and Sidewalk Design Modification applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

Therefore, staff find that the proposal meets the criterion for approval.

#### **RECOMMENDATION**

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2015-0024 (Walker Road Subdivision)**, subject to the applicable conditions identified in Attachment F.

## Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Grading Standards</b>			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed.	The proposal is subject to the grading standards contained herein.	<b>Yes</b>
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	No exemptions are applicable.	<b>N/A</b>
60.15.10.3.A 0-5 Feet From Property Line	Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and grading is minimal.	<b>Yes</b>
60.15.10.3.B 5-10 Feet From Property Line	Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and grading is minimal.	<b>Yes</b>
60.15.10.3.C 10-15 Feet From Property Line	Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and grading is minimal.	<b>Yes</b>
60.15.10.3.D 15-20 Feet From Property Line	Maximum eight (8) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and grading is minimal.	<b>Yes</b>
60.15.10.3.E 20-25 Feet From Property Line	Maximum ten (10) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and grading is minimal.	<b>Yes</b>
60.15.10.3.F Pre-development slope	Where a pre-development slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, the slope after grading shall not exceed the pre-development slope	The applicant does not propose to exceed these standards of pre-development slopes.	<b>Yes</b>
<b>Significant Trees and Groves</b>			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	No significant trees or groves on site.	<b>N/A</b>

**FS2015-0016**  
**ANALYSIS AND FINDINGS FOR**  
**FLEXIBLE SETBACK FOR A PROPOSED LAND DIVISION**

**Section 40.30.05 Flexible and Zero Yard Setbacks; Purpose**

*The purpose of flexible and zero yard setbacks is to encourage flexibility in building design and layout, while providing for open space, adequate light, air, and safety. It is also recognized that a reduction in the setback standards may create compatibility problems for surrounding properties. The following provisions allow flexible setbacks in a manner which is appropriate given the unique character of the property involved and the surrounding area. This section is carried out by the approval criteria listed herein*

**Section 40.30.15.3.C Flexible Setback for a Proposed Residential Land Division Approval Criteria:**

*In order to approve a Flexible Setback for a Proposed Residential Land Division application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

- 1. The proposal satisfies the threshold requirements Flexible Setback for a Proposed Residential Land Division application.**

The applicant proposes a flexible rear yard setback of 5 feet for Lot 1, a flexible rear yard setback of 5 feet for Lot 2, a flexible rear yard setback of 5 feet for Lot 5, and a flexible rear yard setback of 6 feet for Lot 6 of a six lot subdivision in the R5 zone which is being processed concurrently, meeting this threshold below.

- 1. The property is located within a Residential zoning district and this application is accompanied by a land division application for the subject property.*

**Therefore, staff find that the proposal meets this criterion for approval.**

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

The applicant has paid the required fee for a Flexible Setback for a Proposed Residential Land Division application.

**Therefore, staff find that the proposal meets this criterion for approval.**

- 3. The proposal is compatible with the surrounding area regarding topography, vegetation, building character, and site design. In determining compatibility, consideration shall be given to harmony in: scale, bulk, lot coverage, density, rooflines, and building materials.**

The applicant states that grading will facilitate storm drainage and will incorporate



topography similar to other lots. Flexible setbacks requested for Lots 1, 2, and 6 are internal to the site. Due to the irregular shape of Lot 5, the Flexible setback requested will have limited impacts to adjacent off-site neighbor to the south. Due to these minimal impacts, the site design is considered compatible.

**Therefore, staff find that the proposal meets this criterion for approval.**

- 4. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.***

The applicant proposes a flexible rear yard setback of 5 feet for Lot 1, a flexible rear yard setback of 5 feet for Lot 2, a flexible rear yard setback of 5 feet for Lot 5, and a flexible rear yard setback of 6 feet for Lot 6. The minimum rear yard setback allowed for a flexible setback request is 5 feet.

**Therefore, staff find that the proposal meets this criterion for approval.**

- 5. *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.***

Staff cites the code conformance chart in Attachment A of this report which evaluates compliance with Chapter 60 of the Development Code.

**Therefore, staff find that the proposal meets this criterion for approval.**

- 6. *The proposal contains all applicable application submittal requirements as identified in Section 50.25.1 of the Development Code.***

The applicant has paid the required fee for a Flexible Setback for a Proposed Residential Land Division application.

