

## STAFF REPORT

**Report Date:** June 7, 2023

**Application/Project Name:** Avamere Mods

**Application Numbers:** CU2023-0008 / DR2022-0087 / SDM2022-0003 / TP2022-0013

**Proposal:** The applicant, Point Development Company, LLC requests approval of a Major Modification of a Conditional Use, Design Review Two, Sidewalk Design Modification and Tree Plan Two for the construction of a 12,000 square foot building addition to an existing Residential Care Facility, and associated site improvements.

**Proposal Location:** The site is located at 11870 SW Allen Boulevard, specifically identified as Tax Lot 6700 on Washington County Tax Assessor's Map 1S122BA, within the Vose NAC.

**Applicant:** Point Development Company, LLC



**Recommendation:** APPROVAL of Beaverton Avamere Mods (CU2022-0008 / DR2022-0087 / SDM2022-0003 / TP2022-0013), subject to conditions identified at the end of this report.

**Hearing Information:** 6:30 p.m. June 14, 2023, at City Hall, 12725 SW Millikan Way

**Note: Public Hearings are held remotely** and can be viewed at the following link:  
<https://beavertonoregon.gov/913/Agendas-Minutes>

### Contact Information:

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esasin@beavertonoregon.gov

Applicant: Point Development Company, LLC  
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Wilsonville, OR 97070

Applicant's Representative: AKS Engineering & Forestry, LLC  
Attn.: Melissa Slotemaker  
12965 SW Herman Road, Suite 100  
Tualatin, OR 97062

Property Owner: Bel-Air Convalescent Home, Inc.  
c/o Avamere Health Services, Inc.  
25117 SW Parkway, suite 5  
Wilsonville, OR 97070

## Existing Conditions

**Zoning:** Multi-Unit Residential (MR)

**Site Conditions:** The site is developed as a Residential Care Facility and includes associated improvements such as parking and landscaping.

**Site Size:** 2.58 acres

**Location:** The site is located at 11870 SW Allen Boulevard, specifically identified as Tax Lot 6700 on Washington County Tax Assessor's Map 1S122BA.

**Neighborhood Association Committee:** Vose NAC

**Table 1: Surrounding Uses**

Direction	Zoning	Uses
North	Residential Mixed A (RMA)	Single-detached and Multi-Family Residential
South	Multi-Unit Residential (MR)	Multi-Family Residential
East:	Residential Mixed A (RMA)	Multi-Family Residential
West:	Multi-Unit Residential (MR)	Multi-Family Residential

# Application Information

**Table 2: Application Summaries**

<b>Application</b>	<b>Application Type</b>	<b>Proposal Summary</b>	<b>Approval Criteria Location</b>
CU2022-0008	Major Modification of a Conditional Use Permit	A 12,000 square foot building addition to an existing conditional use (Residential Care Facility) within a Residential zone.	Development Code Sections 40.03.1 and 40.15.15.4
DR2022-0087	Design Review Two	Design Review Two for the construction of the building addition and associated site changes, including landscaping and lighting.	Development Code Sections 40.03.1 and 40.20.15.2
SDM2022-0003	Sidewalk Design Modification	Request to deviate from the standard design identified in the Engineering Design Manual for proposed sidewalk improvements along SW Allen and Unnamed Roadway to the east.	Development Code Section 40.58.15.1
TP2022-0013	Tree Plan Two	Removal of Community Trees from the site to accommodate the proposed development.	Development Code Section 40.90.15.2

**Table 3: Key Application Dates**

<b>Application</b>	<b>Submittal Date</b>	<b>Deemed Complete</b>	<b>120-Day**</b>	<b>365-Day*</b>
CU2022-0008	June 30, 2022	December 16, 2023	August 24, 2023	December 16, 2023
DR2022-0087	June 30, 2022	December 16, 2023	August 24, 2023	December 16, 2023
SDM2022-0003	June 30, 2022	December 16, 2023	August 24, 2023	December 16, 2023
TP2022-0013	June 30, 2022	December 16, 2023	August 24, 2023	December 16, 2023

\* 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 submitted a continuance request which has extended the final written decision date to August 24, 2023.

## **Summary of Public Comment**

No public comment received as of the date of the publication of this report.

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## Exhibits

### Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Zoning Map (page 7 of this report)

Exhibit 1.2 Vicinity Map (page 8 of this report)

Exhibit 1.3 Facilities Review Conditions of Approval (BDR 92052/CUP92014 – Hyland Hills Care Center Addition)

### Exhibit 2. Public Comment

No public comment submitted

### Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Preliminary Plans

Exhibit 3.2 Preliminary Architectural Plans

Exhibit 3.3 Application Forms

Exhibit 3.4 Preliminary Stormwater Report

Exhibit 3.5 Preliminary Lighting Details

Exhibit 3.6 Service Provider Letters

Exhibit 3.7 Trip Generation Memo

Exhibit 3.8 City PA2021-Pre-App Notes

Exhibit 3.9 Nhood Mtg Materials

Exhibit 3.10 Updated Design Exception Request

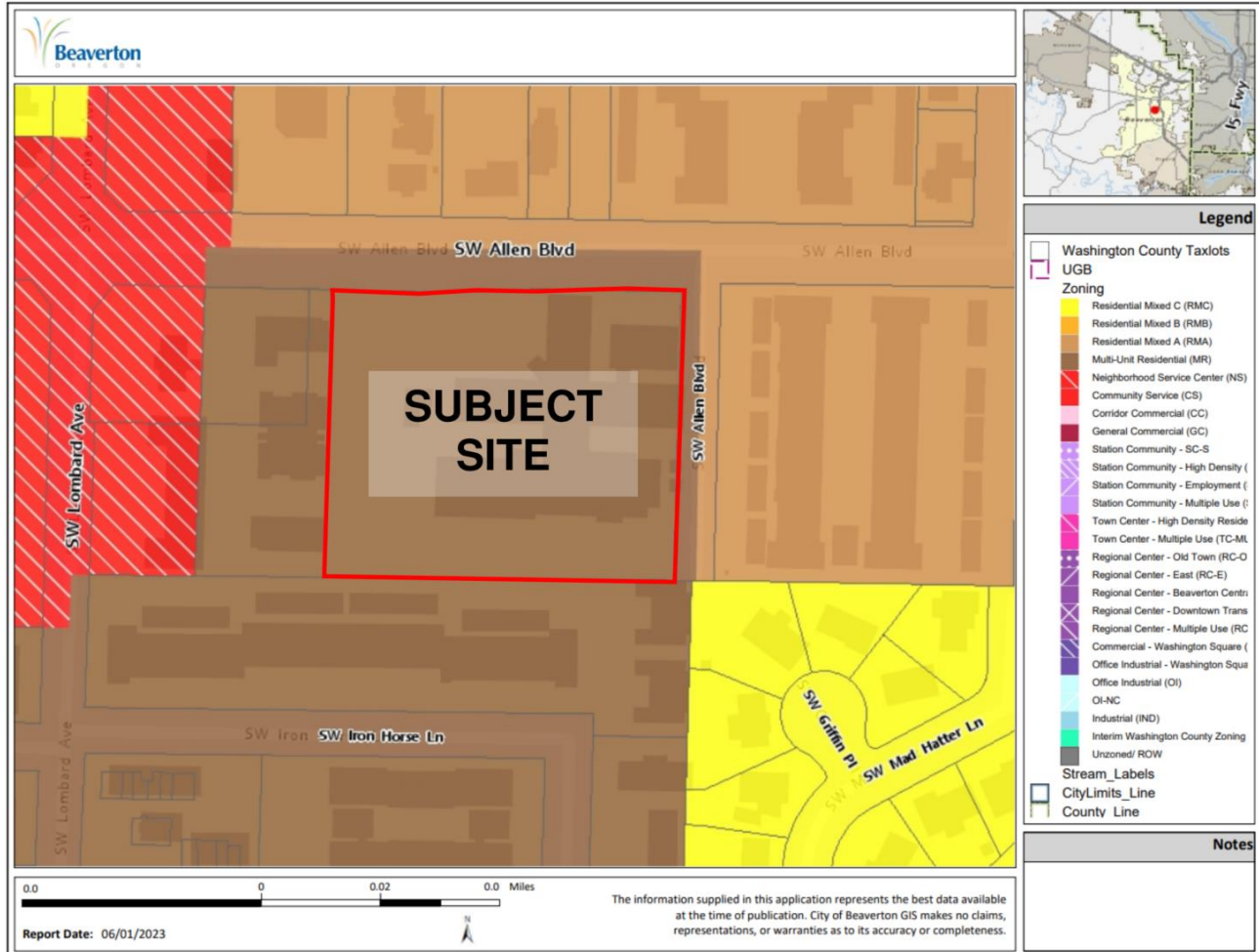
Exhibit 3.11 Assessors Map

Exhibit 3.12 Ownership Information

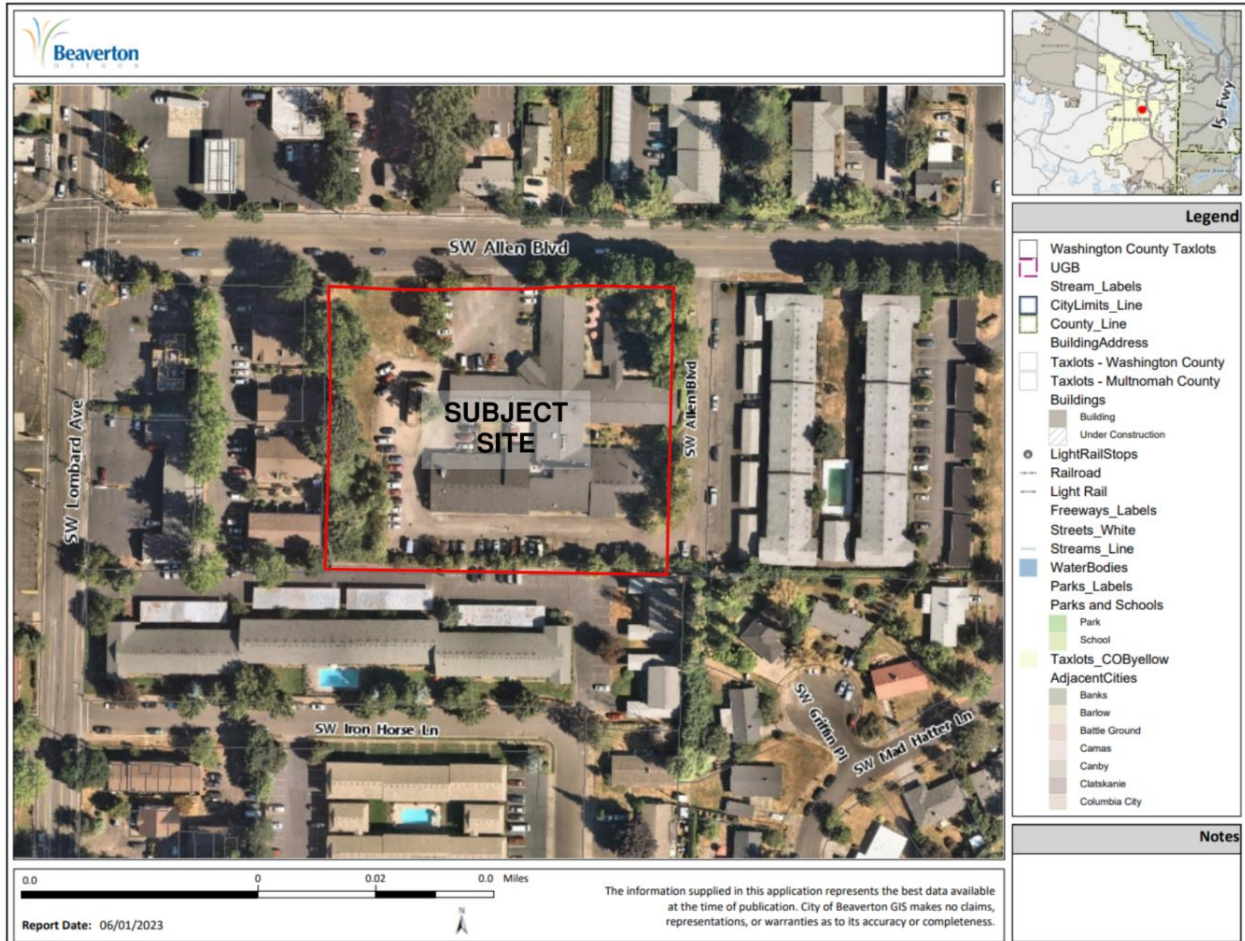
Exhibit 3.13 Sanitary Sewer Flow Determination Report

Exhibit 3.14 Land Use Narrative

# Exhibit 1.1 Zoning Map



# Exhibit 1.2 Vicinity Map





# Attachment A: FACILITIES REVIEW COMMITTEE

## TECHNICAL REVIEW AND RECOMMENDATIONS

**Application:** Avamere Mods

**Proposal:** The applicant, Point Development Company, LLC, requests approval of modifications to the Avamere Rehabilitation of Beaverton building and site, an existing residential care facility located at 11850 SW Allen Boulevard. The modifications include an application for a Major Modification of a Conditional Use (CU2022-0008) to increase the floor area of the residential care facility by approximately 12,000 square feet. The building addition and site changes are subject to a Design Review Two (DR2022-0087) application. The proposal also includes a request to modify the design of the two abutting sidewalks through a Sidewalk Design Modification (SDM2022-0003) and a Tree Plan Two (TP2022-0013) application for the removal of 7 community trees to accommodate the building addition and site modifications.

**Recommendation:** APPROVE Avamere Mods (CU2022-0008 / DR2022-0087 / SDM2022-0003 / TP2022-0013)

### 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 Major Modification of a Conditional Use (CU2022-0008) and Design Review Two (DR2022-0087) applications as submitted.
- Facilities Review Committee criteria do not apply to the submitted Sidewalk Design Modification (SDM2022-0003) or Tree Plan Two (TP2022-0013) applications.

### Section 40.03.1.A

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

#### FINDING:

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

**Potable Water:** The subject site is located in the Beaverton Water Service Area. An existing waterline is located directly east of the subject site which serves the existing building and is proposed to serve the addition as well. The applicant has submitted a Water Service Provider Letter (SPL) from the City of Beaverton’s Engineering Department which confirms that the existing service is adequate to serve the proposed development.

The applicant provided utility plans (Exhibit 3.1 Preliminary Plans Sheet P09 of the applicant’s materials) demonstrating that the development connects to the existing 8-inch City of Beaverton waterline located in the Unnamed Public Roadway to the east of the site. Based on the proposed utility plans and the signed SPL, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

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

**Sanitary Sewer:** City of Beaverton sanitary sewer service is available to the site. There is an existing 8-to-10-inch public sewer main located north of the subject site within SW Allen Boulevard. The applicant states that a new sanitary sewer line connection is proposed. The applicant’s plans (Exhibit 3.1 Preliminary Plans Sheet P09 of the applicant’s materials) show the proposed connection from the new building addition to existing sanitary sewer line in SW Allen. The applicant’s plans also show that an existing sanitary sewer line connects the existing building to the utility in the abutting road.

