

STAFF REPORT

Report Date: March 16, 2022; Revised March 18, 2022

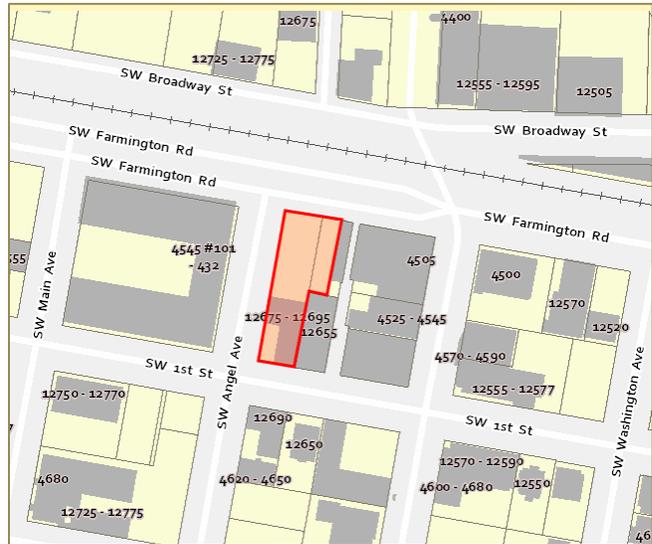
Application/Project Name: Breakside Bar Container

Application Numbers: DDR2022-0002

Proposal: Downtown Design Review Three approval to place a prefabricated storage container unit modified to function as a structure to serve beverages. The structure will be located within a previously approved but not yet constructed Food Cart Pod.

Proposal Location: Southeast corner of SW Farmington Road and SW Angel Avenue, also identified as Tax Lot 00900 on Washington County Tax Assessor's Map 1S116AD.

Applicant: Open Concept Architecture



Recommendation: APPROVAL of Breakside Bar Container DDR2022-0002, subject to conditions identified at the end of this report

Hearing Information: 6:30 p.m. March 23, 2022, at City Hall, 12725 SW Millikan Way

Note: Public Hearings are held remotely and can be viewed at the following link:

<https://www.beavertonoregon.gov/291/Agendas-Minutes>

Contact Information:

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

Applicant Representative: Kurt Schultz
Open Concept Architecture
208 NW 21st Avenue, Suite 201
Portland, OR 97209

Property Owner: Breakside Brewery
Scott Lawrence
5821 SE International Way
Milwaukie, OR 97222

Existing Conditions

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

Site conditions/background: Site is currently a vacant lot, previously developed as a parking lot. The site has been approved for improvements including a six cart food cart pod, outdoor seating, a trash and bathroom structure, an 1,800 square foot wood canopy structure, and improvements to the existing building under a previous land use approval, casefiles DR2021-0097 / FCP2021-0001 / LD2021-0020. Approval for these land use applications were issued March 10, 2022. It is anticipated that the proposed container bar structure will be constructed alongside the elements approved in casefiles DR2021-0097 / FCP2021-0001 / LD2021-0020.

Site Size: Approximately 12,750 square feet.

Location: 12680 SW Farmington Road; Tax Lots 800 and 900 of Washington County Tax Map 1S116AD.

Neighborhood Association Committees: 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 / Multifamily residential

Application Information

Table 2: Application Summaries

Application	Application type	Proposal summary	Approval criteria location
DDR2022-0002	Downtown Design Review Three	Construction of a 325 square foot storage container bar	Development Code Section 40.03 Section 40.23.15.3.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete*	120-Day	365-Day**
DDR2022-0002	Feb. 1, 2022	Feb. 1, 2022	Jun. 1, 2022	Feb. 1, 2023

*Deemed complete by applicant

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

Summary of Public Comment

Exhibit 2.1 E-mail from Hien Pham, no physical mailing address provided, expressing concerns about the aesthetic appearance of a storage container and impacts to traffic.

Staff response: Staff provides Downtown Design Review analysis in Attachment B, including findings and recommendations that the proposal meets all application Design Standards or Guidelines. Staff also cites the Traffic Impact Analysis in Exhibit 3.9 noting that the proposed improvements will have no impact on crash rates, that signal modifications are not warranted, and all intersections are expected to continue to operate within levels acceptable by the Engineering Design Manual

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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

Exhibit 2.1 E-mail from Hien Pham, E-mail from Hien Pham, no physical mailing address provided, expressing concerns about the aesthetic appearance of a storage container and impacts to traffic.

