



CITY OF BEAVERTON
Planning Division
Community Development Department
Tel: 503-526-2420
www.beavertonoregon.gov

MEMORANDUM

City of Beaverton
Community Development Department

To: Interested Parties
From: City of Beaverton Planning Division
Date: June 15, 2023
Subject: Elmonica Mixed Use (DR2022-0139 / TP2022-0015 / LD2022-0018 / LLD2023-0003)

Please find attached the Notice of Decision for **Elmonica Mixed Use (DR2022-0139 / TP2022-0015 / LD2022-0018 / LLD2023-0003)**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for Elmonica Mixed Use is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- The case file number designated by the City.
- The name and signature of each appellant.
- Reference to the written evidence provided to the decision making authority by the appellant that is contrary to the decision.
- If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- The appeal fee of \$250.00, as established by resolution of the City Council.

The appeal closing date for Elmonica Mixed Use (DR2022-0139 / TP2022-0015 / LD2022-0018 / LLD2023-0003) is 4:30 p.m., June 27, 2023.

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed by contacting the project planner, Brittany Gada, at bgada@beavertonoregon.gov.

NOTE: The Community Development Department is currently open to the public on a limited basis, Monday through Thursday from 8:30 a.m. to 4:30 p.m. Please note that the Community Development Department is not open to the public on Fridays at this time. Staff recommends visiting <https://www.beavertonoregon.gov/183/Community-Development> for the most up-to-date information about in-person and virtual services.

Accessibility information: This information can be made available in large print or audio tape upon request. Assistive listening devices, sign language interpreters, or qualified bilingual interpreters can be made available at any public meeting or program with 72 hours advance notice. To request these services, contact Brittany Gada by calling 971-724-0517 or email bgada@beavertonoregon.gov.

STAFF REPORT

Report date: June 15, 2023

Application/Project Name: Elmonica Mixed Use

Application Numbers: DR2022-0139 / TP2022-0015 / LD2022-0018 / LLD2023-0003

Proposal: The applicant, Elmonica Group, LLC, requests Design Review Two approval to develop a multiple use site comprised of one five-story multi-dwelling building, two five-story multiple use buildings, one residential community building, and one single-story commercial building. A total of 255 multi-dwelling units, one live/work unit, and 2,927 square feet of commercial space are proposed. The applicant also requests Tree Plan Two approval to remove more than five Community Trees from the subject site. Replat One approval is requested to consolidate the site's two tax lots. Additionally, Legal Lot Determination approval is requested to determine the legal status of the site's two lots.



Proposal Location: The site is located at the southwest corner of the intersection of SW Baseline Road and SW 170th Avenue at 17160 SW Baseline Road and 1111 SW 170th Avenue, specifically identified as Tax Lots 400 and 2500, on Washington County Tax Assessor's Map 1S106DB.

Applicant: Elmonica Group, LLC

Decision: APPROVAL of DR2022-0139 / TP2022-0015 / LD2022-0018 / LLD2023-0003, subject to conditions identified at the end of this report.

Contact Information:

City Staff Representative: Brittany Gada, Associate Planner
971-724-0517
bgada@BeavertonOregon.gov

Applicant & Property Owner: Elmonica Group, LLC
Kali Bader
10350 SW Park Way
Portland, OR 97225

Applicant's Representative: MIG
Carrie Brennecke

506 SW 6th Avenue, Suite 400
Portland, OR 97204

Existing Conditions

Zoning: Station Community Multiple Use District (SC-MU)

Site Conditions: The site is currently developed with several commercial buildings and associated improvements such as parking areas, outbuildings, and a play area. On a portion of the site, a single-detached residence and accessory buildings were recently demolished following approval of a Design Review Compliance Letter request (DR2022-0129) and the associated demolition building and plumbing permits.

Total Site Size: Approximately 5.43 acres.

Location: The site is located at the southwest corner of the SW Baseline Road & SW 170th Avenue intersection.

Neighborhood Association Committee: Five Oaks/Triple Creek

Table 1: Surrounding Uses

Direction	Zoning	Uses
North	Station Community High Density Residential District (SC-HDR)	Multiple Use (Townhomes, Condominiums, Various Commercial Uses)
South	Station Community Multiple Use District (SC-MU) & Washington County Transit Oriented Residential District 24-40 units/acre (TO: R24-40)	Rail & Multi-Dwellings
East	SC-MU	Multi-Dwelling (Condominiums) & Live/Work Uses
West	SC-MU	Office/Professional Services & Eating and Drinking Establishment

Application Information

Table 2: Application Summary

Application	Application Type	Proposal Summary	Approval Criteria Location
DR2022-0139	Design Review Two	Development of a multiple use site comprised of one five-story multi-dwelling building, two five-story multiple use buildings, one residential community building, and one single-story commercial building. A total of 255 residential dwelling units, one live/work unit, and 2,927 square feet of commercial space are proposed.	Development Code Section 40.03 and Section 40.20.15.2.C
TP2022-0015	Tree Plan Two	Removal of five Community Trees on the subject site	Development Code Section 40.90.15.2.C
LD2022-0018	Replat One	Consolidate two tax lots for development	Development Code Section 40.03 and Section 40.45.15.2.C
LLD2023-0003	Legal Lot Determination	Determine the legal status of the two tax lots that comprise the subject site	Development Code Section 40.47.15.1.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
DR2022-0139	Oct. 12, 2022	Apr. 7, 2023	Aug. 19, 2023	Apr. 7, 2024
TP2022-0015	Oct. 12, 2022	Apr. 7, 2023	Aug. 19, 2023	Apr. 7, 2024
LD2022-0018	Oct. 12, 2022	Apr. 7, 2023	Aug. 19, 2023	Apr. 7, 2024
LLD2023-0003	Mar. 8, 2023	Apr. 7, 2023	Aug. 19, 2023	Apr. 7, 2024

* The applicant submitted Continuance Request Forms for all land use applications to extend the 120-day final decision date by 14 days until August 19, 2023, pursuant to BDC Section 50.25.10.