**Therefore, staff find that the proposal meets this criterion for approval.**

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

The applicant has submitted this Flexible Setback with Land Division application, Preliminary Subdivision, Tree Plan Two and Sidewalk Design Modification applications for this project. Concurrent review of the applications satisfies this criterion. No other

applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

**Therefore, staff find that the proposal meets this criterion for approval.**

**RECOMMENDATION**

Based on the facts and findings presented, staff recommends **APPROVAL** of **FS2015-0016 (Walker Road Subdivision)**, subject to the applicable conditions identified in Attachment F.

**TP2016-0002  
ANALYSIS AND FINDINGS FOR  
TREE PLAN TWO**

**Section 40.90.05 Tree Plan Applications; Purpose**

*Healthy trees and urban forest 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 Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.*

**Section 40.90.15.2.C Approval Criteria**

*In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*

- 1. The proposal satisfies the threshold requirements for a Tree Plan Two application.**

The applicant proposes to remove fourteen (14) community trees from the site, which is greater than 10% of the total trees on site, which meets threshold one for a Tree Plan Two application.

- 2. Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period.*

**Therefore, staff find that the proposal meets this criterion for approval.**

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

The applicant has paid the required fee for a Tree Plan Two application.

**Therefore, staff find that the proposal meets this criterion for approval.**

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

The trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the development of the site and the associated

grading and construction.

**Therefore, staff find that this criterion for approval does not apply.**

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

The applicant states that the fourteen (14) community trees are to be removed to accommodate shared driveway construction, preliminary site grading, flowthrough planters and other physical development activities to develop and serve four new single family homes and two existing single family homes. Tree 1, a douglas fir, is proposed for preservation, but the proximity of a flowthrough planter may require removal of the tree. The applicant is requesting permission to remove the tree, but will attempt to preserve the tree if possible. Tree 1 is one of the fourteen trees the applicant is requesting permission to remove. The applicant notes the trees identified for removal must be removed to meet the city's minimum density requirements.

The applicant originally proposed to remove trees identified as 6, 7, 8, and 9 on the Tree Plan. However, due to the large root zones of the giant sequoias, as well as the proximity of these trees to the giant sequoias to the south, trees 20, 21, 22, 23, and 24, staff does not believe that trees 6 through 9 can be removed with significantly impacts to trees through 24. The applicant has revised the plans to preserve trees 6 through 9.

Staff concur that the trees proposed to be removed are the minimum necessary to accommodate the proposed development.

**Therefore, staff find that the proposal meets this criterion for approval.**

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

Property damage or other nuisances are not the reason the trees are being removed. Trees are being removed to facilitate development of the site.

**Therefore, staff find that this criterion for approval does not apply.**

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

The applicant states that fourteen community trees and with five trees that do not meet the definition of non-exempt survey tree must be removed in order to accommodate street, utility and driveway improvements as well as lot grading and construction. Staff

concur that trees are being removed to facilitate development of the site not to accomplish a public purpose.

**Therefore, staff find that this criterion for approval does not apply.**

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

The removal of trees is not necessary to enhance the Significant Grove on-site. The trees are proposed for removal to accommodate new development where no reasonable alternative exists.

**Therefore, staff find that this criterion for approval does not apply.**

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

No SNRA or Significant Grove is on the subject site. Trees proposed to be removed are community trees.

**Therefore, staff find that this criterion for approval does not apply.**

- 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.***

No SNRA or Significant Grove is on the subject site. Trees proposed to be removed are community trees.

**Therefore, staff find that this criterion for approval does not apply.**

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

Staff cites the applicable Development Code sections in the Development Code Conformance Analysis chart at the end of the Tree Plan Staff Report, which evaluates the project as it relates to applicable code requirements of Sections 60.60 through 60.67, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of Chapter 60.60 and 60.67.

**Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.**

11. ***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.***

This approval criterion is identical to Facilities Review approval criterion J. The response contained within the revised Facilities Review report (Attachment A, above) is hereby cited and incorporated. The applicant's plans balance accommodating the proposed use and minimizing the adverse effects on neighboring properties.

**Therefore, staff find that the proposal meets this criterion for approval.**

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

The applicant submitted the application on January 22, 2016 and was deemed complete on February 12, 2016. In the review of the materials during the application review, staff finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

**Therefore, staff finds that the proposal meets this criterion for approval.**

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

The applicant has submitted this Tree Plan Two with a Flexible Setback with Land Division application, Preliminary Subdivision, and Sidewalk Design Modification applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

**Therefore, staff finds that the proposal meets this criterion for approval.**

### **Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2016-0002 (Walker Road Subdivision)** subject to the applicable conditions identified in Attachment F.

