

MEMORANDUM

City of Beaverton

Community Development Department

To: Interested Parties
From: City of Beaverton Planning Division
Date: May 4, 2022
Subject: *Notice of Decision for DDR2022-0003*

Please find attached the Notice of Decision for **DR2022-0003 Loyal Legion Pergola**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for DDR2022-0003 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 \$258.75, as established by resolution of the City Council.

The appeal closing date for DDR2022-0003 Loyal Legion Pergola is 4:30 p.m., May 16, 2022.

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed by contacting the project planner, Aaron Harris at aharris@beavertonoregon.gov. For more information about the case file, please contact Aaron Harris, Senior Planner, at (503) 616-8453.

Accessibility information: *This information can be made available in large print or audio tape upon request. Assistive listening devices, sign language interpreters, or qualified bilingual interpreters can be made available at any public meeting or program with 72 hours advance notice. To request these services, contact Aaron Harris by calling 711 503-616-8453 or email aharris@beavertonoregon.gov*

Report Date: May 4, 2022,
DDR2022-0003

City of Beaverton

STAFF REPORT

Report Date: May 4, 2022

Application/Project Name: Loyal Legion Pergola

Application Numbers: DDR2022-0003

Proposal: The applicant, Weil Architecture, PC, requests Downtown Design Review Two approval to add a pergola to existing light poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use.

Proposal Location: Northwest corner of SW Farmington Road and SW Watson Avenue, also identified as Tax Lot 00300 on Washington County Tax Assessor's Map 1S116AD.

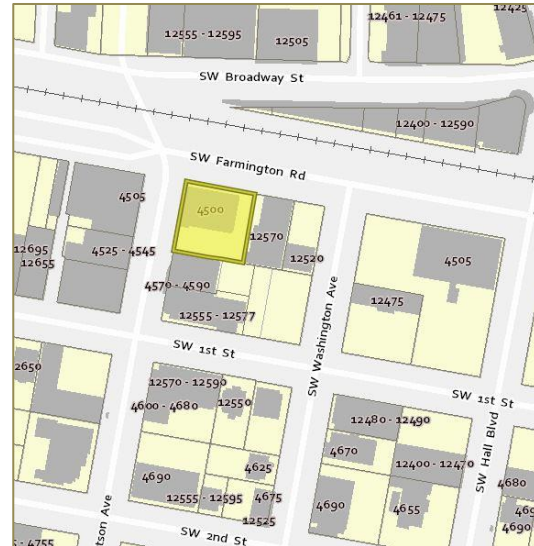
Decision: APPROVAL of Loyal Legion Pergola DDR2022-0003, subject to the conditions identified at the end of this report.

Contact Information:

City Staff Representative: Aaron Harris, Senior Planner
503-616-8453 / aharris@BeavertonOregon.gov

Applicant: Weil Architecture, PC
1920 N. Kilpatrick Street
Portland, OR 97219

Property Owner: H&O Properties
2584 SW Montgomery Drive
Portland, OR 97201



Existing Conditions

Zoning: Regional Center – Old Town (RC-OT)

Site conditions: The current on-site use is an eating and drinking establishment.

Background: In January 2020, the Planning Commission approved the replacement of select windows, removal of a secondary entrance, new rooftop mechanical screening, closure of the existing parking lot for an outdoor seating area, new bike racks, and a screened refuse area per land use applications HR2019-0003/DR2019-0169. In November 2020, the Planning Commission approved the expansion of the door system on the south elevation and the enlargement of one window per land use applications HR2020-0001/DR2020-0108.

Site Size: Approximately 10,018 square feet.

Location: 4500 SW Watson Avenue; Tax Lot 300 of Washington County Tax Map 1S116AD.

Neighborhood Association Committee: Central Beaverton

Table 1: Surrounding Uses

Direction	Zoning	Uses
North	Regional Center - Old Town (RC-OT)	Eating and Drinking / Retail / Service
South	Regional Center - Old Town (RC-OT)	Eating and Drinking / Retail / Service
East:	Regional Center - Old Town (RC-OT)	Eating and Drinking / Retail / Service
West:	Regional Center - Old Town (RC-OT)	Eating and Drinking / Retail / Service

Application Information

Table 2: Application Summaries

Application	Application type	Proposal summary	Approval criteria location
DDR2022-0003	Downtown Design Review Two	Adding a pergola to existing light poles above an outdoor seating area.	Development Code Section 40.03 Section 40.23.15.2.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete*	120-Day	365-Day**
DDR2022-0003	Feb. 1, 2022	March 15, 2022	July 13, 2022	Feb. 1, 2023

*Deemed complete by staff.