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

Summary of Public Comment

No public comments were received related to these applications.

Exhibit 1.1

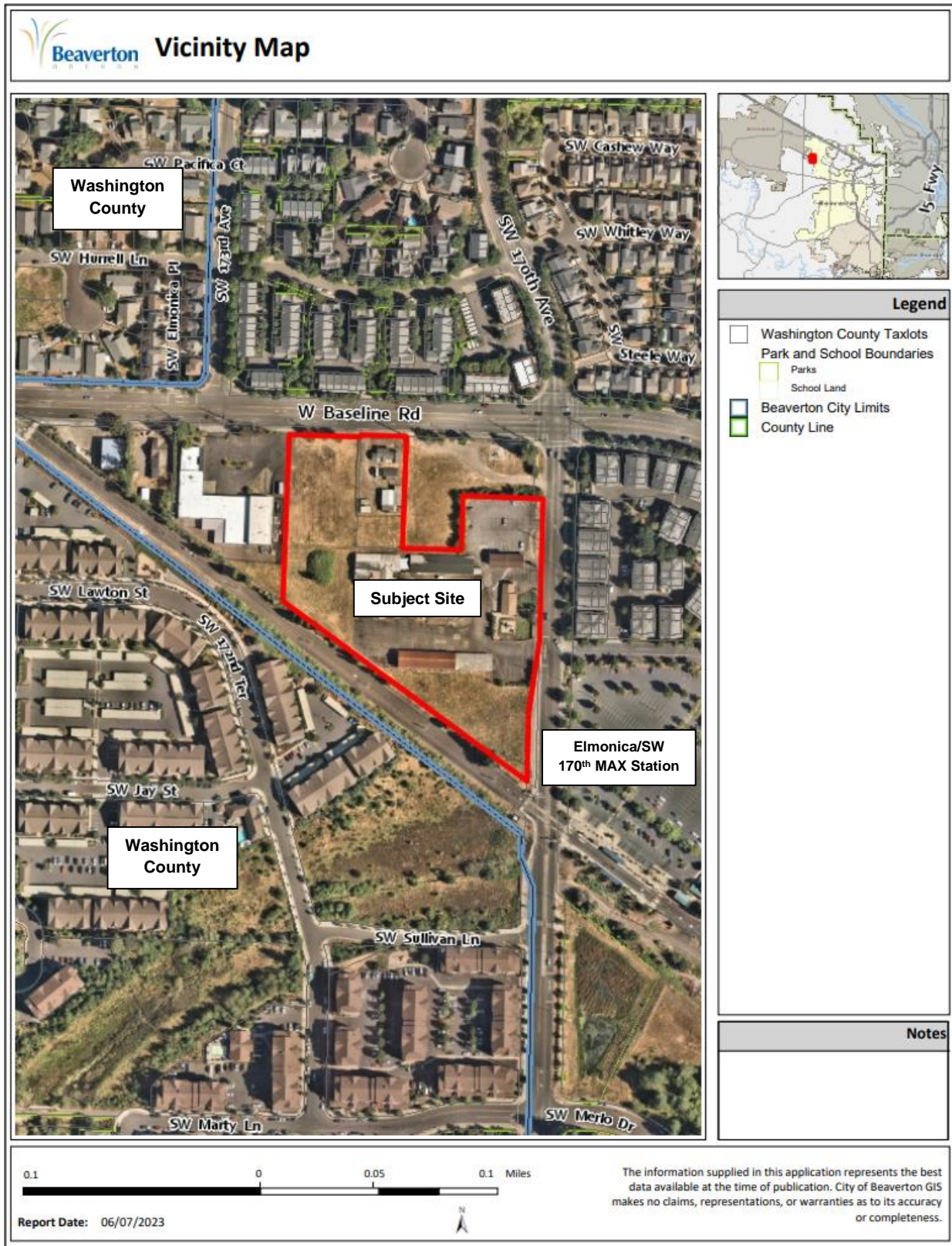
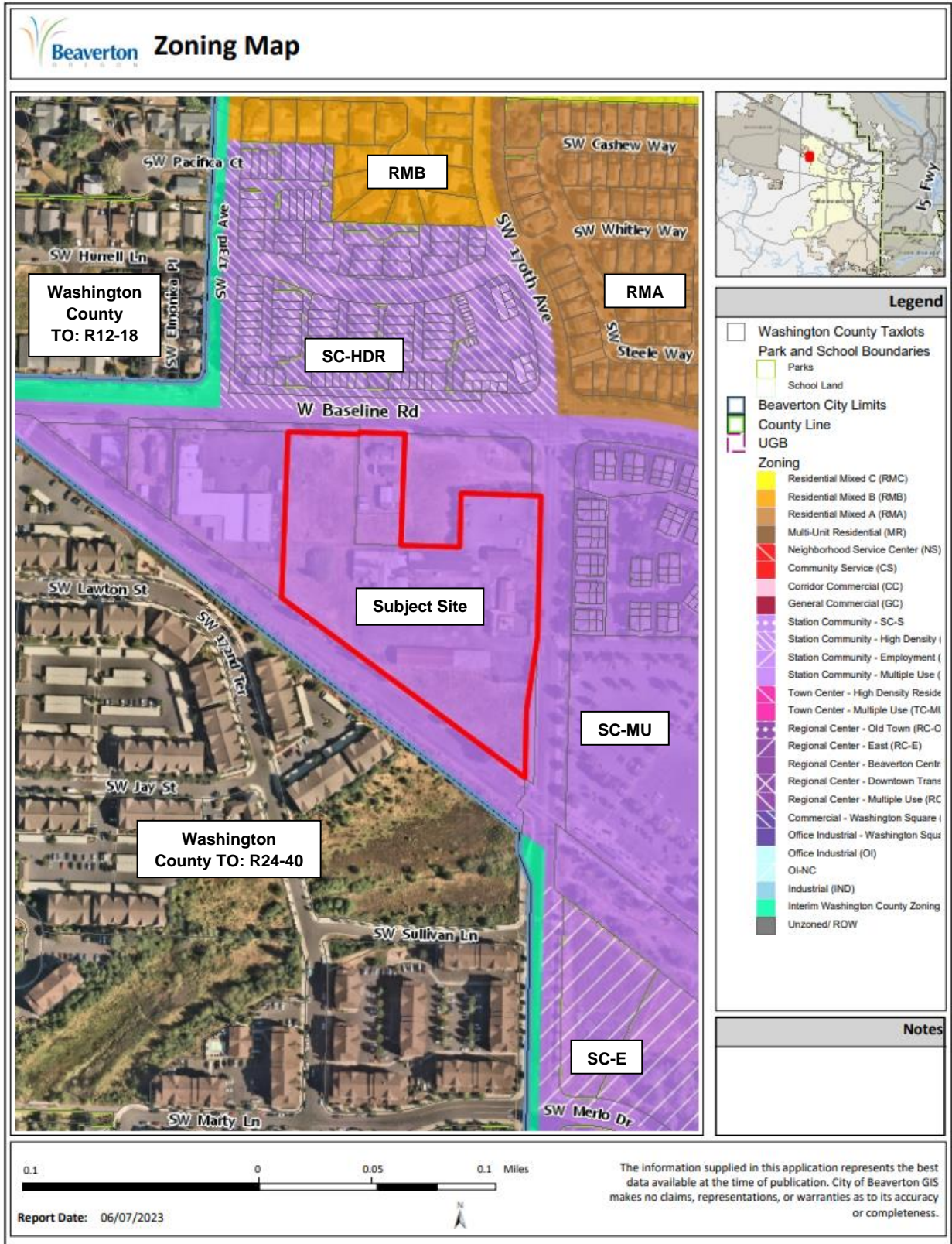


