



STAFF REPORT

Report date: July 28, 2021

Application: Cedar Hills Crossing Mall 1 Medical Clinic

Application Numbers: CU2021-0011

Proposal: New Conditional Use application for an 11,900 square foot medical clinic within an existing building at Cedar Hills Crossing Mall 1. No changes to the building exterior or site are proposed.

Proposal location: The site is located at 2935 SW Cedar Hills Boulevard, specifically identified as Tax Lot 00200 on Washington County Tax Assessor's Map 1S10900.

Applicant: Center Developments Oreg, LLC

Recommendation: APPROVAL of CU2021-0011, subject to conditions of approval.

Contact information:

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Applicant: Center Developments Oreg, LLC
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Vancouver, WA 98661

Applicant's Representative: DOWL
Mike Towle
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Portland, OR 97205

Owner: Mall 1 LLC
1701 SE Columbia River Drive
Vancouver, WA 98661



Existing Conditions

Zoning: Community Service (CS)

Site Conditions: The subject site is currently developed with a shopping center composed of multiple buildings and surface parking lots.

Site Size: 36.38 acres

Location: The site is located west of SW Cedar Hills Boulevard, south of SW Jenkins Road, and east of SW Hocken Avenue.

Neighborhood Association Committee: Central Beaverton

Table 1: Surrounding Uses

Direction	Zoning	Uses
North	Community Service (CS)	Shopping Center
South	Regional Center – Multiple Use (RC-MU)	Automotive Sales and Service
East:	Community Service (CS) Regional Center – Multiple Use (RC-MU)	Shopping Center
West:	Community Service (CS) Station Community – Employment (SC-E) Washington County Industrial	Shopping Center, Office

Application Information

Table 2: Application Summary

Application	Application type	Proposal summary	Approval criteria location
CU2021-0011	New Conditional Use	11,900 square foot medical clinic within an existing building	Development Code Sections 40.03.1 and 40.15.15.5.C

Table 3: Key Application Dates

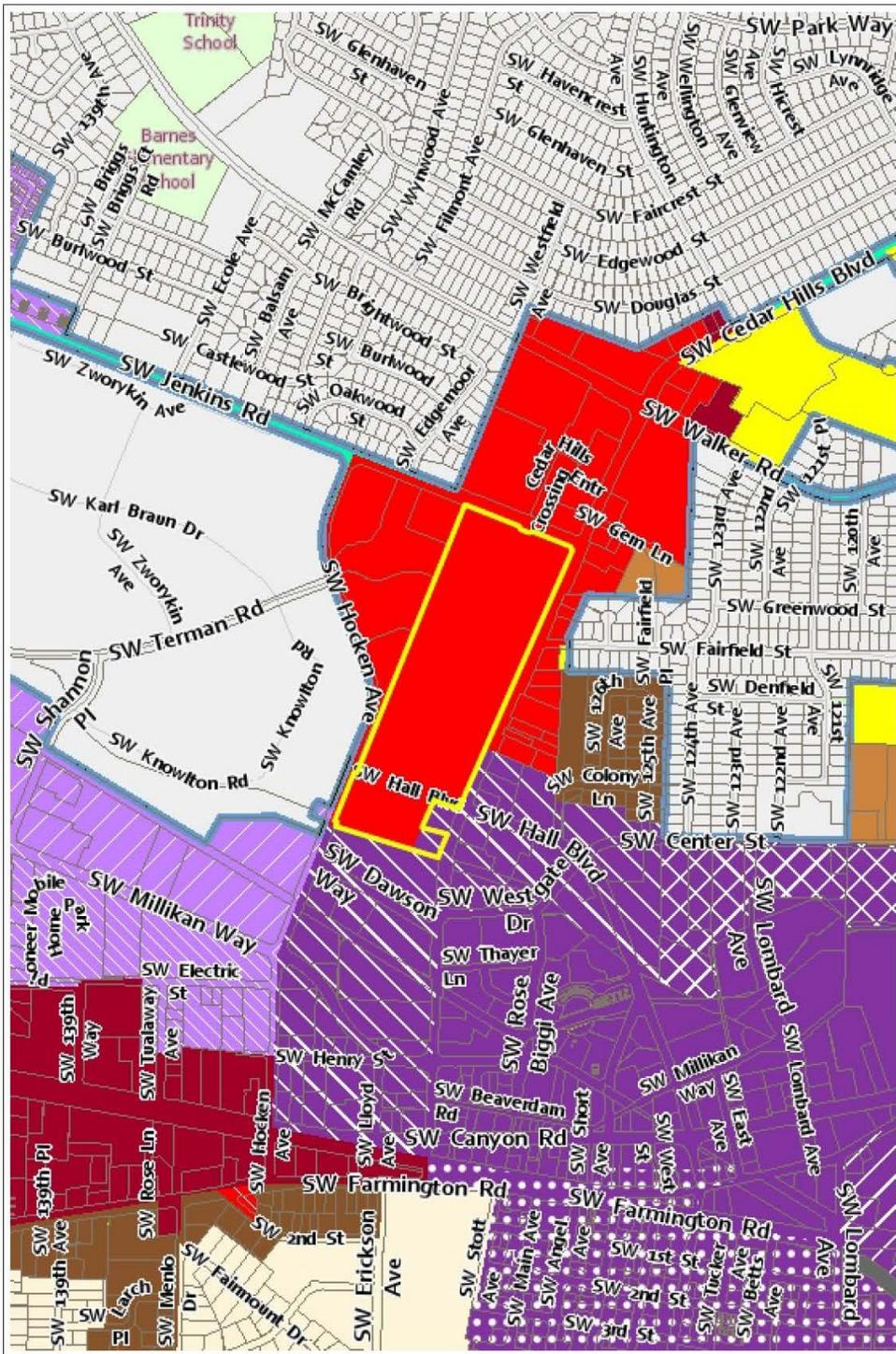
Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
CU2021-0011	June 10, 2021	June 10, 2021	October 8, 2021	June 22, 2022

