



Staff Report

STAFF REPORT DATE: November 2, 2016

HEARING DATE: November 9, 2016

TO: Interested Parties

FROM: Jana Fox, Associate Planner

PROPOSAL: **Westgate Mixed Use
CU2016-0011 / DR2016-0103 / LD2016-0021 / PD2016-0003**

LOCATION: The site is between SW Cedar Hills Boulevard and SW Rose Biggi Avenue, north of the light rail tracks. Tax Lot 400, on Washington County Tax Assessor's Map 1S109DD and Tax Lot 6850, on Washington County Tax Assessor's Map 1S116AA.

SUMMARY: The applicant, Rembold Properties, requests approval for Design Review Three for the development of a mixed use development with 230 dwelling units and approximately 6,300 square feet of commercial space in two buildings. A Conditional Use for three (3) live-work units is requested. A Replat Two is proposed for the dedication of public streets and placement of utility easements. A Parking Determination-Shared Parking is requested in order to share required parking between the two sites.

APPLICANT: Rembold Properties
Kali Bader
1022 SW Salmon St, Suite 450
Portland, OR 97205

APPLICANT'S REPRESENTATIVE: Angelo Planning Group
Frank Angelo & Shayna Rehberg
921 SW Washington Street, Suite 468
Portland, OR 97205

PROPERTY OWNER: City of Beaverton
Tyler Ryerson
PO Box 4755
Beaverton OR 97076

Metro
Martha Bennett
600 NE Grand Ave
Portland, OR 97232

DECISION: **APPROVAL of CU2016-0011 / DR2016-0103 / LD2016-0021 / PD2016-0003 (Westgate Mixed Use).**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Application Deemed Complete	Final Written Decision Date	240-Day*
CU2016-0011	August 31, 2016	September 21, 2016	January 19, 2017	May 19, 2017
DR2016-0103	August 31, 2016	September 21, 2016	January 19, 2017	May 19, 2017
LD2016-0021	August 31, 2016	September 21, 2016	January 19, 2017	May 19, 2017
PD2016-0003	August 31, 2016	September 21, 2016	January 19, 2017	May 19, 2017

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

Existing Conditions Table

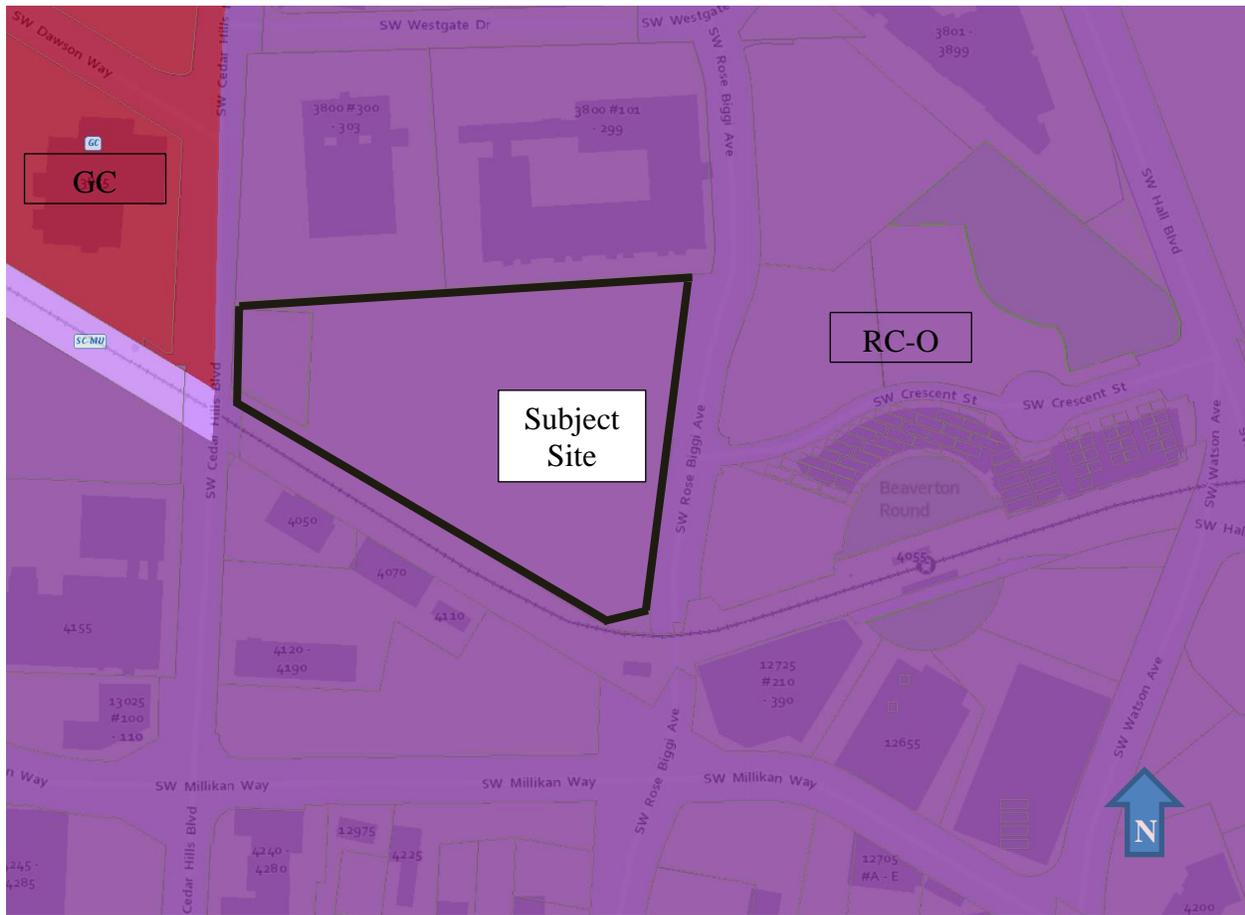
Zoning	Regional Center-Transit Oriented	
Current Development	Vacant	
Site Size & Location	The subject site is located between SW Cedar Hills Boulevard and SW Rose Biggi Avenue, north of the light rail tracks. Lot 6850 of Washington County Assessor's Map 1S116AA and lot 400 of Washington County Assessor's Map 1S109DD and is approximately 3.95 acres.	
NAC	Central Beaverton	
Surrounding Uses	Zoning: <u>North:</u> RC-TO <u>South:</u> RC-TO <u>East:</u> RC-TO <u>West:</u> GC	Uses: <u>North:</u> Commercial Office <u>South:</u> MAX light rail <u>East:</u> Parking & Condominiums <u>West:</u> Commercial

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<u>Attachment E:</u> PD2016-0003 <i>Parking Determination</i>	PD1-PD3
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Exhibits

- Exhibit 1. Materials submitted by Staff**
- Exhibit 1.1 Vicinity Map (page SR-4 of this report)
 - Exhibit 1.2 Aerial Map (page SR-5 of this report)
- Exhibit 2. Public Comment**
- None Received
- Exhibit 3. Materials submitted by the Applicant**
- Exhibit 3.1 Submittal Package including plans



**Westgate Mixed Use
CU2016-0011 / DR2016-0103 / LD2016-0021 / PD2016-0003
Zoning Map**



**Westgate Mixed Use
CU2016-0011 / DR2016-0103 / LD2016-0021 / PD2016-0003
Aerial Map**

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Westgate Mixed Use
CU2016-0011 / DR2016-0013 / LD2016-0021 / PD2016-0003**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

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

- **All twelve (12) criteria are applicable to the submitted Conditional Use, Design Review, and Land Division (Replat Two) applications as submitted.**
- A. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.***

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

Public Water

Water service will be provided to the site by the City of Beaverton. The applicant proposes a new water line along the northern property line of the subject site as well as the SW Crescent Street extension to SW Cedar Hills Boulevard. Parcels 1, 2, and 3 can be served by existing water lines in SW Cedar Hills Boulevard or SW Rose Biggi Avenue or by the proposed water lines. Adequate capacity exists to serve the proposed development.