** 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

Staff has not received any public comments associated with land use application DDR2022-0003.

Table of Contents

STAFF REPORT.....1

Attachment A: FACILITIES REVIEW COMMITTEE.....7

Attachment B: DESIGN REVIEW TWO DDR2022-0003.....18

Attachment C: CONDITIONS OF APPROVAL.....24

Exhibits

- Exhibit 1. Materials submitted by Staff
 - Exhibit 1.1 Vicinity Map (page 5 of this report)
 - Exhibit 1.2 Zoning Map (page 6 of this report)
- Exhibit 2. Public Comment (no public comments received)
- Exhibit 3. Materials submitted by the Applicant
 - Exhibit 3.1 Application Form
 - Exhibit 3.2 Owner Authorization Form
 - Exhibit 3.3 Written Statement
 - Exhibit 3.4 Drawings
 - Exhibit 3.5 Materials Board
 - Exhibit 3.6 Service Provider Letters
 - Exhibit 3.7 Pre-App Summary Notes

Exhibit 1.1 Vicinity Map

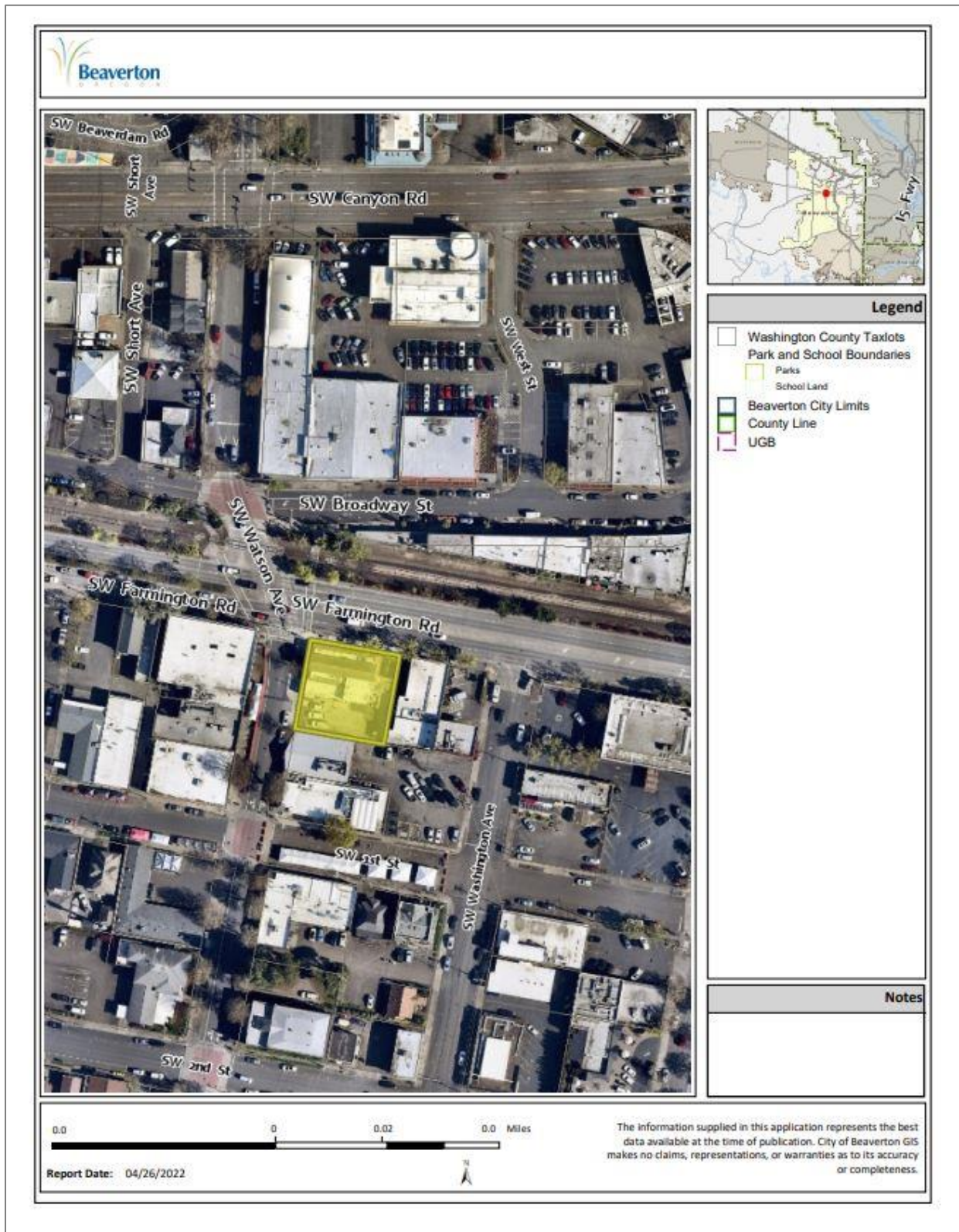
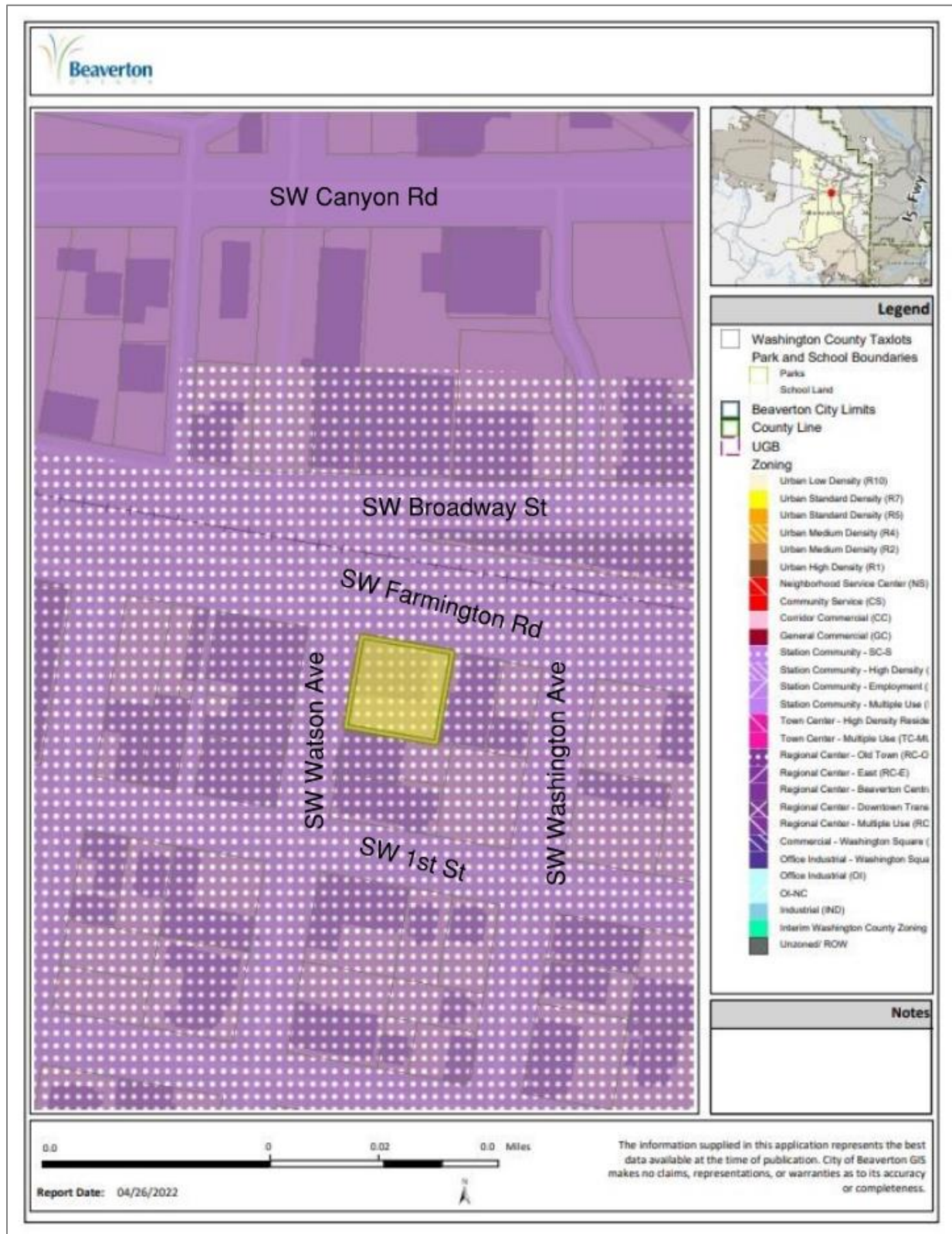


Exhibit 1.2 Zoning Map



Attachment A: FACILITIES REVIEW COMMITTEE

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Loyal Legion Pergola

Proposal: The applicant, Weil Architecture, PC, requests Downtown Design Review Two approval to add a pergola to existing light poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use.