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Application Form

Exhibit 3.2 Written Statement

Exhibit 3.3 Drawings

Exhibit 3.4 Stormwater Report

Exhibit 3.5 Geotechnical Report

Exhibit 3.6 Service Provider Letters

Exhibit 3.7 Pre-App Summary Notes

Exhibit 3.8 Neighborhood Meeting Documentation

Exhibit 3.9 Transporation Documentation

Exhibit 1.1 Vicinity Map

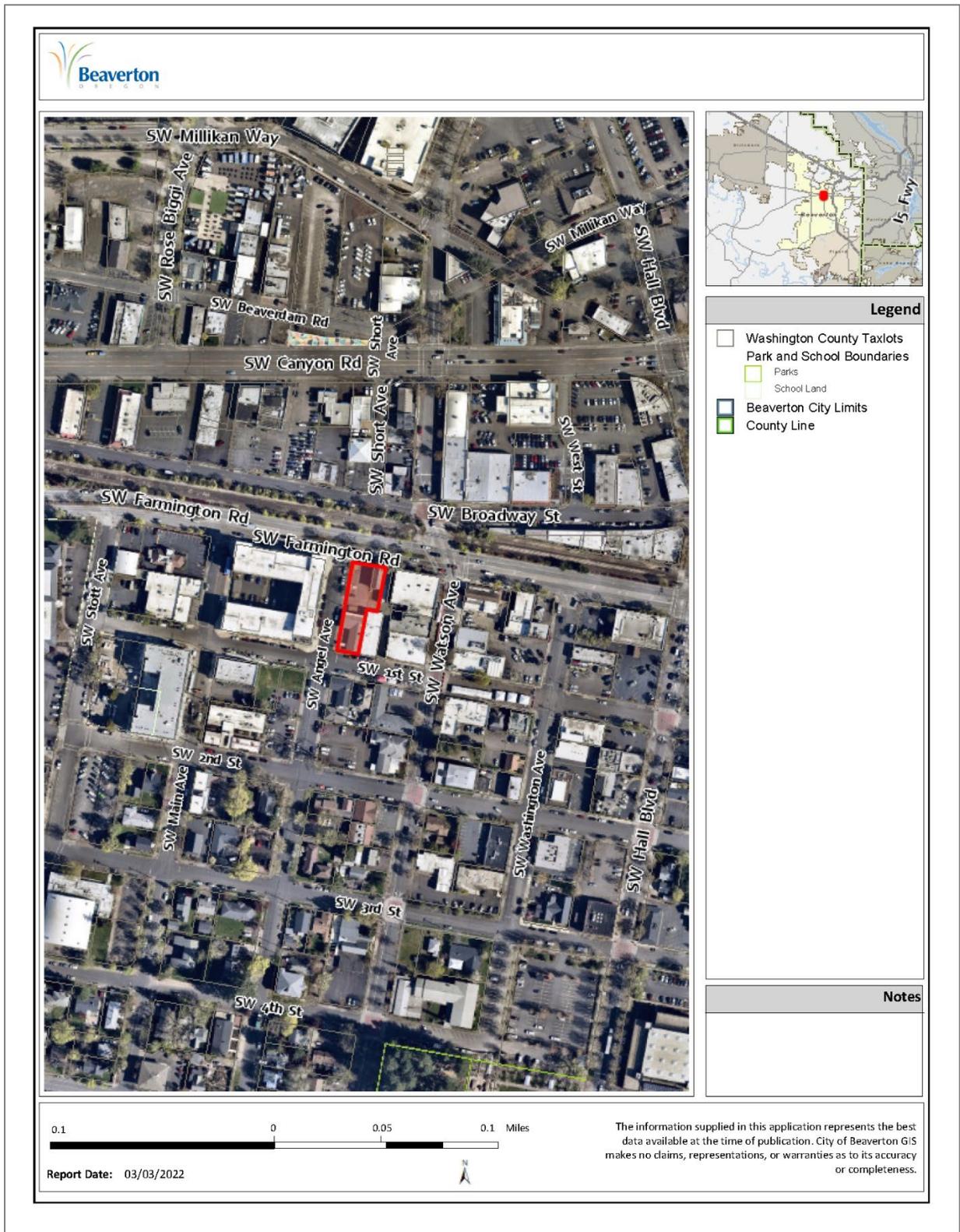
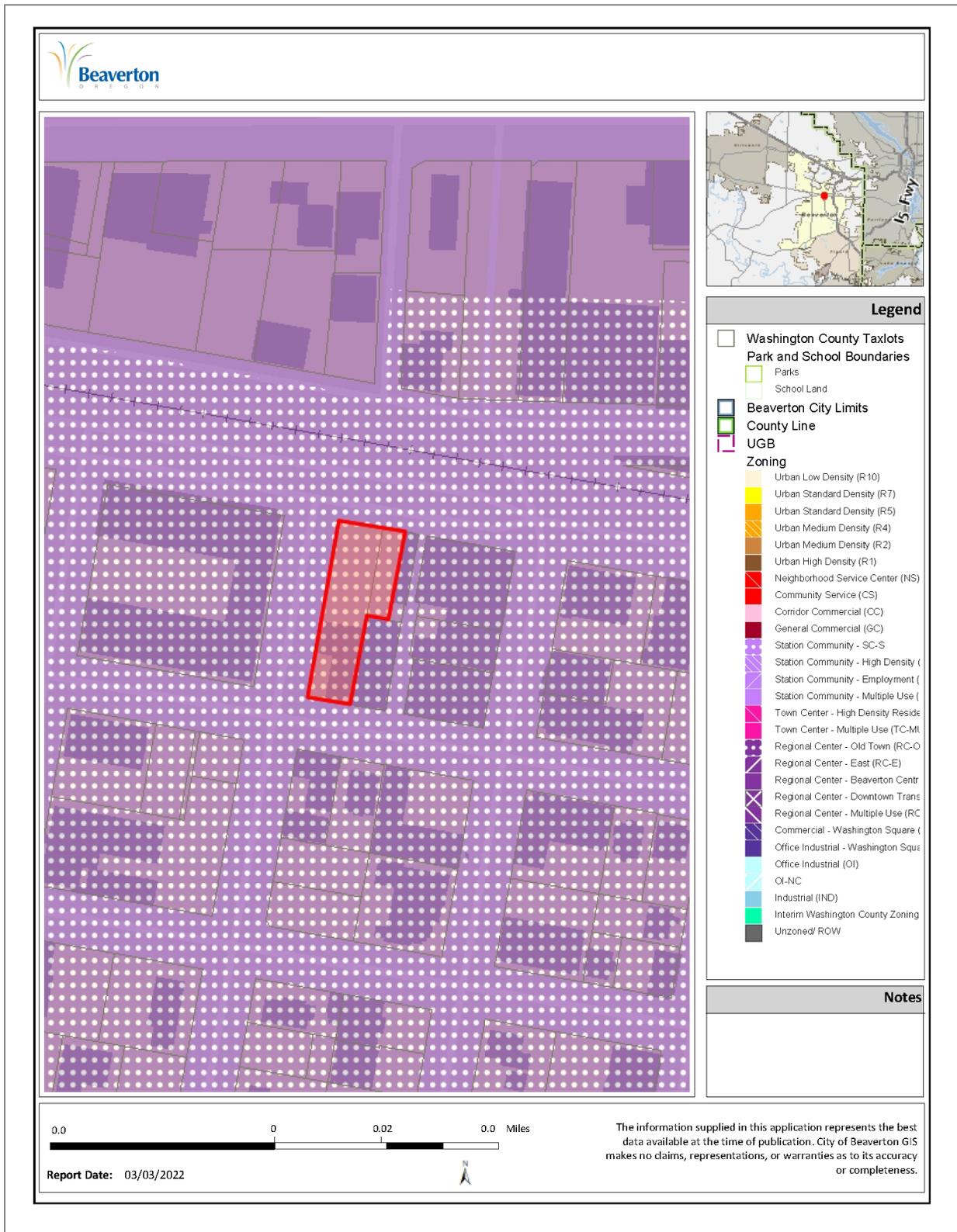