Public Sanitary Sewer

Sanitary sewer service will be provided by the City of Beaverton. The applicant proposes a new sanitary sewer line along the SW Crescent Street extension to Parcel 1. Parcel 2 is served by a sanitary sewer lateral connecting to the line extension in SW Crescent Street. Parcel 3 can be served by either the existing 24 inch water line adjacent to the MAX tracks, by the line in SW Rose Biggi Avenue, or by the new line extension in SW Crescent Street. Adequate capacity exists to serve the proposed development.

Stormwater

New Stormwater lines are proposed along a portion of the northern property line as well as the SW Crescent Street extension. Existing stormwater lines are located in Rose Biggi Avenue and SW Cedar Hills Boulevard which serve the parcels. Parcel 2 and Parcel 3 can be served by the new stormwater lines or by the existing 12 inch line in SW Rose Biggi. Parcel 1 will be served by the new stormwater line or the existing 18 inch storm line in SW Cedar Hills Boulevard. The applicant has provided a utility plan and storm drainage report showing how the parcels can be served. Adequate capacity exists to serve the proposed development.

Transportation

The proposed development will have 230 housing units and approximately 6,300 square feet of commercial space. According to the Traffic Impact Analysis (TIA) prepared by DKS, the applicant's traffic engineer, the development is expected to generate 164 trips during the PM peak hour. With the proposed and conditioned improvements to the surrounding streets and the proposed new streets, the surrounding street system will be able to accommodate the proposed development's traffic and continue to meet city performance standards.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R has provided conditions of approval for the development. By meeting the conditions of approval the proposal will meet TVF&R requirements which will be verified at the time of Site Development Permit issuance.

The Committee finds that the proposed development will provide the required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion for approval.

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

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

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant's plans and materials were forwarded to City Transportation staff and City Police Department.

The applicant has provided a service provider letter from Beaverton School District. The service provider letter states that the district believes there will be sufficient capacity to accommodate the new students from the project as a result of the 2014 bond program. As such Beaverton School District has adequate capacity to serve the subject site.

The site will be served by the Tualatin Hills Park and Recreation District (THPRD).

Dedication of SW Crescent Street is required with the replat application to provide public streets consistent with the Comprehensive Plan. The applicant has requested a design speed exception for a portion of the SW Crescent Street extension.

The City of Beaverton Police will serve the development site.

Tri-Met will serve the development site. The site is most directly served by the Blue Line MAX light rail at the Beaverton Central Station, approximately 350 feet from the subject site. The number 20 bus line is located on SW Hall Boulevard approximately 800 feet to the north of the subject site.

The applicant proposes to create new sidewalks with the extension of SW Crescent Street and along SW Cedar Hills Boulevard and SW Rose Biggi Avenue. Bicycle parking will be installed to meet the applicable Development Code requirements.

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

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

Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates to the applicable Code requirements of Chapter 20 for the Regional Center-Transit Oriented (RC-TO) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the RC-TO zone.

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

- 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 proposal.***

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates to the applicable Code requirements of Chapter 60, in response to the above mentioned criteria. Staff will provide findings for the applicable Conditional Use, Design Review, and Land Division approval criteria within the applicable sections of the staff report.

For bicycle parking, the applicant states there will be a total of 6 short-term parking spaces and 2 long-term spaces for the West Building, plus long-term spaces within individual units and the internal bike room(s). The east building will have 12 short-term spaces and 6 long-term spaces, plus long-term spaces within individual units and internal bike room(s). The applicant's plans show 43 long-term bicycle parking spaces in the bike room in the West building and 16 long-term bicycle parking spaces in the bike room in the East room. Therefore, the proposal meets the Development Code requirements for bicycle parking.

For vehicle parking, the applicant states that 172 spaces are required and 166 spaces are provided. The applicant also proposes to utilize the provision in Section 60.30.10.11.E that allows a reduction in the required off-street vehicle parking of up to 5% for uses that provide additional bicycle parking as a substitute. By providing an additional 16 long-term bicycle parking spaces above the minimum, the applicant can reduce the minimum parking requirement to a total of 164 spaces. The applicant proposes to provide 76 spaces in the West building and 88 spaces in the East building, for a total of 164 spaces. In addition, the applicant proposes another 4 tandem spaces within the East building. The applicant has met the requirements for off-street parking.

The applicant has provided a Transportation Impact Analysis (TIA) with the proposal, as the proposed development will generate more than 200 net new average daily trips.

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

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

The applicant states that Rembold Properties will be both the property owner and developer and will thus be responsible for overseeing maintenance of the site. The property owner will be required to provide maintenance for common facilities such as drainage facilities, parking areas, sidewalks, landscaping utility screening, and waste facilities. Staff finds that the design of the project does not preclude the continued maintenance of private common facilities.

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

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

The only vehicular accesses to the site are directly to parking areas. The eastern building accesses parking either by going down to the lower parking level or up to the second level of parking. The western building has one level of surface parking, a portion of which is tucked under the second story of the building. The vehicular circulation areas are safe and efficient. Pedestrian access to the site is mainly from the public sidewalk into the building. There are limited parking rows and access to the building entrances from parking areas are safe and direct.

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

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

Vehicular access to the eastern building is from the new north street, west of SW Rose Biggi Avenue. Vehicular access to the western building is from a shared common drive with the future hotel parcel. Pedestrian access to the site is provided from public streets. Pedestrian and vehicular connections are safe, efficient and direct.

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

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

Fire protection will be provided to the site by Tualatin Valley Fire & Rescue Department. Tualatin Valley Fire & Rescue reviewed the proposal and have provided conditions of approval, which are incorporated herein. The proposal will need to show compliance to the City's Building Code Standards prior to issuance of site development and building permits, which includes compliance with TVF&R standards.

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

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

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development. The proposed sidewalks and walkways will be adequately lighted to meet the minimum applicable Design Standards, as a Condition of Approval.

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

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

The applicant states the proposed grading of the site is designed to convey most surface drainage to catch basins and storm filter catch basins to treat the runoff and then into a treatment facility. The project will include the use of stormwater planters and other LIDA facilities in combination with storm filters. No stormwater will run onto neighboring properties.