* 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.

** The applicant has not filed any continuance requests to extend the final written decision. The original 120-day final decision date can be extended until June 22, 2022.



Exhibit 1.1 Zoning and Vicinity Map



Legend

- Washington County Taxlots
- Park and School Boundaries
- Parks
- School Land
- Beaverton City Limits
- County Line
- UGB
- Zoning**
- Urban Low Density (R10)
- Urban Standard Density (R7)
- Urban Standard Density (R5)
- Urban Medium Density (R4)
- Urban Medium Density (R2)
- Urban High Density (R1)
- Neighborhood Service Center (NS)
- Community Service (CS)
- Corridor Commercial (CC)
- General Commercial (GC)
- Station Community - SC-S
- Station Community - High Density (SC-H)
- Station Community - Employment (SC-E)
- Station Community - Multiple Use (SC-M)
- Town Center - High Density Reside (TC-H)
- Town Center - Multiple Use (TC-M)
- Regional Center - Old Town (RC-O)
- Regional Center - East (RC-E)
- Regional Center - Beaverton Centr (RC-C)
- Regional Center - Downtown Trans (RC-T)
- Regional Center - Multiple Use (RC-M)
- Commercial - Washington Square (C-W)
- Office Industrial - Washington Square (OI-W)
- Office Industrial (OI)
- OI-NC
- Industrial (IND)
- Interim Washington County Zoning
- Unzoned/ ROW

Notes

Subject site outlined in yellow

0.4 0 0.19 0.4 Miles

Report Date: 07/27/2021

The information supplied in this application represents the best data available at the time of publication. City of Beaverton GIS makes no claims, representations, or warranties as to its accuracy or completeness.