Exhibit 1.2 Zoning Map



Attachment A: FACILITIES REVIEW COMMITTEE

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Breakside Bar Container

Proposal: The applicant, Breakside Brewery, requests approval of a Downtown Design Review Three application for a new storage container structure adjacent to a Food Cart Pod and existing building

Recommendation: APPROVE DDR2022-0002

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 Three (DDR2022-0002) 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 and the applicant has stated that the water services are adequate to service the proposed development. The development will connect to an 8-inch water in SW Farmington Road via an existing water meter.

City staff reviewed the proposal and stated in their Service Provider Letter that there will be adequate capacity to service the proposed development. Therefore, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

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

Sanitary Sewer: The property is served by City of Beaverton sanitary sewer service and the applicant has stated that the sanitary sewer services are adequate to service the proposed development. A 6-inch sanitary sewer line runs through the site north of the proposed structure, conveying to a 12-inch line in SW Angel. The proposed structure will connect to the on-site 6-inch line.

Stormwater Drainage, Treatment, and Retention: The property is served by City of Beaverton storm sewer service. The applicant proposes to connect to an existing 12-inch line in SW Angel. On-site storm water management will be provided through a combination of catch basins and trench drains and underground treatment structures.

The applicant has provided a Preliminary Stormwater Report for the quantity and quality of stormwater resulting from the proposed development. The Committee finds that by meeting the conditions of approval, adequate stormwater drainage, treatment, and retention service can be provided to the site to serve the proposed development.

Transportation: No direct vehicular access for customers or visitors is provided to the site. An existing driveway on SW Angel will be modified to allow for service access. No passenger vehicle access is proposed.

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. A Traffic Impact Analysis has been provided. Based on the analysis, the proposed improvements will have no impact on crash rates, signal modifications are not warranted, and all intersections are expected to continue to operate within levels acceptable by the Engineering Design Manual. Staff concurs with this analysis, and no modifications are recommended to the surrounding transportation network based on this proposal.

Internal pedestrian circulation is provided by two access points from the public right of way, both from SW Agnel and SW Farmington. A pedestrian pathway through a previously approved but not yet constructed food cart pod will provide pedestrian access directly to the bar container.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). Sliding gates on SW Farmington and SW Angel providing access to the Food Cart Pod will be accessible via Knox Boxes for emergency services. TVF&R has approved this design, as shown on sheet FS-1.

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

Section 40.03.1.B

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

FINDING:

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

Schools: The proposed development is within the Beaverton School District (BSD) boundaries. No dwelling units are proposed with this development; therefore 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: Under a previously approved Food Cart Pod and Downtown Design Review Two application (DR2021-0097/FCP2021-001) a new sidewalk will be constructed along SW Farmington Road in its ultimate location, consistent with a 5-lane arterial, which requires 6.5 feet of dedication. The dedication will accommodate a future bike lane. However, due to the inability to create a continuous bike lane in this corridor, the curb will remain in its existing location and the applicant will not be required to construct a bike lane.