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

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

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

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Compliance with ADA requirements are reviewed with the Building Permit application.

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

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

The applicant submitted the land use applications on August 31, 2016 and was deemed complete on September 21, 2016. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements, as identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee finds the proposal meets the criterion.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Regional Center-Transit Oriented (RC-TO) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.20.20 (RC-TO)			
Use	Live-Work Attached Residential Commercial / Retail	Conditional Permitted Permitted	See CU Findings
Development Code Section 20.20.15 (RC-TO)			
Minimum Lot Area	none	58,780 sq. ft. Parcel 1 37,914 sq. ft. Parcel 2 32,615 sq. ft. Parcel 3	Yes
Minimum Corner Lot Dimensions			N/A
Width	none	n/a	
Depth	none	n/a	
Yard Setbacks			
Front	Max 20'	East 0 ft. West 0 ft.	Yes
Side	none	0 ft. 0 ft.	
Rear	none	0 ft. 0 ft.	
Maximum Building Height	120 feet	East Building: 72.5 ft. West Building: 59 ft.	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.	Two mixed use commercial and residential buildings and associated improvements.	See DR Findings
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 techniques proposed.	N/A
Development Code Section 60.15 – Land Division Standards			
Land Division Standards	Standards pertaining to Land Divisions	A Land Division-Replat Two application has been applied for.	See LD Findings
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking Parking Zone A	<u>Minimum:</u> 164 * with 5% bike parking reduction	164 Spaces	Yes
Required Bicycle Parking	20 short term spaces 250 long term spaces (with additional required for vehicle parking reduction)	20 short term spaces 278 long term spaces	
Development Code Section 60.55 - Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes-with COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Landscape trees are proposed to be removed and mitigated.	See DR Findings
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	All utilities are required to be placed underground in accordance with standards identified in Section 60.65. Applicant's plan shows overhead utilities to remain.	Yes- with COA

**CU2016-0011
ANALYSIS AND FINDINGS FOR
CONDITIONAL USE APPROVAL**

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

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

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

Section 40.15.15.3.C New Conditional Use Approval Criteria:

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

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

The applicant proposes three (3) live/work units in the western building as part of a mixed use development. Live/work is a conditional use in the RC-TO zoning district. The scope of the conditional use is limited to the three proposed live/work units.

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

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

The applicant paid the required fee associated with a New Conditional Use application.

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

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

The applicant's response to Criterion No. 3 states that the proposal satisfies the applicable sections of the Comprehensive Plan, as identified in the Pre-Application Conference notes.

Staff cites the following comprehensive plan policies and associated findings as applicable to this criterion, as identified in the Pre-Application Conference notes:

Chapter 3 (Land Use Element)

3.5.1. Goal: Beaverton mixed use areas that develop in accordance with community vision and consistent with 2040 Regional Growth Concept Map.

- a) *Regulate new development in Regional Centers, Town Centers, Station Communities and Main Streets to ensure compact urban development.*

The applicant, states that site development standards, including FAR, building setbacks, and building height exemplify regulations that apply to the proposed development which ensure compact development. The applicant proposes to comply with all site development standards in the RC-TO zoning designation and proposes a compact urban style development.

- b) *Allow a mix of complementary land use types, which may include housing, retail, office, small manufacturing or industry, and civic uses to encourage compact neighborhoods with pedestrian oriented streets.*

The applicant states that the primary use proposed in the development is housing, which features a range of housing units including live/work units, studios, one-bedroom apartments and flats, to two-bedroom apartments and two-bedroom two-story townhomes. The proposed development also includes other complementary uses such as common areas, off-street parking, and commercial uses which are all permitted outright in the zone, with the exception of the live/work units which require Conditional Use approval.

- c) *Design streets and adjacent buildings within mixed use land use designations to ensure a setting that is attractive and accessible to multiple transportation modes, include pedestrians, bicyclists, transit riders and motor vehicles.*

The applicant states that street improvements are proposed as part of the development which will make the site attractive and accessible to multiple transportation modes including, construction of the Crescent Street extension to connect SW Rose Biggi and the new north street to SW Cedar Hills Boulevard, which includes wider than minimum sidewalks in most areas. Additionally, sidewalks, bike racks and an internal resident parking area are proposed. The building is designed to engage with pedestrians and will be located at the back of sidewalk to create a street enclosure. Sidewalk access is provided to the nearby Beaverton Central Max Station and bus lines on SW Canyon Road.

- d) *Incorporate pedestrian and bicycle connections into an area-wide network of public and private open spaces*

The applicant states that there are no public or private open spaces on or adjacent to the proposed development site. However, the proposed development will connect to the multiple-use path along the MAX tracks and existing sidewalk system which connects to open spaces in the downtown area as well as commercial areas and transit services.

- e) *Promote pedestrian safety by designing streets and pedestrian areas that encourage pedestrian use both day and night, reflect local access functions and use land efficiently.*

The applicant states that pedestrian areas are not proposed as part of the development. However, sidewalks with street trees are provided and connect to the building. The site will

be lit and provide for a safe pedestrian environment on the sidewalk areas during both the day and night.

- f) *Regulate the design and construction of streets, intersections, and parking facilities to ensure pedestrian safety and convenience.*

The applicant states that the proposed development will improve pedestrian safety and convenience at intersections by providing curb extensions to increase pedestrian visibility and shorten crossing distance. The proposed development provides parking and pedestrian features which are designed to be safe, convenient and efficient.

- h) *Improve designated pedestrian oriented streets and intersections to stimulate safe, enjoyable walking.*

The applicant states that the proposed development abuts streets designated as Major Pedestrian Routes on all frontages except on the new north street between Rose Biggi and Crescent. As described earlier the development includes sidewalk improvements, curb extensions, lighting, and plantings.

3.6.1. Goal: Regional Centers that develop in accordance with community vision and consistent with the 2040 Regional Growth Concept Map.

- a) *Regulate new development in Regional Centers to ensure compact urban development and to maximize the public infrastructure investment in light rail.*
- b) *Apply the Regional Center land use designation generally in the areas identified on the Metro 2040 Regional Growth Concept Map.*
- c) *Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.*
- d) *Adopt Community Plans identifying Comprehensive Plan Policies applicable to each regional center to provide community vision.*

The proposed development is located on a parcel designation RC-TO with the land use designation Regional Center. This designation is consistent with the Metro 2040 Regional Growth Concept Map and Table 3.14 Comprehensive Plan and Zoning District Matrix.