Exhibit 1.2



- Exhibit 3.7 – On-Site Civil Plan Set
- Exhibit 3.8 – Public ROW Civil Plan Set
- Exhibit 3.9 – Photometric Plan Set and Lighting Cut Sheets
- Exhibit 3.10 – Traffic Impact Analysis/Access Management Plan
- Exhibit 3.11 – TIA Live/Work Memo
- Exhibit 3.12 – Stormwater Report
- Exhibit 3.13 – Service Provider Letters
- Exhibit 3.14 – Materials Board
- Exhibit 3.15 – Materials and Finishes Form
- Exhibit 3.16 – Pre-Application Summary
- Exhibit 3.17 – LLD Supporting Documentation
- Exhibit 3.18 – Project Manual
- Exhibit 3.19 – Sewer Easement Relocation Consent
- Exhibit 3.20 – Access Easement Termination
- Exhibit 3.21 – TriMet SW 170th Avenue Improvements Agreement, superseded by Exhibit 4.3
- Exhibit 3.22 – TriMet SW Baseline Road Improvements Agreement, superseded by Exhibit 4.3

Exhibit 4. Agency Comments

- Exhibit 4.1 – Washington County Comments, dated June 13, 2023
- Exhibit 4.2 – TriMet Comments, dated June 5, 2023
- Exhibit 4.3 – Recorded TriMet ROW Dedication Deed

Attachment A: FACILITIES REVIEW

Application: Elmonica Mixed Use

Proposal: The applicant, Elmonica Group, LLC, requests Design Review Two approval to develop a multiple use site comprised of one five-story multi-dwelling building, two five-story multiple use buildings, one residential community building, and one single-story commercial building. A total of 255 residential dwelling units, one live/work unit, and 2,927 square feet of commercial space are proposed. The applicant also requests Tree Plan Two approval to remove more than five Community Trees from the subject site. Replat One approval is requested to consolidate the site's two tax lots. Additionally, Legal Lot Determination approval is requested to determine the legal status of the site's two lots.

Recommendation: APPROVE DR2022-0139 / TP2022-0015 / LD2022-0018 / LLD2023-0003, subject to the conditions identified in Attachment F.

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 Design Review Two (DR2022-0139) and Replat One (LD2022-0018) applications as submitted.
- Facilities Review Committee criteria do not apply to the submitted Tree Plan Two (TP2022-0015) or Legal Lot Determination (LLD2023-0003) 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 a wheeled portion of the City of Beaverton's water service area. Water service will initially be provided by Tualatin Valley Water District (TVWD) on behalf of the City. At some time in the future, the site may be served by City water mains. The applicant provided a City of Beaverton Water Service Provider Letter (SPL) which has been signed by both TVWD and the City of Beaverton staff confirming that adequate potable water service will be available to support the proposed development.