**Stormwater Drainage, Treatment, and Retention:** City of Beaverton stormwater infrastructure is located within the adjacent rights-of-way to the north and east of the subject site. The submitted utility plan (Exhibit 3.1 Preliminary Plans Sheet P09) show that the applicant’s proposed site improvements also include the construction of a new underground stormwater detention facility and a new water quality manhole designed per Clean Water Services’ (CWS) *Design and Construction Standards (R&O 19-5, Amended by R&O 19-22)* to provide water quality treatment. The applicant’s Stormwater Report (Exhibit 3.4) explains that new improvements in the Unnamed Public Roadway to the east of the site will be treated with a street-side flow-through LIDA planter sized per the CWS LIDA Handbook Sizing Form. The applicant states that a portion of the project site will be situated at grades and elevations that will not allow stormwater runoff to be directed and discharged into the proposed water quality manhole. Therefore, existing untreated impervious area on the site will be treated in lieu of collection and treatment of the untreatable areas in addition to new and modified impervious area in the public right-of-way. The applicant has also submitted Sensitive Area Pre-Screening Site Assessment documentation (Exhibit 3.6 of the applicant’s materials) dated June 1, 2022, from Clean Water Services (CWS) which states that sensitive areas do not appear to exist on site or

within 200 feet of the subject site. The Sensitive Area Pre-Screening Site Assessment serves as a CWS Service Provider Letter.

Based on the submitted information and the recommended conditions of approval, the Committee finds that adequate stormwater infrastructure can be provided to serve the proposed development by meeting the conditions of approval.

**Transportation:** The proposed development fronts SW Allen Boulevard to the north and an Unnamed Public Roadway to the east. SW Allen is a City of Beaverton Arterial. The Unnamed Public Roadway to the east is a City of Beaverton Local street. The applicant's plans show an existing driveway on SW Allen is proposed to be moved further west and will provide right-in only access to the site, while an existing driveway along the site's eastern boundary will provide full access.

Pursuant to BDC Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is required when a proposed development will generate 300 vehicles or more per day in average weekday trips. The proposed building addition will add approximately 12,000 square feet of floor area, however the overall number of beds within the Residential Care Facility are proposed to be reduced. The applicant submitted a Trip Generation Memorandum (Exhibit 3.7 of the applicant's materials) which explains that the proposed change in number of beds will result in a net decrease of 22 daily vehicular trips for a total of 260 daily trips. Therefore, the threshold for a TIA is not met.

SW Allen Boulevard changes from a four-lane arterial to a five-lane arterial along the site's frontage. A five-lane arterial has a minimum width of 96 feet total (Engineering Design Manual, Drawing 200-1). The current right-of-way of SW Allen Boulevard does not meet the required standard cross-section. The applicant's plans show that the current right-of-way ranges from 33 feet from centerline to 36 feet from centerline. To meet the current Arterial standard, right-of-way dedication ranging from 12 to 15 feet along the northern frontage (the current frontage has a slight angle therefore the dedication length varies) is required to achieve 48 feet from centerline. The applicant's plans show the required dedication along SW Allen Boulevard but has described it as "future right-of-way dedication". The applicant explains in the land use narrative that this approach has been discussed with City staff and because the planned improvements included with this project will decrease the number of beds, the anticipated daily trips will decrease. The applicant concludes that as such, full right-of-way improvements are not proportional to the planned site improvements; thus, the applicant asserts that the city is not requiring dedication of the right-of-way with this project. The applicant further states that this dedication is planned to occur in the future at the time that there is a qualifying redevelopment of the site or a future capital improvements project.

City staff acknowledge that the proposed development is expected to reduce the number of daily vehicular trips and that an existing retaining wall is located within the future right-of-way. Moving the retaining wall and constructing the necessary right-of-way improvements along SW Allen is not proportional to the proposed decrease in vehicular

trips and is therefore not required. However, staff is recommending a condition of approval that the required right-of-way dedication be provided with this development by a deed of dedication and accompanied by an executed Encroachment Agreement with the City. Although the dedication would occur with this development, the applicant/property owner would continue to maintain the retaining wall and utilities within the dedicated area until right-of-way improvements necessitating their removal are constructed or required. The subject site received previous development approval under case file numbers BDR92052 / CUP92014 Hyland Hills Care Center Addition (Exhibit 1.3) issued on August 4, 1992 for the addition of a physical therapy and office building to the site. A condition of approval for the previous decision required that the applicant "Provide street dedication to the A-6 Standard – 45 feet from centerline on S.W. Allen Boulevard." The approved building addition was constructed however the conditioned right-of-way dedication was not provided. With this proposal, the applicant has submitted a Major Modification of a Conditional Use. One of the approval criteria for the application requires that the existing conditional use comply with applicable conditions of approval (Beaverton Development Code, Section 40.15.15.4.C.4):

*The existing use has been approved as a Conditional Use as governed by the regulations in place when the use was established and complies with the applicable conditions of the Conditional Use approval unless the applicant has received or is concurrently requesting one or more conditions be removed or modified as part of the current application.*

The applicant is not requesting to remove previous conditions as part of the current application; therefore, the applicant must demonstrate compliance with the condition of approval issued on August 4, 1992 (Exhibit 1.3) to meet approval criterion 4 of the Major Modification of a Conditional Use application.

With this development proposal, staff recommends a condition of approval that the applicant dedicate an additional 3 feet (in addition to the previously conditioned 45 feet from centerline) of frontage to meet current five-lane arterial standards of 48 feet from centerline.

Although full right-of-way improvements are not proposed nor required with this development proposal, the applicant's plans show improvements to the existing sidewalk along SW Allen Boulevard are proposed. The applicant proposes to remove and replace approximately a 203-foot portion of the existing sidewalk along the SW Allen Boulevard. The applicant's plans show the proposed curb-tight sidewalk varies in width from approximately 7 feet to 9 feet (including curb). The standard sidewalk design identified in the Engineering Design Manual (EDM) Drawing 200-1, shows a 6-foot-wide sidewalk behind a 7.5 foot planter. Sections of the applicant's proposed sidewalk improvements show a 4-foot wide clearance behind 4 foot by 8 foot tree wells. The applicant has submitted a Sidewalk Design Modification to request approval of the modified sidewalk

design. The applicant states that the existing retaining wall prevents the construction of a standard sidewalk along the SW Allen Boulevard frontage. The applicant proposes two sections of new retaining wall along SW Allen Boulevard; one spans 49-feet, and the other section is approximately 28.3 feet. The applicant states that even if the new sections of retaining wall were to be constructed far enough back to accommodate a standard sidewalk, right-of-way improvements are not required at this time. Additionally, staff find that the EDM Drawing 217 requires a 20-foot transition between a standard sidewalk and curb-tight sidewalk. These transitions would likely require removing sections of the existing retaining wall.

The applicant also shows a 2-foot right-of-way dedication along the site's eastern boundary for a total of 22 feet from centerline, consistent with the L3 Local Street standard. The applicant's plans show a standard sidewalk of 5-feet behind a 6.5-foot planter (EDM Drawing 200-4) is proposed within the Unnamed Public Roadway for most of the frontage, however, the northernmost section, approximately 30 feet long, shows the sidewalk shifting to the east and eliminating the standard planter area. The applicant's Sidewalk Design Modification request also addresses the modified sidewalk design along this section of the Unnamed Public Roadway. The applicant states that an existing structure, a retaining wall, in the northeast corner of the site prevents the construction of a standard sidewalk in this section.

**Fire Protection:** Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff reviewed the proposed development and approved a Service Provider Permit for the project (Exhibit 3.6). The plans approved by TVF&R show that a fire hydrant along the Unnamed Public Roadway is to be relocated out of the proposed sidewalk. TVF&R did not provide any comments or conditions in response to the proposal. Therefore, the Committee finds that adequate fire protection service can be provided to the site to serve the proposed development.

In summary, based on the submitted application materials, the Committee finds that as conditioned, critical facilities and services are available or can be improved to have adequate capacity to serve the proposed development at the time of its completion. Thus, the Committee finds that critical facilities and services related to the proposed development will be available with adequate capacity to serve the development.

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

## **Section 40.03.1.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 proposed development includes a reduction in the number of beds therefore the Committee finds that the proposal will not increase the demand for transit services. However, TriMet bus stop 9687 serving bus route 53 is located near the site’s northwestern corner. The applicant’s plans do not identify the bus stop on either the existing conditions plans or proposed site plan, therefore staff is unable to determine if the existing bus stop is affected by the proposed relocation of the driveway. Staff recommend a condition of approval requiring the applicant to provide plans showing that the existing bus stop is unaffected by the proposed development. For these reasons, the Committee finds that existing transit service and proposed transit improvements will be adequate to serve the development. As conditioned, the Committee finds that there are adequate transit services to serve the proposed development.

**Police Protection:** The City of Beaverton Police Department provides police services to the subject site and will continue to provide police protection upon development. As of the date of this report, Beaverton Police have not provided comments or recommendations to the Committee. Any comments from Beaverton Police will be forwarded directly to the applicant. The Committee finds that adequate police protection service will be provided to the subject site.

**Pedestrian and Bicycle Facilities:** Pedestrian facilities will be provided along both frontages abutting the subject site. The Unnamed Public Roadway is a Local Street which does not require bicycle lanes. SW Allen Boulevard is a 5-lane Arterial in this location and the standard drawing does include 5-foot wide bicycle lanes, however, the existing right-of-way does not meet current standards and does not provide a bicycle lane. Furthermore, the applicant’s proposal includes a reduction in beds within the facility and therefore a reduction in trips to the site. Right-of-way improvements are not required with this development. Staff cites the response to Criterion A as relevant to this criterion. The applicant proposes to remove and replace approximately a 203-foot portion of the existing sidewalk along the SW Allen Boulevard. The applicant’s plans show the proposed curb-tight sidewalk varies in width from approximately 7 feet to 9 feet (including curb). The standard sidewalk design identified in the Engineering Design Manual (EDM) Drawing 200-1 for Arterials, shows a 6-foot-wide sidewalk behind a 7.5 foot planter. Sections of the

applicant's proposed sidewalk improvements show a 4-foot wide clearance behind 4 foot by 8 foot tree wells. The applicant has submitted a Sidewalk Design Modification to request approval of the modified sidewalk design. The applicant states that the existing retaining wall prevents the construction of a standard sidewalk along the SW Allen Boulevard frontage. The applicant proposes two sections of new retaining wall along SW Allen Boulevard; one spans 49-feet, and the other section is approximately 28.3 feet. The applicant states that even if the new sections of retaining wall were to be constructed far enough back to accommodate a standard sidewalk, right-of-way improvements are not required at this time. Additionally, staff find that the EDM Drawing 217 requires a 20-foot transition between a standard sidewalk and curb-tight sidewalk. These transitions would likely require removing sections of the existing retaining wall.

The applicant also shows a 2-foot right-of-way dedication along the site's eastern boundary for a total of 22 feet from centerline, consistent with the L3 Local Street standard. The applicant's plans show a standard sidewalk of 5-feet behind a 6.5-foot planter (EDM Drawing 200-4) is proposed within the Unnamed Public Roadway for most of the frontage, however, the northernmost section, approximately 30 feet long, shows the sidewalk shifting to the east and eliminating the standard planter area. The applicant's Sidewalk Design Modification request also addresses the modified sidewalk design along this section of the Unnamed Public Roadway. The applicant states that an existing structure, a retaining wall, in the northeast corner of the site prevents the construction of a standard sidewalk in this section.

The applicant is proposing 84 beds resulting in the requirement of 1 long-term bicycle parking space and 2 short-term bicycle parking spaces. The applicant states that 4 covered bicycle parking spaces are located within 50 feet of the primary entrance. However, the proposed bike parking area dimensions do not meet the applicable standards in Section 340.2 of the Engineering Design Manual. Staff recommend a condition of approval that the applicant submit plans demonstrating compliance with Section 60.30.10.2.B and Engineering Design Manual Section 340.2, or as otherwise approved by the City's Transportation Engineer, prior to Site Development permit issuance.

A walkway into the development shall be provided for every 300 feet of street frontage (Section 60.55.25.10.B.2). The applicant's plans show one new 5-foot-wide concrete walkway is proposed along SW Allen Boulevard which is approximately 370 feet in length. The new walkway connects SW Allen Boulevard to the primary entrance. The applicant's plans also show a new walkway within an internal courtyard area. This walkway is approximately 4 feet wide, which does not meet the minimum requirement of 5 feet (Section 60.05.20.3.F and Section 60.55.25.10.B). Therefore, the Committee recommends a condition of approval that the applicant submit plans demonstrating the new courtyard walkway has a minimum width of 5 feet, in compliance with Section 60.05.20.3.F and Section 60.55.25.10.B. The applicant's plans also show a portion of an existing walkway east of the existing building is proposed to be modified as a result of the required right-of-way dedication for the Unnamed Public Roadway. The applicant states

that the existing walkway is less than 3-feet-wide and the width is non-conforming but that pursuant to Section 30.40, alterations that do not increase non-conformity are permitted. Additionally, the applicant's plans show that a segment of this walkway, starting at approximately the location of a door on the existing eastern elevation, will be reduced in width from approximately 5 feet to approximately 3.5 feet. The Committee acknowledges that this reduced width is due to the required right-of-way dedication for the Unnamed Public Roadway, therefore reducing the space available between the public right-of-way and existing building for a walkway. The applicant's plans show that the modified walkway spans the width available, after dedication. Section 30.25.3 states:

*Where an existing street setback or required landscaping must be reduced by a public dedication, rendering an existing structure nonconforming, the setback or landscaping requirements of this ordinance which are no longer met as a result of the dedication shall not apply to the structure or landscaping. Further encroachment into the setback or reduction of landscaping beyond the reduction caused by the public dedication is not permitted.*

The Committee finds that the existing walkway is rendered non-conforming by the required right-of-way dedication, therefore the requirement of a minimum 5-foot walkway does not apply to this section of existing walkway.

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

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

## **Section 40.03.1.C**

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

### **FINDING:**

The subject site is located within the Multi-Unit Residential (MR) zoning district. The Committee refers to the Chapter 20 Use and Site Development Requirements table at the end of this report, which evaluates the project as it relates to the applicable code requirements of Section 20.05.15 Site Development Standards and 20.05.20 Land Uses.



As demonstrated in the table, this proposal complies with all applicable standards in Chapter 20 Residential Land Use Districts.

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

## Section 40.03.1.D

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

### FINDING:

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 (Special Requirements). Staff will provide findings for the Major Modification of a Conditional Use, Design Review Two, Sidewalk Design Modification and Tree Plan Two requests within the applicable sections of the staff report.