Under the same previously approved Food Cart Pod and Downtown Design Review Two application (DR2021-0097/FCP2021-001) the SW Angel frontage will be improved to a 10-foot-wide curb tight sidewalk with tree wells, consistent with BDC 70.20.05.6.C.S7, which supersedes the Engineering Design Manual standard sidewalk for an Arterial Street. No bicycle lanes are required on a local street, and no bicycle lane is proposed with this development along SW Angel.

For these reasons, the Committee finds that essential facilities and services related to the proposed development are available with adequate capacity to serve the development.

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

Section 40.03.1.C

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

FINDING:

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 (*Downtown Design District Downtown Zoning and Streets*).

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

Section 40.03.1.D

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

FINDING:

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

Section 60.30 Off-Street Parking: Per Beaverton Development Code (BDC) Section 60.30.10.6, for sites located in the Regional Center District 1, the minimum parking ratio

requirement for eating and drinking establishments is zero. The proposal includes zero onsite parking spaces. Although not subject to Facilities Review, staff notes that Food Cart Pods located in Multiple Use zoning Districts, including the RC-OT zone, are exempt from on-site parking requirements.

Per BDC Section 60.30.10.5.B, the minimum parking ratio requirement for short-term bicycle parking is two spaces or one space per 4,000 square feet of eating and drinking establishments, whichever is greater. The minimum parking ratio requirement for long-term bicycle parking is two spaces or one space per 4,000 square feet of eating and drinking establishments, whichever is greater. The applicant proposes to locate a 320 square foot structure for drink service. Combined with the existing structures on site, there is a total of 3,120 square feet of eating and drinking services. The minimum parking requirement is 2 short-term bicycle parking spaces and 2 long-term bicycle parking spaces. Under the previously approved Food Cart Pod and Downtown Design Review Two application (DR2021-0097/FCP2021-001) the applicant will install 8 short-term bicycle parking spaces and two long-term bicycle parking spaces are provided inside the existing building.

Section 60.55 Transportation Facilities: As stated in the findings for approval criterion 40.03.1.A, above, 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 Traffic Impact Analysis provided indicates no improvements to the local circulation network is required outside of frontage improvements.

As discussed in response to BDC Section 40.03.1.A & B, the site frontages are being approved to city standards, under casefiles DR2021-0097/FCP2021-001.

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

Section 60.65 Utility Undergrounding: There are existing above ground utilities along the SW Angel frontages. According to the applicant, no poles will be affected by the development, so undergrounding of existing lines will not be required. All new utilities serving the proposed development will be required to be undergrounded. To meet the requirements of this section, the Committee recommends a condition of approval requiring that the applicant provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development.

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

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

Section 40.03.1.E

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

FINDING:

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

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

Section 40.03.1.F

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

FINDING:

The proposal siting the structure in an area approved to have on-site circulation improvements including clear service vehicle access and pedestrian paths. Safe and efficient internal walkways are designed with scored concrete.

There are no pedestrian connections that cross regular vehicle maneuvering areas. For these reasons, the Committee finds that there are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the proposed development.

Conclusion: Therefore, 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:

Pedestrian access from the development to the public sidewalk system is provided along all both frontages through minimum five-foot wide pedestrian pathways.

Service vehicular access is provided via SW Angel Avenue.

Conclusion: Therefore, 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:

Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). The layout of the proposed development provides proper spacing, building access, and turning radii. TVF&R staff has reviewed the proposed development's site plan and endorsed the proposal. TVF&R will verify that their requirements are met prior to Site Development Permit issuance. The Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

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

Section 40.03.1.I

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

FINDING:

The applicant states that all streets and public facilities are designed in accordance with adopted City codes and standards except where design modifications or exceptions have been requested. Development permits will be submitted for life and safety review prior to site development.

The Committee finds that review of the construction documents at the Site Development and Building Permit stages will ensure protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

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

Section 40.03.1.J

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

FINDING:

The applicant states that site has been graded in such a way to not impact neighboring properties as well as the right-of-way. Catch basins and trench drains have been approved under separate casefiles (DR2021-0097/FCP2021-0001) will capture and convey storm water to underground treatment structures and the public storm system See Grading & Stormwater Plans for additional reference.

The Committee has reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, or the public storm system. The Committee recommends conditions of approval regarding the grading and contouring of the development site, which will be reviewed and approved prior to Site Development Permit issuance.

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

Section 40.03.1.K

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

FINDING:

The applicant states that the proposal complies with all requirements of Beaverton's Engineering Design Manual, and all on-site pedestrian routes will meet Americans with Disabilities Act (ADA) standards and facilitates efficient pedestrian travel. ADA-accessible sidewalk ramps at the intersections of SW Angel and SW Farmington Road as well as SW Angel and SW 1st Street will be constructed as part of the previously approved casefiles DR2021-0097/FCP2021-0001.

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code, and other standards as required by the ADA. The Committee finds that review of the proposed plans at Site Development and Building Permit stages is sufficient to guarantee compliance with accessibility standards.