The applicant provided utility plans (on-site civil plan set, Sheets C4.0-C4.4) demonstrating that the development will connect to an existing 12-inch TVWD public water main located within W. Baseline Road right-of-way. 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 eight-inch public sewer main located along the southwestern property line. A second eight-inch public sewer main extends north and east on to the site which connects the subject site and the adjacent parcel to the northeast (tax lot 1S106DB00100) to the sewer main to the southwest. The applicant proposes to remove the existing on-site public sewer line and associated sanitary easement (recording number 96060743) and reconstruct the sewer main elsewhere on site to facilitate construction of proposed buildings and site improvements. The relocated eight-inch public sewer line will extend north through the site and will be stubbed out and capped at the property line, as shown on Sheet C4.1 of the On-Site Civil Plan Set. Additionally, the applicant's utility plans show that a new 10-foot-wide public sanitary easement will be provided for the relocated eight-inch public sewer line.

These changes to the public sanitary sewer line on the subject site affect the adjacent property's ability to connect to the public sewer system, as granted by the existing sanitary easement. As such, the applicant provided proof of consent from the adjacent property owner for the proposed relocation of the public sanitary sewer line and associated easement (Exhibit 3.19). Based on the information submitted, the Committee finds that critical facilities related to sanitary sewer will be developed in a way that ensures adequate capacity and infrastructure for the subject site and the adjacent property affected by the relocation of the easement.

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 on Sheet C4.2 of the on-site civil plan set demonstrates that an 18-inch private stormwater main will connect to a 24-inch City of Beaverton public stormwater gravity main at the southeastern corner of the site which discharges into Beaverton Creek.

Prior to connecting to the public stormwater system, the applicant proposes to treat all stormwater on site through a variety of methods. The applicant states that on-site stormwater will be managed via a combination of flow-through planters around the site and storm-detention chambers under the south parking lot. The flow-through facilities connect to the detention system, and the detention system ultimately releases stormwater to the city system at the southeast corner of the site.

However, additional information is needed on utility plans and in the submitted stormwater report to confirm if the proposed stormwater facilities meet applicable standards and will be sufficient to manage and treat all runoff from new and modified impervious areas associated with this development. Outstanding stormwater information includes plans and detail drawings for the proprietary stormwater treatment system, including the number of filter cartridges required per device, and the proposed flow control structure. Because of this, the Committee recommends several conditions of approval requiring the applicant to provide this information prior to Site Development Permit issuance.

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 Baseline Road and SW 170th Avenue which are arterial streets under Washington County jurisdiction. The site is located across the street from the TriMet Elmonica/SW 170th light rail station to the southeast. The development includes a right-in right-out access point to SW Baseline Rd and a full movement access to SW 170th Ave. The applicant proposes the Baseline access point to provide shared access for users of the subject site and those of a potential affordable housing development on the adjacent tax lot at 17030 SW Baseline Rd, referred to as REACH in the application materials.

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 development and anticipated future traffic through this site from the adjacent development will generate over 300 net new daily vehicular trips, so a TIA was required. Further, since the project proposes accesses to County owned and maintained roads, the applicant was required to submit an Access Management Plan (AMP) and TIA that evaluated the project for compliance with County requirements. The County has reviewed these documents in addition to the submitted plans and provided the following comments in their letter dated June 13, 2023 (Exhibit 4.1):

Washington County Department of Land Use and Transportation has reviewed this development application to construct three (3) five-story residential buildings for 255 multi-dwelling units, one live/work unit, and 2,927 square feet of commercial space are proposed. Access to the development will be via a private Right-in/Right-out (RI/RO) access on West Baseline Road and a private full-movement access on SW 170th Avenue, aligned with the

driveway that serves TriMet parking lot. The driveway on West Baseline will also provide access to the REACH development proposed on Tax Lot 100.

West Baseline Road and SW 170th Avenue are designated Arterials on the County's Transportation Systems Plan (TSP). Section 220.020.2 of the County's Road Design & Construction Standards require that access to an Arterial be from another Arterial or Collector street and located beyond the influence of standing queues of an intersection in accordance with AASHTO standards. All accesses shall also provide adequate left turn refuge and meet sight distance standards as required by Washington County Resolution and Order No. 86-95.

The proposed accesses do not meet the County's access standards required for access to an Arterial because the accesses are not a Collector or Arterial street and are located within the standing queues for both County roads. Pursuant to the County Road Design & Construction standards, an access that does not meet the access standards shall submit a Design Exception as outlined in Section 220 of the Road Standards and an Access Management Plan pursuant to Section 501-8.5 of the County Development Code.

The applicant has submitted an Access Management Plan (AMP) with a Traffic Impact Analysis (TIA) dated August 29, 2022 and supplemental Memo dated February 8, 2023 to the County. However, the AMP failed to address all the requirements of Section 220 of the Road Standards and Section 501-8.5 of the County Development Code. Notwithstanding the information provided, the County perceives that both accesses can be approved subject to the following conditions of approval.

West Baseline Road RI/RO Access: The TIA and AMP indicate that the access on West Baseline is within the standing EB through queue. Therefore, this access will be permitted as interim when a Design Exception to the Washington County Road Design and Construction Standards has been approved per section 220.020.2 and to the criteria contained in section 220.020.1. The interim access will be monitored for safety and operational performance. If the County finds that the access does not operate safely and/or causes safety impacts on West Baseline, modifications to limit turning movements or closure of the access will be required. The interim access is subject to the following provisions and conditions of approval:

- *There shall be no parking within 50 feet of the West Baseline access. On-site signing and striping shall be installed to prevent outbound traffic from blocking the REACH driveway [and] to mitigate risk of inbound vehicles queuing back onto West Baseline.*

Note: Additional parking spaces may need to be removed if found to cause spillback issues onto West Baseline Road or if REACH access to the drive aisle is impacted.