The subject site is within the Downtown Beaverton Regional Center plan area. Applicable policies are as follows;

Goal 1: *Promote the Downtown Beaverton Regional Center as “Downtown” Beaverton and create and maintain a positive image for downtown.*

- b) *Buildings along the downtown segments of Canyon Road, Beaverton Hillsdale Highway, Farmington Road and other Major Pedestrian Routes shall be located close to the right-of-way to help create a well-defined streetscape.*

- d) *Limit new construction, with the exception of the Beaverton National Historic District, to multi-story structures.*

Goal 2: *Create a Regional Center in Downtown Beaverton that is a focus of commerce, high density housing, and civic activities. .*

- a) *Development in the Downtown Beaverton Regional Center shall be designed to create a distinct Beaverton downtown.*
- b) *Encourage new office development in Downtown Beaverton.*
- e) *Encourage increased development of close in, multi-family housing in Downtown.*

The applicant proposes to develop a high density mixed-use building located in close proximity to the public street which provides opportunities for commercial as well as residential uses. The proposed structures are multiple-story buildings located in close proximity to the public rights-of-way to encourage pedestrian friendly and well defined streetscapes.

Therefore, staff finds that by meeting the conditions of approval, the criterion is met.

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

In response to Criterion No. 4, the applicant states that the site had been previously developed and will require minimal grading to accommodate the proposed buildings and parking areas. The associated Design Review application will evaluate the site's ability to accommodate the proposal. The provision of live work units within the proposed structure will be a minimal impact to the surrounding areas as commercial and residential uses are both permitted in the RC-TO zoning district. Staff finds that the site can accommodate the proposed three live/work units as part of the overall mixed use development.

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

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

In response to Criterion No. 5, the applicant states that the proposed conditional use, three live/work units, are located within a mixed-use building that combines commercial uses and residential uses, as envisioned in the RC-TO zoning district which is intended to "promote a transit-supportive multiple use land pattern and to create over time a pedestrian-oriented commercial center.." The RC-TO zoning district allows both residential and commercial uses and encourages mixed use developments.

The applicant proposes both residential apartment units and commercial spaces, the provision of live/work units is consistent with the mix of uses being proposed. The inclusion of live/work units would not impact the livability or use of properties in the vicinity but would provide for additional types of commercial and residential uses that may help to create a vibrant commercial and residential environment. The proposal includes parking for the residential components of the live/work units. In the RC-TO zoning district however, commercial uses do not require the on-site parking provisions..

Staff finds that the size, location and functional characteristics of the proposal are reasonably compatible with and have minimal impact on surrounding uses.

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

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

The applicant submitted the application on August 31, 2016 and was deemed complete on September 21, 2016. Design Review Three, Replat Two and Shared Parking applications are being processed concurrently with the subject request for a Conditional Use. The Conditional Use application is dependent upon approval of the Design Review Three, Replat Two and Shared Parking applications. Staff recommends a condition of approval which states that approval of the Conditional Use application is subject to approval of the associated applications.

Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **CU2016-0011 (Westgate Mixed Use)**. Should the Planning Commission find that the application meets the approval criteria staff has recommended conditions of approval in Attachment F.

**DR2016-0103
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW THREE APPROVAL**

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

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

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

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

Section 40.20.15.3.C Approval Criteria: In order 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:

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

The applicant proposes to construct two new mixed use buildings with approximately 6,300 square feet of ground floor commercial space, 1,600 square feet of live/work space and 230 units of apartments. The proposal meets thresholds for a Design Review Two application, however they have chosen to address a number of guidelines instead of standards, meeting Threshold 8 of a Design Review Three.

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

Therefore, staff finds that the criterion is met.

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

The applicant paid the required fees for a Design Review Three application.

Therefore, staff finds that the criterion is met.

3. ***For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

This proposal meets Design Review Three Threshold 8, therefore this criterion is not applicable.

Therefore, staff find the criterion is not applicable.

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 of specific Design Guidelines if any of the following conditions exist:***

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

The proposal is for two new mixed use buildings and not an expansion of an existing building, therefore the criterion does not apply.

Therefore, staff finds the criterion is not applicable.

5. ***For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The applicant does not propose a DRBCP.

Therefore, staff finds the criterion is not applicable.

6. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, 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). [ORD 4531; March 2010]***

The applicant proposes to meet a mix of Design Standards and Design Guidelines. Staff cites the code conformance analysis at the end of this section as it pertains to meeting Design Standards and Guidelines.

Therefore, staff find the criterion is met.

- 7. *For proposals meeting Design Review Three application Threshold numbers 7 or 8, 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 applying to instead meet the applicable Design Guideline(s).***

The applicant proposes to address a mix of Design Standards and Design Guidelines, therefore this criterion is not applicable.

Therefore, staff find the criterion is not applicable.

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

The applicant has submitted all documents related to this request for Design Review Three approval. Conditional Use, Replat Two and Shared Parking applications are being processed concurrently with the subject request for Design Review Three. The Design Review Three application is dependent upon approval of the Replat Two and Shared Parking applications. Staff recommend a condition of approval which states that approval of the Design Review Three application is subject to approval of the Replat Two and Shared Parking applications.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