Conclusion: Therefore, the Committee finds that by meeting the conditions of approval, 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 Three on February 1, 2022. Staff received the applicant's request to deem the submittal complete on the same day, February 1, 2022.

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

DRAFT

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 Establishments	Permitted	The applicant proposes locate a storage container for beverage service.	YES
Development Code Section 70.15.10			
Parcel Area	Minimum: 1,000 square feet Maximum: None	<u>Lot 1</u> 7,500 square feet <u>Lot 2</u> 5,000 square feet	YES
Minimum Lot Dimensions	Width: None Depth: None	<u>Lot 1</u> 75 feet 100 feet <u>Lot 2</u> 100 feet 50 feet	YES
Yard Setbacks	<u>Front Street Facing:</u> Minimum: Zero Maximum 10 feet <u>Side Street Facing:</u> Minimum: Zero Maximum 10 feet <u>Rear Minimum:</u> 0 feet	See findings for BDC 70.20.05.4 See findings for BDC 70.20.05.4 0 feet	YES See DDR Findings for Front and Side Setbacks
Maximum Building Height	65 feet	11 feet at the tallest point	YES
Development Code Section 70.15.25			
Ground Floor Use Regulations	SW Angel: N/A SW Farmington: N/A	Eating and Drinking along Angel	N/A
Development Code Section 70.20			
Downtown Design Standards and Guidelines	Requirements for new development and redevelopment in Downtown.	The applicant proposes to locate a storage container on the site for beverage services.	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 located 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.	While a food cart pod was approved on this site with FCP2021-0001, this application is for the proposed bar container.	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

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
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	Zero parking spaces are provided	YES
Development Code Section 60.30			
Required Bicycle Parking	Short-term: 2 spaces Long-term: 2 spaces	Site previously approved for: Short-term: 8 spaces Long-term: 2 spaces	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.	All signs will be reviewed under a separate sign permit and are not reviewed with this proposal.	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

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
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	No improvements to the local circulation system required. Refer to the Facilities Review Committee findings herein.	YES
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	Refer to the Facilities Review Committee findings herein.	YES
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
Development Code Section 60.70			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A

Attachment B: DOWNTOWN DESIGN REVIEW THREE DR2022-0002

ANALYSIS AND FINDINGS FOR DOWNTOWN DESIGN REVIEW THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DDR2022-0002**, 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.B, and all the following criteria have been met:

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

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

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

Planning Commission Standards for Approval:

Section 40.2315.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Downtown Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type Three Downtown Design Review.

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

Section 40.20.15.3.C.1

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

FINDING:

The applicant proposes to construct new structure approximately 325 square feet in size. The proposal could be processed as a Downtown Design Compliance Letter if the project met all applicable Design Standards. However, the applicant elects to be reviewed under a combination of Design Standards and Design Guidelines, including more than three Design Guidelines. Threshold 7 of Design Review 3 reads "A project meeting the Downtown Design Review Compliance Letter thresholds which does not meet an applicable design standard(s)." Therefore, the application meets Threshold 7 for Downtown Design Review Three.

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

Section 40.20.15.3.C.2

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

FINDING:

The City of Beaverton received the appropriate fee for a Downtown Design Review Three application.

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

Section 40.20.15.3.C.3

The proposal is consistent with all applicable Design Guidelines of Section 70.20 except where the applicant elects to respond to the applicable corresponding Design Standard(s). Where no Design Guideline is offered, the proposal is consistent with the Design Standard.

FINDING:

The applicant has responded to a mix of Design Standards and Design Guidelines. Staff cites the analysis below, finding all applicable design rules have been met.

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

Section 40.20.15.3.C.4

For PDDP proposals, the proposed project shall demonstrate how minimum floor area will be met at ultimate buildout and applicable Development Standards in Section 70.15 and applicable design regulations in Section 70.20 can be realistically achieved at each phase of buildout.

FINDING:

The applicant is not proposing to use a PDDP. The structure will be integrated into a previously approved but not yet constructed Food Cart Pod. Per Table 70.15.20.A footnote 5, Food Cart Pods are not subject Site Development Standards, which included minimum floor area ratio requirements.

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

Section 40.20.15.3.C.5

For proposals requesting Design Guidelines to be waived, the project shall demonstrate that the development better meets the applicable Downtown Design District Design Principles and Intent Statement(s) preceding the Design Guideline(s) than the Design Guideline requested to be waived.

FINDING:

The applicant is not requesting to waive any Design Guidelines.

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

Section 40.20.15.3.C.6

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

FINDING:

The applicant has submitted this Downtown Design Review Three request as a stand alone application. No other applications are required of the applicant at this stage of City review. Further city review will be conducted through the issuance of Site Development and Building permits.