**Section 60.30 Off-Street Parking:** Per Table 60.30.10.5.A of the Beaverton Development Code (BDC) Residential Care Facilities have a minimum and maximum parking rate of 0.5 spaces per bed. The applicant proposes to reduce the facility's capacity to 84 beds, requiring 42 parking spaces. The applicant's plans show 24 new parking stalls, including 8 compact spaces, are proposed and indicate that 18 existing parking spaces are proposed to remain for a total of 42 spaces. Section 60.30.10.12. allows non-residential uses to provide some compact parking spaces as part of the required parking for long-term or employee designated spaces. The applicant proposes 8 compact parking spaces for employees. For these reasons, the Committee finds that the proposed parking meets applicable provisions of Chapter 60.

The proposed development must also provide short-term and long-term bicycle parking. The applicant is proposing 84 beds resulting in the requirement of 1 long-term bicycle parking space and 2 short-term bicycle parking spaces. The applicant states that 4 covered bicycle parking spaces are located within 50 feet of the primary entrance, however, the proposed bike parking area dimensions do not meet the applicable standards in Section 340.2 of the Engineering Design Manual. Staff recommend a condition of approval that the applicant submit plans demonstrating compliance with Section 60.30.10.2.B and Engineering Design Manual Section 340.2, or as otherwise approved by the City's Transportation Engineer, prior to Site Development permit issuance.

**Section 60.50.15 Special Use Regulations Projections into Required:** The applicant's plans show that the new and existing retaining wall will be located within the public right-of-way after dedication. The applicant has submitted an Engineering Design Manual

Design Exception Request to request that the new wall sections be permitted within the public right-of-way and that the existing retaining wall can remain. The Committee recommends a condition of approval that the applicant receive approval for the Design Exception Request, prior to Site Development permit issuance.

**Section 60.50.20 Special Use Regulations (Fences and Walls):** The proposed development includes the addition of two retaining walls sections along the site's SW Allen Boulevard frontage which will tie into the existing retaining wall. The new sections are 28.3 feet and 49 feet in length. The applicant states that the retaining wall will have a maximum height of 3 feet. Walls and fences along designated Collector and Arterial Streets may be up to 6 feet in height. SW Allen Boulevard is designated an Arterial.

**Section 60.55 Transportation Facilities:** Staff cites the response to Facilities Review Criterion A and Criterion B as relevant to this criterion. The proposal includes a reduction of 8 beds (from 92 to 84 proposed beds) which will in turn reduce the number of anticipated daily vehicle trips to the site. A Traffic Impact Analysis is not required because the proposal is not expected to generate 300 vehicles or more per day. Frontage improvements along SW Allen Boulevard are not required with this development, however right-of-way dedication to meet the current 5-lane Arterial standard (from centerline) will be required. The Committee recommends a condition of approval that the required right-of-way dedication be provided with this development proposal. The recommended condition of approval will require the right-of-way dedication be provided with this development by a deed of dedication and accompanied by an executed Encroachment Agreement with the City.

The applicant also shows a 2-foot right-of-way dedication along the site's eastern boundary for a total of 22 feet from centerline, consistent with the L3 Local Street standard. The applicant's plans show a standard sidewalk of 5-feet behind a 6.5-foot planter (EDM Drawing 200-4) is proposed within the Unnamed Public Roadway for most of the frontage, however, the northernmost section, approximately 30 feet long, shows the sidewalk shifting to the east and eliminating the standard planter area. The applicant's Sidewalk Design Modification request also addresses the modified sidewalk design along this section of the Unnamed Public Roadway. The applicant states that an existing structure, a retaining wall, in the northeast corner of the site prevents the construction of a standard sidewalk in this section.

For this reason, the Committee finds that adequate transportation facilities will be provided to serve the proposed development.

**Section 60.65 Utility Undergrounding:** The Committee finds there are no existing above ground utilities along the site's frontage. The applicant states that all utilities necessary to serve the site either are or will be placed below ground and will tie into existing utility infrastructure near the property.

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

## Section 40.03.1.E

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

### FINDING:

The applicant's narrative states that the applicant, Point Development Company, LLC, will ensure the performance of routine periodic maintenance and the necessary normal replacement of landscaping, structures, drainage facilities, screening and fencing, garbage and recycling storage areas, and other facilities that are not maintained by the City. Staff concurs that the proposal does not present any barriers to continued periodic maintenance.

**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:

Staff cites the findings in response to Facilities Review Criteria A and B as relevant to this criterion. By meeting the conditions of approval, the proposed site will provide safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development. The applicant's plans show a new 5-foot wide walkway is proposed from the sidewalk on SW Allen Boulevard to the primary entrance. However, the applicant's plans also show an interior courtyard area with pedestrian walkways that have a 4-foot width which does not meet the minimum requirement of 5 feet (Section 60.05.20.3.F and Section 60.55.25.10.B). Therefore, the Committee recommends a condition of approval that the applicant submit plans demonstrating that the new courtyard walkway have a minimum width of 5 feet, in compliance with Section 60.05.20.3.F and Section 60.55.25.10.B, prior to Site Development permit issuance. The applicant's plans also show a portion of walkway east of the existing building is proposed to be modified. The applicant states that the existing walkway is less than 3-feet-wide and the width is non-conforming, however, pursuant to Section 30.40, alterations that do not increase non-conformity are permitted. Furthermore, the Committee finds that portions of the existing sidewalk which are reduced in width, are the result of a required right-of-way dedication along the Unnamed Public Roadway. Additionally, the applicant's onsite lighting plans do not provide lighting data for

the internal courtyard. Section 60.05.30.A.B requires that lighting be provided in all vehicular and pedestrian circulation areas. Additionally, the applicant's plans show that lighting levels in one area of the proposed walkway (near the southernmost ADA parking stall) do not meet the 0.7 foot-candle minimum. Therefore, the Committee recommend a condition of approval that the applicant provide lighting plans demonstrating that all on-site pedestrian circulation areas meet the minimum lighting requirements of Section 60.05.30 Lighting Design Standards and Table 60.05-1 Technical Lighting Standards.

Vehicle circulation areas provide safe and efficient connections to the abutting street network and on-site parking areas. Vehicle maneuvering areas have been designed to meet Development Code and EDM requirements.

The submitted truck turning template demonstrates that waste hauler vehicles, delivery trucks, emergency vehicles, and other trucks will be able to safely navigate the site. Large vehicles will be required to access the site via the Unnamed Public Roadway. Through-truck travel is not allowed on SW Allen Boulevard; therefore, trucks will be coming from the east. Additionally, the relocated driveway on SW Allen Boulevard will be restricted to right-in movement only. These restrictions will result in trucks entering and leaving via the Unnamed Public Roadway.

**Conclusion:** Therefore, the Committee finds that, by meeting the conditions of approval, 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:

Staff cites the findings for Criteria A, B and F as relevant to this criterion. The development proposes one right-in only vehicular access point from SW Allen Boulevard, an Arterial. The proposal also includes one 5-foot wide walkway from the sidewalk on SW Allen to the primary building entrance. One full-movement vehicular access exists and is proposed to remain to the Unnamed Public Roadway. The applicant's plans show on-site vehicular and pedestrian circulation 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 for the site will be provided by TVF&R. TVF&R has reviewed the development's plans and endorsed the proposal as reflected in the submitted TVF&R Service Provider Permit. TVF&R will verify that their requirements are met prior to Site Development Permit issuance. Staff cites the response to Criteria A and D as applicable to this criterion.

**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 the proposed modifications have been designed in accordance with applicable City codes and standards, explaining that the project includes site lighting, adequate windows and doors that provide "eyes on the street," safe access and ingress to the site, and ADA requirements, among other safety considerations in the site plan. Staff cites the findings for Criteria F as applicable to this criterion. The applicant's onsite lighting plans do not provide lighting data for the internal courtyard. Section 60.05.30.A.B requires that lighting be provided in all vehicular and pedestrian circulation areas. Additionally, the applicant's plans show that lighting levels in one area of the proposed walkway (near the southernmost ADA parking stall) has lighting levels that do not meet the 0.7 foot-candle minimum. Therefore, the Committee recommend a condition of approval that the applicant provide lighting plans demonstrating that all on-site pedestrian circulation areas meet the minimum lighting requirements of Section 60.05.30 Lighting Design Standards and Table 60.05-1 Technical Lighting Standards, prior to Site Development permit issuance.

Beaverton Police will provide law enforcement services to the subject site. As of the date of this report, Beaverton Police have not raised any concerns about crime or accident at the development site. Any comments from Beaverton Police will be forwarded directly to

the applicant. Additionally, the applicant will be required to submit development permits for life and safety review as part of the Site Development and Building Permit review processes. Accordingly, the Committee finds that review of the construction documents at the Site Development and Building Permit stages will ensure protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

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

## **Section 40.03.1.J**

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

### **FINDING:**

The applicant states that the proposed grading of the site is planned to accommodate ADA access to and the site as well as appropriate pedestrian and vehicular circulation. The applicant further explains that the on-site stormwater will be managed using underground stormwater facilities and that the Preliminary Stormwater Report (Exhibit 3.4 of the applicant's materials) demonstrates that post-development stormwater runoff will mimic the runoff characteristics of the site as it exists today. The applicant's plans show on-site stormwater will be filtered through a new water quality manhole designed per requirements of CWS before existing to the public system in SW Allen Boulevard. However, the applicant's plans show that the Grading Standards outlined in Section 60.15.10 are not met. The applicant's plans show that a 3-foot slope differential is proposed within 5 feet of the western property line where a 2-foot slope differential is allowed. Therefore, the Committee recommends a condition of approval that the applicant submit revised grading plans demonstrating compliance with Section 60.15.10 prior to Site Development permit issuance.

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

## **Section 40.03.1.K**

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

### **FINDING:**

The applicant states that the site has been designed to accommodate direct ADA access from SW Allen Boulevard to the primary entrance. There are a total of 2 off-street ADA accessible parking spaces located in the parking lot, near the primary entrance. 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. By meeting the conditions of approval, the Committee finds that review of the proposed plans at Site Development and Building Permit stages is sufficient to guarantee compliance with accessibility standards.

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

## **Section 40.03.1.L**

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

### **FINDING:**

The applicant submitted a Major Modification of a Conditional Use, Design Review Two, Sidewalk Design Modification and Tree Plan Two applications on June 30, 2022. The applicant deemed all applications complete on December 16, 2023, and has provided a continuance request to extend the final decision date to August 24, 2023.

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

# Code Conformance Analysis

## Chapter 20 Use and Site Development Requirements

### Multi-Unit Residential (MR) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 20.05.20</b>			
Residential Care Facilities	Conditional	The proposed modifications are to an existing Residential Care Facility which was previously approved as Conditional Use Permit (CUP) CUP39-73 and subsequent modifications CUP1992-0052. The applicant has submitted a Major Modification of a Conditional Use application to increase the floor area of an existing Conditional Use.	<b>YES</b>
<b>Development Code Section 20.05.15</b>			
Parcel Area <sup>2,3</sup>	Minimum: None	2.44 acres	<b>YES</b>
Minimum Residential Density (units per acre) <sup>4</sup>	Refer to Section 20.25.05 (net acreage multiplied by 0.80 divided by min. land area required per dwelling)	The proposal does not include residential dwelling units therefore the minimum residential density standard is not applicable.	<b>N/A</b>
Lot Dimensions	Minimum Width <sup>3,6</sup> : 14 Minimum Depth: None	Width: approx. 366 feet Depth: approx. 300 feet	<b>YES</b>
Minimum Yard Setbacks <sup>3, 18</sup>	Front: 10 Side: 0, 3 or 5 <sup>7</sup> Rear: 15	Front (north): 10 feet Side (east): The proposed addition is approx. 144 feet from the eastern property line, the existing building will be 3 feet from the eastern property line (after 2 feet of required right-of-way dedication.) Section 30.25.3 of the BDC states that, "Where an existing street setback or required landscaping must be reduced by a public dedication, rendering an existing structure nonconforming, the setback or landscaping requirements of this ordinance which are no longer met as a result of the dedication shall not apply to the structure or landscaping. Further encroachment into the setback or reduction of landscaping beyond the reduction caused by the public dedication is not permitted." Therefore, staff find the reduced side setback along the eastern boundary of the site is permitted, as a result of	<b>YES</b>



		the required dedication. Side (west): Approx. 38 feet Rear (south): The proposed addition is approx. 157 feet from the southern property line, the existing building is approx. 55 feet from the southern property line.	
Building Height	Maximum <sup>13</sup> : 60	The proposed addition has a maximum height of 23 feet.	<b>YES</b>
Maximum Floor Area Ratio (FAR) <sup>3,15,16,17</sup>	Single Detached Dwelling: N/A Duplex: N/A Triplex and Quadplex: N/A Townhouse: N/A Cottage Cluster: N/A	The proposal does not include single detached dwellings or middle housing types and there is no maximum FAR in the MR zone therefore the standard is not applicable.	<b>N/A</b>

### Development Code Table 20.05.15 Footnotes

2. Minimum land area per lot in the RMA, RMB, and RMC zones; except, minimum land area per dwelling unit applies to multi-dwellings in the RMA zone. Minimum lot area standards apply to land divisions, (except middle housing land divisions). For middle housing, the standards also determine the minimum lot size needed for each middle housing type to be built on an existing lot.

3. If a duplex, triplex, quadplex, or cottage cluster has been divided by a middle housing land division, the development standards that are applicable to the lot shall apply to the middle housing parent lot, not to the middle housing child lots.

4. Refer to Section 20.25.05.D for exceptions to minimum density standards in the RMA, RMB, and RMC districts.

6. Corner lots may need to provide a greater minimum lot width to accommodate the sight clearance areas specified in the Engineering Design Manual.

7. Side setbacks are 5 feet except when a different dimension is described in this footnote. For townhouses, the minimum side setback is zero for the attached side of the townhouse and 5 feet for sides that are not attached. For land divisions, except for townhouses or middle housing land divisions, the perimeter side setbacks are 5 feet, but side setbacks internal to the land division may be reduced to 3 feet with a total of 6 feet between buildings. In no case shall a building encroach into a Public Utility Easement (PUE).

13. Maximum building height for all structures in a cottage cluster development is 25 feet.

15. Additional FAR may be available if existing trees are preserved, per Table 60.05.60.2.S4.c.2. If footnote 16 and 17 apply to a site, then the combined additional FAR from both scenarios shall not exceed 600 square feet. Cottage clusters are not subject to any FAR standards or FAR incentives.

16. Single-detached, duplex, triplex, or quadplex structures in existence as of June 30, 2022 that exceed the applicable maximum FAR standard are allowed to expand up to 500 square feet in floor area above the maximum FAR permitted in the zone. If such existing structures are unintentionally destroyed, they may be rebuilt to exceed the maximum FAR by 500 square feet. If footnote 16 and 17 apply to a site, then the combined additional FAR from both scenarios shall not exceed 600 square feet.

17. Accessory dwelling units added to an existing single-detached dwelling as of June 30, 2022 are excluded from the maximum FAR limitations.

18. In RMA, RMB and RMC, setbacks are measured from a building façade to a lot line or nearest edge of shared access, whichever is closest to the building.

### Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.05</b>			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	The applicant seeks Design Review Two approval to construct a 12,000 sq.ft. addition to an existing Residential Care Facility. The proposal also includes changes to the parking area and landscaping.	<b>See DR Findings</b>
<b>Development Code Section 60.07</b>			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	<b>N/A</b>
<b>Development Code Section 60.10</b>			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a floodplain.	<b>N/A</b>
<b>Development Code Section 60.11</b>			

Food Cart Pod Regulations	Requirements for food carts and food cart pods.	The applicant is not proposing a food cart or food cart pod.	N/A
<b>Development Code Section 60.12</b>			
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
<b>Development Code Section 60.15</b>			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property, and within 25 feet of a Significant Tree or Grove.	The applicant's plans show that a 3-foot slope differential is proposed within 5 feet of the western property line where a only a 2 foot slope differential is allowed. Therefore, the Committee recommends a condition of approval that the applicant submit revised grading plans demonstrating compliance with Section 60.15.10 prior to Site Development permit issuance.	YES w/COA
<b>Development Code Section 60.20</b>			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	N/A
<b>Development Code Section 60.25</b>			
Off-Street Loading Requirements	Residential Care Facilities 10,000-100,000 square feet = 1 Type B Berth	With the proposed 12,000 square foot addition, the total floor area will be approximately 42,000 square feet. The applicant proposes one new Type B loading berth which shows a length of 62.7 feet and a width of 12 feet. The proposed loading berth is located on the same site as the proposed building addition and is not located over required parking. The proposed loading berth does not project into the public street and is not located in the front yard area.	N/A
<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>

<b>Development Code Section 60.30</b>			
Off-Street Motor Vehicle Parking	<u>Residential Care Facilities</u> Minimum: 0.5 (per bed): 0.5 x.84 = 42 Maximum: 0.5 (per bed): 0.5 x 84 = 42	The applicant's plans show 42 parking spaces, including 8 compact spaces.	<b>YES</b>
<b>Development Code Section 60.30</b>			
Required Bicycle Parking	<u>Residential Care Facility</u> Short-Term: 1 Space per 100 beds = 1 Long-Term: 1 space per 50 beds = 2	The applicant is proposing 84 beds resulting in the requirement of 1 long-term bicycle parking space and 2 short-term bicycle parking spaces. The applicant states that 4 covered bicycle parking spaces are located within 50 feet of the primary entrance. However, the proposed bike parking area dimensions do not meet the applicable standards in Section 340.2 of the Engineering Design Manual. Staff recommend a condition of approval that the applicant submit plans demonstrating compliance with Section 60.30.10.2.B and Engineering Design Manual Section 340.2 prior to Site Development permit issuance.	<b>YES w/ COA</b>
<b>Development Code Section 60.33</b>			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	<b>N/A</b>
<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>
<b>Development Code Section 60.35</b>			
Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	<b>N/A</b>
<b>Development Code Section 60.40</b>			

Sign Regulations	Requirements for signs	All signs will be reviewed under separate sign permit(s).	N/A
<b>Development Code Section 60.50</b>			
Accessory Uses and Structures	Height and size restrictions for accessory structures.	The applicant proposes an accessory structure to provide coverage for bike parking. The applicant's plans show that the proposed structure has a footprint of 60 square feet and a maximum height of 7.5 feet. The applicant's plans show existing sheds on the site, however, even with the proposed bike shelter, the combined footprint of all accessory structures on the site is approximately 400 square feet, which does not exceed the 700 square foot maximum.	YES
Fences	Height restrictions for fences and walls.	The site has existing and proposed retaining walls along SW Allen Boulevard (northern property line). The two new sections of retaining walls are 28.3 feet and 49 feet in length. The applicant states that the new sections of the wall do not exceed 3 feet in height. The applicant's plans also show a new retaining wall along the site's eastern boundary, or side yard, which has a maximum height of 4 feet. The applicant also states that existing fences are located along the site but that no new fences are proposed.	YES
<b>Development Code Section 60.55</b>			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	Refer to the Facilities Review Committee findings herein.	YES/w COA
<b>Development Code Section 60.60</b>			
<b>Section 60.60.15.1</b> Pruning Standards for Protected Trees	Requirements and standards for pruning protected trees.	Protected Trees are Significant Individual Trees, Historic Trees, Trees within a Significant Natural Resource Area (SNRA) or Significant Grove, and Mitigation Trees. There are no protected trees on or abutting the subject site, therefore these standards are not applicable.	N/A

<p><b>Section 60.60.15.2.A</b> All removal of Protected Trees shall be done in accordance with the standards set forth in this section.</p>	<p>Requirements and standards for removing Protected Trees.</p>	<p>Protected Trees are Significant Individual Trees, Historic Trees, Trees within a Significant Natural Resource Area or Significant Grove, and Mitigation Trees. There are no protected trees on or abutting the subject site, therefore these standards are not applicable.</p>	<p><b>N/A</b></p>
<p><b>Section 60.60.15.2.B</b> Removal of Landscape Trees and Protected Trees shall be mitigated, as set forth in section 60.60.25.</p>	<p>Replacement trees shall be a substantially similar species, or a tree approved by the City considering site characteristics. Replacement of a Landscape Tree shall be based on total linear DBH calculations at a one-to-one ratio depending upon the capacity of the site to accommodate replacement tree or unless otherwise specified through development review.</p>	<p>The applicant states that 6 landscape trees are proposed to be removed (identified as trees 10401, 10402, 10427, 10428, 11131, and 15215 on the applicant's plans) total BDH of approximately 77 inches. The applicant states 29 new landscape trees are proposed onsite however 8 of the proposed trees (identified as Pyramidal European Hornbeam and Legacy Sugar Maple) are located within the area required to be dedication for right-of-way along SW Allen Boulevard and the Unnamed Roadway to the east and therefore do not count as on-site trees. The remaining new 21 landscape trees will provide a total of 37 caliper inches at the time of planting. The applicant states that the proposed landscape trees include 3 new Green Vase Zelkova and 3 Yellow Poplar (Tulip Tree) which are the same varieties as four of the trees that are planned to be removed. The applicant explains that the plan does not include the replacement of the Sweet Cherry tree with another Sweet Cherry tree, as this species is now considered to be invasive. The plan also includes 10 Slender Hinoki False Cypress instead of a Western Red Cedar. The applicant states that the Slender Hinoki False Cypress is similar to the Western Red Cedar in that it is an evergreen tree but is a more appropriate variety to provide screening and is better suited for the area than a Western Red Cedar. The applicant also adds that as many trees as possible are being accommodated on the site without jeopardizing the health of the new and existing trees. The City's arborist has reviewed the proposed landscape plan and has visited the site and has no concerns with the proposed tree mitigation.</p>	<p><b>YES</b></p>

<b>Section 60.60.15.2.C</b> Additional standards for SNRAs and Significant Groves	Requirements for tree removal within SNRAs and Significant Groves.	There are no SNRAs or Significant Groves on or abutting the site, therefore this standard is not applicable.	<b>N/A</b>
<b>Section 60.60.20.1</b> Trees classified as Protected Trees under this Code shall be protected during development in compliance with the following.	Tree protection standards for Protected Trees.	No Protected trees are located on the site or abutting the site, therefore these standards are not applicable.	<b>N/A</b>
<b>60.60.25.1-8</b> The following standards shall apply to mitigation for the removal of Significant Individual Trees or trees within Significant Groves or SNRAs.	Mitigation requirements for Protected Trees.	The subject site does not contain Protected Trees, SNRAs or Significant Groves on the site, therefore these standards are not applicable.	<b>N/A</b>
<b>60.60.25.9</b> Standards applicable to the replacement of a Landscape Tree	Replacement trees shall be a substantially similar species, or a tree approved by the City considering site characteristics. Replacement of a Landscape Tree shall be based on total linear DBH calculations at a one-to-one ratio depending upon the capacity of the site to accommodate replacement tree or unless otherwise specified through development review. Replacement trees shall be at least 1.5 caliper inches in diameter.	Staff incorporates the findings in response to Section 60.60.15.2.B in response to Section 60.60.25.9. The applicant proposes to remove 6 landscape trees and to replace them with 21 new landscape trees, including varieties that are similar to the trees being replaced or better suited for the site. The city's arborist has reviewed the proposed landscape plan and has visited the site and has not expressed any concerns.	<b>YES</b>
<b>Development Code Section 60.65</b>			
Utility Undergrounding	Requirements for placing overhead utilities underground.	Refer to the Facilities Review Committee findings herein.	<b>YES w/ COA</b>
<b>Development Code Section 60.67</b>			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	There are no identified significant natural resources on the subject site.	<b>N/A</b>
<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>

**Development Code Section 60.70**

Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	<b>N/A</b>
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# Attachment B: MAJOR MODIFICATION OF A CONDITIONAL USE CU2022-0008

## ANALYSIS AND FINDINGS FOR MINOR MODIFICATION OF A CONDITIONAL USE APPROVAL

**Recommendation:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **CU2022-0008**, subject to the applicable conditions identified in Attachment F.

### Section 40.03.1 Facilities Review Approval Criteria:

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

#### Facilities Review Approval Criteria Section 40.03.1.A-L

##### FINDING:

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

**Conclusion:** Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the 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, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. This Section is carried out by the approval criteria listed herein.

### Planning Commission Standards for Approval:

Section 40.15.15.4.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on Major Modification of a Conditional Use Applications. The Planning Commission will determine whether the application as presented meets the Major Modification of a Conditional Use approval criteria. In this portion

of the report, staff evaluates the application in accordance with the criteria for a Major Modification of a Conditional Use.

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

### **Section 40.15.15.4.C.1**

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

#### **FINDING:**

The applicant proposes to add 12,000 square feet of new floor area to an existing Residential Care Facility, which is a Conditional Use in the MR zone. However, the proposal also reduces the number of beds within the facility from 92 to 84. Accordingly, staff finds the proposal is subject to a Major Modification of a Conditional Use review by meeting Threshold 1 which reads:

- 1. An increase in the gross floor area of an existing Conditional Use more than 10% or more than 1,000 gross square feet of floor area for all properties that are located in a Residential zoning district or within a distance of up to and including 50 feet of a Residential zoning district.*

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

### **Section 40.15.15.4.C.2**

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

#### **FINDING:**

The applicant paid the required fee for this Major Modification of a Conditional Use application.

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

## Section 40.15.15.4.C.3

The proposal complies with the applicable policies of the Comprehensive Plan.

### FINDING:

The applicant identified the following applicable Comprehensive Plan Policies, and states that the planned project aligns with applicable provisions of the comprehensive plan.

***Goal 3.1.1., Policy a Emphasize pedestrian convenience and safety in all developments and transportation facilities.***

The applicant states that the proposed development provides pedestrian facilities that support this goal. The applicant's plans show a new 5-foot-wide sidewalk along the site's frontage on the unnamed road to the east, new sidewalks along a portion of the site's SW Allen Boulevard frontage, and a 5-foot-wide ADA access from SW Allen Boulevard into the site. The applicant's plans also show a courtyard area with a pedestrian path which only has a minimum width of 4 feet, therefore staff recommend a condition of approval that the applicant provide plans demonstrating that the courtyard walkway has a minimum width of 5 feet, in compliance with Section 60.05.20.3.F and Section 60.55.25.10.B, prior to Site Development permit issuance.

***Goal 3.8.3. Policy g. Allow limited, small-scale retail and service uses that primarily serve the immediate neighborhood and are compatible with adjacent residential uses in terms of the amount of traffic created, noise, parking needs, and other quality of life issues.***

The proposed development includes a building addition to an existing Residential Care Facility within the MR zoning district. The MR District is intended to result in predominantly attached residential developments with the highest number of units per acre of Beaverton's residential zones (Section 20.05.10.1). The applicant states that the existing Residential Care Facility is surrounded by existing multi-family residential development and further states that these types of uses are compatible in terms of noise, parking, amount of traffic, and building appearance. The applicant adds that the existing building and planned addition provide a facility for people to live and that the building itself will provide living facilities for people and incorporate design elements that are compatible with typical residential buildings. Staff finds that the proposed building addition results in a reduction to the number of beds within the facility which will reduce the number of trips to the site, according to Trip Generation Manual, 11th Edition (Institute of Transportation Engineers, ITE, 2021). The applicant has also proposed the required number of parking stalls necessary to accommodate the use.

***Goal 8.4.1, Policy a. Noise impacts shall be considered during development review process.***

The applicant states that the building addition and site improvements to the existing Residential Care Facility are not anticipated to increase noise on the site and that screening, in the form of enhanced landscaping, is included in this project. The applicant explains that this screening will help minimize the visual impact of the project to the adjacent multi-family development west of the site and may help with noise impacts as well. Staff recommend conditions of approval that the applicant demonstrate compliance with minimum planting requirements identified in Section 60.05.25.13 to ensure adequate landscaping is provided. Additionally, staff find the proposal will result in a reduction to beds within the facility, which may reduce traffic and associated noise.

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

### **Section 40.15.15.4.C.4**

The existing use has been approved as a Conditional Use as governed by the regulations in place when the use was established and complies with the applicable conditions of the Conditional Use approval.

#### **FINDING:**

The existing Residential Care Facility has been previously approved as a Conditional Use (CUP39-73 and CUP92014). Staffs review of previous conditions of approval found one unsatisfied condition of approval from the BDR92052/CUP92014 (Exhibit 1.3) decision. Condition of approval D.1 identified in the Facilities Review Conditions of Approval, requires the applicant to “Provide street dedication to the A-6 Standard – 45 feet from centerline on S.W. Allen Boulevard.” The approved building addition was constructed however the conditioned right-of-way dedication was not provided. With this development proposal, staff recommends a condition of approval that the applicant dedicate the previously conditions 45 feet from centerline as well as an additional 3 feet of frontage to meet current five-lane arterial standards of 48 feet from centerline.

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

### **Section 40.15.15.4.C.5**

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

#### **FINDING:**

The applicant’s proposal includes a building addition to an existing Residential Care Facility within the MR zone. The applicant’s plans and narrative indicate the proposed

addition and associated site changes are reasonably compatible with and have minimal impact on the livability of the properties surrounding the area of the subject site. The Residential Use has existed for decades on the site same and although the proposal includes a building addition, it will result in the reduction of beds at the facility. The applicant's plans also show that the proposed building addition is designed to blend with the existing facility and has architectural characteristics that could be used on multi-unit residential buildings.

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

### **Section 40.15.15.4.C.6**

The proposal will not modify previously established conditions of approval for the prior Conditional Use consistent with Section 50.95.6. of the Development Code.