- *If the County finds that the interim access does not operate safely, causes safety impacts on West Baseline and/or that construction of an EB right-turn lane on West Baseline is required, modifications to limit turning movements, closure of the interim access, or relocation of the interim access will be required subject to County Engineer approval.*

- *If this interim access is restricted, closed, or relocated, then REACH will be afforded access via the Elmonica site to 170th Avenue driveway located across from the TriMet driveway. Recordation of an access easement benefiting REACH will be required if this scenario occurs.*
- *Any costs to restrict, close or relocate the interim access will be the responsibility of Elmonica development. Alternatively, Elmonica development may pay a Fee-in-Lieu cash assurance for these anticipated costs to Washington County in an amount to be determined by the County Engineer based on anticipated future driveway modification costs.*

SW 170th Avenue Access: The TIA and AMP indicate that left-out movements from the site will be blocked by traffic on SW 170th Avenue during AM/PM peak travel times. Therefore, this access will be permitted as interim when a Design Exception to the Washington County Road Design and Construction Standards has been approved per section 220.020.2 and to the criteria contained in section 220.020.1. The interim access will be monitored for safety and operational performance. If the County determines that the access does not operate safely and/or acceptably, the access will be restricted. Restricted vehicular movements may include left-in as well as left-out movements or any other restrictions deemed necessary by the County in consultation with the Oregon Department of Transportation (ODOT) Rail Division. The interim access is subject to the following provisions and conditions of approval:

- *There shall be no parking on either side of the driveway between the access on the interior tangential approach to SW 170th Avenue.*
- *Costs to modify or restrict the SW 170th access in the future due to safety or operational impacts will be the responsibility of Elmonica development. Alternatively, Elmonica development may pay a Fee-in-Lieu cash assurance for the anticipated costs for access modification(s) to Washington County in any amount to be determined by the County Engineer based on anticipated future driveway restriction costs.*

In addition to the information detailed above, County staff included conditions of approval reflecting the jurisdiction's comments on the proposed access points which have been added to this report. Additionally, the applicant must demonstrate that sight distance standards at both access points will be met by the proposal. First, the Committee recommends a condition of approval that the applicant provide a preliminary sight distance analysis to the City prior to Site Development Permit issuance. Second, the Committee recommends a condition of approval, as noted in the letter from Washington County, requiring acceptance of a final sight distance certification by the County for both accesses prior to final occupancy.

Frontage improvements to SW Baseline Rd and SW 170th Avenue are required for this project. Public sidewalk improvements are required to follow City of Beaverton standards of the Engineering Design Manual and Development Code while all other improvements in the right of way must adhere to Washington County requirements for both interim and

future conditions, including improvements to adjacent roadways, street lighting, bike lanes, interim landscaped conditions, and required traffic mitigation measures. Right of way dedication to Washington County is required on both frontages, as reflected in the applicant's submitted plans. Conditions of approval are recommended at the end of this report to ensure adequate right of way is dedicated for adjacent streets at the time of recordation of the final plat associated with this project. Additionally, TriMet provided a copy of the recorded right of way dedication deed that dedicates the agency's parcels abutting the subject site to Washington County as right of way (recording number 2023-21434, Exhibit 4.3). These actions ensure that adequate space will be provided in the rights of way to accommodate required frontage improvements.

All required frontage improvements on SW Baseline Rd and SW 170th Ave for this project and the associated right of way dedication will ensure that existing public facilities are improved for safety and accessibility of future residents, tenants, visitors, and other users of the public realm abutting the subject site. The proposed development is anticipated to generate 938 net new daily vehicular trips compared to existing land uses. Users of the proposed 255 dwellings, one live/work unit, and 2,927 square feet of commercial uses in two tenant spaces are also anticipated to generate significant new pedestrian and cyclist traffic on public facilities abutting the site and new public traffic traveling to, from, and across the site to access the existing TriMet Elmonica/SW 170th MAX light rail station across from the development.

Existing public sidewalks abutting the site on SW Baseline Rd are substandard, measuring five-foot-wide, which do not provide safe separation of pedestrians from the Arterial street with a posted speed limit of 45 miles per hour. Abutting the site on SW 170th Avenue, the public sidewalk is incomplete and substandard. In areas with a paved public sidewalk, the sidewalk width is five feet which does not provide safe separation from vehicles traveling on SW 170th Ave, an Arterial street with a posted speed limit of 40 mph. The existing five-foot-wide paved public sidewalk also abuts the TriMet bus bay which will be retained and relocated in the same area on SW 170th Ave by the applicant as a part of the frontage improvements. The required 10-foot-wide paved public sidewalk in this area will ensure there are no safety or accessibility conflicts between buses, users of the bus bay, and general passersby abutting the development. Other areas abutting the site on SW 170th Avenue do not have a paved public sidewalk. The existing facility has a gravel surface of varying width which will not provide adequate pedestrian connectivity, accessibility, or safe conditions for future users of the proposed development or the general public using the abutting public sidewalk to access the existing TriMet light rail station or other nearby pedestrian destinations. The required 10-foot-wide public sidewalk along the site's frontage with SW Baseline Rd and SW 170th Ave will provide the needed safe separation between pedestrians and vehicles, accessibility in accordance with applicable ADA requirements, and enhanced safety and protection through the use of street trees. Further, street lighting in compliance with current Washington County standards along both frontages is needed to ensure that adequate lighting of public sidewalks, bike lanes, and roadways is provided to aid in the prevention of pedestrian, bicycle, and vehicular accident and crime. Existing street lighting is substandard and will not create safe conditions for the

public using the public facilities abutting the site following development. Additionally, interim landscaped condition requirements are needed to ensure that areas dedicated as right of way for future improvements by others along the site's frontages such as the planned right-turn lane serving the Baseline & 170th intersection are improved in a way that facilitates future construction of public improvements while providing a safe condition for public use upon development of this site.