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

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Table 4: Section 70.04 Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Block Design		
70.20.05.3.S1-9 New connections in superblocks	Site is not located in identified areas	N/A
Building Frontage and Placement		
70.20.05.4.S1 Minimum Frontage Occupation	Applicant has elected to respond to the Design Guideline	See Design Guideline
70.20.05.4.S2 Multiple Frontage Considerations	Applicant has elected to respond to the Design Guideline	See Design Guideline
70.20.05.4.S3 Residential Ground floor separation	No ground floor buildings are proposed	N/A
70.20.05.4.S4 Major intersection treatments.	Site not located on major intersection	N/A
Setback Design		
70.20.05.5.S1 Design between building and sidewalk	Applicant has elected to respond to the Design Guideline	See Design Guideline
70.20.05.5.S2 Setback encroachments	Minimum setback is zero, no encroachments.	N/A
70.20.05.5.S3 Street adjacent fences	No fences are proposed with this application.	N/A
Pedestrian Circulation		
70.20.05.6.S1 One pedestrian connection for every 300 feet.	Connections into the site have been provided on SW Farmington and SW Angel more frequent than every 300 feet, under separate permit (DR2021-0097) already approved.	YES
70.20.05.6.S2 Accessible access with sustainability component.	Applicant has elected to respond to the Design Guideline	See Design Guideline
70.20.05.6.S3 Pedestrian connections abutting parking areas	No parking areas are proposed.	N/A
70.20.05.6.S4 Pedestrian connections crossing drive aisles	No drive aisles are proposed.	N/A
70.20.05.6.S5 Pedestrian connections through parking lots	No parking lots are proposed.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
70.20.05.6.S6 Fences between buildings and creeks	No creeks are on or near the site.	N/A
70.20.05.6.S7 Sidewalk Widths	Sidewalks along Angel and Farmington will be a minimum of 10 feet.	YES
Parking, Loading and Service Areas		
70.20.05.7.S1 Curb cut design	Proposed curb cuts reviewed and approved under separate permit (DR2021-0097), already approved.	YES
70.20.05.7.S2 Driveway limitations	No modifications to driveways are proposed.	N/A
70.20.05.7.S3 Driveway placement – Frontage Hierarchy	No modifications to driveways are proposed.	N/A
70.20.05.7.S4 Sight clearance	Proposed structure is located outside of sight clearance area.	YES
70.20.05.7.S5 Surface parking location	No surface parking is provided	N/A
70.20.051.7.S6 Surface parking screening	No surface parking is provided	N/A
70.20.05.7.S7 Surface parking along creekside paths	No creekside paths are provided.	YES
70.20.05.7.S8 Utility, loading and service areas	At grade mechanical units proposed to be located along the south elevation of the structure will be screened by a sight obscuring wood fence.	YES
70.20.05.7.S9 Waste container curb cuts	No modifications to driveways are proposed.	N/A
Landscaping		
70.20.05.8.S1 Landscape requirements for sites over one acre	Site is approximately 12,500 square feet.	N/A
70.20.05.8.S2 Planting and ground cover requirements	Proposed landscaping reviewed and approved under separate permit (DR2021-0097), already approved.	YES
70.20.05.8.S3 Irrigation	Proposed landscaping reviewed and approved under separate permit (DR2021-0097), already approved.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
70.20.05.8.S4 Plant specifications	Proposed landscaping reviewed and approved under separate permit (DR2021-0097), already approved.	YES
70.20.05.8.S5 Plant variety and density	Proposed landscaping reviewed and approved under separate permit (DR2021-0097), already approved.	YES
70.20.05.8.S6 Drought resistance	Proposed landscaping reviewed and approved under separate permit (DR2021-0097), already approved.	YES
70.20.05.8.S7 Tree preservation	Proposed landscaping reviewed and approved under separate permit (DR2021-0097), already approved.	N/A
70.20.05.8.S8 Tree staking	Proposed landscaping reviewed and approved under separate permit (DR2021-0097), already approved.	YES
70.20.05.8.S9 Residential zone buffers	The site does not abut a residentially zoned development.	N/A
70.20.05.8.S10 Surface parking landscaping	No surface parking is proposed.	N/A
Lighting		
70.20.05.9.S1 Must meet BDC 60.05.30	Photometrics provided demonstrate compliance with Table 60.05.1 Technical Lighting Standards for all areas of circulation, except for the area between the proposed structure and the existing building. Staff recommends a condition of approval requiring the applicant to provide updated photometrics showing Technical Lighting Standard compliance in this area.	YES w/ COA
Massing and Articulation		
70.20.10.3.S1 Building facades over 200 feet	No building on site is over 200 feet in length	N/A
70.20.10.3.S2 Building taller than 30 feet	No building on site is over 30 feet in height	N/A
70.20.10.3.S3-S4 Large buildings in RC-BC	Site is not located in RC-BC zone	N/A
70.20.10.3.S5-S6 Large buildings in RC-OT	No building on site is over 45 feet in height	N/A
70.20.10.3.S7-S8 Large buildings in RC-MU	Site is not located in RC-MU zone	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
70.20.10.3.S9 Large buildings in RC-DT	Site is not located in RC-DT zone	N/A
70.20.10.3.S10 Height transition	Site does not abut residentially zoned property	N/A
Façade Design		
70.20.10.4.S1 Applicability	Applicant has elected to respond to the Design Guideline	See Design Guideline
70.20.10.4.S2 Building façade articulation	Applicant has elected to respond to the Design Guideline	See Design Guideline
70.20.10.4.S3 Defined base and top	All structures are under 30 feet.	N/A
70.20.10.4.S4 Window design	No new windows are proposed.	N/A
70.20.10.4.S5 Minimum glazing	The applicant has elected to respond to the Guideline	See Design Guideline
70.20.10.4.S6 Minimum glazing	The applicant has elected to respond to the Guideline	See Design Guideline
70.20.10.4.S7 Minimum glazing	All applicable elevations are regulated by S5 and S6.	N/A
70.20.10.4.S8 Minimum glazing – Bird safe	No new windows are proposed.	N/A
70.20.10.4.S9 Building entry location	The applicant has elected to respond to the Guideline	See Design Guideline
70.20.10.4.S10 Building entry scale	The applicant has elected to respond to the Guideline	See Design Guideline
70.20.10.4.S11 Blank walls	There are now gaps of 40 feet or greater between elements on any street facing ground floor facades.	YES
Gateways		
70.20.05.5.S1 Gateway enhancements	Site is note located at gateway intersection	N/A
Active Ground Floor Design		
70.20.05.6.S1 Non-Residential	Structure is located closest to SW Angel Avenue, which has no Active Ground Floor Designation	YES
70.20.05.6.S2 Residential	No residential uses proposed	N/A
70.20.05.6.S3 Residential entry types	No residential uses proposed	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Usable Open Space		
70.20.05.7.S1 Non-residential buildings – 5% requirement	990 square feet of new patio is proposed, which is 7.5% of site, approved under separate permit (DR2021-0097).	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 PAOS	No publicly accessible open space is proposed.	N/A
70.20.05.7.S5 Shared open space.	Outdoor seating area is 50 feet by 22 feet. Area is fully open to the sky. 10 picnic tables are provided. Perimeter landscaping exceeds 20%. Two trees are proposed to be planted, meeting the 1 tree per 500 square feet requirement. These improvements are have been reviewed and approved under separate permit (DR2021-0097).	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 sustainability elements	No new buildings are greater than 20,000 square feet.	N/A
70.04.1.6.S2 Rooftop equipment screening	No rooftop mechanical units are proposed.	YES
Structured Parking		
70.20.10.10.S1-S3 Structured Parking Design	No structured parking is proposed.	N/A
Materials		
70.20.10.10.S1-S2 Exterior Material Allowances	Structure is mainly composed of factory finished ribbed metal panels. Wood paneling is included as accent material.	YES
Historic Overlay Design		
70.20.10.11.A-K Historic Overlay Requirements	Site is not within Historic District	N/A

