

STAFF REPORT

Report Date:

November 22, 2023

Application/Project Name:

LU32023-00356 CATT – Intensive Service Building

Application Numbers:

CUN32023-00346 /
CUN32023-00347 / DR32023-00348 /
TP22023-00351



Proposal: The applicant, Washington County, requests approval of two New Conditional Use applications and a Design Review Three application to convert an existing approximately 24,000 sq. ft. office building and to construct a new two-story building of approximately 16,600 sq. ft. for a Residential Care Facility. The facility is proposed to operate 24 hours a day and seven days a week. 78 beds are proposed for residents receiving residential drug and alcohol treatment services. The proposal includes façade changes to the existing building and modifications to existing landscaping and circulation areas. The applicant also requests a Tree Plan Two to remove existing Community Trees.

Proposal Location: The site is located at 17911 NW Evergreen Place, specifically identified as Tax Lot 00203 on Washington County Tax Assessor’s Map 1N130CD.

Decision: APPROVAL of LU32023-00356 CATT-Intensive Services Building (CUN32023-00346 / CUN32023-00347 / DR32023-00348 / TP22023-00351), subject to conditions identified at the end of this report.

Contact Information:

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

Applicant/Property Owner: Washington County
155 N. First Avenue
Hillsboro, OR 97124

Existing conditions

Zoning: Commercial – Community Service (CS)

Site conditions: The site contains an existing approximately 24,000 sq. ft. office building, three parking lots, and landscaping.

Site Size: Approximately 2 acres.

Location: 17911 NW Evergreen Place. Located on the east side of NW Evergreen Place, and specifically identified as Tax Lot 203 on Washington County Tax Assessor’s Map 1N130CD.

Neighborhood Association Committee: Five Oaks/Triple Creek

Table 1: Surrounding uses

Direction	Zoning	Uses
North	Community Service (CS)	Office and Professional Services
South	Community Service (CS)	Office and Professional Services
East	Community Service (CS)	Undeveloped
West	Commercial General (City of Hillsboro)	Retail Trade

Application information

Table 2: Application summaries

Application	Application type	Proposal summary	Approval criteria location
CUN32023-00346	New Conditional Use	Operate a Residential Care Facility on the subject site.	Development Code Section 40.15.15.5.C
CUN32023-00347	New Conditional Use	Hours of Operation: 24 hours a day, 7 days a week	Development Code Section 40.15.15.5.C
DR32023-00348	Design Review: Three	To convert an existing approximately 24,000 sq. ft. office building and to construct a new two-story building of approximately 16,600 sq. ft. for a Residential Care Facility. The proposal includes façade changes to the existing building and modifications to existing landscaping and circulation areas	Development Code Section 40.20.15.3.C
TP2022-00351	Tree Plan Two	To remove 17 Community Trees, which equates to 46% of the site's Community Trees.	Development Code Section 40.90.15.2.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
CUN32023-00346	May 30, 2023	September 1, 2023	January 2, 2023	August 31, 2024
CUN32023-00347	May 30, 2023	September 1, 2023	January 2, 2023	August 31, 2024
DR32023-00348	May 30, 2023	September 1, 2023	January 2, 2023	August 31, 2024
TP22023-00351	May 30, 2023	September 1, 2023	January 2, 2023	August 31, 2024

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, without a continuance, by which a final written decision on the proposal can be made.

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***The applicant provided a 21-day extension to the 120-day clock on September 27, 2023.

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Exhibits

- Exhibit 1.1 Vicinity Map (page 6 of this report)
- Exhibit 1.2 Zoning Map (page 7 of this report)
- Exhibit 2. Public Comment
 - No Public Comments Received
- Exhibit 3. Materials submitted by the Applicant
 - Exhibit 3.1 Application Narrative
 - Exhibit 3.2 Application Narrative Addendum
 - Exhibit 3.3 Application Forms
 - Exhibit 3.4 Pre-Application Memorandum
 - Exhibit 3.5 Service Provider Letters
 - Exhibit 3.6 Trip Generation Memorandum
 - Exhibit 3.7 Stormwater Report
 - Exhibit 3.8 Surveys and Easements Documentation
 - Exhibit 3.9 Arborist Report
 - Exhibit 3.10 Neighborhood Meeting Documentation
 - Exhibit 3.11 Plans and Graphics
 - Exhibit 3.12 Materials Board
 - Exhibit 3.13 Tree Mitigation Memorandum
 - Exhibit 3.14 21-Day Continuance Request Form