Recommendation: APPROVE DDR2022-0003

Outstanding Technical Issues: There are no outstanding technical issues associated with the proposal.

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 Downtown Design Review Two (DDR2022-0003) application as submitted.

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 property is served by City of Beaverton public water service. The applicant's proposal is limited to adding a pergola to existing lighting poles above an

outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. The proposal will not affect existing water service.

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 property is served by City of Beaverton sanitary sewer service. The applicant's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. The proposal will not affect existing sanitary sewer service.

Stormwater Drainage, Treatment, and Retention: The property is served by City of Beaverton storm sewer service. The applicant's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area which is already an impervious surface. No additional changes are proposed to the site, landscaping, parking, or existing land use. The proposal will not affect existing stormwater drainage, treatment, and retention.

Transportation: The applicant's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No changes are proposed that would affect the existing transportation system.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R has commented on the proposal and determined that a permit is not required for the limited scope of development.

Conclusion: The Committee finds that 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: The proposed development is within the Beaverton School District (BSD) boundaries. No dwelling units are proposed with this development. No BSD review or comment has been provided.

Transit Improvements: Bus transit service is provided at the intersection of SW Farmington and SW Watson (Bus Line 52 – Farmington/185th) and the block of SW Watson between SW 1st and SW 2nd (Bus Line 76 – Hall/Greenberg).

Police Protection: The City of Beaverton Police Department will continue to serve the development site. As of the date of this report, Beaverton Police have not provided comments or recommendations to the Committee. Therefore, the Committee finds that adequate police protection service can be provided to the site to serve the proposed development.

Pedestrian and Bicycle Facilities: The applicant's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. No new pedestrian and bicycle facilities are required with the proposal. Therefore, the Committee finds that essential facilities and services related to the proposed development are available with adequate capacity to serve the development.

Conclusion: The Committee finds that 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:

The site is zoned Regional Commercial (RC-OT) and is located within the Downtown Design District. The Committee refers to the Chapter 70 use and site development requirements table at the end of this report, which evaluates the project as it relates to applicable code requirements of Section 70.15 (*Downtown Design District Downtown Zoning and Streets*). As demonstrated in the table, the development proposal is consistent with all applicable provisions of Chapter 70.15.

Conclusion: 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 the applicable Code requirements of Chapter 60 (Special Requirements). Staff will provide findings for the Downtown Design Review Two request within the applicable section of the staff report.

Section 60.30 Off-Street Parking: The proposal does not include off-street parking. The property is located in the Regional Center Parking District 1. There is no required parking for eating and drinking establishments in the Regional Center Parking District 1.

Section 60.55 Transportation Facilities: A Traffic Impact Analysis has not been provided with this application. Per BDC Section 60.55.20.2.A, a Traffic Impact Analysis is required when a proposed development will generate 300 vehicles or more per day in average weekday trips. The applicant's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. It is not anticipated to generate any additional trips.

Section 60.60 Trees and Vegetation Requirements: No trees are proposed for removal with this proposal.

Section 60.65 Utility Undergrounding: The applicant's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. The subject site is an existing eating and drinking establishment. No changes to existing utilities are proposed.

Section 60.67 Significant Natural Resources: No on-site significant natural resource areas are identified in the City of Beaverton's Comprehensive Plan.

Conclusion: The Committee finds that 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:

The applicant states that the property owner, will retain ownership of the site and provide regular maintenance. The Committee finds that the proposal 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: 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 proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. Project approval will not affect existing vehicular and pedestrian circulation patterns on-site.

Conclusion: The Committee finds that 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 proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. Project approval will not affect existing vehicular and pedestrian circulation systems that connect to the surrounding circulation system.

Conclusion: The Committee finds that 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:

The applicant's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. Project approval will not affect structures and public facilities serving the development site, including provisions for adequate fire protection. Fire protection will continue to be provided by Tualatin Valley Fire and Rescue (TVF&R).

Conclusion: 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's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. Prior to issuance, building permits for the proposed pergola will be submitted for life and safety review.