Design Review Standards Analysis
Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15.1.A Max length of attached residential buildings	The proposed building are mixed use buildings.	N/A
60.05.15.1.B Min 30% articulation	The applicant has chosen to address the Design Guideline.	See Design Guideline
60.05.15.1.C Max 40' between architectural features	Building entrances and architectural features are within 40 feet of each other.	YES
60.05.15.1.D Max 150 sq. ft. undifferentiated blank walls facing streets	The proposed buildings are mixed use structures not residential structures.	N/A
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12	No pitched roofs are proposed.	N/A
60.05.15.2.B Min roof eave = 12"	No pitched roofs are proposed.	N/A
60.05.15.2.C Flat roofs need parapets	Parapets extend above the roofline by 12 inches or greater.	YES
60.05.15.2.D New structures in existing development be similar	This is proposed new development.	N/A
60.05.15.2.E 4:12 roof standard is N/A to smaller feature roofs	No pitched feature roofs are proposed.	N/A
Primary Building Entrances		
60.05.15.3 Weather protection for primary entrance	The applicant has designed the buildings so that all primary entrances provide weather protection in accordance with this standard.	YES
Exterior Building Materials		
60.05.15.4.A Residential double wall construction	Double wall construction is proposed throughout the building.	YES
60.05.15.4.B Maximum 30% of primary elevation to be made of unfinished concrete block	The applicant states that the only portion of the building visible to the public with smooth unfinished concrete is under the storefront windows, less than 30% of the elevation.	YES
60.05.15.4.C Foundations	Exposed concrete does not extend more than three feet above finished grade.	YES
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	The applicant proposes to set rooftop units back so that the existing parapet screens them from view.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.A 50% Street Frontage on Class 1 MPR	The proposed structure occupies 100% of each street frontages of SW Rose Biggi Avenue and SW Crescent Street which are both Type 1 MRPs. The building also covers the entire frontage of SW Cedar Hills Boulevard, a Type 2 MPR.	YES
60.05.15.6.B Street frontage in Commercial zones	The subject site is in a multiple use zone.	N/A
60.05.15.6.C Buildings w/in 20' of property line	All buildings are proposed to be within 0-8 feet of the property line. Buildings not on the property line along streets provide pedestrian amenities and/or landscaping in those areas.	YES
60.05.15.6.D Buildings located at intersections of MPRs	The proposed structure is at the corners of all adjacent MPR's.	YES
60.05.15.6.E Primary building entrances on Class 1 MPR	The proposed development abuts Class 1 MPR's on all four sides. Commercial and Tenant entrances all face Major Pedestrian Routes.	YES
60.05.15.6.F Secondary entrances	All buildings adjacent to MPR's have entrances or pedestrian connections oriented to the street. Secondary entrances are oriented towards interior parking areas.	YES
Building Scale along Major Pedestrian Routes		
60.05.15.7.A 22' Height Minimum 60' Height Maximum	The applicant has chosen to address the Design Guideline.	See Design Guideline
60.05.15.7.B Detached residential dwellings are exempt	Attached residential dwellings are proposed and therefore not exempt.	N/A
60.05.15.7C Max height shall not be exceeded except through adjustment or variance.	The buildings proposed do not exceed the maximum height in the RC-TO zoning district of 120 feet.	YES
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A 50% Glazing on MPR	Approximately 90% of the ground floor elevation of the elevation with commercial entrances is glazing.	YES
60.05.15.8.B 50% Weather Protection on MPR	Approximately 70% of the ground floor elevations have weather protection.	YES
Compact Detached Housing Design		
60.05.15.9.A-K	Compact Detached Housing is not proposed.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The applicant proposes to extend vehicular, pedestrian and bicycle facilities through the subject site in accordance with the planned street system as identified in the Comprehensive Plan.	YES
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A Screen from public view	The proposed trash enclosures are interior to the site in enclosed a room accessed via the parking areas. One transformer is located on the west side of the west building but will be located behind a wall to provide screening.	YES
60.05.20.2.B Loading areas shall be screened	No loading areas are proposed or required.	N/A
60.05.20.2.C Screening with walls, hedge, wood	The proposed enclosure is interior to the building.	YES
60.05.20.2.D Chain-link screening prohibited	No chain link is proposed for screening.	YES
60.05.20.2.E Screening of loading waived in some zones.	No loading areas are proposed or required.	N/A
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	Pedestrian circulation is provided to the existing sidewalk system along all street frontages as the building is directly abutting the public street.	YES
60.05.20.3.B Direct walkway connection	Pedestrian circulation is provided to the existing sidewalk system along all street frontages as the building is directly abutting the public street.	YES
60.05.20.3.C Walkways every 300'	Connections to the public street system are provided at frequent intervals, less than 300 feet apart.	YES
60.05.20.3.D Physical separation	All parking is interior to the building, pedestrian pathways are not proposed.	YES
60.05.20.3.E Distinct paving	All parking is interior to the building, pedestrian pathways are not proposed.	YES
60.05.20.3.F 5' minimum width	All parking is interior to the building, pedestrian pathways are not proposed.	YES
Street Frontages and Parking Areas		
60.05.20.4.A Screen from public view	No surface parking areas abut a public street. Structured parking is provided in the east building but is screened from the street.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Parking and Landscaping		
60.05.20.5.A. 1 Landscape island per 10 spaces	5 landscape planter islands are proposed for 42 open air parking spaces.	YES
60.05.20.5.B 70 sq. ft.	All landscape islands are a minimum of 70 square feet and contain a tree and other vegetation.	YES
60.05.20.5.C Raised Sidewalks	Raised sidewalks are not proposed to be counted towards the number of landscape islands.	N/A
60.05.20.5.D Trees from Street Tree List	Proposed trees will comply with City requirements.	YES
Off-Street Parking Frontages in Multiple-Use Districts		
60.05.20.6.A 50% Max on MPR	All parking is located internally to the site.	YES
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
60.05.20.7.A Required sidewalk widths	The applicant is providing a minimum of 10' sidewalk along all frontages.	YES
60.05.20.7.B Required walkway widths 10'	All primary building entrances are located on public streets. No internal walkways are proposed.	N/A
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
60.05.20.8.A Drive aisles to be designed as public streets, if applicable	Drive aisles provide access to perpendicular parking spaces.	N/A
Ground Floor uses in parking structures		
60.05.20.9 Parking Structures	Structured parking serving only the residential uses is proposed. The parking structure is internal to the structure.	YES

Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping		
60.05.25.5.A-B Minimum Landscape Area (10%)	The site contains less than 10% open space.	See Design Guideline
60.05.25.5.C.1-4 Pedestrian Plazas	The applicant does not propose pedestrian plazas.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	No retaining walls are proposed.	N/A
Fences and Walls		
60.05.25.9.A Materials	The applicant proposes metal fencing along the rear property line of the west building between the parking lot and the pedestrian path. The applicant proposes a vegetated hedge and vines to provide additional screening and interest.	YES
60.05.25.9.B Chain Link	Chain link is not proposed.	N/A
60.05.25.9.C Masonry	Walls are not proposed.	N/A
60.05.25.9.E Location	No fences in front yards are proposed.	N/A
Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10 Minimize grade changes	The property is surrounded by public streets.	N/A
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	On-site water quality will be handled through Contec Stormwater vaults and LIDA rain gardens (in the public right-of-way) are used to handle stormwater facilities. No LIDA facilities are located on private property between a street and the building.	YES
Natural Areas		
60.05.25.12 No encroachment into buffer areas.	No natural areas are identified on site.	N/A
Landscape Buffering Requirements		
60.05.25.13.C Landscape buffering between contrasting zoning districts	The site is surrounded by public streets as well as surrounding properties zoned RC-TO, with the exception of General Commercial zoning across SW Cedar Hills Boulevard. The applicant has chosen to address the guideline.	See Design Guideline

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A Lighting complies with the City's Technical Lighting Standards	The applicant provides a lighting plan with photometric details which show compliance with the City's Technical Lighting Standards for minimum and maximum illumination.	YES
60.05.30.1.B Lighting provided for vehicle and pedestrian circulation	Vehicular and pedestrian circulation area lighted by wall, surface, canopy and recessed stair fixtures.	YES w/ COA
60.05.30.1.C Lighting of Ped Plazas	No pedestrian plazas are proposed.	N/A
60.05.30.1.D Lighting of building entrances	The applicant's lighting plan shows lighting at building entrances.	YES
60.05.30.1.E Canopy lighting recessed	Canopy lighting is proposed to be recessed.	YES
Pedestrian-scale on-site lighting		
60.05.30.2.A Pedestrian Lighting	Pole mounted luminaries are proposed within the open parking area, poles will be a maximum height of 14 feet and painted a non-reflective color.	YES
60.05.30.2.B Non-Pole Mounted Lighting	Pedestrian areas are primarily on sidewalks and will be lighted with wall-mounted building lights, recessed stair lights and street lights.	YES
60.05.30.2.C Lighted Bollards	No lighted bollards are proposed for pedestrian areas.	N/A

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.

60.05.35 *Building Design and Orientation Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

1. *Building Elevation Design Through 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)*

The applicant states that the proposed building includes a variety of architectural features including recessed entrances, articulated and elevated stoops, canopies and changes of materials, massing, and colors which will activate the street frontages. Storefront glazing is provided along commercial portions of the development to provide visual interest to pedestrians.