#### **FINDING:**

The applicant does not request to modify previously established conditions of approval for the prior Conditional Use. However, staff find the subject site received previous development approval under case file numbers BDR92052 and CUP92014 Hyland Hills Care Center Addition (Exhibit 1.3) issued on August 4, 1992 for the addition of a physical therapy and office building to the site. A condition of approval for the previous decision required that the applicant "Provide street dedication to the A-6 Standard – 45 feet from centerline on S.W. Allen Boulevard." The approved building addition was constructed however the conditioned right-of-way dedication was not provided. Therefore, the applicant must demonstrate compliance with the condition of approval issued on August 4, 1992 to meet this approval criterion. With this development proposal, staff recommends a condition of approval that the applicant dedicate an additional 3 feet (in addition to the previously conditioned 45 feet from centerline) of frontage to meet current five-lane arterial standards of 48 feet from centerline.

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

### **Section 40.15.15.4.C.7**

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 submitted a Design Review Two application, a Sidewalk Design Modification application and a Tree Plan Two application to be processed concurrently with this Major Modification of a Conditional Use request. No additional applications or documents are needed at this time. The Major Modification of a Conditional Use application is dependent

upon the approval of the Design Review Two application, Sidewalk Design Modification and Tree Plan Two applications therefore, staff recommends a condition requiring that Design Review Two (DR2022-0087), Sidewalk Design Modification (SDM2022-0003) and Tree Plan Two (TP2022-0013) applications be approved in order for CU2022-0008 to be approved.

## **CONCLUSION & RECOMMENDATION**

Based on the facts and findings presented, staff recommends APPROVAL of CU2022-0008, subject to the applicable conditions identified in Attachment F.

# Attachment C: DESIGN REVIEW TWO DR2022-0087

## ANALYSIS AND FINDINGS FOR DESIGN REVIEW TWO APPROVAL

**Recommendation:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR2022-0087**, subject to the applicable conditions identified in Attachment F.

### Section 40.03.1 Facilities Review Approval Criteria:

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

#### Facilities Review Approval Criteria Section 40.03.1.A-L

##### FINDING:

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

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

### Section 40.20.05 Purpose:

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

### Section 40.20.15.2.C Approval Criteria

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

#### Section 40.20.15.2.C.1

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

## **FINDING:**

The applicant proposes a 12,000 square foot building in a Residential zone, which exceeds the allowable building addition square footage permitted under a Design Review Compliance Letter. The applicant's proposal also includes changes to vehicle and pedestrian circulation areas and modifies onsite landscaping. The proposal meets thresholds 6, 7 and 8 of the Design Review Two application.

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

## **Section 40.20.15.2.C.2**

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

## **FINDING:**

The applicant paid the required fee for this Design Review Two application.

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

## **Section 40.20.15.2.C.3**

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

## **FINDING:**

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

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

## **Section 40.20.15.2.C.4**

The proposal is consistent with all applicable provisions of Sections 60.05.15. through 60.05.30. (Design Standards).

## **FINDING:**

Staff cites the findings in the Design Review Standard Analysis chart in this report which evaluates the project in response to applicable Code standards of Sections 60.05.15 through 60.05.30 (Design Standards). The chart provides a summary response to the Design Review standards determined to be applicable to the subject case. The applicant's plans and materials show that by meeting the conditions of approval, the project is in conformance with these standards.



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

## Section 40.20.15.2.C.5

**Approval Criteria:** For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the proposed additions or modifications are moving towards compliance with specific Design Standards 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 standard; or
- b. The location of existing structural improvements prevent the full implementation of the applicable standard; or
- c. The location of the existing structure to be modified is more than 300 feet from a public street.

If the above listed conditions are found to exist and it is not feasible to locate a proposed addition in such a way that the addition abuts a street, then all applicable design standards except the following must be met:

- d. If in a Multiple Use District, building location, entrances and orientation along streets, and parking lot limitations along streets (Standards 60.05.15.6 and 60.05.20.8)
- e. If in a Multiple Use or Commercial District, ground floor elevation window requirements (Standard 60.05.15.8).

### FINDING:

Staff cites the findings in the Design Review Standard Analysis chart in this report which evaluates the project in response to applicable Code standards of Sections 60.05.15 through 60.05.30 (Design Standards). The chart provides a summary response to the Design Review standards determined to be applicable to the subject case. The applicant's plans and materials show that by meeting the conditions of approval, the project is in conformance with these standards.

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

## Section 40.20.15.2.C.6

**Approval Criteria:** For reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district, the reconstructed dwelling is no more than 500 sq. ft. larger in floor area than the original dwelling.

**FINDING:**

The subject request is not for the reconstruction of a destroyed single-detached dwelling.

**Conclusion:** Therefore, staff finds that this criterion is not applicable.

**Section 40.20.15.2.C.7**

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

**FINDING:**

Staff cites the Chapter 60: Special Requirements table in Attachment A which evaluates the project's compliance with applicable standards of Chapter 60, including Section 60.15.10. The subject site is zoned Residential and abuts Residentially zoned property, therefore Section 60.15.10 is applicable. The applicant's plans show that a 3-foot slope differential is proposed within 5 feet of the western property line where only a 2-foot slope differential is allowed. Therefore, the Committee recommends a condition of approval that the applicant submit revised grading plans demonstrating compliance with Section 60.15.10 prior to Site Development permit issuance.

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

**Section 40.20.15.2.C.8**

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

**FINDING:**

The applicant also submitted Major Modification of a Conditional Use, Sidewalk Design Modification and Tree Plan Two applications to be processed concurrently with this Design Review Two request. No additional applications or documents are needed at this time. The Design Review Two application is dependent upon approval of the Major Modification of a Conditional Use, Sidewalk Design Modification and Tree Plan Two applications therefore, staff recommends a condition requiring that Major Modification of a Conditional Use (CU2022-0008), Sidewalk Design Modification (SDM2022-0003) and Tree Plan Two (TP2022-0013) applications be approved in order for DR2022-0087 to be approved.

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

## **CONCLUSION & RECOMMENDATION**

Based on the facts and findings presented, staff recommends APPROVAL of DR2022-0087, subject to the applicable conditions identified in Attachment F.

# Design Review Standards Analysis

## Section 60.05 Design Standards

### Section 60.05.15 Building Design and Orientation Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Building Design and Orientation</b>		
<b>60.05.15.1.A</b> Max length of attached residential buildings	The proposed building addition is not a residential building. The proposal is for a building addition to a conditional use in a Residential zone; therefore, the standard is not applicable.	<b>N/A</b>
<b>60.05.15.1.B.1</b> Buildings visible from and within 200 feet on an adjacent street...the street-facing elevation(s) and the elevation(s) containing a primary building entrance shall have a minimum portion of those elevations devoted to permanent architectural features: 1. Thirty (30) percent in Residential zones, and all uses in Commercial and Multiple Use zones.	<p>The northern elevation of the proposed building addition faces SW Allen Boulevard. The applicant's plans show that this street-facing elevation is 1,798 square feet therefore a minimum of 539.4 square feet of the facade must be architecturally treated. The applicant's plans show the northern elevation's minimum architectural requirements are achieved through the use of windows (approximately 348.12 square feet total) and off-set walls that extend two feet (587.5 square feet total).</p> <p>The southern elevation of the proposed building addition contains the primary entrance and is therefore also subject to the 30% permanent architectural feature requirement. The applicant's plans show the southern elevation of the addition is 1,105 square feet therefore, 331.5 square feet of architectural treatment is required. The applicant's plans show that 142 square feet of glazing is provided on the southern elevation, a 94.77 square foot wall that extends two feet and a board formed concrete wall feature 111.96 square feet in area for a total of 348.73 square feet of architectural treatment.</p>	<b>YES</b>
<b>60.05.15.1.C.1</b> Maximum 40' spacing between permanent architectural features.	The horizontal spacing between permanent architectural features is less than 40 feet, as reflected in the submitted architecture plans.	<b>YES</b>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>60.05.15.1.D</b> Undifferentiated blank walls over 150sf facing a street, common green, or shared court	This standard applies to detached and attached residential buildings; the proposal is for a building addition to a conditional use (Residential Care Facility) within a Residential zone, therefore the standard is not applicable.	<b>N/A</b>
<b>Roof Forms</b>		
<b>60.05.15.2.A</b> Min roof pitch = 4:12	The applicant plans show the roof of the proposed addition has a minimum slope of 4:12 except a portion of the roof which connects the addition to the existing building, which has a 2:12 pitch. The applicant's materials show this roof pitch matches the existing roof pitch of the existing building.	<b>YES</b>
<b>60.05.15.2.B</b> Min roof eave = 12"	This standard is applicable to residential uses in Residential zones. The proposed addition is to a conditional use (Residential Care Facility) within a Residential zone, therefore this standard is not applicable,	<b>N/A</b>
<b>60.05.15.2.C</b> Flat roofs need parapets	Flat roofs are not proposed.	<b>N/A</b>
<b>60.05.15.2.D</b> New structures in existing development be similar	The proposal is a building addition. The applicant's plans show the proposed roof meets the 4:12 minimum pitch standard (60.05.15.2.A) except for where the building addition connects to the existing building, which has a lower pitch. The applicant states that the new roofs are planned to have similar slope and materials as existing roofs.	<b>YES</b>
<b>60.05.15.2.E</b> Roof standards is N/A to smaller feature roofs	Chapter 90 of the Beaverton Development Code defines Feature Roof in the following way: <i>A roof which is a unique roof form calling attention to a particular part of a building such as an entrance, building corners, a steeple, a cupola, or other similar focal points of a building.</i> The applicant's plans show a flat feature roof, or canopy, is proposed over the primary entrance.	<b>YES</b>
<b>Primary Building Entrances</b>		
<b>60.05.15.3</b> Weather Protection for Primary Entrances	The applicant's plans show the primary entrance is recessed and an overhead canopy 9.5 feet by 35.33 feet provides cover and weather protection for the primary entrance.	<b>YES</b>

<b>DESIGN STANDARD</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS STANDARD</b>
<b>Exterior Building Materials</b>		
<b>60.05.15.4.A</b> Residential Double Wall Construction	The proposal does not include a residential use. The proposal is for a building addition to an existing Residential Care Facility within a Residential zone, therefore the standard is not applicable.	<b>YES</b>
<b>60.05.15.4.B</b> Maximum 30% of primary elevation to be made of plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard.	The applicant does not propose the use of plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard.	<b>N/A</b>
<b>60.05.15.4.C</b> Plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade.	The applicant does not propose the use of plain, smooth, exposed concrete and concrete block.	<b>N/A</b>
<b>Roof-Mounted Equipment</b>		
<b>60.05.15.5.A-C</b> Equipment screening.	Roof-mounted equipment is not proposed.	<b>N/A</b>
<b>Building Location and Orientation along Streets in MU and Com. Zones</b>		
<b>60.05.15.6.A-F</b> Street frontage requirements in Commercial and Multiple Use Zones.	The proposed development is in a Residential zone.	<b>N/A</b>
<b>Building Scale along Major Pedestrian Routes</b>		
<b>60.05.15.7.A-C</b> Building heights along Major Pedestrian Routes.	The site is not located on a Major Pedestrian Route (MPR).	<b>N/A</b>
<b>Ground Floor Elevation on Commercial and Multiple Use Buildings</b>		
<b>60.05.15.8.A-B</b> Minimum glazing and weather protection	The proposed development is not located along a MPR or within a Commercial zoning district, therefore this standard is not applicable.	<b>N/A</b>
<b>Compact Detached Housing Design</b>		
<b>60.05.15.9.A-L</b> Compact Detached Housing Design	Compact Detached Housing is not proposed.	<b>N/A</b>
<b>Ground Floor Elevations on Eligible Residential-Only Buildings</b>		

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>60.05.15.10.A-B</b> Ground floor elevations on eligible residential-only buildings	The proposal is not an eligible residential-only building, therefore these standards are not applicable.	N/A

### Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Connections to the Public Street System</b>		
<b>60.05.20.1</b> Connect on-site circulation to existing and planned street system	The applicant's plans show the proposed building addition will be served by a new walkway connecting SW Allen Boulevard to the primary building entrance. The applicant's plans also show the existing driveway on SW Allen Boulevard is proposed to be moved further west along the site's frontage, connecting to the onsite vehicular circulation system and further to the second vehicular driveway on the Unnamed Roadway along the site's eastern boundary.	YES
<b>Loading Areas, solid waste facilities and similar improvements</b>		
<b>60.05.20.2.A</b> Service, Storage, and Utility Area Screening	The applicant states that new electrical equipment is planned to be located adjacent to the existing power generator and fenced waste and recycling area on the south of the site. The applicant's plans show electrical equipment is planned to be screened from the eastern Unnamed Roadway with a new 6-foot wood fence. However, the applicant has not provided fence details, or details of the items to be screened, therefore staff recommend a condition of approval requiring the applicant submit a fence cut-sheet, as well as the heights of the items to be screened, prior to Building permit issuance.	YES w/COA
<b>60.05.20.2.B</b> Loading Area Screening	The applicant proposes a new loading area south of the building addition and west of the existing building. The loading area is screened from public streets by the existing building and proposed building addition.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>60.05.20.2.C</b> Screening with a Wall, Hedge, or Wood Fencing	The applicant proposes a 6-foot-tall wooden fence to screen the above ground electrical equipment and waste/recycle storage area. However, the applicant has not provided fence details, therefore staff recommend a condition of approval requiring the applicant submit a fence cut-sheet, prior to Building permit issuance.	<b>YES w/COA</b>
<b>60.05.20.2.D</b> Chain-link screening prohibited	A chain-link fence for screening is not proposed.	<b>YES</b>
<b>60.05.20.2.E</b> Loading Zone Screening Waived in Some Zones	The proposed development is located in a Residential zone, therefore this standard is not applicable.	<b>N/A</b>
Pedestrian Circulation		
<b>60.05.20.3.A</b> Link to adjacent facilities	The applicant's plans show the proposed building addition will be served by a new walkway connecting SW Allen Boulevard to the primary building entrance and to existing on-site pedestrian circulation.	<b>YES</b>
<b>60.05.20.3.B</b> Direct walkway connection	The proposal includes a new pedestrian walkway connecting SW Allen Boulevard to the primary entrance. The connection at SW Allen Boulevard is also approximately 40 feet from a bus stop located along the site's frontage.	<b>YES</b>
<b>60.05.20.3.C</b> Walkways every 300'	The applicant's plans show the SW Allen Boulevard frontage is approximately 370 feet in length. The applicant proposes one new pedestrian connection along SW Allen Boulevard. To the east, the site has a frontage approximately 308 feet in length along the Unnamed Roadway. No pedestrian connection from the Unnamed Roadway currently exists, and this proposal does not include a new connection onto the site along this boundary, however, the applicant states that the sidewalk within the Unnamed Roadway will provide new pedestrian access along the site where it currently doesn't exist.	<b>YES</b>
<b>60.05.20.3.D</b> Physical separation	There are no pedestrian connections that cross parking lots. The applicant states that	<b>YES</b>



DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	curbs are planned to be installed adjacent to pedestrian walkways.	
<b>60.05.20.3.E</b> Distinct paving	The applicant states that the planned pedestrian connection provides direct access to the primary entrance of the building and does not cross driveways or vehicular access aisles.	<b>YES</b>
<b>60.05.20.3.F</b> 5' minimum width	The applicant's plans show three new pedestrian walkways are proposed. The walkway connecting SW Allen Boulevard to the primary entrance is shown to have a minimum width of 5 feet and is scored concrete. A walkway within a courtyard area is also proposed however this walkway is approximately 4 feet wide, therefore staff recommend a condition of approval that the applicant provide revised plans, prior to Site Development permit issuance, demonstrating compliance with Section 60.05.20.3.F. A third walkway is proposed to be modified along the east side of the existing building. This walkway is located between the building and proposed right-of-way improvements of the Unnamed Public Roadway. The applicant's street cross-section (Exhibit 3.1 Sheet P08 of the applicant's materials) indicates the walkway is below the grade of the abutting sidewalk and therefore would require substantial site changes to widen. The applicant states that the existing walkway is less than 3-feet-wide and the width is non-conforming but that pursuant to Section 30.40, alterations that do not increase non-conformity are permitted. Additionally, staff find that where the existing sidewalk is reduced in width, it is the result of the required right-of-way dedication of the Unnamed Public Roadway.	<b>YES w/COA</b>
<b>Street Frontages and Parking Areas</b>		
<b>60.05.20.4.A.1-2</b> Street frontages and parking areas	Surface parking abutting a public street is not proposed.	<b>N/A</b>
<b>Parking and Landscaping</b>		
<b>60.05.20.5.A</b> Landscape planter island every 12 spaces	The applicant states that the new parking area includes a section with 14 contiguous parking spaces and has therefore proposed two landscape planter islands.	<b>YES</b>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>60.05.20.5.B</b> Landscape planter islands dimensions	The applicant states that the new parking area includes a section with 14 contiguous parking spaces and therefore this section of parking includes two new parking islands that have an area of at least 70 square feet and are 6 feet in width. Additionally, each of these islands include trees that will have a mature height of at least 20 feet.	<b>YES</b>
<b>60.05.20.5.C</b> Trees in raised sidewalks can count toward minimum tree requirements	The applicant states the proposal does not include linear raised walkways within the parking area, therefore staff finds this standard is not applicable.	<b>N/A</b>
<b>60.05.20.5.D</b> Trees on Street Tree List	The applicant's plans show that Zelkova Serrata 'Green Vase' is proposed for the parking lot landscape islands which is a species identified on the City of Beaverton Street Tree List.	<b>YES</b>
<b>Off-Street Parking Frontages in Multiple-Use Districts</b>		
<b>60.05.20.6.A</b> Off-Street Parking Area Frontage Requirements	The site is not located in a Multiple-Use District	<b>N/A</b>
<b>Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts</b>		
<b>60.05.20.7.A</b> 10' Minimum Sidewalk along Streets	The site is in a Residential zone.	<b>N/A</b>
<b>60.05.20.7.B</b> Internal sidewalks along elevations with primary entrances, tenant entrances, or display windows	The site is in a Residential zone.	<b>N/A</b>
<b>60.05.20.7.C</b> Exemption for some residential developments	The site is in a Residential zone.	<b>N/A</b>
<b>Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts</b>		
<b>60.05.20.8.A</b> Drive aisles to be designed as private streets, if applicable	The parking lot drive aisles provides direct access to perpendicular parking stalls therefore are exempt from having to be designed as private streets.	<b>N/A</b>
<b>60.05.20.8.B</b> Private streets, common greens, shared courts	Private streets, common greens, shared courts are not proposed.	<b>N/A</b>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Ground Floor uses in parking structures</b>		
<b>60.05.20.9.A</b> Parking Structures	No parking structures are proposed.	N/A

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

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Minimum Landscaping</b>		
<b>60.05.25.5.A</b> Minimum landscaping for non-residential developments and Mixed Use Development. 15%	The subject site is 112,385 square feet, requiring 16,858 square feet of landscaping. The applicant states approximately 23,083 square feet of landscaping is provided. The applicant's plans show that existing and proposed landscaping covers more than 15% of the gross site area.	YES
<b>60.05.25.5.B</b> Minimum planting requirements	Minimum planting requirements are determined by the minimum landscape area required. For this site, a minimum of 16,858 square feet of landscaping is required therefore, a minimum of 21 trees are required and 42 shrubs. The applicant's plans show 21 new trees are proposed and 8 existing trees are to be preserved, together the applicant's plans show that more than 21 landscape trees are provided. New landscape trees must have a minimum planting height of 6 feet and a minimum caliper of 1.5 inches. The applicant's planting schedule shows that all proposed on-site landscaping trees meet these requirements. The applicant states that Additionally, there are 70 evergreen shrubs included in the landscape plan that are expected to have a minimum mature height of 48 inches including Apple Blossom Escallonia, Speckled Japanese Fatsia, Valley Valentine Pieris, Dwarf Mugo Pine, and Snow White Indian Hawthorn. Live plant materials are used in all proposed landscaped areas. Bare rock or gravel is not proposed.	YES
<b>60.05.25.5.C</b> Pedestrian Plaza	A pedestrian plaza is not proposed.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>60.05.25.5.D</b> Ground floor elevations without windows shall provide foundation landscaping	The applicant's plans show all proposed ground floor elevations will have windows on the ground floor, therefore this standard is not applicable.	N/A
<b>60.05.25.6.A</b> Common Greens	Common greens are not proposed.	N/A
<b>60.05.25.7.A-B</b> Shared courts for Compact Detached Housing	The proposal does not include Compact Detached Housing.	N/A
<b>Retaining Walls</b>		
<b>60.05.25.8</b> Retaining Walls	The applicant's plans show new segments of retaining wall are proposed along SW Allen Boulevard. The new segments are less than 50 feet in length and 6 feet in height and therefore are exempt from this standard. The proposed development also includes a new retaining wall along the site's eastern boundary. This retaining wall exceeds 50 feet in length therefore the wall must be architecturally treated. The applicant states that this wall is below the grade of the abutting right-of-way and therefore will not be visible from the right-of-way however, staff finds this standard is applicable to all retaining walls, not just those visible to the public, therefore recommends a condition of approval requiring the applicant submit plans demonstrating how this retaining wall complies with Section 60.05.25.8 prior to Site Development permit issuance.	YES w/COA
<b>Fences and Walls</b>		
<b>60.05.25.9.A</b> Fencing and Wall Materials	The applicant states the proposed retaining walls are to be concrete and will be a minimum of 3 inches thick. No new fences are proposed.	YES
<b>60.05.25.9.B</b> Chain-link Fences	The applicant states the site has existing chain-link fences along the site's southern and western boundaries and along a portion of the existing parking area. The existing fences along the southern and western boundaries are planned to remain, and the fence in the existing parking area is planned to be removed with the planned	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	construction improvements. No new fences are included in this project. Staff finds no new chain-link fences are proposed; therefore this standard is not applicable.	
<b>60.05.25.9.C</b> Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.	The applicant states that the proposed concrete walls will be a minimum of 3 inches thick.	<b>YES</b>
<b>60.05.25.9.D</b> Fencing and wall requirements for certain uses.	The proposed development does not include manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an Industrial district. The proposed development is an addition to an existing Residential Care Facility within a Residential zone, therefore staff find this standard is not applicable.	<b>N/A</b>
<b>60.05.25.9.E</b> Fencing and Wall Height Requirements	The applicant's plans show that the retaining wall along SW Allen Boulevard (an Arterial) will not exceed 3 feet in height. The proposed retaining wall along the site's eastern boundary (side property line) is shown to have a maximum height of 4 feet.	<b>YES</b>
<b>Minimize Significant Changes to Existing On-Site Surface Contours At Residential Property Lines</b>		
<b>60.05.25.10.A-B</b> Minimize grade changes	The applicant's plans show that the Grading Standards outlined in Section 60.15.10 are not met. The applicant's plans show that a 3-foot slope differential is proposed within 5 feet of the western property line where only a 2-foot slope differential is allowed. Therefore, the staff recommends a condition of approval that the applicant submit a revised grading plan demonstrating compliance with Section 60.15.10 prior to Site Development permit issuance. There are no significant Individual Trees, identified Historic Trees, or trees within an identified Significant Grove or Significant Natural Resource Area located on site or abutting property.	<b>YES w/COA</b>
<b>Integrate water quality, quantity, or both facilities</b>		
<b>60.05.25.11</b> Location of non-vaulted facilities	The proposed stormwater facility is not located between the street and the front of an adjacent building.	<b>YES</b>
<b>Natural Areas</b>		

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>60.05.25.12</b> No encroachment into buffer areas.	No natural areas exist on site.	N/A
<b>Landscape Buffering Requirements</b>		
<b>60.05.25.13</b> Landscape buffering between contrasting zoning districts	<p>The proposed development is an addition to an existing Residential Care Facility within a Residential zone, which requires a conditional use. The site is zoned MR and abuts MR the west and south. Property zoned RMA is located across SW Allen Boulevard to the north and the Unnamed Roadway to the east. Although a minimum 20-foot buffer developed to a B3 standard is required for non-residential land uses abutting a residential use in a residential zoning district a landscape buffer width cannot exceed a minimum yard setback dimension. The minimum side setback in the MR zone is 5 feet, therefore the applicant has proposed a 5-foot wide landscape buffer along the site's western boundary. The applicant states the site has existing 6-foot fencing along the western and southern boundaries. Portions of the fence on the western boundary are wood, and the remainder of the fence on the western boundary is a chain-link fence with slats. The standard requires trees to be planted in the buffer area for every 30 linear feet. The applicant's plans show this property line is approximately 292 feet in length (post dedication), requiring 10 trees. The applicant's plans show only 4 trees are proposed within this landscape buffer. Therefore, staff recommend a condition of approval that the applicant subject revised landscaping plans showing a minimum of 10 trees in the western landscape buffer, and that the trees have a minimum planting height of 6 feet. Additionally, the landscape buffer requires that the space in between the required trees be filled with evergreen shrubs which will have a minimum height of 4 to 6 feet within 2 years of planting. The applicant has not indicated the height of the English Laurel at planting, therefore staff is unable to determine if the minimum height of the evergreen shrub will be achieved</p>	YES w/COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	<p>within 2 years after planting. Staff recommend a condition of approval requiring the applicant provide more information about the proposed evergreen shrub in the western landscape buffer to demonstrate compliance the growth rate identified in Section 60.05.20.13.D or propose a new shrub which meets the requirements. The rear yard setback in the MR zone is 15 feet and the applicant's plans show a 15-foot landscape buffer area is proposed (within the scope of the applicant's proposed site changes). The applicant states that an existing fence on the southern boundary is a chain-link fence and, if required, slats can be added to this fence section. Staff recommend a condition of approval that the applicant submit plans showing a 6 foot tall, fully sight obscuring fence is provided for landscape buffer requirements, as outlined in 60.05.25.13 .D. This area is approximately 80 feet in length, requiring 3 trees. The applicant's plans show three Tulip Trees within a minimum planting height of 6 feet are proposed in this area. Additionally, the applicant's plans show English Laurel is proposed between the required trees in this landscape buffer. Similar to the recommended condition of approval for the western landscape buffer, staff recommend a condition of approval that the applicant provide more information about the proposed evergreen shrub in the southern landscape buffer to demonstrate compliance the growth rate identified in Section 60.05.20.13.D or propose a new shrub which meets the requirements. The applicant's plans show that the remaining space not occupied by trees or shrubs is covered in grass. The site is also located across SW Allen Boulevard from property zoned RMA, therefore a 5 foot B-1 buffer is required. This buffer consists of one tree having a minimum planting height of six feet for every thirty linear feet and live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon</p>	

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	the mature spread of the vegetation. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B1 buffer required for across the street. The applicant's proposed landscape changes along SW Allen Boulevard are approximately 200 feet in length therefore 7 trees are required in the buffer area. The applicant's plans only show 4 proposed trees with a caliper inch of approximately 1.5. Staff recommend a condition of approval that the applicant submit revised landscaping plans demonstrating compliance with the B-1 buffer (Section 60.05.25.13.B) prior to Site Development permit issuance.	
<b>60.05.25.13.E</b> Changes to buffer widths and standards.	The applicant has not requested a change to buffer width standards. Section 60.05.25.13 states that a landscape buffer width cannot exceed a minimum yard setback dimension, therefore the applicant has proposed a 5-foot-wide side landscape buffer along the western boundary of the site consistent with the minimum setback standard for the MR zone.	<b>YES</b>
<b>60.05.25.13.F</b> Landscaping buffering installation.	Staff recommend a condition of approval that all required buffering shall be installed prior to occupancy permit issuance.	<b>YES w/COA</b>
<b>60.05.25.13.G</b> Pedestrian plazas in buffer areas.	A pedestrian plaza is not proposed in the buffer area, therefore this standard is not applicable.	<b>N/A</b>

### Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Adequate on-site lighting and minimize glare on adjoining properties</b>		



DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<p><b>60.05.30.1.</b> Adequate on-site lighting and minimal glare on adjoining properties.</p>	<p>The applicant's onsite lighting plans do not provide lighting data for the proposed internal courtyard. Section 60.05.30.1.B requires that lighting be provided in all vehicular and pedestrian circulation areas. Additionally, the applicant's plans show that lighting levels in one area of the proposed walkway (near the southernmost ADA parking stall) do not meet the 0.7 foot-candle minimum. Therefore, staff recommend a condition of approval that the applicant provide lighting plans demonstrating that all on-site pedestrian circulation areas meet the minimum lighting requirements of Section 60.05.30 Lighting Design Standards and Table 60.05-1 Technical Lighting Standard, prior to Site Development permit issuance. The applicant's plans show a wall-mounted LED light provides pedestrian scale lighting for the walkway along the building addition, including at the primary entrance.</p>	<p><b>YES w/ COA</b></p>
<p><b>60.05.30.2</b> Pedestrian scale on-site lighting.</p>	<p>The applicant's plans show that pedestrian scale lighting is provided by wall-mounted LED lights which the applicant states will be mounted on the building no more than 15 feet above grade. The applicant's plans also show that lighting in the new vehicle circulation area is provided by 20-foot tall pole mounted lights. No light bollards are proposed. The applicant states that the poles and bases for the pole-mounted luminaires are planned to be finished or painted with a non-reflective color. However, the applicant's onsite lighting plans do not provide lighting data for the proposed internal courtyard. Additionally, the applicant's plans show that lighting levels in one area of the proposed walkway (near the southernmost ADA parking stall) do not meet the 0.7 foot-candle minimum. Therefore, staff recommend a condition of approval that the applicant provide lighting plans demonstrating that all on-site pedestrian circulation areas meet the minimum lighting requirements of Section 60.05.30 Lighting Design Standards and Table 60.05-1 Technical Lighting Standard,</p>	<p><b>YES w/ COA</b></p>

<b>DESIGN STANDARD</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS STANDARD</b>
prior to Site Development permit issuance.		

# Attachment D: SIDEWALK DESIGN MODIFICATION SDM2022-0003

## ANALYSIS AND FINDINGS FOR SIDEWALK DESIGN MODIFICATION APPROVAL

**Recommendation:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **SDM2022-0003**, subject to the applicable conditions identified in Attachment F.