**Code Conformance Analysis**  
**Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources**

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
<b>60.60.15 Pruning, Removal, and Preservation Standards</b>			
60.60.15.1A-B	Pruning Standards	The applicant does not proposal pruning.	N/A
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed tree removal complies with this section (see findings below).	YES w/COA
60.60.15.2.B	Removal of Landscape Trees and Significant Trees shall be required as set forth in 60.60.25	Only community are proposed to be removed. No mitigation is required for removal of community trees.	YES
60.60.15.2.C.1-8	Standards for SNRA & Significant Groves	No SNRA or Significant Groves are on site.	N/A
<b>60.60.20 Tree Protection Standards During Development</b>			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures may be used with City approval.	The applicant will be required to meet Tree Protection Standards during construction.	YES w/ COA
<b>60.60.25 Mitigation Requirements</b>			
60.60.25.1.A-F	Standards for removal of Significant Trees	No significant trees are located on-site.	N/A
60.60.25.2	Mitigation Standards for removal of Significant Trees.	No significant trees are located on-site.	N/A
60.60.25.3	Additional standards for removal of trees within Significant Grove.	No significant trees are located on-site.	N/A
60.60.25.4	2:1 On-Site Mitigation for Significant Groves	No significant trees are located on-site.	N/A
60.60.25.9	Landscape Tree Mitigation	No landscape trees are located on-site	N/A
<b>60.67 Significant Natural Resources</b>			
60.67.05.1	Development activities in locations of possible significant natural resources and/or wetlands are subject to relevant procedures identified in Chapter 50.	No significant natural resources exist on site.	N/A
60.67.05.2	For sites identified in the Local Wetland Inventory notice of the proposed	No significant natural resources exist on site.	N/A

	development shall be provided to DSL.		
60.67.10	Development activities in locations of Significant Riparian Corridors are subject to relevant procedures identified in Chapter 50.	No significant natural resources exist on site.	<b>N/A</b>



**SDM2016-0004  
ANALYSIS AND FINDINGS FOR  
SIDEWALK DESIGN MODIFICATION – SW ALLEN BOULEVARD**

**Section 40.58.05. Sidewalk Design Modification Application; 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.

**Section 40.58.15.1.C. Approval Criteria**

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

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

Section 40.58.15.1.A.1 Threshold: *An application for Sidewalk Design Modification shall be required when the following threshold applies:*

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

The applicant requests that the existing sidewalks on NW 178<sup>th</sup> Avenue, which are not consistent with the Engineering Design Manual, remain as is. The curb tight sidewalk is five feet wide with a six foot planter strip behind the sidewalk. NW 178<sup>th</sup> Avenue is designated a Neighborhood Route, which requires a five foot sidewalk and a seven and a half foot planter strip.

**Therefore, staff find the proposal meets the criterion for approval.**

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

The City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

**Therefore, staff finds the proposal meets the criterion for approval.**

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.**

The applicant states that there is an existing keystone wall along the southern portion of NW 178th Ave that prevents the construction of the sidewalk consistent with the Engineering Design Manual.

Staff finds that the existing wall, which functions as a retaining wall for the existing single family home located at 775 NW 178th Ave, would need to be removed to construct the sidewalk consistent with the EDM. Furthermore, the applicant does not control adjoining properties, and the construction of sidewalks in location required by the EDM would create a disjointed sidewalk network. Surrounding properties are not likely to be further developed, so future half street improvements in the area seem unlikely.

**Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.**

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.**

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated in the narrative provided to this Section (Chap. 60). Staff refers to the Facilities Review findings for approval criterion C in reference to compliance with 60.55. The applicant must show compliance with the Conditions of Approval prior to issuance of a Site Development Permit for the proposed transportation facilities.

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

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

The applicant has submitted this Sidewalk Design Modification application and the associated Preliminary Subdivision, Flexible Setback with Land Division, and a Tree Plan Two application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

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

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

Staff cites the finding prepared herein in response to Criteria E and F of Facilities Review approval as adequate for supportive findings in response to Criterion No. 6 of SDM approval.

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

#### **Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2016-0004 (Walker Road Subdivision)** subject to the applicable conditions identified in Attachment F.