Staff concur that the applicant utilizes a variety of architectural treatments to provide articulation, variety and visual interest to the buildings.

Therefore, staff finds the Guideline is met.

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)*

The applicant states that residential tenant entrances along SW Crescent Street utilize raised stoops with recessed entrances. Main commercial tenant entrances include glazing systems and covered entries. The main lobby entrance for the east residential apartments is recessed and both residential apartment lobby entrances provide weather protection. Changes in roof heights as well as vertical elements such as vertical rows of balconies and windows provide features to balance the horizontal nature of the buildings. Staff concur that vertical elements are adequately emphasized.

Therefore, staff finds the Guideline is met.

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) [ORD 4531; March 2010]*

The applicant provides weather protection over primary building entrances and along street frontages and by recessing the primary entrance. The applicant uses articulation and material changes to provide visual interest to pedestrians along the street. Staff concurs that the buildings are of a comfortable pedestrian scale.

Therefore, staff finds the Guideline is met.

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) [ORD 4542; May 2010]

The applicant states that articulation is provided with windows, offsetting walls, parapet changes, recessed entries, canopies and accent panels. Staff concurs with the applicant that the variety of building materials to be used will mitigate larger building walls and meet the design aspiration of avoiding the use of undifferentiated blank walls facing streets or major parking areas.

Therefore, staff finds the Guideline is met.

7. Building Scale along Major Pedestrian Routes.

A. Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged except where detached single family dwellings are permitted. (Standard 60.05.15.7.A)

The applicant states that multi-story urban-character mixed use buildings are proposed as part of this development and along all Major Pedestrian Routes. Staff concurs that no single story low height buildings are proposed along rights-of-way.

Therefore, staff finds the Guideline is met.

B. Building heights at or near the street should help form a sense of enclosure, but should not create an undifferentiated high wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standards 60.05.15.7.A)

The applicant states that the majority of the buildings are less than 60 feet in height, however the eastern façade of the east building is 72.5 feet in height. The applicant states that this portion of the building contains light colored materials, a significant amount of glazing, recessed balconies and a larger corner terrace to minimize the sense of building mass and to break up the vertical building line. Additionally the ground floor elevation

includes significant amounts of glazing and pedestrian cover providing a comfortable environment for pedestrians. Staff finds that the proposed building mass is not out of scale with the street and created a sense of enclosure for pedestrians.

Therefore, staff finds the Guideline is met.

60.05.40. Circulation and Parking Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts.*

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

The applicant proposes landscape islands containing trees and ground cover in open air parking areas. The majority of provided parking is structured or tuck under parking.

Therefore, staff finds the Guideline is met.

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts.*

3. Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.

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. (Standard 60.05.25.3.A, B, and D)

The applicant's landscape plan shows landscape planters along SW Crescent Street as well as building entrances, open air parking areas, and community areas such as terraces. The applicant propose an urban form of development where buildings are at street frontages. Landscaping has been used to add aesthetic interested and increase the attractiveness of the development.

Therefore, staff finds the Guideline is met.

C. Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standard 60.05.25.3.A and B)

The applicant states that the site includes native vegetation including camas lily, slender rush, grooved rush, western swordfern, nootka rose, hardstem bulrush, kinnickinnick, charity mahonia, and serviceberry. Staff finds that native vegetation has been adequately emphasized.

Therefore, staff finds the Guideline is met.

D. *Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standard 60.05.25.3.A and B)*

The applicant states that existing trees and vegetation on site are proposed for removal in order to provide for a dense urban style development consistent with the City's desires for the Westgate site. Trees existing on site were remnant parking lot landscape trees. No protected or significant trees were located on the site. Staff finds it not reasonably practical to retain the existing landscape island tree with this development.

Therefore, staff finds the Guideline is met.

E. *A diversity of tree and shrub species should be provided in required landscaped areas. (Standard 60.05.25.3)*

The applicant states that the landscaping plan demonstrates a diversity of tree and shrub species, staff concurs that the variety of tree and shrub species are provided.

Therefore, staff finds the Guideline is met.

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 zone and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13)*

The Development Code calls for a 5 foot, B2 buffer between properties zoned Commercial and properties in the Regional Center zoning districts when across the street. This requirement is in conflict with the desire to see the RC-TO zone developed in a dense fashion which engages with the street. The subject site is located across SW Cedar Hills Boulevard from a car dealership which is zoned General Commercial. Given the width of SW Cedar Hills Boulevard and the urban nature of the development on both sides of SW Cedar Hills Boulevard, a landscape buffer blocking the front of the building along the Major Pedestrian Route would be counterproductive.

Staff finds that the proposed development provides adequate separation for residents from commercial uses across SW Cedar Hills Boulevard without landscape screening.

Therefore, staff finds the Guideline is not applicable.

B. *When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of use are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13)*

The permitted uses in Commercial and Multi-Use zoning districts are similar in nature and do not create a conflict between the commercial uses across SW Cedar Hills Boulevard, and the proposed development.

Therefore, staff finds the Guideline is not applicable.

D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E)

As previously discussed above the applicant proposes a building at the property line adjacent to SW Cedar Hills Boulevard, a Major Pedestrian Route, meeting the intent of the MPR standards and desires for urban style development in the RC-TO zoning district. The large width of SW Cedar Hills Boulevard provides adequate separation between the subject site and the commercial uses across the street, therefore no landscape buffer is necessary.

Therefore, staff finds the Guideline is not applicable.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **DR2016-0103 (Westgate Mixed Use)**, subject to the applicable conditions identified in Attachment F.

**LD2016-0021
ANALYSIS AND FINDINGS FOR
REPLAT TWO**

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

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

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

Section 40.45.05 Land Division Applications; Purpose

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

Section 40.45.15.3.C Approval Criteria

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

1. *The application satisfies the threshold requirements for a Replat Two.*

The applicant proposes to dedicate right-of-way which affects more than one (1) property, which meets threshold 1 of a Replat Two application.

- 1. Within an existing plat, new right of way is dedicated to the public or existing right of way is vacated and more than one (1) property is affected by the dedication; provided, however, no public right-of-way shall be vacated without the applicant first obtaining approval under Section 40.75 (Street Vacation).*

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

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

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

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

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

The subject site was the subject of a partition application to create three lots from two existing lots (LD2016-0019 Westgate 3 Lot Partition). The previous partition did not dedicate SW Crescent Street and the north street. This proposed Replat is a Replat of LD2016-0019 which was previously approved. This Replat is consistent with the approvals of LD2016-0019, and modifies that plat to dedicate further required right of way. The proposed application will not conflict with LD2016-0019.

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

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

Oversized lots are defined by the Beaverton Development Code as lots which are greater than twice the minimum lot size allowed by the subject zoning district. The RC-TO zoning district does not have minimum or maximum lot sizes, as such no oversized lots are proposed. Please refer to the Facilities Review section of this report for utility provision information (Attachment A).