Required frontage improvements also include widening of the south-bound travel lane and the addition of a 6-foot-wide bike lane with a 2-foot-wide striped buffer on SW 170th Ave. The existing travel lane has a substandard width, so the required street widening will bring the existing roadway into conformance with the County's current Arterial roadway design standards for the posted speed. Widening of the travel lane will ensure safe driving conditions abutting the site and safe turning conditions for vehicles accessing the site from SW 170th Ave. The new buffered bike lane will safely transport cyclists coming and going from the site and those traveling along the site's frontage to nearby destinations such as the TriMet light rail station. This required bike lane will also connect to the existing public bicycle facilities on SW Baseline Rd and those on the south side of the at-grade rail crossing. Lastly, Washington County requires the installation of a median on SW Baseline Road in conjunction with the construction of the proposed right-in right-out access point. A median constructed in accordance with County standards is needed to ensure that the access design sufficiently prevents left-in and left-out turning movements which pose a safety hazard to traveling vehicles since the proposed access point is within the standing queue on SW Baseline Rd. Together, the construction of frontage improvements required by the City of Beaverton and Washington County will provide safe and accessible conditions for all future users of the proposed development and for the general public accessing the public facilities abutting the new multiple use site.

Washington County evaluated the submitted plans for conformance with its frontage improvement requirements related to adjacent roadways, street lighting, bike lanes, interim landscaped conditions, and traffic mitigation measures. Proposed improvements were found to comply with Washington County frontage improvement requirements with some exceptions. First, a one-foot sidewalk setback from the right of way on SW Baseline Rd is required while the submitted plans show a 6-inch sidewalk setback. As such, Washington County provided conditions of approval that the applicant submit plans demonstrating compliance with this frontage improvement standards, including the sidewalk setback requirement, at the time of County Facility Permit application and that all required frontage improvements be complete and accepted by the County prior to issuance of final occupancy for any building. Second, Washington County reviewed the submitted Photometric Plans to evaluate compliance with its street lighting requirements and found that proposed lighting in the SW Baseline Rd and SW 170th Avenue rights of way appear to meet County requirements for arterial streets. However, the Photometric Plans do not provide lighting measurements for the full extent of areas within the right of way. Specifically, areas of the public sidewalks and roadways at the far west of the site on Baseline and at the far south of the site on SW 170th Ave do not include lighting measurements. Therefore, to evaluate compliance with Washington County's roadway

illumination requirements prior to Site Development Permit issuance, the Committee recommends a condition of approval that the applicant submit revised Photometric Plan(s) that provide lighting measurements over all abutting rights of way between property lines and centerlines of adjacent streets and include updated photometric calculations for average, minimum, and maximum illumination for both frontages. Lastly, the County could not confirm from the submitted plans if the development will provide the required median associated with the proposed right-in right-out access point on SW Baseline Rd. Thus, the County provided a condition of approval requiring the applicant to submit plans demonstrating that the Baseline access will be constructed with a median in accordance with County Standard Detail 2300 at the time of County Facility Permit application.

City staff reviewed the submitted plans for conformance with public sidewalk requirements for development in multiple use zones pursuant to Design Standard 60.05.20.7.A, the associated standards of the Engineering Design Manual (EDM), and the street tree spacing requirements of BDC 60.55.30.3. The subject development must provide a minimum ten-foot-wide paved sidewalk with an unobstructed path at least five feet wide on both frontages. Submitted plans show the required ten-foot public sidewalk width abutting the site on SW Baseline Rd. However, the public sidewalk along SW 170th Avenue tapers from ten feet wide to six feet wide within the right of way near the TriMet bus bay and the remaining sidewalk area extends onto the subject site to achieve the minimum 10-foot width. To ensure that the full extent of the sidewalk is available for public use, the Committee recommends conditions of approval requiring the applicant to dedicate a public pedestrian easement over the portion of the 10-foot-wide sidewalk that extends on to private property. First, the Committee recommends a condition that the applicant submit plans prior to site development permit issuance showing that the public pedestrian access easement will be dedicated over the portions of the sidewalk on the subject site. Second, a condition is recommended requiring that the applicant record the public pedestrian access easement at the time of final plat recordation.

Public sidewalks abutting this development must also include street trees planted at a maximum linear spacing of 30 feet in tree wells designed to meet EDM standards pursuant to BDC 60.55.30.3. Therefore, the development requires eight street trees along SW Baseline Rd and 20 street trees along the site's frontage with SW 170th Ave. The submitted plans show six street trees on Baseline and 16 on SW 170th Ave which is insufficient to meet applicable standards. Because of this, the Committee recommends a condition of approval that the applicant submit plans prior to Site Development Permit issuance demonstrating that eight street trees will be provided on Baseline and 20 street trees will be provided on 170th. If street tree spacing exceeds 30 linear feet or if planting the minimum required number of street trees is not feasible due to utility, access, or other conflicts, the applicant shall provide justification and an alternative street tree plan for the City Arborist's review. Approval of an alternative street tree plan will be at the discretion of the City Arborist pursuant to BDC 60.55.30.3.