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: 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's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. No new grading or contouring of the development site is proposed.

Conclusion: The Committee finds that 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's proposal is limited to adding a pergola to existing lighting poles above an outdoor seating area. No additional changes are proposed to the site, landscaping, parking, or existing land use. The site's existing design provides continuous, uninterrupted access and facilities for physically handicapped people.

Conclusion: 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 the Downtown Design Review Two application on February 1, 2022. The application was deemed complete by staff on March 15, 2022.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Code Conformance Analysis

Chapter 70 Use and Site Development Requirements Regional Center – Old Town (RC-OT) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 70.15.20			
Eating and Drinking Establishment	Permitted	The addition of a pergola within the courtyard of an existing eating and drinking establishment.	YES
Development Code Section 70.15.10.2			
Height	Minimum: None Maximum: 65 ft.	12 ft. maximum height	YES
Intensity (Floor Area Ratio)	Minimum: 0.5 or 0.7 Maximum: None	The applicant does not propose to modify the existing floor area.	N/A
Density (Units/Acre)	Minimum: 18 Maximum: 24	The applicant does not propose any residential units on the site.	N/A
Setbacks	SW Farmington/SW Watson: Min. 0, Max. 10	The applicant does not propose any new buildings subject to setbacks.	N/A
Development Code Section 70.20			
Downtown Design Standards and Guidelines	Requirements for new development and redevelopment in Downtown.	The applicant proposes to add a pergola to existing light poles above an outdoor seating area	See DDR Findings

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.	The proposal is in the Downtown Design District; Chapter 70 design regulations apply.	N/A
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.	The stie is not located within a floodplain.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	A food cart pod is not proposed.	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.	No grading or land division is proposed.	N/A
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	Minimum: None	No loading space is proposed.	N/A
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	Minimum: 0 Maximum: N/A	No off-street parking is proposed.	YES

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.30			
Required Bicycle Parking	Short-term: 1 space Long-term: 1 space	The site remains subject to the approval of DR2019-0169 which requires one staple bike rack in the right of way directly outside of the primary entrance to serve as short-term parking. Long-term parking is located inside the building. Additional bicycle parking is not triggered with the proposed pergola addition.	YES
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.	No signs are proposed.	N/A
Development Code Section 60.45			
Solar Access Protection	Solar access requirements for subdivisions and single-family homes.	No subdivisions or single-family homes are proposed.	N/A
Development Code Section 60.50			
Accessory Uses and Structures	Requirements for accessory uses and structure.	No accessory structures are proposed.	N/A
Development Code Section 60.55			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	A Traffic Impact Analysis is not required.	YES
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	No trees/vegetation are proposed for removal.	N/A
Development Code Section 60.65			
Utility Undergrounding	Requirements for placing overhead utilities underground.	Refer to the Facilities Review Committee findings herein.	YES

Development Code Section 60.67

Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	No Significant Natural Resources are located on site.	N/A
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Development Code Section 60.70

Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A
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Attachment B: DOWNTOWN DESIGN REVIEW TWO DDR2022-0003

ANALYSIS AND FINDINGS FOR DOWNTOWN DESIGN REVIEW TWO APPROVAL

Recommendation: Based on the facts and findings presented below, the Director **APPROVES** **DDR2022-0003**, subject to the applicable conditions identified in Attachment C.

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., 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, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Conclusion: Staff finds that the proposal meets the approval criteria.

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.

Standards for Approval:

Section 40.23.15.2.C of the Development Code provides standards that govern the decisions of the Director as they evaluate and render decisions on Downtown Design Review Two Applications. The Director will determine whether the application as presented, meets the Downtown Design Review Two approval criteria. The Director 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 Two Downtown Design Review.

To approve a Downtown Design Review 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:

Section 40.23.15.2.A

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

FINDING:

The applicant proposes to add a pergola to existing light poles above an outdoor seating area. The total square footage of the pergola is 1,777 square feet. Staff finds that the proposal meets the threshold in BDC Section 40.23.15.2.A.8 for new construction of non-habitable buildings larger than 1,000 square feet in gross building area.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.2.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 fees for a Downtown Design Review Two application.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.23.15.2.C.3

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

FINDING:

The applicant's proposal contains all of the applicable submittal requirements.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.23.15.2.C.4

The proposal is consistent with all applicable Design Standards in Section 70.20, or no more than three applicable Design Guidelines and the remaining applicable Design Standards.