### Section 40.58.05 Purpose:

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

### Planning Commission Standards for Approval:

Section 40.58.15.C of the Development Code provides standards to govern the decisions of the decision making authority as they evaluate and render decisions on Sidewalk Design Modification Applications. The decision making authority will determine whether the application as presented, meets the Sidewalk Design Modification approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Sidewalk Design Modification.

To approve a Sidewalk Design Modification 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 40.58.15.1.C Approval Criteria

To approve a Sidewalk Design Modification 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 40.58.15.1.C.1

The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.

#### FINDING:

The applicant requests to modify the sidewalk width for the existing sections and new proposed section of sidewalk along SW Allen Boulevard and for a section of new sidewalk on the Unnamed Roadway, approximately 30 feet long. SW Allen Boulevard is designated

an Arterial and therefore requires a 6-foot-wide unobstructed path behind a 7.5-foot planter (EDM Drawing 200-1). The proposed development is subject to right-of-way dedication, but right-of-way improvements are not required. An existing retaining wall along SW Allen Boulevard limits the area available for a sidewalk, therefore the applicant proposes to remove and replace approximately 203-feet of existing sidewalk along SW Allen Boulevard. The applicant's plans show the sidewalk along Allen varies in width from approximately 7 feet to 9 feet (including curb). The applicant also shows a 2-foot right-of-way dedication along the site's eastern boundary for a total of 22 feet from centerline, consistent with the L3 Local Street standard. The applicant's plans show a standard sidewalk of 5-feet behind a 6.5-foot planter (EDM Drawing 200-4) is proposed within the Unnamed Public Roadway for most of the frontage, however, the northernmost section, approximately 30 feet long, shows the sidewalk shifting to the east and eliminating the standard planter area. Staff finds this request satisfies Threshold 1, which states:

1. *The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.*

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

## Section 40.58.15.1.C.2

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

### FINDING:

The applicant paid the required fee for this Sidewalk Design Modification application.

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

## Section 40.58.15.1.C.3

One or more of the following criteria are satisfied:

- a. That there exist local topographic conditions, which would result in any of the following:
  - i. A sidewalk that is located above or below the top surface of a finished curb.
  - ii. A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.
- b. That there exist local physical conditions such as:
  - i. An existing structure prevents the construction of a standard sidewalk.
  - ii. An existing utility device prevents the construction of a standard sidewalk.
  - iii. Rock outcroppings prevent the construction of a standard sidewalk without blasting.

- c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.
- d. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.

### FINDING:

An existing retaining wall is located along the site's northern frontage abutting SW Allen Boulevard and part of the site's eastern boundary, abutting the Unnamed Roadway. The proposed development will result in the reduction of beds within the Residential Care Facility and therefore a reduction in trips. Right-of-way improvements are not required with this proposal therefore the existing retaining wall will remain in place until a future event, such as a larger redevelopment of the site or a Capital Improvement Projects, necessitates its removal. In the meantime, the existing wall prevents the construction of a standard sidewalk along SW Allen Boulevard and the approximately 30 feet of the proposed sidewalk along the Unnamed Roadway, where the required planter strip is removed to maneuver the sidewalk around the existing wall. The applicant proposes two sections of new retaining wall along SW Allen Boulevard; one spans 49-feet, and the other section is approximately 28.3 feet. The applicant states that even if the new sections of retaining wall were to be constructed far enough back to accommodate a standard sidewalk, right-of-way improvements are not required at this time. The applicant also states that existing private utilities are located behind the wall. Additionally, staff find that the EDM Drawing 217 requires a 20-foot transition between a standard sidewalk and curb-tight sidewalk. These transitions would likely require removing sections of the existing retaining wall. Staff finds the applicant's request satisfies criteria b.i and b.ii of this approval criterion.

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

## Section 40.58.15.1.C.4

The proposal complies with provisions of Section 60.55.25 (Street and Bicycle and Pedestrian Connection Requirements) and 60.55.30 (Minimum Street Widths).

### FINDING:

Staff refers to the Facilities Review Committee findings for approval criteria A and D in reference to compliance with Section 60.55. The proposal includes a reduction of 8 beds (from 92 to 84 proposed beds) which will in turn reduce the number of anticipated daily vehicle trips to the site. A Traffic Impact Analysis is not required because the proposal is not expected to generate 300 vehicles or more per day. Frontage improvements along SW Allen Boulevard are not required with this development, however right-of-way dedication to meet the current 5-lane Arterial standard (from centerline) will be required. Staff recommends a condition of approval that the required right-of-way dedication be provided with this development proposal. The recommended condition of approval

requires a deed of dedication and an executed Encroachment Agreement with the City, in a form approved by the City Attorney.

The applicant must show compliance with the conditions of approval for the proposed transportation facilities prior to Site Development permit issuance.

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

## Section 40.58.15.1.C.5

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

### FINDING:

The applicant submitted a Major Modification of a Conditional Use, Design Review Two application, and a Tree Plan Two application to be processed concurrently with this Sidewalk Design Modification request. No additional applications or documents are needed at this time.

**Conclusion:** Therefore, staff finds the proposal meets the criterion.

## Section 40.58.15.1.C.6

The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.

### FINDING:

The applicant states the planned improvements along with the existing improvements provide safe pedestrian circulation near the site. The proposed sidewalks will improve public pedestrian access to the site, will meet ADA accessible grades, and will tie into existing adjacent sidewalks with the most direct and efficient route of travel, providing safe circulation connections within the neighborhood.

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

## CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of SDM2022-0003, subject to the applicable conditions identified in Attachment F.

# Attachment E: TREE PLAN TWO TP2022-0013

## ANALYSIS AND FINDINGS FOR TREE PLAN TWO APPROVAL

**Recommendation:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **TP2022-0013**, subject to the applicable conditions identified in Attachment F.

### Section 40.20.05 Purpose:

The purpose of the Tree Plan application is to maintain healthy trees and urban forests that provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and SNRAs, and Community Trees thus helping to preserve and enhance the sustainability of the City's urban forest. This Section is carried out by the approval criteria listed herein and implements the SNRA, Significant Grove, Significant Individual Tree, and Historic Tree designations as noted or mapped in Comprehensive Plan Volume III.

### Planning Commission Standards for Approval:

Section 40.90.15.2.C of the Development Code provides standards to govern the decisions of the decision-making authority as they evaluate and render decisions on Tree Plan Applications. The decision-making authority will determine whether the application as presented, meets the Tree Plan Two approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 2 Tree Plan.

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

#### Section 40.90.15.2.C.1

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

#### FINDING:

Chapter 90 of the Beaverton Development Code defines a Community Tree as "A healthy tree of at least ten inches (10") DBH located on developed, partially developed, or undeveloped land. Community Trees are not those trees identified as Significant, Historic, Landscape, or Mitigation Trees, trees within a Grove or a Significant Natural Resource Area, or trees that bear edible fruits or nuts grown for human consumption."

The applicant proposes to remove 19 trees from the subject site. The applicant indicates that trees 10401, 10402, 10427, 10428, 11131, and 15215 were shown on prior landscape plans and are therefore not Community Trees but are considered Landscape Trees. Of the remaining 13 trees, 7 have a minimum DBH of 10 inches and therefore fit the definition of Community Trees. Staff finds the proposal satisfies Threshold 1 for the Tree Plan Two application which reads:

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

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

### **Section 40.90.15.2.C.2**

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

#### **FINDING:**

The applicant paid the required fee for this Tree Plan Two application.

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

### **Section 40.90.15.2.C.3**

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

#### **FINDING:**

The applicant does not claim that tree removal is necessary to observe good forestry practices. This criterion is not applicable.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.



## Section 40.90.15.2.C.4

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

### FINDING:

The applicant states tree removal is necessary to accommodate the proposed development. The applicant explains that due to existing improvements, both onsite and offsite, alternative layouts are not feasible.

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

## Section 40.90.15.2.C.5

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

### FINDING:

The applicant does not claim that the trees need to be removed because they are nuisance trees. This criterion is not applicable.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

## Section 40.90.15.2.C.6

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

### FINDING:

The applicant's plans show onsite trees 10601, 10600, 10671 and 10763 are located within the required street dedication area and interfere with the proposed public right-of-way improvements. The proposed street cross section, L3 is the city's narrowest street section and the site is already developed with an existing building therefore staff finds there is no reasonable alternative to removing the trees that would allow for the proposed improvements.

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

## **Section 40.90.15.2.C.7**

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

### **FINDING:**

The applicant does not claim that tree removal is necessary to enhance the health of any existing or adjacent trees or groves, or to eliminate conflicts with structures or vehicles. Additionally, staff finds that no Significant Groves or Significant Trees are found on the subject site or abutting sites. This criterion is not applicable.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

## **Section 40.90.15.2.C.8**

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

### **FINDING:**

There are no SNRAs or Significant Groves on the site or abutting properties. This criterion is not applicable.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

## **Section 40.90.15.2.C.9**

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

### **FINDING:**

There are no SNRAs or Significant Groves on the site or abutting properties. This criterion is not applicable.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

## Section 40.90.15.2.C.10

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

### FINDING:

The applicant states that the subject site is not located on the City's Local Wetland Inventory or Significant Riparian Corridor List; therefore, the provisions of Section 60.67 (Significant Natural Resources) are not applicable. Staff finds that the site does not contain any Protected Trees (Significant Individual Trees, Historic Trees, Mitigation Trees or trees within an SNRA). The removal and mitigation of landscape trees is evaluated in Attachment A herein. Staff cites the table at the end of this section, which evaluates this project as it relates to applicable code requirements in Section 60.60 Trees and Vegetation, as applicable to this criterion. The standards in Section 60.67 Significant Natural Resources do not apply to the proposal because there are no Significant Natural Resources on the site.

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

## Section 40.90.15.2.C.11

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

### FINDING:

Staff cites the findings in Facilities Review (Attachment A) for analysis regarding the applicant's preliminary grading plan. The applicant's plans show that the Grading Standards outlined in Section 60.15.10 are not met. The applicant's plans show that a 3-foot slope differential is proposed within 5 feet of the western property line where a 2-foot slope differential is allowed. Therefore, staff recommend a condition of approval that the applicant submit revised grading plans demonstrating compliance with Section 60.15.10 prior to Site Development permit issuance.

**Conclusion:** Therefore, staff finds that by meeting the condition of approval, the proposal meets the approval criterion.

## Section 40.90.15.2.C.12

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

**FINDING:**

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

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

**Section 40.90.15.2.C.13**

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 also submitted Major Modification of a Conditional Use, Design Review Two and Sidewalk Design Modification applications to be processed concurrently with this Tree Plan Two request. No additional applications or documents are needed at this time. The Tree Plan Two application is dependent upon approval of the Design Review Two application therefore staff recommends a condition requiring that the Design Review Two (DR2022-0087) application be approved in order for TP2022-0013 to be approved.

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

**CONCLUSION & RECOMMENDATION**

Based on the facts and findings presented, staff recommends APPROVAL of TP2022-0013, subject to the applicable conditions identified in Attachment F.

## Code Conformance Analysis for Section 60.60 Trees and Vegetation

CODE STANDARDS	CODE REQUIREMENTS	PROJECT PROPOSAL	MEETS CODE?
Section 60.60.15.1 Pruning Standards for Protected Trees	Requirements and standards for pruning protected trees.	The subject site does not include any Protected Trees; therefore these standards are not applicable.	<b>N/A</b>
Section 60.60.15.2.C.1 Preservation Requirements for SNRAs and Significant Groves	Minimum 25% of the DBH of non-exempt surveyed trees found on a project site must be preserved in Residential, Commercial, or Industrial zones.	The subject site does not contain SNRAs or Significant Groves, therefore, these standards are not applicable.	<b>N/A</b>
Section 60.60.15.2.C.2, 4-5 Preservation Areas Standards	Retained DBH shall be preserved in Preservation Areas and set aside in conservation easements recorded with a deed restriction.	The subject site does not include Protected Trees, SNRAs or Significant Groves, therefore these standards are not applicable.	<b>N/A</b>
Section 60.60.20 Tree Protection Standards During Development	Requirements for protecting trees classified as protected trees during development.	There are no trees on the subject site or abutting the subject site designated as Protected Trees, therefore these standards are not applicable.	<b>N/A</b>
Section 60.60.25 Mitigation Requirements	If the total DBH of trees to be removed from SNRAs or Significant Groves is less than or equal to 50% of the total DBH of surveyed trees on the site, then no mitigation is required for the trees to be removed.	The subject site does not include Protected Trees, SNRAs or Significant Groves, therefore these standards are not applicable. Mitigation requirements for Landscape Trees are addressed in the Facilities Review portion of this report (Attachment A).	<b>N/A</b>

# Attachment F: RECOMMENDED CONDITIONS OF APPROVAL

**Application:** Avamere Mods

**Recommendation:** APPROVE CU2022-0008 / DR2022-0087 / SDM2022-0003 / TP2022-0013

## MAJOR MODIFICATION OF A CONDITIONAL USE (CU2022-0008)

### **A. General Conditions, the applicant shall:**

1. Ensure that the Design Review Two (DR2022-0087), Sidewalk Design Modification (SDM2022-0003) and Tree Plan Two (TP2022-0013) applications have been approved and are consistent with the submitted plans. (Planning / ES)

## DESIGN REVIEW TWO (DR2022-0087)

### **A. General Conditions, the applicant shall:**

1. Ensure that the Major Modification of a Conditional Use (CU2022-0008), Sidewalk Design Modification (SDM2022-0003) and Tree Plan Two (TP2022-0013) applications have been approved and are consistent with the submitted plans. (Planning / ES)

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

2. Submit plans that identify the existing TriMet bus stop on SW Allen Boulevard. The plans must show that the existing bus stop is not affected by the proposed development, especially by the relocation of the driveway on SW Allen Boulevard. (Planning / ES)
3. Submit plans demonstrating compliance with Section 60.30.10.2.B Bicycle Categories and Engineering Design Manual Section 340.2 Bicycle Parking Design (or as otherwise approved by the City's Transportation Engineer). (Planning/ES)
4. Submit plans demonstrating that the new on-site walkway within the proposed courtyard area has a minimum width of 5 feet, in compliance with Section 60.05.20.3.F and Section 60.55.25.10.B. (Planning/ES)
5. Submit lighting plans demonstrating that all new on-site pedestrian circulation areas meet the minimum lighting requirements while not exceeding maximum lighting levels permitted at property line as identified in Section 60.05.30 Lighting Design Standards and Table

60.05-1 Technical Lighting Standards. (Planning/ES)