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Exhibits:

Exhibit 1. Materials Submitted by Staff

Exhibit 1.1 Zoning and Vicinity Map (page 4 of this report)

Exhibit 1.2 Aerial Map (page 5 of this report)

Exhibit 2. Public Comment

None received

Exhibit 3. Materials Submitted by the Applicant

Exhibit 3.1 Narrative

Exhibit 3.2 Exhibit A – Application Form

Exhibit 3.3 Exhibit B – Existing Conditions Plan

Exhibit 3.4 Exhibit C – Building Photos

Exhibit 3.5 Exhibit D – Trip Generation Memo

Exhibit 3.6 Exhibit E – Clean Water Services SPL

Exhibit 3.7 Exhibit F – Pre-application Conference Notes

Exhibit 3.8 Exhibit G – Neighborhood Review Meeting Documentation

Exhibit 4. Agency Comment

None received

Attachment A: Facilities Review Committee Technical Review and Recommendation

Application: Cedar Hills Crossing Mall 1 Medical Clinic

Recommendation: APPROVE CU2021-0011

Finding: The Facilities Review Committee finds that the proposal complies with all technical approval criteria and therefore, the Committee recommends that the decision-making authority in approving the proposal, adopt the conditions of approval found in Attachment C to this report.

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in a different order. The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings.

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

- All twelve (12) criteria are applicable to the New Conditional Use (CU2021-0011) application as submitted.

Section 40.03.1.A

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

FINDING:

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

Potable and Non-Potable Water: The property is served by City of Beaverton potable water service and the applicant has stated that the potable water services are adequate to service the proposed development. No changes to the building exterior or site are proposed. An existing 12-inch potable water main is in SW Jenkins Road. The property is not located within the South Cooper Mountain area, which is the only area of the City

where properties can connect to the City's non-potable water service. The Committee finds that adequate potable public water service can be provided to the site to serve the proposed development and that connection to non-potable public water service is not required.

Sanitary Sewer: The property is served by City of Beaverton sanitary sewer service and the applicant has stated that the sanitary sewer services are adequate to service the proposed development. No changes to the building exterior or site are proposed. An existing six-inch sanitary main is in SW Jenkins Road. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: The property is served by City of Beaverton storm sewer service and the applicant has stated that the storm sewer services are adequate to service the proposed development. No changes to the building exterior or site are proposed. An existing 18-inch storm drain is in SW Jenkins Road. The Committee finds that adequate stormwater drainage and retention service can be provided to the site to serve the proposed development.

Transportation: The subject site is bounded by SW Jenkins Road to the north, which is classified as an Arterial; SW Cedar Hills Boulevard to the east, which is classified as an Arterial; SW Hall Boulevard to the south, which is classified as a Collector; and SW Hocken Avenue to the west, which is classified as a Collector. The subject building is located in the northwest corner of the site along the SW Jenkins Road frontage. No changes to the building exterior or site are proposed.

The applicant states that the proposed 11,900 square foot medical clinic will operate in an existing medical clinic building. The applicant's transportation engineer conducted a trip analysis to determine whether the proposed clinic exceeds the threshold for a full traffic impact analysis, which is 300 vehicles or more per day in average weekday trips. The engineer states that in the 2019 memorandum, the existing building was referred to as the existing shell building that was proposed to be demolished at that time. Because the building was not actually demolished, the vehicle trips associated with the building were not deducted from the overall Cedar Hills Crossing development trip counts. Further, because the building was previously used as a medical clinic for the Virginia Garcia Beaverton Wellness Center, the trips accounted for with the existing building will not change given the proposed use of the building for a new medical clinic. Therefore, the proposed does not trip the threshold for a full traffic impact analysis and no frontage improvements will be required. For these reasons, the Committee finds that adequate transportation service can be provided to the site to serve the proposed development.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). Because no site changes are proposed, the applicant was not required to obtain a Service Provider Permit and TVF&R staff did not review this proposal. Therefore, the

Committee finds that adequate fire protection service can be provided to the site to serve the proposed development.

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

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

Section 40.03.1.B

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

FINDING:

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

Schools: The proposed development is within the boundaries of the Beaverton School District. No new dwelling units are proposed as part of the development. Therefore, the Committee finds that the proposal will not affect the existing school capacity.