Exhibit 1.1: Vicinity Map

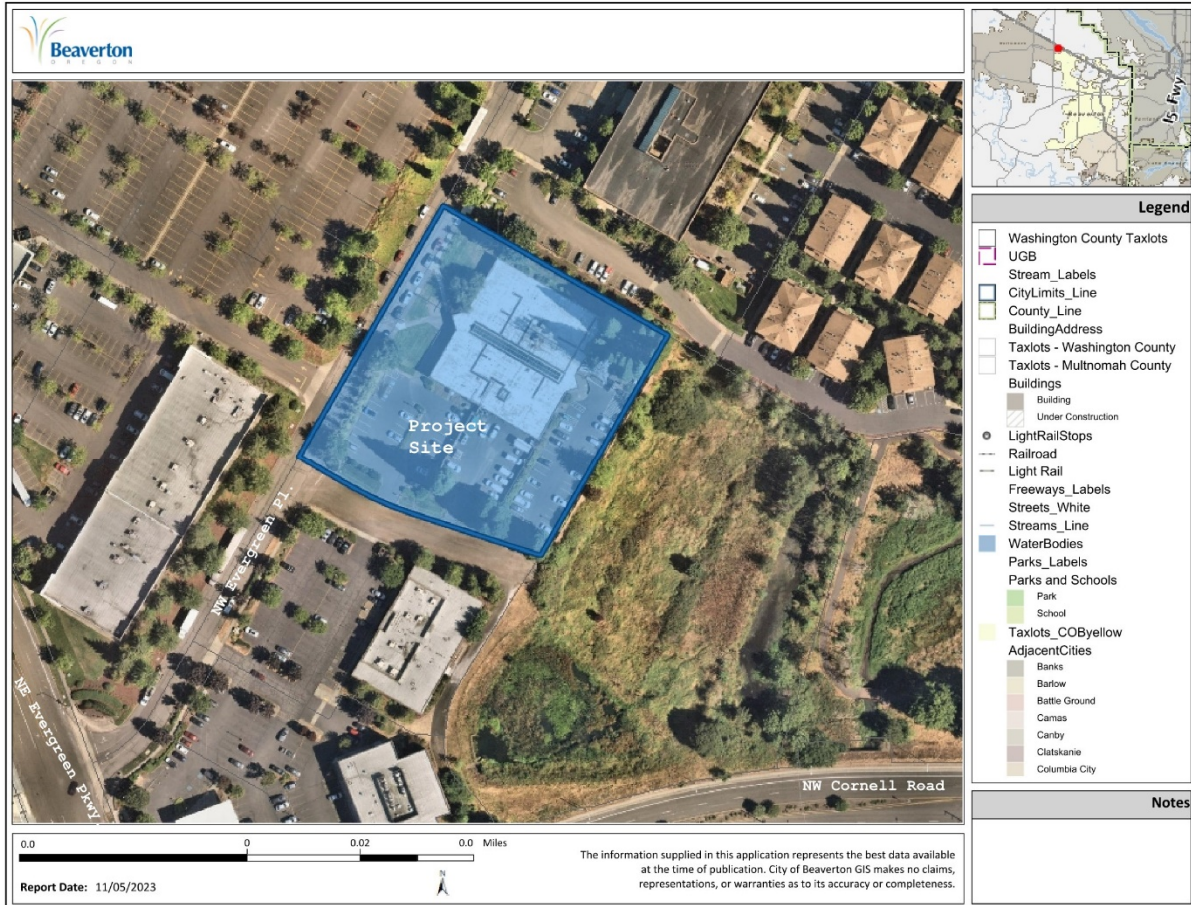
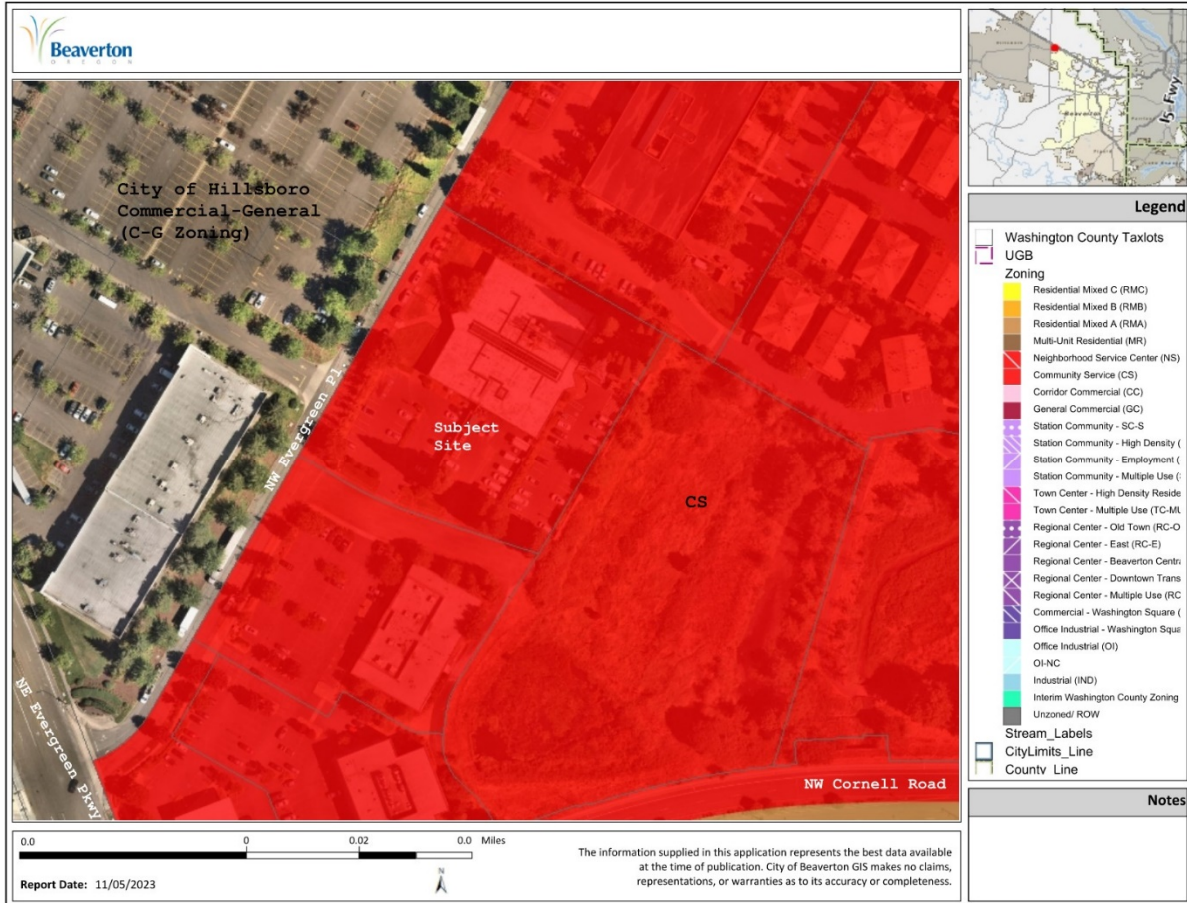


Exhibit 1.2: Zoning Map



Attachment A: Facilities Review

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Intensive Service Building

Proposal: The applicant, Washington County, requests approval of two New Conditional Use applications and a Design Review Three application to convert an existing approximately 24,000 sq. ft. office building and to construct a new two-story building of approximately 16,600 sq. ft. for a Residential Care Facility. The facility is proposed to operate 24 hours a day and seven days a week. 78 beds are proposed for residents receiving residential drug and alcohol treatment services. The proposal includes façade changes to the existing building and modifications to existing landscaping and circulation areas. The applicant also requests a Tree Plan Two to remove existing Community Trees.

Recommendation: APPROVE LU32023-00356 CATT – Intensive Service Building (CUN32023-00346 / CUN32023-00347 / DR32023-00348 / TP22023-00351)

Finding: The Facilities Review Committee finds the applicable Facilities Review Committee approval criteria have been met.

Outstanding Technical Issues: None

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 each of the Conditional Use (CUN32023-00346 / CUN32023-00347) applications and to the Design Review Three (DR32023-00348) application as submitted.
- The Facilities Review Criteria are not applicable to the associated Tree Plan Two (TP22023-00351) application.

Section 40.03.1.A

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

FINDING:

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

Potable Water: The subject site is served by City of Beaverton public water service. An existing eight-inch public water main located in NW Evergreen Place will provide water service to the site. 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 development area. 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. There is an existing eight-inch sanitary sewer line near the northeast corner of the property. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: The public storm system begins near the NW Evergreen Place and NE Evergreen Parkway intersection where a 42-inch storm line is located. The site appears to have a private storm system that discharges directly to a public stormwater treatment pond.

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

Transportation: Vehicular access is provided to the site from NE Evergreen Place and an unnamed private street. Based on the information provided in the application and staff analysis, no street dedications are required with the proposed development. Proposed improvements to both private streets include a 10-foot-wide sidewalk with tree wells adjacent to the subject site. As proposed, the street improvements will provide safe and efficient vehicle, bicycle, and pedestrian circulation.

A new Type B loading berth is proposed that can accommodate vehicles of size SU-30 or smaller. The applicant states that the proposed loading berth will provide sufficient space for the loading needs of the proposal. As a condition of approval, all deliveries to the site must be made in a truck that is sized SU-30 or smaller.

Site improvements include a new ADA ramp at the intersection of the two private streets. Minimum five-foot-wide walkways provide connectivity between building entrances, and from building entrances to adjacent streets. Bicycle parking is proposed consistent with BDC standards.

Per BDC Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is required when a proposed development will generate 300 vehicles or more per day in average weekday trips. The applicant's trip generation memorandum from Transportation Consulting Group, dated September 25, 2023, states that the resulting redevelopment will result in 108 fewer trips to the site.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). Emergency vehicle access is provided in two locations along the unnamed private road via each of the site's parking lots.

The applicant's stamped-approved TVF&R plans, dated May 24, 2023 (permit no. 2023-0074), do not illustrate the proposed loading berth and trash enclosure locations within the site's southeastern parking lot. As a condition of approval, prior to Site Development permit the applicant shall submit a revised TVF&R approved site plan that illustrates the proposed loading berth and trash enclosure locations.

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

Section 40.03.1.B

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

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. The proposal is not projected to generate additional demand on the Beaverton School District system as no residential uses are proposed.

Transit Improvements: Bus transit service is provided on NW Cornell Road in both directions with service from bus line 48.

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 proposed project site abuts two private rights-of-way (NW Evergreen Place and an unnamed private street). Proposed improvements to both private streets include a 10-foot-wide sidewalk with tree wells adjacent to the site. Bicycle parking is proposed consistent with BDC standards.

Site work includes a new ADA ramp, 10-foot-wide sidewalks with tree wells, and minimum five-foot-wide walkways that provide connectivity between building entrances and from building entrances to adjacent streets.

The Committee has reviewed the proposal and has found that the essential facilities and services to serve the site are adequate to accommodate the proposal.