FINDING:

The proposal is consistent with all applicable Design Standards in BDC Section 70.20 per the findings in Table 4 below.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.23.15.2.C.5

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

FINDING:

As conditioned, prior to building permit issuance, the applicant shall submit plans to the city consistent with land use approval. No additional city approvals are required.

Conclusion: Staff finds the proposal meets the approval criterion.

Table 4: Section 70.20 Site Design and Building Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Block Design		
70.20.05.3.S1-9 New connections in superblocks	The site is not located in identified areas per BDC Figure 70.20.05.3.1.	N/A
Building Frontage and Placement		
70.20.05.4.S1-4 Minimum Frontage Occupation	The existing building's frontage and placement is not proposed to change.	N/A
Setback Design		
70.20.05.5.S1-3 Setback Design	The building's setbacks, elements located within the setbacks, and existing fences are not proposed to change.	N/A
Pedestrian Circulation		
70.20.05.6.S1-7 Pedestrian Circulation	The proposal does not include changes to the existing pedestrian circulation network.	N/A
Parking, Loading and Service Areas		
70.20.05.7.S1-7 Curb cut design	The proposal does not include changes to any parking, loading, and service areas. There are no parking, loading, or service areas on-site.	N/A
Landscaping		
70.20.05.8.S1-10 Landscaping	The existing on-site landscaping is not proposed to change.	N/A
Lighting		
70.20.05.9.S1 On-site lighting	The existing on-site lighting is not proposed to change.	N/A
Massing and Articulation		
70.20.10.3.S1-10 Massing and Articulation	The proposal is to add a pergola to existing light poles above an outdoor seating area. The pergola's maximum height is 12 feet. The massing and articulation of the existing building is not proposed to change.	N/A
Façade Design		
70.20.10.4.S1-12 Applicability	The proposal is to add a pergola to existing light poles above an outdoor seating area. The facades of the existing building are not proposed to change.	N/A
Gateways		
70.20.10.5.S1 Gateway enhancements	The site is not located at a gateway intersection identified in BDC Table 70.20.10.5.A or Figure 70.20.10.5.1.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Active Ground Floor Design		
70.20.10.6.S1 Non-Residential	The proposal is to add a pergola to existing light poles above an outdoor seating area. No changes to the existing ground floor design of the non-residential building are proposed.	N/A
Usable Open Space		
70.20.10.7.S1 Non-residential buildings – 5% requirement	The site is 10,018 sf. The site contains 3,473 sf. of Usable Open Space, which is 35% of the site area.	YES
70.20.05.7.S2 Residential buildings – 48 sq ft / unit	Site is non-residential.	N/A
70.20.05.7.S3 Mixed use buildings – 48 sq ft / unit or 10%	Site is non-residential.	N/A
70.20.05.7.S4 Publicly accessible open space	No publicly accessible open space is proposed.	N/A
70.20.05.7.S5 Shared open space.	The outdoor seating area is 40 feet by 85 feet. 585 sf. of the proposed pergola is covered, resulting in 83% of the Shared Open Space open to the sky. 17 benches or ledges are required and 30 are provided. 34% of the Shared Open Space includes landscaping.	YES
70.20.05.7.S6 Common community rooms	No common community rooms are proposed.	N/A
70.20.05.7.S7 Private open space.	No private open space is proposed.	N/A
Roof Elements		
70.20.10.8.S1 Rooftop equipment and screening	No new buildings are greater than 20,000 square feet. The proposed roof element of the pergola is 585 sf.	N/A
70.20.10.8.S2 Rooftop equipment screening	No rooftop mechanical units are proposed.	N/A
Structured Parking		
70.20.10.9 Structured Parking Design	No structured parking is proposed.	N/A
Materials		
70.20.10.10.S1-S2 Exterior Material Allowances	The structure is composed of standing seam metal and wood.	YES
Historic Overlay Design		
70.20.10.11.A-K	The primary structure, the Bank of	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Historic Overlay Requirements	Beaverton Building is a historic resource, however it is not abutting an identified historic resource on BDC Figure 70.20.10.11.1 and therefore the standards of 70.20.10.11.A-K do not apply.	

Conclusion and Recommendation

Based on the facts and findings presented above, the Director **APPROVES** DDR2022-0003 subject to the condition of approval in Attachment C.

Attachment C: CONDITIONS OF APPROVAL

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

1. Submit plans to the city consistent with land use approval (Planning / AH).