Transit Improvements: The subject site is located within one quarter-mile from TriMet’s Bus Line 20-Brunside/Stark and Bus Line 62-Murray Boulevard. Bus Line 20 is a frequent service line that runs every 15 minutes or less most of the day and connects Beaverton, SW Portland, Portland City Center, SE Portland, and Gresham, via Cedar Hills Boulevard, Barnes, Burnside, 102nd, Stark, and Kane. Bus Line 62 runs between Washington Square and Sunset Transit Center, along Scholls Ferry Road, Murray, Millikan, Hocken, Jenkins, Cornell, and Barnes. Therefore, the Committee finds that there are adequate transit services to serve the proposed development.

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

Pedestrian and Bicycle Facilities: The applicant states that the site’s existing pedestrian on-site facilities connect to SW Jenkins Road and SW Cedar Hills Boulevard and that these connections will remain. There are sidewalks on all streets surrounding the Cedar

Hills Crossing site and bicycle lanes on both sides of SW Jenkins Road. Therefore, the Committee finds that adequate pedestrian and bicycle facilities can be provided to the site to serve the proposed development.

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

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

Section 40.03.1.C

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

FINDING:

The site is zoned Community Service (CS). The Committee refers to Table 4, the Chapter 20 use and site development requirements table, at the end of this attachment, which evaluates the project as it relates to applicable code requirements of Chapter 20 (Land Uses). Staff will provide findings for the New Conditional Use request within the applicable section of the staff report. As demonstrated in the table, the development proposal is consistent with all applicable provisions of Chapter 20 (Land Uses).

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

Section 40.03.1.D

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

FINDING:

The Committee cites Table 5, the Chapter 60 special requirements table, at the end of this attachment, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 (Special Requirements).

Section 60.10 Floodplain Regulations: The applicant states that while minimal areas of the Cedar Hills Crossing Mall 1 site are within the floodway and floodway fringe associated

with Beaverton Creek, the existing building that will house the proposed medical clinic use is not within the floodway or floodway fringe and no changes to the building exterior or site are proposed with this application. Additionally, the finish floor elevation of the existing building is greater than 10 feet above the 100-year flood elevation

Section 60.30 Off-Street Parking: Per Beaverton Development Code (BDC) Section 60.30.10.5, for a site located in a Commercial zone, the medical clinic minimum parking ratio requirement for motor vehicles is 3.9 parking spaces per 1,000 square feet of gross floor area. The maximum parking ratio requirement for motor vehicles is 4.9 parking spaces per 1,000 square feet of gross floor area. For an 11,900 square foot medical clinic, the minimum parking requirement is 46 spaces and the maximum allowed is 58 spaces. The Cedar Hills Crossing Mall 1 site as a whole also contains 467,163 square feet of shopping center uses, which has a minimum parking requirement of 1,542 spaces and a maximum requirement of 2,383 spaces; a 2,624-seat movie theater, which was approved for a 10% transportation reduction and has a minimum requirement of 708 spaces and a maximum requirement of 1,050 spaces; and a 41,294 square foot recreation facilities use, which has a minimum parking requirement of 178 spaces and a maximum requirement of 223 spaces. Altogether, the minimum parking requirement for the site is 2,474 spaces and the maximum allowed is 3,714 spaces. There are currently 2,560 spaces on the site, which are proposed to remain, thus meeting the motor vehicle parking requirement.

Per BDC Section 60.30.10.5.B, the minimum parking ratio requirement for short-term bicycle parking is two spaces or one space per 20,000 square feet of floor area, whichever is greater. The minimum parking ratio requirement for long-term bicycle parking two spaces or one space per 10,000 square feet of floor area, whichever is greater. For an 11,900 square foot medical clinic, the minimum parking requirement is two short-term bicycle parking spaces and two long-term bicycle parking spaces. The applicant states that the two short-term spaces will be located near the main entrance and the two long-term spaces will be provided inside the building.