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

Section 40.03.1.C

The proposed development is consistent with all applicable provisions of CHAPTER 20 (Land Uses), or Sections 20.25 and 70.3 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 70.3 if located within the Downtown Design District.

FINDING:

The site is zoned Community Service (CS). 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 20.

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

Section 40.03.1.D

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 applicant's submittal includes intersection sight distance plans. As a condition of approval, prior to the issuance of Site Development permits, the applicant shall provide a certified sight distance plan for all new intersections and driveways pursuant to the City's Intersection Sight Distance Policy in the Engineering Design Manual Section 210.18 (BDC 40.03.1 and 60.55.25)

The proposal includes a new Type B loading berth, consistent with the Off-Street Loading Requirements in BDC 60.25 that can accommodate vehicles of size SU-30 or smaller. The applicant states that the proposed loading berth will provide sufficient space for the loading needs of the proposal. As a condition of approval, all deliveries to the site must be made in a truck that is sized SU-30 or smaller.

For all other applicable provisions of Chapter 60, 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 applicable guidelines for the Design Review Three request within the staff report.

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

Section 40.03.1.E

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

FINDING:

The applicant states all structures and site features will be maintained by the Owner's maintenance team.

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

Section 40.03.1.F

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

FINDING:

Vehicular access is provided to the site from NE Evergreen Place and an unnamed private street. Proposed improvements to both private streets include a 10-foot-wide sidewalk with tree wells adjacent to the subject site. A new ADA ramp is proposed at the intersection of the two private streets. In addition, minimum five-foot walkways provide connectivity between building entrances and from building entrances to adjacent streets. Bicycle parking is proposed consistent with BDC standards.

The proposal includes a new Type B loading berth, consistent with the Off-Street Loading Requirements in BDC 60.25 that can accommodate vehicles of size SU-30 or smaller. The applicant states that the proposed loading berth will provide sufficient space for the loading needs of the proposal. As a condition of approval, all deliveries to the site must be made in a truck that is sized SU-30 or smaller.

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

Section 40.03.1.G

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

FINDING:

Vehicular access is provided to the site from NE Evergreen Place and an unnamed private street. Proposed improvements to both private streets include a 10-foot-wide sidewalk with tree wells adjacent to the subject site. A new ADA ramp is proposed at the intersection of the two private streets. In addition, minimum five-foot walkways provide connectivity between building entrances and from building entrances to adjacent streets.

The Committee finds that there are safe and efficient vehicular and pedestrian circulation patterns connecting to surrounding circulation system of the proposed development.

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

Section 40.03.1.H

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

FINDING:

Staff cite the findings in Criterion A as applicable to this criterion. Fire protection for the site is provided by Tualatin Valley Fire and Rescue (TVF&R).

The applicant states that the development site is designed in accordance with all adopted City codes and standards. The proposal includes a new fire hydrant required to meet fire flow standards.

The applicant's stamped-approved TVF&R plans, dated May 24, 2023 (permit no. 2023-0074), do not illustrate the proposed loading berth and trash enclosure locations within the site's southeastern parking lot. As a condition of approval, prior to Site Development permit the applicant shall submit a revised TVF&R approved site plan that illustrates the proposed loading berth and trash enclosure locations.

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

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

Section 40.03.1.I

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 the development site is designed in accordance with all adopted City codes and standards and provides adequate protection from crime and accident, as well as protection from hazardous conditions.

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

Section 40.03.1.J

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

FINDING:

The proposed project will redevelop an existing office building site. Only minor grading is proposed with the development.

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: As conditioned, staff finds that the proposal meets the approval criterion.

Section 40.03.1.K

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

FINDING:

The applicant states that upgrades to existing parking areas are proposed to bring ADA parking spaces up to current standards. In addition, that continuous, uninterrupted access routes are planned from the ADA parking stalls to the nearest entrance. Additional ADA upgrades are proposed with sidewalk improvements to replace substandard sidewalk ramps along the site's frontage.

Compliance with applicable ADA requirements is reviewed at the time of Building permit application. 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: Staff finds that the proposal meets the approval criterion.

Section 40.03.1.L

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

FINDING:

The application was submitted on May 13, 2023, and staff deemed the project complete on September 1, 2023. The applicant provided a continuance request to grant a 21-day extension to the 120-day clock on September 27, 2023.

In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

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

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements

Community Service District (CS) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.10.20			
Residential Care Facilities	Conditional Use	Construction and operation of a Residential Care Facility. The facility is proposed to operate 24 hours a day and seven days a week.	See CU Findings
Development Code Section 20.10.15			
Parcel Area	7,000	No changes to the existing lot size are proposed.	N/A
Minimum Lot Dimensions	Width: 70 feet Depth: 100	No changes to the existing lot dimensions are proposed.	N/A
Yard Setbacks	Front: None Side (abutting lot): N/A Side (abutting street): None. Rear: 0 feet	Front: 60 feet Side (northern abutting lot): 20 feet Side (southern abutting private street): Varies between 18–45 feet Rear: 56 feet	YES
Maximum Building Height	60 feet	31 feet	YES
Development Code Section 20.10.35			
CS Zoning Requirement	Activity is Conducted Within an Enclosed Structure	Applicant's site plan (Sheet DR-200) shows that all activities on-site will be conducted within an enclosed structure.	YES

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 applicant has elected to address the design guidelines through a Type 3 Design Review application. Compliance with the applicable Guidelines is addressed with the findings.	See DR Findings
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	There is no floodplain, floodway, or floodway fringe located on the subject site.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	No food cart pods are 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	The subject site is not within 25 feet of a property line within or abutting any residentially zoned property.	N/A

property.

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: 1 Type B loading berth required for 10K–100K of aggregate floor area.	1 Type B loading space is proposed.	YES
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	No vehicle parking required.	37 vehicular parking spaces are proposed.	N/A
Required Bicycle Parking	Short-term: One space	Short-term: Four spaces	YES
	Long-term: Two spaces	Long-term: Two spaces	
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.	The proposal is not associated with a Planned Unit Development.	N/A

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.40			
Sign Regulations	Requirements for signs.	All signs will be reviewed under a separate sign permit and are not reviewed with this proposal.	N/A
Development Code Section 60.50			
Accessory Uses and Structures	Requirements for accessory uses and structure.	Accessory structures are not proposed.	N/A
Development Code Section 60.55			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities.	Refer to the Facilities Review Committee findings herein.	YES, w COA

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	<p>The site currently contains 55 trees. Twenty-nine trees are proposed for removal (12 Landscape Trees and 17 Community Trees). The total linear DBH of the 12 Landscape Trees proposed for removal is 84 inches. Forty-six new trees are proposed with development, providing a total of 78 DBH at time of planting.</p> <p>The applicant has provided a tree mitigation memo describing how the number of new trees proposed reflects the number of trees that the site can responsibly accommodate to allow long-term healthy tree growth while also providing for the safety and well-being of both the site's intended users and the public.</p>	YES
Development Code Section 60.65			
Utility Undergrounding	Requirements for placing overhead utilities underground.	All new and affected utilities will be placed underground.	YES w/ COA
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	The subject site contains a significant riparian corridor. The applicant has provided a service provider letter from Clean Water Services stating that the proposal will not significantly impact the existing or potentially sensitive areas found near the site.	YES
Development Code Section 60.70			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A

Attachment B: NEW CONDITIONAL USE CUN32023-00346 (RESIDENTIAL CARE FACILITIES)

ANALYSIS AND FINDINGS FOR NEW CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CUN32023-00346**. Should the Planning Commission determine that the application should be approved, staff recommends that the Planning Commission adopt the conditions identified in Attachment F.