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

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

- a) ***Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,***
- b) ***Complies with minimum density requirements of [the Development] Code, provides appropriate lot size transitions adjacent to differently zoned properties, and where a street is proposed provides a standards street cross section with sidewalks.***

The proposal does not apply the lot area averaging standards.

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

6. ***Applications that apply the lot area averaging standards of Section 20.05.15.D do not***

require further Adjustments or Variance for the Land Division.

The proposal does not apply the lot area averaging standards.

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

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

The applicant does not propose to phase the development

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

- 8. *The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.***

The applicant states that the proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties. The proposed Replat will add additional pedestrian, vehicular and utility service access by adding new public streets. Staff cites the Facilities Review findings in Attachment A as they relate to this criterion.

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

- 9. *The proposal does not create a parcel which will have more than one (1) zoning designation.***

All parcels created by the proposal will have the Regional Center-Transit Oriented (RC-TO) zoning designation.

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

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

The applicant has submitted this Replat Two application and the Conditional Use, Design Review Three and Shared Parking applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently, staff will review all four (4) applications at once.

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

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2016-0021 (Westgate Mixed Use)**, subject to the applicable conditions identified in Attachment F.

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Grading Standards			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review.	The proposal is subject to the grading standards contained herein.	Yes
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	No exemptions are applicable.	N/A
60.15.10.3.A-F 0-5 Feet From Property Line	Maximum slope differentials from the existing or finished slope of the abutting residential property.	The subject site does not residentially zoned property.	N/A
Significant Trees and Groves			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	The existing trees in site are not significant trees.	N/A

**PD2016-0003
ANALYSIS AND FINDINGS FOR
PARKING DETERMINATION**

40.55.05 Parking Determination Purpose

The purpose of a Parking Determination is to establish required number of parking spaces for uses which do not have a parking ratio requirement listed in the Development Code. The Parking Determination application is established for determining the required number of off-street parking spaces in advance of, or concurrent with, applying for approval of an application, development, permit, or other action. This Section is carried out by the approval criteria listed herein.

Section 40.55.15.2.C. Approval Criteria

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

- 1. The proposal satisfies the threshold requirements for a Shared Parking application.***

Section 40.55.15.2.A of the Development Code lists threshold 2 for a Parking Determination-Shared Parking as one that requests that ‘All or a portion of the required parking will be provided at an off-site location.’ The applicant requests that the required 164 parking spaces for the development be shared between the two sites. Therefore, the proposal satisfies the threshold for a Parking Determination-Shared Parking application.

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

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

The applicant submitted the required fee associated with the Parking Determination application.

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

- 3. The location of the shared off-street parking is on an abutting property and is within 200 feet of the subject use in which the shared parking is intended to serve, except in Multiple Use zoning districts where the location may be at any distance.***

The subject site is located in the RC-TO zoning district, a multiple use zoning district. The proposed shared parking is located on a lot across SW Crescent Street from each other, both buildings are within 200 feet of each other, although this standard does not apply to multiple use zoning districts.

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

4. *If multiple properties are involved, the ownership of the properties have each agreed to the shared parking by entering into a shared parking agreement.*

The applicant states that the proposal involves two sites which are under common ownership and maintenance. The buildings have been designed to work together and share common areas and amenities for residents of the development. As such, the property owner of the two properties has consented to the shared parking agreement.

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

5. *The peak parking demand for the various uses located on the subject properties occur at different times of the day.*

The applicant states that there will be adequate parking to serve the development, therefore demand times do not apply. Staff concurs that the applicant proposes to provide parking on a separate lot, not share required parking spaces between uses, therefore this criterion does not apply.

Therefore, staff finds that the criterion does not apply.

6. *Adequate parking will be available at all times when the various uses are in operation.*

The applicant states that the required parking is provided between the two sites. The applicant provides a parking analysis table which shows required parking per parcel and how many parking spaces are provided on each parcel. All parking spaces are for residents of the development and will be available at all times. Staff finds that the applicant proposes to meet the parking requirements which are adequate to serve the buildings.

Staff finds that an adequate amount of parking is provided in order to serve all uses of the site during peak parking demand.

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

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

Staff cite the Facilities Review approval Criteria D which respond to this criterion

in detail.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

8. *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site.*

Staff cite the Facilities Review approval Criteria F and G which respond to this criterion in detail. Staff finds that the application provides safe and efficient vehicular and pedestrian circulation patterns.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

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

The applicant has submitted all documents related to this request for Parking Determination-Shared Parking approval. The application was submitted on August 31, 2016 and deemed complete on September 21, 2016.

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

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

The applicant has submitted all documents related to this request for Parking Determination-Shared Parking approval. New Conditional Use, Design Review Three, and Replat Two are being processed concurrently with the subject request for a Parking Determination. The Parking Determination application is dependent upon approval of the Design Review Three application. Staff recommends a condition of approval which states that approval of the Parking Determination application is subject to approval of the Design Review Three application.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **PD2016-0003 (Westgate Mixed Use)** subject to the applicable conditions identified in Attachment F.

CONDITIONS OF APPROVAL

CU2016-0011 Conditional Use

1. Ensure that the Design Review Three (DR2016-0103) application has been approved and is consistent with the submitted plans. (Planning/JF)

DR2016-0103 Design Review Three

A. Prior to Issuance of the Site Development permit, the applicant shall:

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, all storm water management and treatment facilities, treatment facility plantings, and emergency vehicle access 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./JJD)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. Submit to the City a copy of issued permits or other approvals needed from Tri-Met for work within, and/or construction access to the Light Rail corridor. (Site Development Div./JJD)
7. Submit to the City a copy of an issued permit or other approvals as needed from the Oregon Department of Transportation, Railroad Crossing Safety Section for the work

within 500 feet of the Rose Biggi Avenue and Cedar Hills Boulevard railroad crossings. (Site Development Div./JJD)

8. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
9. Submit, if needed by the City Building Official and TVF&R Fire Marshal an available fire flow analysis including an actual flow test of the existing water system and evaluation by a professional engineer meeting the standards as specified in the Engineering Design Manual Chapter 6, 610.L, using the anticipated maximum fire demand. The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)
10. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
11. Submit a copy of issued permits or other approvals if needed from the Clean Water Services District for any construction affecting an Agency sanitary-sewer trunk main (24 inches in diameter or larger). (Site Development Div./JJD)
12. 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 2006 plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development Div./JJD)
13. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (August 22, 2016, by Ashley Cantlon, P.E.) demonstrating compliance with City storm requirements (Chapter 3, of City Ordinance 4417) and with CWS Resolution and Order 2007-020, and the CWS LIDA Handbook in regard to water quality treatment. (Site Development Div./JJD)
14. Provide a detailed drainage analysis of the subject site and prepare a final report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. On all plan sheets that show grading and elevations, the 100 year inundation level shall be identified. (Site Development Div./JJD)
15. When or as required, have obtained the City Building Official's courtesy review approval of the proposed site utility plan for private plumbing needed to serve the development including private fire suppression systems, backflow prevention measures, and regulated utility service locations outside the proposed building pads. (Site Development Div./JJD)