Portions of required SW 170th Avenue frontage improvements are under ODOT Rail jurisdiction due to the site's proximity to the at-grade rail crossing at the southeast corner

of the site. Specifically, pursuant to OAR 741-100-0005, the state has jurisdiction over roadways within the safe stopping distance, based on the roadway's posted or statutory speed, as measured from the stop clearance lines at the highway-rail grade crossing (Exhibit 1.3). Since the posted speed of SW 170th Avenue is 40 miles per hour, the safe stopping distance is 305 feet (Exhibits 1.3 and 1.5). Thus, the state has jurisdiction over those portions of SW 170th Avenue right of way within the area measuring 305 feet in both directions from the existing stop clearance lines associated with the at-grade rail crossing. The Elmonica Mixed Use development proposes to alter an existing public highway, defined as any public roadway (ORS 824.200, Exhibit 1.4), through the construction of required frontage improvements and the construction of a new access point within the portion of SW 170th Avenue right of way under ODOT Rail jurisdiction. In accordance with OAR 741-200, an application to the ODOT Rail Division must be filed by the public authority in interest to "construct, relocated or alter a sidewalk, multi-use path or roadway across one or more railroad tracks at grade" (Exhibit 1.6). Because the Elmonica Mixed Use development proposes such alterations in an area under state jurisdiction, an ODOT Rail Order application is required for this project. In accordance with BDC 60.55.10.1, conditions of approval are included requiring the applicant to obtain the ODOT Rail Order prior to issuance of the City's Site Development Permit, and therefore prior to issuance of the County's Facility Permit, and to later demonstrate completion of any improvements required by the ODOT Rail Order.

The recommended conditions of approval require that the applicant submit documentation of the Rail Order application submitted to Washington County prior to issuance of the Site Development Permit, including any plans associated with transportation improvements required by the Rail Order. One such improvement that is anticipated to be required and detailed via the ODOT Rail Order is pedestrian crossing(s) on SW 170th Ave to connect the subject site and abutting public pedestrian facilities to the existing TriMet Elmonica/SW 170th MAX light rail station across the street to the southeast. Staff cites the findings in response to Facilities Review Criterion D regarding the need for the pedestrian crossing in conjunction with the applicant's requested off-street vehicular parking reduction for the transit-oriented development. In addition to requiring improvements within areas under state jurisdiction, the ODOT Rail Order will also review the project's Traffic Impact Analysis, Access Management Plan, and submitted plan sets to evaluate if ODOT Rail requires changes to the proposed development following land use approval due to safety concerns or identified impacts to its facilities. Modifications may require revisions to this land use decision, the County Facility Permit, and the Site Development Permit and/or additional Design Review depending on the scope of the necessary changes. A condition of approval is also recommended requiring the applicant to submit a copy of the Final Rail Order and demonstrate that any required improvements are substantially complete prior to final occupancy.

Proposed on-site vehicular circulation complies with City standards for two-way traffic and facilitates safe and efficient maneuvering for passenger vehicles and trucks including waste hauler vehicles and fire trucks, as demonstrated by the submitted truck turning template. The site includes a secure, fenced in parking area that will be accessed by

residents and emergency responders via a Knox-box operated automatic gate. The development proposes 255 standard vehicle parking spaces and an additional 15 parallel parking spaces; parallel spaces do not count towards the minimum parking space requirement. Staff references the findings in response to Criterion D of this report which detail how the development qualifies for a vehicular parking reduction for the provision of extra long-term bicycle parking pursuant to BDC 60.30.10.11.I. However, many of the provided standard vehicle parking spaces do not meet minimum stall depth dimensions as landscaping obstructs the vehicle overhang area. Because of this, the Committee recommends a condition of approval that the applicant provide plans prior to Site Development Permit issuance showing that all vehicle parking spaces meet the minimum parking lot design standards contained in BDC 60.30.15. The recommended condition specifies that where vehicle parking stalls rely upon vehicle overhang to meet the standards, proposed landscaping will have mature heights less than 12 inches so as not to obstruct the bumper overhang space which will prevent vehicles from encroaching into drive aisles.

Additionally, the development proposes the installation of several electric vehicle (EV) charging stations in various locations across the site. Many parking areas will also be constructed with the electrical lines and infrastructure needed to install more EV charging stations in the future. However, it is not clear from the submitted plans which EV charging stations are proposed to be installed with this development or at a later date through future Design Review due to inconsistencies in the plans. It is also not possible to confirm based on the provided information that installed EV charger stations will not conflict with pedestrian pathways or parking stalls. Thus, the Committee recommends a condition of approval requiring the applicant to resubmit plans prior to Site Development Permit issuance that confirm which of the EV charging stations are to be constructed with this land use proposal and demonstrate that charging stations do not conflict with pedestrian walkways or any needed vehicle overhang for parking stalls.

The development also proposes multiple pedestrian connections to the surrounding public sidewalk network along SW Baseline Road and SW 170th Avenue. Four pedestrian connections are provided for each frontage which connect building entrances, parking areas, and other on-site amenities to the public network. All on-site pathways are paved with scored concrete, at least five feet wide, and will be free of obstructions by meeting the conditions of approval. Accessible and convenient pedestrian routes are provided across the site, and ADA-compliant ramps will be constructed where pathways cross drive aisles and connect to ADA parking space access aisles. Where pedestrian paths cross drive aisles, the submitted plans demonstrate that concrete will be used to distinguish the pathway from the asphalt drive aisle for enhanced safety. Lastly, the proposed plans demonstrate that the development will provide a public pedestrian access easement across its internal pathways from SW Baseline Road, through the site, to SW 170th Avenue as shown on the applicant's site plan, Sheet A1.01, Exhibit 3.5. This public pedestrian access easement will provide legal, safe, and accessible access for public users who are anticipated to cross through the site to access the existing TriMet light rail station. The Committee recommends conditions of approval requiring the applicant to provide plans

prior to Site Development Permit issuance demonstrating that this easement will be granted for full, unobstructed public pedestrian use and to submit a copy of the recorded easement prior to issuance of final occupancy of any building.