Section 40.03.1 Facilities Review Approval Criteria:

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

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

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

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

Section 40.15.05 Purpose:

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

Planning Commission Standards for Approval:

Section 40.15.15.5.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on New Conditional Use Applications. The Planning Commission will determine whether the application, as presented,

meets the New Conditional Use approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for New Conditional Use.

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

Section 40.15.15.5.C.1

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

FINDING:

The applicant's proposed use is a Residential Care Facility. Residential Care Facilities are a Conditional Use in the Community Service zoning district, and no prior Conditional Use approval for the proposed use is in effect for the subject site. Accordingly, staff finds that the proposal is subject to a New Conditional Use review by meeting Threshold 1 which reads:

The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.15.15.5.C.2

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

FINDING:

The applicant paid the required fee for this New Conditional Use application.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.15.15.5.C.3

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

FINDING:

The following Comprehensive Plan policy applies to this project:

Land Use Element (Chapter 3) Commercial Centers and Corridors Policy 3.7.1.a

Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including

- i. Improving pedestrian and bicycle connections within and between sites*
- ii. Enhancing or creating multi-modal connections wherever feasible*
- iii. Providing direct pedestrian connections to, and amenities near, transit stops*
- iv. Providing a more visually engaging and appealing street frontage through the addition of buildings adjacent to the street, enhanced landscaping, more pedestrian scale signage, etc.*
- v. Providing safe and convenient paths for pedestrians within large parking areas*

Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. The applicant's proposal includes improvements to the non-auto transportation network to improve accessibility and comfort.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.15.15.5.C.4

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

FINDING:

The proposal is to convert an existing approximately 24,000 sq. ft. office building and to construct a new two-story building of approximately 16,600 sq. ft. for a Residential Care Facility. The Facilities Review and Design Review Three analysis (Attachments A and D) demonstrate that the proposal provides sufficient parking and loading areas, pedestrian circulation areas, and landscaping. The applicant's site plan further illustrates how the two-acre site can reasonably accommodate the proposal (Exhibit 3.11).

The proposal also includes a Design Review Three application which reviews project elements including building design and orientation, circulation, parking, landscaping, and lighting. As a condition of approval, the applicant shall ensure that the Design Review Three (DR32023-00348) application has been approved and is consistent with the submitted plans.

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

Section 40.15.15.5.C.5

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

FINDING:

According to the applicant, efforts have been made in the design to minimize impact on the neighborhood by keeping the new building to 2 stories, aligning its frontage with the frontage of the existing building, and minimizing site work by keeping the existing parking areas where possible. The applicant states that landscape design and planting of trees for the site has been intentionally crafted to provide a visually open aesthetic with clear lines of site to enhance public safety. Further, that the design utilizes a trauma informed design approach to benefit the well-being of intended site users.

In addition to the applicant's findings, staff notes that all activities on-site are proposed to be conducted within an enclosed structure, consistent with the CS Zoning Requirements in BDC Section 20.10.35.

Staff further notes that the subject site is surrounded on all sides by commercially zoned properties. The subject site is located approximately 390 feet from the nearest property line of a residential use in a residential zone, located on the south side of NW Cornell Road.

After reviewing the applicant's submitted narratives and plans, staff concurs with the applicant's findings and finds that the location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.15.15.5.C.6

The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.

FINDING:

Residential uses are not proposed. The use, Residential Care Facilities, is classified as a commercial use in BDC Table 20.10.20.A. The subject site is not located in the floodway fringe.

Conclusion: Staff finds the criterion is not applicable.

Section 40.15.15.5.C.7

For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code.

FINDING:

The subject site is zoned Community Service and is not designated Interim Washington County. Therefore, the criterion is not applicable.

Conclusion: Staff finds the criterion is not applicable.

Section 40.15.15.5.C.8

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

FINDING:

The applicant has submitted an additional New Conditional Use (Extended Hours of Operation) application to be processed concurrently with this New Conditional Use (Residential Care Facilities) request. The applicant has also submitted a Design Review Three application and a Tree Plan Two application related to the request. The applications were deemed complete on September 1, 2023, and all required submittal materials have been received at this time.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of CUN32023-00346. Should the Planning Commission determine the application should be approved, staff recommends it is subject to the applicable conditions identified in Attachment F.

Attachment C: NEW CONDITIONAL USE CUN32023-00347 (HOURS OF OPERATION)

ANALYSIS AND FINDINGS FOR NEW CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CUN32023-00347**. Should the Planning Commission determine that the application should be approved, staff recommends that the Planning Commission adopt the conditions identified in Attachment F.

Section 40.03.1 Facilities Review Approval Criteria:

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

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

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

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

Section 40.15.05 Purpose:

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

Planning Commission Standards for Approval:

Section 40.15.15.5.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on New Conditional Use Applications. The Planning Commission will determine whether the application, as presented,

meets the New Conditional Use approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for New Conditional Use.

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

Section 40.15.15.5.C.1

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

FINDING:

The applicant proposes a Residential Care Facility that operates 24 hours a day and seven days a week. 78 beds are proposed for residents receiving residential drug and alcohol treatment services. Accordingly, staff finds that the proposal is subject to a New Conditional Use review by meeting Threshold 1 which reads:

- 1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.*

Staff notes Uses Operating between 10pm and 7am are a Conditional Use in the CS Zone per Table 20.10.20.A if the property is within 500 feet from an existing Residential use in a Residential zone. Staff finds that the subject site is approximately 390 feet from the nearest property line of a residential use in a residential zone, which is located on the south side of NW Cornell Road.

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

Section 40.15.15.5.C.2

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

FINDING:

The applicant paid the required fee for this New Conditional Use application.

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

Section 40.15.15.5.C.3

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

FINDING:

The following Comprehensive Plan policy applies to this project:

Land Use Element (Chapter 3) Commercial Centers and Corridors Policy 3.7.3.D

Use development standards and/or conditional use review to address potential issues related to compatibility of commercial uses with adjacent housing, including noise, access and parking.

According to the applicant, the proposed commercial use as a residential treatment facility is not incompatible with residential uses in that it is not anticipated to create any nuisance noise, glare, smell, or other environmental pollutants (such as an industrial use might, for instance). All proposed clinical and treatment activities will primarily occur within the buildings, and the gardens for patient access to the outdoors are enclosed with opaque fences that block visibility from public way and adjacent properties. Parking is provided on site, and any overflow is not anticipated to strain public street parking. A drive-through is proposed for periodic public safety escort of new patients and emergency vehicle drop-off that will allow these vehicles a spot to pull off the public street and turn around without impacting the flow of traffic along Evergreen Pl.

Staff concurs with the applicant's findings in response to the criterion. Staff also cites the Facilities Review findings in this report that address safe and efficient vehicular and pedestrian circulation patterns (Attachment A). Staff also cites the Design Review Three findings that address a range of design elements including access, circulation, and parking (Attachment D). Staff also notes that the subject site is approximately 390 feet from the nearest property line of a residential use in a residential zone, which is located on the south side of NW Cornell Road. In addition to the separation created by NW Cornell Road, the residentially zoned property contains open space tracts along its west side, providing further separation from the subject site.

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

Section 40.15.15.5.C.4

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

FINDING:

The proposal is to convert an existing approximately 24,000 sq. ft. office building and to construct a new two-story building of approximately 16,600 sq. ft. for a Residential Care Facility. The Facilities Review and Design Review Three analysis (Attachments A and D) demonstrate that the proposal provides sufficient parking and loading areas, pedestrian circulation areas, and landscaping. The applicant's site plan further illustrates how the two-acre site can reasonably accommodate the proposal (Exhibit 3.11)

The proposal also includes a Design Review Three application which reviews project elements including building design and orientation, circulation, parking, landscaping, and lighting. As a condition of approval, the applicant shall ensure that the Design Review Three (DR32023-00348) application has been approved and is consistent with the submitted plans.