16. Submit a revised grading plan showing that each proposed building has a minimum finished floor elevation, building-entry threshold, or dry-floodproofed building construction at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)
17. Submit to the City a certified impervious surface determination of the proposed project by the applicant's engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total on the site. Specific types of impervious area totals, in square feet, shall be given for buildings, parking lots/driveways, sidewalk/pedestrian areas, storage 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. (Site Development Div./JJD)
18. Pay a storm water system development charge (overall system conveyance and winter detention) for the net new impervious area proposed that is not part of a fully-improved public street. (Site Development Div./JJD) (Site Development Div./JJD)
19. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording in County Records for each applicable lot. (Site Development Div./JJD)
20. Provide plans for LED street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director) for all impacted public streets and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
21. Submit plans that show the dedication of sufficient right-of-way (ROW) along SW Cedar Hills Boulevard to provide for at least 45 feet from centerline (sufficient to provide half of a 12 foot left turn lane, an 11 foot inside through lane, a 12 foot outside through lane, a 5 foot bike lane, and 11 feet for the curb and 10 foot sidewalk and maintenance/monumentation gap). (Transportation/KR)
22. Submit plans that show the dedication of right-of-way for the extension of SW Crescent Street to comply with the City's Collector Street standards, as modified by the City Engineer to provide for at least 58 feet of total ROW (sufficient to provide two 12-foot travel lanes, two 7-foot parking lanes, and two 10-foot sidewalks). (Transportation/KR)
23. Submit plans that show the dedication of at least 42 feet of right-of-way for the proposed street on the north of the property (31 feet from centerline on the south and an additional 11 feet from centerline on the north, sufficient to provide for the required street improvements. (Transportation/KR)

24. Submit the required joint-use and maintenance agreement documentation for common driveways per Beaverton Engineering Design Manual Sections 210.12 K and L. (Transportation/KR)
25. Prior to approval of the Site Development Permit, the applicant shall submit plans that show bike parking that complies with the City's requirements. All short-term bike parking spaces shall be provided by inverted U-type or staple-type racks that are a minimum of 30 inches wide and 36 inches tall (or similar as permitted by the City Engineer), centered within parking areas that are at least 6 feet long by 4 feet wide, separated from buildings by at least 2 feet. (Transportation/KR)
26. AERIAL FIRE APPARATUS ROADS: Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2) Provide a fire service plan sheet that shows the location of aerial access for both buildings and a 26 foot wide fire lane for each location. (TVF&R/JF)
27. AERIAL APPARATUS OPERATIONS: At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the fire code official. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4) Provide dimensions on the fire service plan sheet that shows compliance with these requirements. (TVF&R/JF)
28. FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE: Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. The fire district will approve access roads of 12 feet for up to three dwelling units and accessory buildings. (OFC 503.2.1 & D103.1) All fire lanes must meet these requirements. Show specific dimensions on the fire service plan sheet. (TVF&R/JF)
29. FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS: Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1) Fire lanes with hydrants must meet these requirements. Show specific dimensions on the fire service plan sheet. (TVF&R/JF)

30. SURFACE AND LOAD CAPACITIES: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) (TVF&R/JF)
31. TURNING RADIUS: The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3) The hammerhead turnaround on SW Crescent Street must meet these requirements. Identify this on the fire service plan sheet. (TVF&R/JF)
32. FIRE FLOW WATER AVAILABILITY: Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B) Provide specific fire flow calculations for each building prior to site development review time. (TVF&R/JF)
33. FIRE HYDRANT NUMBER AND DISTRIBUTION: The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in (OFC Table C105.1) Identify the locations of the proposed fire hydrants on the fire service plan sheet. (TVF&R/JF)
34. FIRE DEPARTMENT CONNECTIONS: A fire hydrant shall be located within 100 feet of a fire department connection (FDC) or as approved. Fire hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle. (OFC 912 & NFPA 13) (TVF&R/JF)
- a) Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
 - b) FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants (as diagramed below).
 - c) Show the locations of the FDC's on the fire service plan sheet.
35. EMERGENCY RESPONDER RADIO COVERAGE SYSTEM: Both buildings will be required to be tested to identify any deficient radio coverage areas. All areas of the buildings that are deficient must be provided with an ERRC system in accordance with OFC Section 510. Testing is typically done at 80% completion of the building. It is recommended to provide appropriate conduits, shafts, wiring etc. during construction to accommodate for the systems. Additionally, make sure you budget and appropriate time for the installation of these systems. Please contact DFM Jeremy Foster at 503.259.1414 for further information including an alternate means of compliance that is

available (fee in lieu). If the alternate method is preferred, it must be requested from TVF&R prior to issuance of building permit. (TVF&R/JF)

36. Ensure that the Replat Two (LD2016-0021) and Parking Determination (PD2016-0003) applications have been approved and is consistent with the submitted plans. (Planning/JF)

B. Prior to Building Permit issuance, the applicant shall:

37. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
38. 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./JJD)
39. Any structural elements such as awnings or balconies projecting into the public right-of-way not included in an existing easement must obtain Right-of-Way Encroachment Permits through the City Attorney's Office. (Planning/JF)

C. Prior to Occupancy of any Building Permit, the applicant shall:

40. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
41. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
42. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
43. 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./JJD)
44. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
45. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF)
46. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF)

47. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF)
48. Ensure all landscaping approved by the decision making authority is installed. (Planning/JF)
49. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning/JF)
50. Ensure that the planting of all approved trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Trees shall have a minimum caliper of 1-1/2 inches. Each tree is to be adequately staked. (Planning/JF)
51. Ensure all exterior lighting fixtures are installed and operational. Illumination from light fixtures, except for street lights, shall be limited to no greater than 0.5 foot-candle at the property line as measured in the vertical and horizontal plane. Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. (Planning/JF)

D. Prior to Release of Performance Security, the applicant shall:

52. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
53. Submit any required on-site easements not already dedicated on the subdivision plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
54. Provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacturer's recommendations for the project's proprietary storm water treatment systems by a CONTECH qualified maintenance provider as determined by the City Engineer. Additionally, another servicing report from the maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD)
55. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment/replacement of the vegetation and restoration of full function within the planted surface water management facility areas, as determined by the City Engineer. If the plants are not well established or the facility not properly functioning (as

determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./JJD)

LD2015-0016 Replat Two

A. Prior to Final Plat approval, the applicant / developer shall:

1. Have commenced construction of the site development improvements or otherwise show provision of minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed or available) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD)
2. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)
3. Demonstrate all lots meet ordinance standards for lot size, dimension and frontage. The final plat shall be fully dimensioned and indicate the square footage of each lot. (Planning Division/JF)
4. Provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning Division/JF)
5. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/JF)
6. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/JF)
7. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/JF)

PD2016-0003 Parking Determination-Shared Parking

1. Ensure that the Design Review Three (DR2016-0103) application has been approved and is consistent with the submitted plans. (Planning/JF)