6. Submit revised grading plans demonstrating compliance with Section 60.15.10 Grading Standards. (Planning/ES)
7. Receive approved Street Tree Removal Permit(s), for trees located in existing right-of-way. (Planning/ES)
8. Submit a revised landscape plan demonstrating compliance with the following Beaverton Development Code Standards (Planning / ES):
  - a. Provide one tree for every 30 linear feet of required landscape buffer length along the western boundary, as outlined in Section 60.05.25.13.D. Each tree shall have a minimum planting height of 6 feet and the space in between the required trees shall be filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. Please provide shrub heights at planting and growth rate to determine if the minimum height will be achieved within 2 years of planting. As required by Section 60.05.25.13.D, please also show the required 6 foot tall, fully sight obscuring fence on the plans and provide a material cut-sheet demonstrating the proposed material is fully sight obscuring, as required by Section 60.05.25.13.D.
  - b. Provide plans showing a 5-foot B-1 landscape buffer is provided along the northern boundary of the site (post dedication), in compliance with Section 60.05.25.13.B.
9. Submit plans showing that the new retaining wall along the site's eastern boundary which exceeds 50 feet in length is architecturally treated and incorporated into the site design, as required by Section 60.05.25.8. (Planning / ES)
10. Submit revised site plans and associated detail drawings to demonstrate that the modified driveway along the unnamed public roadway (along the site's eastern boundary) meets the City's adopted standards for a commercial driveway. (BDC 60.55.35 and Engineering Design Manual Standard Drawing 210) (Transportation / KM)
11. Dedicate property for right of way purposes along the site's frontage of SW Allen Boulevard to meet the minimum required half-street width of 48-feet consistent with the City's adopted street standards for an arterial. (See Standard Drawing 200-1). The deed of dedication shall be accompanied by an executed Encroachment Agreement with the City, in a form approved by the City Attorney. The Encroachment Agreement shall include, but not be limited to, the following terms: (1) until SW Allen is widened by the City, the property owner shall maintain and repair the improvements and private utilities within the public right of way; (2) if the retaining wall fails prior to the widening of SW Allen, the new retaining wall and any other associated improvement shall be constructed outside of the right of way at the property owner's expense; and (3) if the retaining wall remains when the City widens SW Allen, the City will relocate the wall on the property owner's property at the City's expense, and the property owner will allow the City to

relocate the retaining wall on the property owner's property without charge.  
(Transportation / KM)

12. Dedicate property for right of way purposes along the site's frontage of the unnamed local street (located along the site's eastern boundary) to meet the minimum required half-street width of 22-feet for the L3 Local Street standard. (BDC 40.03.1, 60.55.10, and EDM Standard Drawing 200-4) (Transportation / KM)
13. 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. / HTJ)
14. Retain a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / HTJ)
15. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div. / HTJ)
16. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div. / HTJ)
17. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. The City will forward the applicant's submittals to Clean Water Services for processing/approval. (Site Development Div. / HTJ)
18. Provide an erosion control plan showing best management practices needed per Clean Water Services Standard Drawing #945. Make provisions for installation of all mandated erosion control measures prior to site disturbance of 500 square feet or more. These shall be maintained and replaced as necessary during the duration of the project to prevent sediment laden run-off from leaving the site. If the ground disturbance exceeds 1 acre, Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services in that case. (Site Development Div. / HTJ)



19. Provide construction plans and a drainage report demonstrating compliance with City surface water management requirements per City 2019 Engineering Design Manual, Resolution 4542, Section 530; and with CWS Resolution and Order 2019-22 for quantity control for conveyance capacity, hydromodification and quality treatment. Fee-in-lieu can be requested if development meets criteria set forth in City EDM Sections 190, table 530.1, and 530.1.A.4 and CWS Design & Construction Standards Section 4.03.7.a and 4.04.2.a. (Site Development Div. / HTJ)
20. Provide a drainage analysis of the subject site prepared by a professional engineer meeting the standards set by the City. The analysis shall identify all contributing drainage areas and plumbing systems for this project with the site development permit application. The analysis shall also delineate all areas for this project that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. (Site Development Div. / HTJ)
21. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). The 100 year/emergency overflow path of the storm water management facility shall be shown on the plans. Grading shall direct storm water to a conveyance system or existing natural drainage. Any changes to approved grading must meet provisions of Beaverton Code 9.05.110 and 9.05.115, no grading can occur within 10 feet of a property line or half the height of the vertical embankment created, whichever is greater. This applies to all exterior property boundaries of the proposed project. (Site Development Div. / HTJ)
22. Provide plans showing a proprietary stormwater treatment system for treatment of the site's piped surface water runoff. Plans shall also show a trash capture water quality pre-treatment unit located directly upstream from any proprietary stormwater treatment system vaults or manholes.
23. Pay any required storm water system development charges (storm water quality, quantity, hydromodification and overall system conveyance) for the new impervious area proposed. (Site Development Div. / HTJ)
24. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div. / HTJ)
25. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site. (Site Development Div. / HTJ)

26. Provide plans for the placement of underground utility lines within the site, and for services to the proposed new addition. No overhead services shall remain on the site. 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. / HTJ)
27. Submit plans that show access for a maintenance vehicle within 9-feet from the front, or within 19-feet from the side of a vehicle to all control structures unless otherwise specifically approved by the City Engineer. (Site Development Div. / HTJ)
28. When required by OAR 918-780-0040, submit proposed private plumbing plans to the City Building Division for review. If private sewer systems crossing lot lines and within a private easement is proposed, please submit plumbing permit application to the Building Division. Drainage within covered areas shall be piped as approved by the City Building Division. (Site Development Div. / HTJ)
29. Receive approval for the design exception proposed to close the existing driveway and infill the existing retaining wall along the site's SW Allen Blvd frontage. (Site Development Div. / HTJ)

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

30. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / HTJ)
31. Submit plans demonstrating the height of the existing generator, proposed electrical equipment, waste and recycling containers to be screened to ensure compliance with Section 60.05.20.2. Please provide a material cut-sheet for the screening material proposed. (Planning / ES).

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

32. All landscaping, including required buffer landscaping and fence, shall be installed. (Planning / ES)
33. Substantially complete the required frontage improvements along the unnamed local street including but not limited to a 6.5-foot wide planter strip, 5-foot wide sidewalk, standard curb, street lighting, street trees, and reconstructed commercial driveway aprons. (BDC 40.03.1 and 60.55.10) (Transportation / KM)

34. Substantially complete the reconstructed sidewalks along the site's frontage of SW Allen Boulevard as shown on the applicant's submitted site plans (see Applicant's Exhibit A updated May 2023, sheet P07). (BDC 40.03.1 and 60.55.10) (Transportation / KM)
35. 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. / HTJ)
36. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / HTJ)
37. Provide plans for the placement of underground utility lines within the site for services to the proposed new building addition. 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. / HTJ)
38. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / HTJ)
39. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div. / HTJ)

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

40. Have completed the site development improvements and verify that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div. / HTJ)
41. Provide a post-construction cleaning, system maintenance, and any proprietary stormwater treatment system recharge/replacement servicing report per manufacturer's recommendations for the site's proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer. Additional service reports will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / HTJ)
42. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation as shown on the approved plan within the storm water management facility, as determined by the City Engineer. If the plants are not well established (as determined by the City) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development Div. / HTJ)

43. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security of the plant establishment and is released 2 years after project acceptance following the correction of any identified defects. (Site Development Div. / HTJ)

## TREE PLAN TWO (TP2022-0013)

### **A. General Conditions, the applicant shall:**

1. Ensure that the Major Modification of a Conditional use (CU2022-0008), Design Review Two (DR2022-0087), and Sidewalk Design Modification (SDM2022-0003) applications have been approved and are consistent with the submitted plans. (Planning / ES)

FACILITIES REVIEW CONDITIONS OF APPROVAL

EXHIBIT 1.3  
FILE COPY

July 29, 1992

BDR 92052 / CUP 92014 - HYLAND HILLS CARE CENTER

Request for a physical therapy and office building addition. The site is within the Residential, R-1 zone. The site is located at 11850 S.W. Allen Boulevard. Tax Lot 6700; of Map 1S1-22BA.

DEPARTMENT OF COMMUNITY DEVELOPMENT

A. PLANNING DIVISION - Prepared by John Osterberg - 526-2416

1. No additional parking required. Facility is currently limited to 102 beds according to the one space per two beds parking requirements.
2. Proposed wall-mounted lighting shall be of a type that will not cast direct light beyond the property line or into the public right-of-way.
3. Staff finds that the proposed building addition will be compatible with the surrounding area and is unlikely to result in any negative impacts with neighboring properties.
4. F.Y.I. - Consider street vacation of un-named right-of-way to the east. Property owners, if interested, may wish to split the cost of application and create a crossover easement driveway to serve the properties.

B. ENGINEERING DIVISION - Prepared by Jim Duggan - 526-2442

1. The building addition shall not encroach into any public easement.
2. Any additional impervious surfaces created by this project will trigger a systems development charge in lieu of constructed on-site storm water quality and quantity facilities.

C. BUILDING DIVISION - Prepared by Gary Armstrong - 526-2524

1. Building permits required.

D. TRANSPORTATION DIVISION - Prepared by Rick Root - 526-2428  
BDR 92052

1. Provide street dedication to the A-6 Standard - 45 feet from centerline on S.W. Allen Boulevard.

Y900 3117

2. Existing improvements, signs, parking, etc., may remain in the area being dedicated until such time as the street is improved. At such time, these improvements shall be removed, use discontinued, or relocated. In the interim, the property owner maintains maintenance and liability responsibility. This waiver of liability shall be addressed with dedication and approved by the City Attorney.
3. Two-way driveway aisles shall be a minimum of 24 feet wide. One-way drives a minimum of 20 feet wide - per fire access needs.
4. Driveway entries from the street shall not be encroached by parking stalls or internal aisles for the first 40 feet from the adjacent street curb.
5. No sight obstructions shall be placed with the sight vision triangle - as measured from a point that is 15 feet back from the property line along the centerline of the driveway, and 135 feet horizontally along the frontage right-of-way line in each direction.
6. Traffic Impact Fee (TIF) will be due at issuance of building permits. For more information regarding TIF, contact Daryl Steffan at 526-2426.

TRANSPORTATION DIVISION - Prepared by Rick Root - 526-2428  
CUP 92-92014

1. The Transportation Division has no problems or special conditions with the conditional use request.

E. TECHNICAL SERVICES DIVISION - Prepared by Charlie Harrison - 526-2413

1. Any excavation must comply with the regulations of ORS 757.541 to 757.571 as pertains to locating and protecting underground utilities. The Tri-County Utility Notification Center at 246-6699 must be called a minimum of 48 hours prior to any excavation so underground utilities may be located.

F. PUBLIC WORKS DEPARTMENT - Prepared by Bob Hammond - 526-2205

1. No problems.

G. FIRE DEPARTMENT - Prepared by Dean Freitag - 526-2463

1. All building construction must comply with Oregon Structural Specialty Code.

H. FINANCE DEPARTMENT - Prepared by Kathy Gaona - 526-2255

1. No comments.

I. POLICE DEPARTMENT - Prepared by Mark Hyde - 526-2275

1. No comments.

J. PARK DISTRICT - Prepared by Jim McElhinny - 645-6433

1. No comments.

K. SCHOOL DISTRICT - Prepared by Jerry Pflug and Joy Gay Pahl - 591-4310

1. No student impact on Beaverton School District.

L. PORTLAND GENERAL ELECTRIC - Prepared by Jerry Thompson - 671-1211

1. No comments.

M. TUALATIN VALLEY WATER DISTRICT - Prepared by Jim Eckenrode - 642-1511

1. No comments.

FACILITIES REVIEW COMMITTEE ORDER    Approved   X   Denied       

Motion:     Walker

Seconded:   Root

Vote: 5-0

FR072992

  
CHAIRMAN



## City of Beaverton

August 4, 1992

Robert W. Shaw  
CSC Architects  
1106 Douglas Suite G  
Longview, WA 98632

RE: Design Review of BDR 92052, CUP 92014 Hyland Hills Care Center Addition  
Notice of approval

Dear Mr. Shaw:

The Planning Director and Facilities Review Committee have completed their review of your proposal for a building addition requiring Conditional Use and Design Review approval.. The project has been approved with the following conditions:

1. All site development and landscaping shall be carried out in accord with the approved plans marked "Exhibit A" and as modified by the Planning Director. (On file at City Hall)
2. All construction shall be carried out in accord with the color and materials board marked "Exhibit B" as approved by the Planning Director. (On file at City Hall)
3. All construction shall be carried out in accord with the elevations and plans marked "Exhibit C" as approved by the Planning Director. (On file at City Hall)
11. All mechanical equipment, vents and utility meters shall be screened from public view and made an integral part of the structure.
12. The site shall be kept clean at all times and all trash shall be stored within the building, or within exterior opaque enclosures and gated. The design and materials of the trash enclosures shall be compatible with the subject development and shall be a minimum of 6' in height.
13. All exterior lighting shall have cut-off fixtures so no glare is emitted beyond the property line or into the public right-of-way.
17. In landscape areas to be planted in grass, sod shall be planted from October 1 to May 1. Grass seed is an option at other times of the year.
18. Building permits are required for any construction, alteration or demolition of a structure prior to beginning work. For further information regarding permits and/or related Building Code issues, contact the Building Division at 526-2403.
19. ~~Site Development Permits may be required. Contact the engineer at 526-2222~~

~~Site Development Permits may be required. Contact the engineer at 526-2222~~  
Division at 526-2403 for more information.  
An Equal Opportunity Employer



20. The Conditions of Approval by the Facilities Review Committee are hereby made conditions of this permit.

The conditions of approval (noted above) are taken from a list of standard Design Review Conditions and therefore, may not appear in consecutive, numerical order. The Facilities Review conditions of approval are attached for your reference. Please read each of the above conditions carefully and call the Planning Department if you have any questions. Also remember that building and site development permits may be necessary in addition to this approval. Contact the City Building and Engineering Departments for further information.

A request for hearing of the Committee's decision on a Type 2 action may be made to the Board of Design Review by any aggrieved party entitled to receive notice. Such requests shall be filed by submitting a written request to the Planning Director's office within 10 days of the Committee's written decision (the date of this document) and shall be accompanied by the required fee, if applicable.

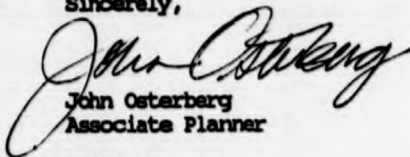
The hearing request shall contain:

- A. Reference to the matter requested for hearing and the date of the Committee's written decision.
- B. If the person is not the project applicant, a statement of why the appellant is an aggrieved person.
- C. The specific grounds, (including ordinance and section number) that provide the basis for the request for hearing. The request must relate to the criteria in which the decision is based. The Director may reject a request if it does not meet the requirements of the Development Code.

If no appeal is filed, a building permit may be issued for this proposal if all requirements for permit issuance have been met. Should you have any questions regarding this procedure, or wish to file a request for hearing, please feel free to contact me at 526-2416.

Mailing address: P.O. Box 4755, Beaverton, OR 97076-4755

Sincerely,

  
John Osterberg  
Associate Planner

BDR00-00