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

Section 40.15.15.5.C.5

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

FINDING:

According to the applicant, the proposed facility needs to be operable 24 hours a day to allow residents to stay on site to receive extended treatment over time and with staff supervision. While the building will be open and staffed through the 10pm to 7am hours for patient safety, these will be quiet hours for patients when they will be in their sleeping rooms or in shared common interior spaces.

Staff concurs with the applicant's findings. Staff further notes that all activities on-site are proposed to be conducted within an enclosed structure, consistent with the CS Zoning Requirements in BDC Section 20.10.35.

The subject site is surrounded on all sides by commercially zoned properties. The subject site is located approximately 390 feet from the nearest property line of a residential use in a residential zone, located on the south side of NW Cornell Road.

Staff finds that the location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

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

Section 40.15.15.5.C.6

The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.

FINDING:

This proposal is for extended hours of operation for a commercial use, a Residential Care Facility, as classified in BDC Table 20.10.20.A. The subject site is not located in the floodway fringe.

Conclusion: Staff finds the criterion is not applicable.

Section 40.15.15.5.C.7

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

FINDING:

The subject site is zoned Community Service and is not designated Interim Washington County. Therefore, the criterion is not applicable.

Conclusion: Staff finds the criterion is not applicable.

Section 40.15.15.5.C.8

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

FINDING:

The applicant has submitted an additional New Conditional Use (Residential Care Facilities) application to be processed concurrently with this New Conditional Use (Hours of Operation) request. The applicant has also submitted a Design Review Three application and a Tree Plan Two application related to the request. The applications were deemed complete on September 1, 2023, and all required submittal materials have been received at this time.

Conclusion: Staff finds the proposal meets the approval criterion.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of CUN32023-00347. Should the Planning Commission determine the application should be approved, staff recommends it is subject to the applicable conditions identified in Attachment F.

Attachment D: DR32023-00348

ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR32023-00348**, subject to the applicable conditions identified in Attachment F.

Section 40.03.1 Facilities Review Approval Criteria:

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

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

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

Conclusion: As conditioned, the Committee finds that the proposal meets the review criteria.

Section 40.20.05 Purpose:

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

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on Design Review Applications. The Planning Commission will determine whether the application as presented, meets the Design Review Three approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

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

Section 40.20.15.3.C.1

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

FINDING:

Staff references BDC Section 40.20.15.3.A.9:

9. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

The project proposal is to convert an existing approximately 24,000 sq. ft. office building and to construct a new two-story building of approximately 16,600 sq. ft. for a Residential Care Facility. The proposal includes a new building with a proposed roof pitch lower than the 4:12 pitch standard in BDC Section 60.05.15.2. The proposal also includes a lighting plan that will exceed the maximum permitted illumination at property lines along the northern property boundary per BDC Section 60.05.30.2.B and BDC Table 60.05-1. Therefore, the proposal satisfies the threshold requirements for a Design Review Three application per BDC Section 40.20.15.3.A.9.

Conclusion: Staff finds the proposal meets the approval criterion.

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 fees for a Design Review Three application.

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

Section 40.20.15.3.C.3

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

FINDING:

The Design Review Three application does not meet thresholds number 1 through 7.

Conclusion: Staff finds the approval criterion is not applicable.

Section 40.20.15.3.C.4

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

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

FINDING:

As discussed below, the proposed project is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

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

Section 40.20.15.3.C.5

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

FINDING:

Based on the applicant's grading plan, the proposed grading meets all the City standards outlined in Section 60.15.10 and does not require an adjustment or variance for approval.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.6

For Design Review Build-Out Concept Plan (DRBCP) proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP.

FINDING:

The proposed development does not include a DRBCP proposal and does not contain phasing of work.

Conclusion: Staff finds that the approval criterion is not applicable.

Section 40.20.15.3.C.7

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

FINDING:

The proposal meets Threshold 9 for a Design Review Three application. However, the applicant has decided to address the Design Guidelines only.

Conclusion: Staff finds the approval criterion is not applicable.

Section 40.20.15.3.C.8

For proposals meeting Design Review Three application Threshold numbers 8 or 9, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

FINDING:

The proposal meets Threshold 9 for a Design Review Three application. The applicant has decided to address the Design Guidelines only. As discussed below, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.9

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 Design Review Three application with two associated New Conditional Use applications and a Tree Plan Two application. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Staff recommends a condition requiring approval of the associated Tree Plan Two application prior to Site Development Permit issuance.

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

Design Review Guidelines Analysis:

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

Section 60.05.35. *Building Design and Orientation Guidelines.*

1. *Building Articulation and Variety*

B. *Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided.* (Standard 60.05.15.1.A and B)

FINDING:

According to the applicant, the proposed new building elevations are articulated with a 2' step back and material color change. The existing building is proposed for a re clad with a material change along the west elevation. The re clad includes patterns created by texture changes in the proposed material.

Staff concurs with the applicant's findings. In addition, staff notes that the new building provides variation in roof levels. Along the north and east elevations, the existing ceramic tile and glass block façades are proposed to remain.

Conclusion: Staff finds the proposal meets the guideline.

- C. *To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)*

FINDING:

The main building entry on the west elevation (along NW Evergreen Pl) is emphasized with a vestibule and projecting canopy. In addition, the new building includes a distinctive intersecting sloped roof form that also provides an emphasis on horizontal building features.

Conclusion: Staff finds the proposal meets the guideline.

- D. *Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B)*

FINDING:

According to the applicant, pedestrian scale is emphasized with the use of windows at the ground floor level, and a vestibule with projecting canopy at the main entry. Staff concurs with the applicant's findings.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

According to the applicant, no undifferentiated blank walls are proposed facing any street or major parking area. Exterior walls facing NW Evergreen Place (west elevation) and the access easement (south elevation) have windows at regular intervals on ground and second levels. The longer south façade is additionally articulated with a second floor overhang and an off-set wall with entry alcove at the ground floor. On the reclad of the existing building, the applicant has incorporated a decorative pattern created by texture mixing of the proposed material by which a visual rhythm is established to create interest and draw the eye across the façade to the main entry. Staff concurs with the applicant's findings.

Conclusion: Staff finds the proposal meets the guideline.

2. **Roof Forms**

- A. *Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be highlighted. (Standards 60.05.15.2.A and B)*

FINDING:

The applicant states that the new building includes a distinctive intersecting sloped roof form that incorporates a center mechanical area screened from the street. A slope lower than the standard 4:12 slope is incorporated into the design to better fit the context of adjacent flat roof buildings to the north and south along NE Evergreen Pl, while still relating to the residential development to the NE that incorporates sloped roof forms and providing a residential feel for patients entering residential care treatment. Staff concurs with the applicant's findings.

Conclusion: Staff finds the proposal meets the guideline.

- B. *Flat roofs should include distinctive cornice treatments. (Standard 60.05.15.2.C)*

FINDING:

No changes to the flat roof on the existing building are proposed.

Conclusion: Staff finds the proposal meets the guideline.

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

FINDING:

The new vestibule addition to the existing structure, along the building's west elevation, retains a flat roof area that respects the existing flat roof form.

Conclusion: Staff finds the proposal meets the guideline.

3. **Primary building entrances**

- A. *The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.3.A)*

FINDING:

The new vestibule addition along the west elevation of the existing building includes a projecting canopy. The new building includes an overhanging second floor along the south facade, as well as a roof overhang.

Conclusion: Staff finds the proposal meets the guideline.

B. Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3)

FINDING:

According to the applicant, the main building entrance along NW Evergreen Place is emphasized with a vestibule addition. The addition includes a projecting canopy with wood soffit, as well as exterior wood siding next to the entry storefront doors. The secondary entrance into the new building is similarly emphasized with wood siding and the use of storefront glazing.