Per BDC Section 60.30.10.2.B.3, short-term bicycle parking spaces must be designed to the standards of the Engineering Design Manual. Section 340 of the Engineering Design Manual requires short-term bicycle parking to be located within 50 feet of a primary entrance. The applicant's site plans show the spaces within 40 feet of a main entrance. The Committee recommends a condition of approval requiring the applicant to provide more information about the proposed rack to fully demonstrate compliance with Engineering Design Manual Section 340 as required by BDC Section 60.30.10.2.B.

Per BDC Section 60.30.10.2.B.2, long-term bicycle parking spaces must be covered or sheltered to protect the bicycles from prolonged direct exposure to the elements. Providing long-term bicycle parking spaces within the building will meet this requirement. The Committee recommends a condition of approval requiring the applicant to provide more information about the location within the building and any proposed racks to fully

demonstrate compliance with Engineering Design Manual Section 340 as required by BDC Section 60.30.10.2.B.

Section 60.55 Transportation Facilities: The applicant states that the proposed 11,900 square foot medical clinic will operate in an existing medical building. The applicant's transportation engineer conducted a trip analysis to determine whether the proposed clinic exceeds the threshold for a full traffic impact analysis, which is 300 vehicles or more per day in average weekday trips. The engineer states that in the 2019 memorandum, the existing building was referred to as the existing shell building that was proposed to be demolished at that time. Because the building was not actually demolished, the vehicle trips associated with the building were not deducted from the overall Cedar Hills Crossing development trip counts. Further, because the building was previously used as a medical clinic for the Virginia Garcia Beaverton Wellness Center, the trips accounted for with the existing building will not change given the proposed use of the building for a new medical clinic. Therefore, the proposed does not trip the threshold for a full traffic impact analysis.

For these reasons and as conditioned, the Committee finds that the proposed development is consistent with the applicable provisions of Chapter 60.

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

Section 40.03.1.E

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

FINDING:

The applicant states that the private common facilities within the Cedar Hills Crossing Mall 1 site were proposed and approved through prior design review applications. Private common facilities and areas within the site, as well as those directly serving the existing building that will house the proposed medical clinic use are strategically located and easily accessible allowing for adequate, efficient, and normal operation and maintenance. The Committee finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

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

Section 40.03.1.F

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

FINDING:

The applicant states that safe and efficient vehicular and pedestrian circulation is already provided on site and will continue to be provided with the proposal. Vehicle access to the existing building is provided to SW Jenkins Road via a right-in/right-out driveway, a right-out only driveway, as well as various other driveways providing access to the Cedar Hills Crossing Mall 1 site. A dedicated pedestrian connection to SW Jenkins Road is provided via an existing six-foot-wide walkway. The existing building maintains access to the rest of the Mall 1 site through the existing on-site circulation system, which includes drive aisles and physically separated sidewalks that provide for safe and efficient movement of all modes of transportation. No changes to the site are proposed. Therefore, the Committee finds that there are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the proposed development.

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

Section 40.03.1.G

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

FINDING:

The Committee incorporates the findings for Approval Criterion 40.03.1.F, above, and finds that the development's on-site vehicular and pedestrian circulation systems will connect to the surrounding circulation systems in a safe, efficient, and direct manner.

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

Section 40.03.1.H

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

FINDING:

Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). Because no site changes are proposed, the applicant was not required to obtain a Service Provider Permit and TVF&R staff did not review this proposal. TVF&R will verify that their requirements are met prior to building permit issuance. The Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

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

Section 40.03.1.I

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

FINDING:

The applicant states that no architectural changes to the exterior of the existing building are proposed. The interior alterations will require building permits. The Committee finds that review of the construction documents at the Building Permit stage will ensure protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

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

Section 40.03.1.J

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

FINDING:

The applicant states that no changes to the building exterior or site are proposed. Because no physical changes to the site are proposed, the proposal will not include any grading or contouring of the subject site.

Conclusion: Therefore, the Committee finds that this approval criterion is not applicable to the proposal.

Section 40.03.1.K

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

FINDING:

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

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

Section 40.03.1.L

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

FINDING:

The applicant submitted the New Conditional Use application on June 10, 2021, and staff received the applicant's request to deem the application complete upon submittal. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements identified in Section 50.25.1 are contained within this proposal.