Section 70.04 Design Guidelines

Section 70.20.05.4.G1 and G2

Design Guideline: Sufficient building facades shall be present near each street frontage to promote a continuous street wall and limit gaps in pedestrian interest while allowing necessary site access. The amount of building frontage shall be greatest on the highest level streets as identified in Figure 70.15.15.1 Street Typology Diagram. Buildings may be set back to accommodate plazas, outdoor dining, entry forecourts or similar spaces provided that pedestrian interest along the frontage is incorporated into the design of these spaces.

Finding:

The applicant notes that the structure is located perpendicular to the site to provide access to the site and the structure for serving customers. Users accessing the site from the SW Angel site will interact with the large opening for customer service. Additionally, the previously approved food cart pod will have a central plaza that the customer serving northern elevation of the structure will be oriented towards. That the structure's narrow side elevation will be located approximately five feet from the SW Angel frontage to provide some level of continuous street wall with the neighboring existing building, while being internally oriented to serve on-site users. Staff concurs that the structure location and orientation promotes a continuous street wall while being oriented towards a plaza and seating area for food carts.

Conclusion: Therefore, staff finds that the Design Guidelines are met.

Section 70.20.05.5.G1

Design Guideline: Where there is space between the building facade and the right of way, the space shall be designed with paving, landscaping, and other design elements appropriate for the ground-floor building use. Setback spaces shall incorporate one or more of the following to provide quality connections from the building to the street while providing an appropriate transition between the public realm and the private realm:

- Provide an extension of the sidewalk for use by pedestrians;
- Provide additional space for building entries;
- Increase frontage activity with outdoor seating or terraces;
- Provide opportunities for landscaping.

Finding:

The applicant states that the distance between the structure and SW Angel is five feet and will be fully hardscaped. Staff notes that this five-foot width is fully dedicated to pedestrian access for on-site employees accessing the western entry to the proposed structure. Staff notes that the majority of the site has a landscape perimeter to soften the

pedestrian view into the site but required access at this site make landscaping challenging.

Conclusion: Therefore, staff finds that the Design Guideline is met.

Section 70.20.05.6.G2

Design Guideline: On-site pedestrian walkways shall be of adequate width and design to provide unobstructed walking areas that accommodate the anticipated amount of pedestrian traffic, be Americans with Disabilities Act compliant, and incorporate high- quality and attractive materials that promote sustainability and reduce heat island effect.

Finding:

The applicant notes that all walkways are approved under previous land use approvals and will connect the proposed structure to other destinations on site as well as the public circulation system. These walkways are a minimum of five feet wide and are delineated by scored concrete. The applicant proposes to use concrete with recycled content. The site will also feature artificial turf in other pedestrian areas is proposed which will reduce the heat island effect and reduce water usage for landscaping.