Staff concurs with the applicant's findings. Staff notes that approval of signage is outside of the scope of this land use application.

Conclusion: Staff finds that the proposal meets the guideline.

4. **Exterior Building Materials**

A. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standard 60.05.15.4.A)

FINDING:

The project's proposed primary exterior material is fiber-cement panel with a secondary material to be stained wood siding at the weather-protected entries and exterior overhang soffits.

Conclusion: Staff finds the proposal meets the guideline.

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

FINDING:

The mechanical equipment on the new building will be located in a mechanical well that will block visibility from the street. Views of mechanical equipment on the flat roof of existing building will be screened from view from adjacent ROW by parapets.

Conclusion: Staff finds that the proposal meets the guideline.

6. ***Building location and orientation in Commercial and Multiple Use zones***

A. *Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression should be that architecture is the predominant design element over parking areas and landscaping. Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location and orientation of buildings. (Standards 60.05.15.6.A and B)*

FINDING:

No change is proposed to the location of existing building. The new building's proposed location is intended to visually align front and back with existing building for a cohesive site design. In addition, the proposed development reduces the size of the existing parking area along NW Evergreen Place, thereby reducing the distance between the street and the buildings on-site.

Conclusion: Staff finds that the proposal meets the guideline.

D. *Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E)*

FINDING:

The proposal's entrance to the main building is oriented to face NW Evergreen Place.

Conclusion: Staff finds that the proposal meets the guideline.

8. ***Ground floor elevations on commercial and multiple use buildings***

A. *Excluding residential only development, ground floor building elevations should be pedestrian oriented and treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building. This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes. (Standard 60.05.15.8.A)*

FINDING:

The ground floors of both the existing and new buildings have windows at ground floor level at regular intervals. No Major Pedestrian Routes are located adjacent to the site.

Conclusion: Staff finds that the proposal meets the guideline.

- B. *Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations. (Standard 60.05.15.8.B)*

FINDING:

Both the new and existing buildings are set back from the sidewalk. The new building provides weather protection via a second floor overhang and roof overhang over the walkway to the main entrance. The existing building provides weather protection with a projecting canopy at the main entrance. No Major Pedestrian Routes are located near the site.

Conclusion: Staff finds that the proposal meets the guideline.

Section 60.05.40. Circulation and Parking Design Guidelines.

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

FINDING:

One existing and one relocated driveway onto the site are accessed from the access easement to the south of the site via a private street. A new drive-through drop-off is proposed off NW Evergreen Place for emergency vehicle access to the main entrance. New short- and long- term bike parking is proposed to support future bike connectivity in the area.

Conclusion: Staff finds that the proposal meets the guideline.

2. **Loading area, solid waste facilities, and similar improvements.**

- A. *On-Site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)*

- B. *Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2)*

FINDING:

The proposed loading area and trash enclosure are located to the rear of the site, screened from view from the public ROW on NW Evergreen Place by the new building and by new landscaping along the private street.

Conclusion: Staff finds that the proposal meets the guideline.

3. Pedestrian circulation

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

FINDING:

According to the applicant, pedestrian walkways are proposed between adjacent sidewalks and main building entrances, and between parking areas and main building entrances. Five-foot walkways were added to the east and west sides of the new addition, and the walkway to the south of the new building was increased to 10 feet from the visitor parking area to the front door, which will be the primary path for individuals accessing that entry point. Staff concurs with the applicant's findings.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

As discussed in subsection 3.A above, pedestrian connections provide connectivity to on-site facilities and abutting pedestrian facilities and streets.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

As discussed in subsection 3.A above, the project provides pedestrian connections that link building entrances to nearby streets and other pedestrian destinations.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

As discussed in subsection 3.A above, the project *provides pedestrian connections that link building entrances to nearby streets and other pedestrian destinations, including parking areas. The pedestrian connections are evenly spaced and separated from vehicles.*

Conclusion: Staff finds that the proposal meets the guideline.

E. *Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standards 60.05.20.3.A through H)*

FINDING:

As discussed in subsection 3.A above, the project provides pedestrian connections that link building entrances to nearby streets and other pedestrian destinations. Adjacent to the development, improvements to both private streets include a 10-foot-wide sidewalk with tree wells.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

As discussed in subsection 3.A above, the project *is designed for safe pedestrian movement. All new pedestrian areas will be constructed of concrete.*

Conclusion: Staff finds that the proposal meets the guideline.

4. **Street frontages and parking areas.** Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard [60.05.20.4](#))

FINDING:

The subject site is located along two private streets.

Conclusion: Staff finds that the guideline is not applicable.

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

FINDING:

Staff finds that the proposal will result in a reduction of parking spaces in both of the existing parking lots. New parking lot landscaping is not required.

Conclusion: *Staff finds that the guideline is not applicable.*

7. Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones

A. *Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)*

FINDING:

As discussed in subsection 3.A above, the project *provides pedestrian connections that link building entrances to nearby streets and other pedestrian destinations.* Adjacent to the development, improvements to both private streets include a 10-foot-wide sidewalk with tree wells.

Conclusion: Staff finds that the proposal meets the guideline.

B. *Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B)*

FINDING:

Pedestrian connections have been provided along primary building elevations having building entrances.

Conclusion: Staff finds that the proposal meets the guideline.

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

A. *On-Site vehicle circulation should be easily recognized and identified and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8) [ORD 4531; April 2010]*

FINDING:

Proposed drop-off driveway at the main entrance is identified with curbs, curb cuts, one-way markings, and landscaping. A differentiated concrete walkway is proposed across the drive to connect the sidewalk to the building main entry.

Conclusion: Staff finds that the proposal meets the guideline.

Section 60.05.45. Landscape, Open Space and Natural Areas Design Guidelines.

3. Minimum landscaping for Conditional Uses in Residential zones and for developments in Commercial, Industrial, and Multiple Use zones.

A. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standards 60.05.25.5.A, B, and D)*

FINDING:

The applicant has provided a landscaping plan that demonstrates landscaping is proposed around the new and existing buildings to soften the edges and add aesthetic value (Exhibit 3.11).

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

According to the applicant, on-site landscaped areas consist of local and regional plant materials that are proven as reliable species for successful establishment and long-term viability. Additional consideration was given to provide habitat for various birds & pollinators as part of the plant selection. Staff concurs with the applicant's findings.

Conclusion: Staff finds that the proposal meets the guideline.

D. *Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standards 60.05.25.5.A and B)*

FINDING:

The site currently contains 55 trees. Twenty-nine trees are proposed for removal and 26 are proposed to be retained. The majority of the preserved trees are located in a contiguous area at the north-east corner of the site.

Along Evergreen Parkway, the applicant proposes to remove 11 Community Trees and six Landscape Trees (17 trees total) to construct and new 10-foot sidewalk with tree wells. The applicant has also provided a tree mitigation memorandum that details how trees have been retained and incorporated into the site design of the project.

Conclusion: Staff finds that the proposal meets the Guideline.

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

FINDING:

The applicant's landscaping plan demonstrates a plant palette for on-site landscaped areas with a diversity of species (Exhibit 3.11).

Conclusion: Staff finds that the proposal meets the guideline.

7. Fences and walls.

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

FINDING:

The proposed fence at the courtyard will be constructed of stained cedar panels that will echo the color and material at entries and soffits.

Conclusion: Staff finds that the proposal meets the guideline.

9. Integrate water quality, quantity, or both facilities. Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.11) [ORD 4576; January 2012]

FINDING:

Staff cites the findings in the Facilities Review section of this staff report (Attachment A). The public storm system begins near the NW Evergreen Place and NE Evergreen Parkway intersection where a 42-inch storm line is located. The site has a private storm system that discharges directly to a public stormwater treatment pond.

Conclusion: Staff finds that the proposal meets the guideline.