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

Code Conformance Analysis

**Table 4: Chapter 20 Use and Site Development Requirements Community Service (CS)
Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.10.20			
Medical Clinic	Conditional Use	The applicant proposes an 11,900 square foot medical clinic.	See CU Findings
Development Code Section 20.10.15			
Minimum Parcel Area	7,000 square feet	36.38 acres	YES
Minimum Lot Dimensions	Width: 70 feet Depth: 100 feet	775 feet 2,220 feet	YES
Minimum Yard Setbacks	Front: None Side: 10 feet Rear: 20 feet	50 feet 18 feet 1,660 feet	YES
Maximum Building Height	60 feet	Approximately 20 feet	YES

Table 5: 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.	No building exterior or site changes are proposed.	N/A
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	Refer to the Facilities Review Committee findings herein.	YES
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	No food cart pods are proposed.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	N/A
Development Code Section 60.15			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property.	No grading is proposed.	N/A
Development Code Section 60.20			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	N/A
Development Code Section 60.25			
Off-Street Loading Requirements	Minimum: None required	No loading spaces are proposed.	N/A
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	Minimum: 46 Maximum: 58	Refer to the Facilities Review Committee findings herein.	YES

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.30			
Required Bicycle Parking	Short-term: 2 spaces Long-term: 2 spaces	Refer to the Facilities Review Committee findings herein.	YES w/ COA
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	N/A
Development Code Section 60.35			
Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	N/A
Development Code Section 60.40			
Sign Regulations	Requirements for signs.	No signs are proposed	N/A
Development Code Section 60.45			
Solar Access Protection	Solar access requirements for subdivisions and single family homes.	No subdivisions or single family homes are proposed.	N/A
Development Code Section 60.50			
Accessory Uses and Structures	Requirements for accessory uses and structure.	No accessory uses or structures are proposed.	N/A
Development Code Section 60.55			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	Refer to the Facilities Review Committee findings herein.	YES
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	No building exterior or site changes are proposed.	N/A
Development Code Section 60.65			
Utility Undergrounding	Requirements for placing overhead utilities underground.	No building exterior or site changes are proposed.	N/A
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	The site does not contain any significant natural resources.	N/A
Development Code Section 60.70			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A

Attachment B: CU2021-0011 New Conditional Use

ANALYSIS AND FINDINGS FOR NEW CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CU2021-0011**.

Section 40.03.1 Facilities Review Committee 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, as applicable.

FINDING:

Staff has reviewed the applicable Facilities Review Committee approval criteria in Attachment A of this report. Staff cites the findings presented in Attachment A in response to the Facilities Review Committee approval criteria. As identified in Attachment A, the proposal meets Approval Criteria 40.03.1.A through L, subject to conditions of approval identified in Attachment C.

Conclusion: Therefore, staff finds that the proposal meets the Facilities Review Committee approval criteria.

Section 40.15.05 Purpose

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

This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval

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

approval criteria. The Commission may choose to adopt, not adopt, or modify staff's findings. In this attachment to the staff report, staff evaluates the application in accordance with the approval criteria for New Conditional Use applications.

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:

Section 40.15.15.5.C.1

Approval Criterion: *The proposal satisfies the threshold requirements for a Conditional Use application.*

FINDING:

The applicant proposes an 11,900 square foot medical clinic within an existing building, which meets threshold:

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

Medical Clinics are Conditionally permitted in the underlying Community Service zoning district and there is no prior Conditional Use approval for the proposed use already in effect on the subject site

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

Section 40.15.15.5.C.2

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

FINDING:

The City of Beaverton received the appropriate fee for a New Conditional Use application.

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

Section 40.15.15.3.C.3

Approval Criterion: *The proposal will comply with the applicable policies of the Comprehensive Plan.*

FINDING:

Staff cites the following Comprehensive Plan policies and associated findings as applicable to the proposal:

Goal 3.7.1 Enhanced Commercial Centers and Corridors.