Conclusion: Therefore, staff finds that Design Guideline is met.

Section 70.20.10.4.G1

Design Guideline: All facades facing a public right of way, publicly accessible open space, or publicly accessible pathway shall meet all Guidelines in sections Section 70.20.10.4 Facade Design and 70.20.10.6 Active Ground Floor Design. Building facades built at shared property lines are exempt

Finding:

Facades facing SW Angel Avenue and SW Farmington Road are analyzed in the Guidelines below or the corresponding standard in the above table.

Conclusion: Therefore, staff finds that Design Guidelines are met.

Section 70.20.10.4.G2

Design Guideline: Building facades facing the right of way, any internal drive or any internal accessway shall be articulated using recesses, projections, balconies, or similar strategies to provide visual interest, surface relief, depth, and shadows to the facade.

Finding:

The applicant states that the SW Angel facing elevation is eight feet wide and nine and a half feet tall. This elevation contains a six foot wide sliding door providing access to the container, which occupies most of the elevation. The sliding door is recessed at least

four inches from the façade and will be framed with a one and one half inch wide continuous metal extrusion to provide additional depth. The face of the sliding door and fixed panel will have wood siding to provide different surface relief.

The SW Farmington façade will be the customer serving façade, and will contain a retractable metal awning that will be open during hours of operation to service customers. Wood paneling matching the sliding door on the SW Angel elevation will be located below the awning opening. Landscape plantings and metal vegetation screens will provide additional visual interest along the western portion of the façade. Staff concurs that the mix of materials, use of trim, and landscaping will provide sufficient visual interest for street facing elevations.

Conclusion: Therefore, staff finds that Design Guideline is met.

Section 70.20.10.4.G5 and G6

Design Guideline G5: Facades visible from a right of way, primary internal drive, or primary accessway shall provide adequate levels of clear glazing to ensure articulation on the facade, daylighting of interior spaces, and visibility into the street. Street-level glazing shall be inviting and enhance the pedestrian experience. Buildings abutting pedestrian walkways shall provide views of the walkway to promote pedestrian safety. Building facades built at shared property lines are exempt.

Design Guideline G6: Facades not visible from a street or internal drive or internal accessway shall provide sufficient transparency to ensure daylighting of interior spaces and visual interest on the facade, but may provide lower levels of transparency than street-facing facades.

Finding:

The applicant states that the SW Angel facing elevation is mostly occupied by a sliding door to access the cooler portion of the structure for keg storage. As insulation is critical for this portion of the structure, glazing in this area presents an operational conflict.

The SW Farmington façade will be the customer serving façade, and will contain a retractable metal awning that will be open during hours of operation to service customers. The canopy is approximately 20% of the elevation. This opening will provide views into the structure as well as natural light, and will be the main focal point for customers.

Conclusion: Therefore, staff finds that Design Guidelines are met.

Section 70.20.10.4.G9 and G10

Design Guideline G9: Primary building entries shall be placed in a prominent location toward a public street or other pedestrian way.

Design Guideline G10: Building entries shall be easily identifiable, scaled proportionally to the number of people served (amount of floor-area or number of units accessed), and integrated into the overall facade composition.

Finding:

The applicant notes that the proposed structure is to be occupied by employees only, and public interaction with the structure will occur along the northern elevation at the twenty foot wide canopy opening. This canopy opening is emphasized through its size, awning, and wood elements. The west and south building entries are for employees only and are therefore less emphasized to ensure customers engage with the canopy opening. Staff concur that the building entries are properly located and emphasized based on the intended users.

Conclusion: Therefore, staff finds that Design Guidelines are met.

Conclusion: Therefore, staff finds that Design Guidelines are met.

Conclusion and Recommendation

Based on the facts and findings presented above, staff recommends **APPROVAL** of **DDR2022-0002** subject to conditions of approval.

Attachment D: RECOMMENDED CONDITIONS OF APPROVAL

A. General Conditions, the applicant shall:

1. Vehicle access to the subject site from SW Farmington Road is strictly prohibited. This includes (but is not limited to) deliveries or services provided to the structure. (BDC 40.32.15.2.C.7) (Transportation / KM)

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

2. Obtain the issuance of site development permit from the Site Development Division associated with land use case file DR2021-0097 Breakside Food Carts & Restaurant. (Site Development Div./KJ)
3. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./KJ)
4. Provide updated photometric plans showing compliance with Technical Lighting standards in all areas around the structure, including the area between the proposed structure and the existing building. (Planning Div./SR)

C. Prior to final inspection and final occupancy permit, the applicant shall:

5. Have substantially completed the site development improvements from the site development permit associated with land use case file DR2021-0097 Breakside Food Carts & Restaurant as determined by the City Engineer. (Site Development Div. / KJ)
6. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / KJ)
7. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / KJ)
8. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div. / KJ)
9. Have recorded the final plat in County records and submit a copy to the City for LD2021-0020 Breakside Food Carts & Restaurant. (Site Development Div. / KJ)
10. 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. (On file at City Hall). (Planning/SR)

11. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning/SR)

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