10. Natural areas. Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (Standard 60.05.25.12)

FINDING:

A Significant Riparian Corridor exists along the eastern lot line. According to the applicant's CWS Sensitive Area Pre-Screening Site Assessment, the proposal will not significantly impact the existing or potentially sensitive area(s) found near the site (Exhibit 3.5).

The applicant has provided a tree mitigation memorandum that details how trees have been retained and incorporated into the site design of the development where possible (Exhibit 3.13).

Conclusion: Staff finds that the proposal meets the Guideline.

11. Landscape buffering and screening.

- A. *A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13)*

FINDING:

Staff cite Table 1 and the Zoning Map (Exhibit 1.2) contained in this staff report. The subject site and the adjacent properties are commercially zoned. The subject site does not abut to any residential land uses.

Conclusion: Staff finds that the guideline does not apply.

Section 60.05.50. Lighting Design Guidelines.

1. *Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standards 60.05.30.1 and 2)*

FINDING:

The applicant's lighting plan demonstrates that the project includes new lighting throughout the work area and lighting has been located to ensure adequate light for both pedestrian and vehicular circulation as well as general site safety. Lighting includes a mix of new pole lights, pedestrian scale bollard lights, and on-building lighting.

Conclusion: Staff finds that the proposal meets the guideline.

2. *Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)*

FINDING:

The applicant's lighting plan demonstrates that pedestrian scale lighting has been incorporated into the site design. Lighting fixtures are of a consistent type throughout the project site and the design of wall-mounted lighting is appropriate to the architectural design features of the building.

Conclusion: Staff finds that the proposal meets the guideline.

3. *Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets. (Standards 60.05.30.1 and 2)*

FINDING:

According to the applicant, specified fixtures have low B.U.G. ratings (backlight, up-light, glare). Fixture O1 (on Evergreen Place) will have some light spill above 0.5 foot-candles in order to meet 0.9 foot-candles minimum requirement for street lighting. Staff finds that the applicant's lighting plan demonstrates that direct and indirect glare impacts to abutting and adjacent properties are minimized.

Conclusion: Staff finds that the proposal meets the guideline.

4. *On-Site lighting should comply with the City's Technical Lighting Standards. (Standards 60.05.30.1 and 2.) Where the proposal does not comply with Technical Lighting standards, the applicant should describe the unique circumstance attributed to the use or site where compliance with the standard is either infeasible or unnecessary.*

FINDING:

Staff finds that the applicant's photometric plan complies with the City's Technical Lighting Standards in all areas except a small portion of site's northern property line near NW Evergreen Place where some light is measured above 0.5 foot-candles due to the location of a new light pole. A pedestrian walkway and a parking lot are located on the adjacent site to the north in the vicinity where the proposal's lighting does not comply with the City's Technical Lighting Standards, limiting potentially negative impacts to adjacent properties.

Conclusion: Staff finds that the proposal meets the guideline.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of DR32023-00348 CATT – Intensive Service Building, subject to the applicable conditions identified in Attachment F.

Attachment E: TP22023-00351

ANALYSIS AND FINDINGS FOR TREE PLAN TWO APPROVAL

Decision: Based on the facts and findings presented below, staff recommends **APPROVAL** of **TP22023-00351**, subject to the applicable conditions identified in Attachment F.

Section 40.90.05 Purpose

The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs), and Community Trees thus helping to preserve and enhance the sustainability of the City's urban forest. This Section is carried out by the approval criteria listed herein and implements the SNRA, Significant Grove, Significant Individual Tree, and Historic Tree designations as noted or mapped in Comprehensive Plan Volume III.

Section 40.90.15.2.C Approval Criteria

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

Section 40.90.15.2.C.1

Approval Criteria; The proposal satisfies the threshold requirements for a Tree Plan Two application.

Finding:

According to the applicant's Tree Protection and Removal Plan, the applicant proposes to remove 17 Community Trees and protect 20 Community Trees (Exhibit 3.11). The applicant proposes to remove 46% of the site's Community Trees. Therefore, the proposal meets Threshold One, which reads:

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

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

Section 40.90.15.2.C.2

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

Finding:

The applicant has paid the required fees related to the land use applications.

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

Section 40.90.15.2.C.3

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

Finding:

The applicant states that the tree removal is necessary to accommodate development and is not related to good forestry practices. This criterion is not applicable. Staff concurs with the applicant's findings.

Conclusion: Staff finds the criterion is not applicable.

Section 40.90.15.2.C.4

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

Finding:

The applicant states that tree removal is necessary to accommodate the redevelopment of the site.

The site currently contains 55 trees. Twenty-nine trees in total are proposed for removal (12 Landscape Trees and 17 Community Trees).

Along Evergreen Parkway, the applicant proposes to remove 11 Community Trees and six Landscape Trees (17 trees total) to construct and new 10-foot sidewalk with tree wells.

The applicant has provided a tree mitigation memorandum that details how trees have been retained and incorporated into the site design of the development where possible (Exhibit 3.13).

Staff concurs with the applicant's assessment that there are no reasonable alternatives to preserve additional trees while accommodating the proposed development.

Conclusion: Staff finds that the proposal meets the criterion.

Section 40.90.15.2.C.5

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

Finding:

The applicant states that the tree removal is necessary to accommodate development and is not related to any trees that have become a nuisance. Staff concurs with the applicant's findings.

Conclusion: Staff finds that the criterion is not applicable.

Section 40.90.15.2.C.6

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

Finding:

Along Evergreen Parkway, the applicant proposes to remove 11 Community Trees and six Landscape Trees (17 trees total) to construct and new 10-foot sidewalk with tree wells, enhancing pedestrian safety.

Conclusion: Staff finds that the proposal meets the criterion.

Section 40.90.15.2.C.7

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

Finding:

The applicant states that the tree removal is necessary to accommodate development. There are no groves or SNRA identified on the site. Staff concurs with the applicant's findings.

Conclusion: Staff finds that the criterion is not applicable.

Section 40.90.15.2.C.8

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

Finding:

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

Conclusion: Staff finds that the criterion is not applicable.

Section 40.90.15.2.C.9

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

Finding:

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

Conclusion: Staff finds that the criterion is not applicable.

Section 40.90.15.2.C.10

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

Finding:

The applicant states that the proposal is consistent with all applicable provisions of Sections 60.60 and 60.67 of the Development Code. Staff cites Table 5 for adherence to Sections 60.60 and 60.67.

Conclusion: Staff finds that the proposal meets the criterion.

Section 40.90.15.2.C.11

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

Finding:

Staff cites the applicable standards in the Facilities Review report (Attachment A). Staff has reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, surface drainage, or the public storm

system. Staff 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: As conditioned, staff finds that the proposal meets the criterion.

Section 40.90.15.2.C.12

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

Finding:

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

Conclusion: Staff finds that the proposal meets the criterion.

Section 40.90.15.2.C.13

Approval Criteria: 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 Tree Plan Two application with two associated New Conditional Use applications and a Design Review Three application. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Staff recommends a condition requiring approval of the associated Design Review Three application prior to Site Development Permit issuance.

Conclusion: As conditioned, staff finds that the proposal meets the criterion.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of TP22023-00351 CATT – Intensive Service Building, subject to the applicable conditions identified in Attachment F.