**CONDITIONS OF APPROVAL****A. Prior to issuance of the Site Development Permit, the applicant shall:**

1. 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./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; 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./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, facility landscape planting, and common driveway construction 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. (Site Development Div./JJD)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. Submit to the City a copy of issued permits or other approvals as needed from Washington County for work within, and/or construction access to Walker Road. (Site Development Div./JJD)
7. Submit a copy of issued permits or other approvals as needed from the Tualatin Valley Water District for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div./JJD)
8. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
9. 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./JJD)

10. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
11. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD)
12. Submit a design for the grading surrounding, adjacent, and within the storm water quality facilities designed by a civil engineer or structural engineer for the expected hydrological conditions of the rain gardens/planters. Some minor changes to the grading may be needed in order to provide an adequate containment of the rain gardens/planters. This may require other minor modifications to the proposed storm water management facilities as reflected within the land-use application submittal. This land-use approval shall provide for such minor surface modifications (examples: revised grading or addition of small retaining walls, structure relocation, and interior grade changes less than two vertical feet variance) in the proposed facility without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)
13. Submit a revised grading plan showing that each lot has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities and show a safe overflow route. A minimum finish floor elevation shall established for the future homes based on service provision needs and whichever of the following three is highest in elevation: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the LIDA planters; and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. It must also be shown that the existing home to remain will not have any potential adverse drainage impact from the proposed site grading changes, utility construction, and LIDA planter overflow condition. (Site Development Div./JJD)
14. Submit to the City a certified impervious surface determination of the proposed project's new impervious area proposed for any common areas and common private driveways prepared by the applicant's engineer, architect, or surveyor. (Site Development Div./JJD)

15. Pay storm water system development charges (overall system conveyance and winter detention) for the new impervious area proposed for the common driveway. (Site Development Div./JJD) (Site Development Div./JJD)
16. Provide plans for the placement of underground utility lines within the site to the existing homes, and for services to the proposed new home sites. No overhead services shall remain to any lot. 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./JJD)
17. Provide plans for LED street lights along the site's public street frontages and the common driveway (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./JJD)
18. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings) at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
19. Submit plans that show the dedication of right-of-way along NW Walker Rd. sufficient to provide 51 feet from centerline. (Transportation/KR)
20. Submit plans that show construction of a 6-foot sidewalk in its ultimate alignment and at its ultimate grade along the NW Walker Rd. frontage of the site. (Transportation/KR)
21. Submit plans that show the sidewalk will meet the minimum load-bearing standard of TVF&R for fire apparatus access. (Transportation/KR)
22. Submit plans that demonstrate that Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. The fire district will approve access roads of 12 feet for up to three dwelling units and accessory buildings. (OFC 503.2.1 & D103.1) (TVF&R/JF)
23. Submit plans that demonstrate that the shared driveway is made of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) (TVF&R/JF)
24. Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6) Fire access roads less than 26 feet wide will require no parking signs on both sides of the fire access roadway. (TVF&R/JF)

25. The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B. (OFC B105.2) (TVF&R/JF)
26. Provide an arborists report demonstrating that site improvements within the root zone of trees 6 through 9 and trees 20 through 24 will not damage or otherwise threaten the health or stability of the trees. (Planning Division/SR)
27. Ensure that all associated applications have been approved and are consistent with the submitted plans. (Planning Division/SR)

**B. Prior to Approval of the Final Plat, the applicant shall:**

28. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards (Site Development Div./JJD)
29. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)
30. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits for each parcel, ready for recording concurrently with the final plat at Washington County. (Site Development Div./JJD)
31. Submit plans to be recorded that show a motor vehicle access restriction along the property's entire NW Walker Rd. frontage. (Planning Division/SR)

**C. Prior to Building Permit Issuance, the applicant shall:**

32. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
33. Have recorded the final plat with the County Surveyor and submitted a copy to the City. (Site Development Div./JJD)
34. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
36. Submit plans that reflect the minimum finish floor elevations determined and shown on the approved site development plans based on **service provision needs and whichever of the following three is highest in elevation: 1)** at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; **2)** two feet higher than the rim/overflow of the LIDA planters; and **3)** as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. (Site Development Div./JJD)

37. Prior to issuance of a permit for lot 2, an arborists report shall be provided to demonstrate that any site improvements or building construction within the root zone of trees six through nine and twenty through twenty-four will not damage or otherwise threated the health or stability of the trees. (Planning Division/SR)

**D. Prior to Final Inspection of any building permit, the applicant shall:**

38. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the new house frontage and any the existing house frontage. (Site Development Div./JJD)

39. 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./JJD)

40. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (Planning Div./SR)

41. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning Div./SR)

**E. Prior to release of Performance Security, the applicant shall:**

42. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. 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./JJD)

43. Submit, if needed, any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. 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./JJD)

44. 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/replacement of the vegetation and restoration of full function within the private surface water management facility areas, as determined by the City Engineer. If the plants are not well established or the facility not properly functioning (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./JJD)