Policy 3.7.b emphasizes commercial and employment uses and limits ground floor residential uses to preserve land to meet the city's employment needs. The applicant states that the proposed medical clinic is a commercial use that will provide employment opportunities and that no residential uses are proposed on the site.

Goal 3.7.3 Community Commercial: Provide for commercial services that serve the surrounding community, with limited auto-oriented uses.

Policy 3.7.3.a allows commercial uses at a range of scales, including large-format retail, to address community needs. Policy 3.7.3.d states that development standards and/or conditional use review should be used to address potential issues related to compatibility of commercial uses with adjacent housing, including noise, access, and parking. The applicant states that the proposed medical clinic will be located in an existing commercial building that was previously used as a medical clinic. The subject site does not abut any housing. The medical clinic will provide medical services to the surrounding community. No site or exterior building changes are proposed. The existing parking lot takes access from SW Jenkins Road and is large enough to accommodate the minimum parking requirement for the proposed use as well as the minimum amount of parking required for all existing uses on the site. All activities will be conducted within the existing building, which mitigates potential noise impacts.

Goal 8.4.1 Noise: Create and protect a healthy acoustical environment within the City.

Policy 8.4.1.a states that noise impacts shall be considered during development review processes. The applicant states that all medical clinic activities will be conducted within the existing building, which mitigates for potential noise impacts. The clinic will operate during normal business hours and no activities will occur between the hours of 10:00 PM and 7:00 AM, additionally limiting times of potential noise impacts.

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

Section 40.15.15.5.C.4

Approval Criterion: *The size, dimensions, configurations, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*

FINDING:

The proposed medical clinic use will locate within an existing building on the subject site. No physical changes to the site are proposed. Because the proposed use will be within the existing building and there is enough space for the minimum required parking on the site, staff finds that the site can reasonably accommodate the proposal.

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

Section 40.15.15.5.C.5

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

FINDING:

The proposed medical clinic use will locate within an existing building on the subject site. No physical changes to the site are proposed. The use will operate during normal business hours and no activities will occur between the hours of 10:00 PM and 7:00 AM. Because the proposed use will be within the existing building and there is enough space for the minimum required parking on the site, staff finds that the location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

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

Section 40.15.15.5.C.6

Approval Criterion: *The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.*

FINDING:

No residential uses are proposed in the floodway fringe.

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

Section 40.15.15.5.C.7

Approval Criterion: *For parcels designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel, meets the use requirements identified in Washington County's Development Code.*

FINDING:

The subject parcel is not designated Interim Washington County.

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

Section 40.20.15.3.C.8

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

FINDING:

The applicant has submitted this New Conditional Use application and no other applications are required of the applicant at this stage of City review.

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

Conclusion and Recommendation

Based on the facts and findings presented above, staff recommends **APPROVAL** of **CU2021-0011**.

Attachment C: Conditions of Approval

Application: Cedar Hills Crossing Mall 1 Medical Clinic

Recommendation: APPROVE CU2021-0011

Finding: Staff finds that the proposal complies with all approval criteria and therefore, staff recommends that the decision-making authority in approving the proposal, adopt the following conditions of approval:

New Conditional Use (CU2021-0011)

A. General Conditions:

1. The Conditional Use permit shall run with the land and shall continue to be valid upon a change of ownership of the site, unless otherwise specified in conditions attached to the permit. (Planning/LR)
2. Final decision shall expire automatically two (2) years from the effective date of decision unless the approval is enacted either through construction or establishment of use within the two (2) year time period. (Planning/LR)

B. Prior to building permit issuance or commencement of the New Conditional Use, whichever is sooner, the applicant shall:

3. Submit plans demonstrating compliance with the City's minimum standards for short-term bicycle parking (BDC 60.30.2.B and EDM Section 340). (Planning /LR)
4. Submit plans demonstrating compliance with the City's minimum standards for long-term bicycle parking (BDC 60.30.2.B and EDM Section 340). (Planning/LR)