Table 5: Code Conformance Analysis for Development Code Section 60.60 Trees and Vegetation, and Section 60.67

CODE STANDARDS	CODE REQUIREMENTS	PROJECT PROPOSAL	MEETS CODE
Section 60.60.15.1 Pruning standards for protected trees.	Requirements and standards for pruning protected trees.	No pruning is proposed.	N/A
Section 60.60.15.2 Removal and Preservation Standards	Requirements for removing and preserving SNRA and Significant Grove trees.	Applicant proposes to remove 17 Community Trees. No SNRA or Significant Grove trees are on site.	N/A
Section 60.60.20 Tree Protection Standards During Development	Requirements for protecting trees classified as protected trees during development.	Applicant proposes fencing installed per city standards where possible, and modification of tree protection fencing per the applicant's arborist report to accommodate construction requirements.	YES, w COA
Section 60.60.25.1 - 7 Mitigation Requirements	Standards for mitigating removal of protected trees.	Mitigation isn't required for removal of Community Trees.	N/A
Section 60.60.25.9 Mitigation Requirements: Landscape Trees	Standards for replacement of Landscape Trees	<p>12 Landscape Trees are proposed for removal. The total linear DBH of the 12 Landscape Trees proposed for removal is 84 inches. Forty-six new trees are proposed with development, providing a total of 78 DBH at time of planting.</p> <p>The applicant has provided a tree mitigation memo describing how the number of new trees proposed reflects the number of trees that the site can responsibly accommodate to allow long-term healthy tree growth while also providing for the safety and well-being of both the site's intended users and the public.</p>	YES

CODE STANDARDS	CODE REQUIREMENTS	PROJECT PROPOSAL	MEETS CODE
Section 60.67 Significant Natural Resources	Requirements for reviewing development proposals containing mapped wetlands and Significant Riparian Corridors.	The subject site contains a significant riparian corridor. The applicant has provided a service provider letter from Clean Water Services stating that the proposal will not significantly impact the existing or potentially sensitive areas found near the site.	YES

Attachment F: Conditions of Approval

Application: LU32023-00356 CATT – Intensive Service Building

Recommendation: APPROVE LU32023-00356 CATT – Intensive Service Building (CUN32023-00346 / CUN32023-00347 / DR32023-00348 / TP22023-00351), subject to the conditions of approval herein.

New Conditional Use (CUN32023-00346)

A. General Conditions, the applicant shall:

1. Ensure that the Design Review Three (DR32023-00348) application has been approved and is consistent with the submitted plans. (Planning / AH)

New Conditional Use (CUN32023-00347)

A. General Conditions, the applicant shall:

1. Ensure that the New Conditional Use (CUN32023-00346) and Design Review Three (DR32023-00348) applications have been approved and are consistent with the submitted plans. (Planning / AH)

Design Review Three (DR32023-00348)

A. General Conditions, the applicant shall:

1. Ensure that the Tree Plan Two (DR22023-00351) application has been approved and is consistent with the submitted plans. (Planning / AH)
2. Ensure that all deliveries to the site are made in a truck that is sized SU-30 or smaller. (Planning / AH)

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

3. Submit a revised TVF&R approved site plan that illustrates the proposed loading berth and trash enclosure locations. (Planning / AH)
4. Submit a certified sight distance plan for all new intersections and driveways pursuant to the City's Intersection Sight Distance Policy in the Engineering Design Manual Section 210.18 (BDC 40.03.1 and 60.55.25) (Transportation / KM)

5. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div. / EMD)
6. Retain a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / EMD)
7. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div. / EMD)
8. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div. / EMD)
9. Submit an easement, executed and ready for recording when required, to the City. City will require approval of legal description and form prior to execution. (Site Development Div. / EMD)
10. Submit a geotechnical and if needed environmental report with the site development permit application for review and approval. (Site Development Div. / EMD)
11. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District (TVWD) for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div. / EMD)
12. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. The City will submit the review material to Clean Water Services for review and approval. (Site Development Div. / EMD)
13. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development Div. / EMD)
14. Provide construction plans and a drainage report demonstrating compliance with City surface water management requirements per City 2019 Engineering Design Manual, Resolution 4542, Section 530; and with CWS Resolution and Order 2019-22 for quantity control for conveyance capacity, hydromodification and quality treatment. Fee-in-lieu can be requested if development meets criteria set forth in City EDM Sections 190, table 530.1, and 530.1.A.4 and CWS Design & Construction Standards Section 4.03.7.a and 4.04.2.a. (Site Development Div. / EMD)

15. Provide a drainage analysis of the subject site prepared by a professional engineer meeting the standards set by the City. The analysis shall identify all contributing drainage areas and plumbing systems for this project with the site development permit application. The analysis shall also delineate all areas for this project that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. (Site Development Div. / EMD)
16. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). Pad elevation shall be at least one foot higher and FFE shall be at least three feet higher than the 100 year/emergency overflow of the storm water management facility. (Site Development Div. / EMD)
17. Any changes to approved grading must meet provisions of Beaverton Code 9.05.110 and 9.05.115, no grading can occur within 10 feet of a property line or half the height of the vertical embankment created, whichever is greater. This applies to all exterior property boundaries of the proposed project. (Site Development Div. / EMD)
18. Pay any required storm water system development charges (storm water quality, quantity, hydromodification and overall system conveyance) for the new impervious area proposed. (Site Development Div. / EMD)
19. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. Any home demolition is credited at one equivalent surface unit (2640 square feet). The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site and individual lots/tracts. (Site Development Div. / EMD)
20. Provide plans for the placement of underground utility lines within the site to the proposed new building. (Site Development Div. / EMD)
21. When required by OAR 918-780-0040, submit proposed private plumbing plans to the City Building Division for review. If private sewer systems crossing lot lines and within a private easement is proposed, please submit plumbing permit application to the Building Division. Drainage within covered areas shall be piped as approved by the City Building Division. (Site Development Div. / EMD)
22. Submit ODOT ADA curb ramp design checklist and standard detail DET1720 and DET1721 showing level of design detail for every public sidewalk ramp proposed with this development. Maximum designed ramp slope shall be 7.5%, maximum designed cross slope, flat landing or turning space shall be 1.5%. Two ADA ramps shall be provided one (1) at the intersection, and the other at downstream crossing, regardless of curb type. See ODOT standard drawings for ramp details. (Site Development Div. / EMD)

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

23. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / EMD)
24. 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. / EMD)
25. Provide proof of recording the necessary documents associated with any necessary easement quit claim deeds and a filed survey consistent with the approved site plan. (Site Development Div. / EMD)

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

26. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div. / EMD)
27. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / EMD)
28. 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. / EMD)
29. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / EMD)
30. Submit to the City a copy of approval from TVWD stating that required improvements have been completed. (Site Development Div. / EMD)

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

31. Have completed the site development improvements and verify that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div. / EMD)

32. When needed - entered into a maintenance agreement with a Clean Water Services certified stormwater facility maintenance landscape contractor for the maintenance of the stormwater management facilities for the 2-year Maintenance Security period. If re-planting is required, additional 2-year plant re-establishment maintenance periods will apply until the plants are successfully established. Planting maintenance reports shall be submitted to the assigned Site Development project inspector twice a year no later than June 15 and October 30. (Site Development Div. / EMD)
33. Submit any required easements, executed and ready for recording, to the City. City will require approval of legal description and form prior to execution. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div. / EMD)
34. When needed - An additional service report will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / EMD)
35. When needed - Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation as shown on the approved plan within the storm water management facility, vegetated corridor, and the wetland mitigation areas, as determined by the City Engineer. If the plants are not well established (as determined by the City) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development Div. / EMD)
36. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security for plant establishment, and it is released 2 years after project acceptance or will be extended for a period determined by the City Engineer following the correction of any identified defects. (Site Development Div. / EMD)

Tree Plan Two (TP22023-00351)

A. General Conditions, the applicant shall:

1. Ensure that the Design Review Three (DR32023-00348) application has been approved and is consistent with the submitted plans. (Planning / AH)
2. Adhere to the Tree Protection Standards in BDC Section 60.60.20 for the entire project. Any proposed deviations from the Tree Protection Standards in BDC Section 60.60.20 must receive city arborist approval. (Planning / AH)