Cyclists will share the on-site drive aisles and vehicular access points to connect to the new 6-foot-wide bike lanes to be constructed with this project along SW Baseline Road and SW 170th Avenue. The development provides 371 long-term bicycle parking spaces located inside secure bike rooms, select residential units with adequate storage space, and the two retail commercial spaces. Sixteen short-term bicycle parking spaces are also provided near building entrances. Staff cites the findings in response to Criterion D regarding insufficient bike rack dimensions per EDM Section 340. By meeting the condition of approval referenced in Criterion D, adequate bicycle parking infrastructure will be provided for the development.

In conclusion, the Committee finds that, based on the submitted plans and the recommended conditions of approval, adequate transportation facilities will be provided to serve the proposed development upon its completion.

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. The plans approved by TVF&R show that the applicant will construct several new fire hydrants at various locations along the site's frontages and internal to the site. All new buildings will be sprinklered, and the development will provide adequate fire flow to all buildings through the installation of a fire pump with backup generator in Building 1. TVF&R requires a final inspection of the site prior to occupancy. For these reasons, the Committee finds that adequate fire protection service will be provided to serve the proposed development.

In summary, 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 development is within the boundaries of the Beaverton School District (BSD) and proposes 256 new dwelling units. Accordingly, a Beaverton School District SPL was required for this project. BSD assessed the project for impacts to public schools and found that the development is expected to generate 56 new students to nearby elementary, middle, and high schools. As documented in the approved SPL, BSD confirmed that the district has adequate capacity to accommodate the new students from this development.

Transit Improvements: The subject site is located across the street from the existing Elmonica/SW 170th Ave TriMet light rail station which provides frequent service on the Blue MAX Line. Residents and users of the proposed development will have efficient pedestrian and bicycle connections to the existing light rail station. TriMet also owns and operates a park and ride facility on the north side of the MAX station. TriMet bus bays are located on both sides of SW 170th Avenue next to the MAX station. The bus bay on the western side of SW 170th Avenue abuts the subject site. TriMet requires continued use of this bus bay upon development of this site and is, therefore, requiring the applicant to reconstruct the bus bay as a part of its frontage improvements for SW 170th Avenue as reflected on the submitted plans. For these reasons, the Committee finds that existing transit service and proposed transit improvements will be adequate to serve the 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 and bicycle circulation will be provided both on site and along public streets adjacent to the development. Staff cites the response to Criterion A as relevant to this criterion. A 10-foot-wide paved public sidewalk is required along SW Baseline Road and SW 170th Avenue in addition to a new six-foot-wide bike lane on SW 170th Ave with a two-foot-wide painted buffer zone for added protection of cyclists from vehicles. Additionally, the construction of a pedestrian crossing on SW 170th Avenue to provide a safe connection to the existing TriMet light rail station is anticipated to be required and further detailed via the ODOT Rail Order.

The applicant’s submitted plans show that all bicycle facilities in the right of way meet County requirements. However, plans show that a portion of the public sidewalk along SW

170th Avenue extends outside of the future right of way area on to the subject site to accomplish the required 10-foot-wide public sidewalk. The submitted plans show that it is not possible to accommodate the full extent of the public sidewalk within the right of way due to the need to retain and relocate the TriMet bus bay on SW 170th Avenue. As discussed in the findings in response to Criterion A, the Committee recommends conditions of approval requiring the applicant to dedicate a public pedestrian access easement over the portion of the public sidewalk that extends on to private property to guarantee that the public has legal, safe, and accessible access over the full extent of the public sidewalk. By meeting the conditions of approval, the request will provide essential pedestrian facilities in the public right of way for the proposed development.

On-site pedestrian connections are proposed to connect building entrances and on-site pedestrian destinations such as the community building and outdoor amenity areas to public pedestrian facilities surrounding the site in a convenient and direct manner. All on-site pedestrian pathways meet or exceed the minimum required five-foot width and are proposed to be constructed of scored concrete. The pathways offer safe routes between buildings and across drive aisles. As detailed in response to Criterion A, the development proposes a public pedestrian access easement that provides a paved, accessible connection for the general public between the public sidewalks along SW Baseline Road and SW 170th Avenue. This public pedestrian easement will facilitate a shorter, more direct connection for pedestrians to the TriMet light rail station to the southeast of the site. As cited in the findings for Criterion A, the Committee recommends conditions of approval that will ensure the applicant grants this public pedestrian access easement and reflects it on the final plat.

In summary, the proposed development will provide adequate pedestrian and bicycle connections and facilities both on site and in the public right of way by meeting the conditions of approval.

For these reasons, the Committee finds that essential 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.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 in the Station Community Multiple Use (SC-MU) 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 20.20.15 Multiple Use Site Development Standards and 20.20.20 Multiple Use Land Uses. As demonstrated in the table, this proposal complies with all applicable standards in Chapter 20 Multiple Use 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 Design Review Two, Tree Plan Two, Replat One, and Legal Lot Determination requests within the applicable sections of the staff report.

Section 60.30 Off-Street Parking: Staff cites the findings for Criterion A as applicable to this criterion. The subject multiple use development proposes 255 residential multi-dwelling units, one live/work unit, and 2,927 square feet of commercial retail space which requires a minimum of 265 vehicular parking spaces. The applicant requests a parking reduction pursuant to BDC 60.30.10.11.I which allows up to a 5% reduction of vehicular parking spaces when two additional long-term bicycle parking spaces are provided for each eliminated vehicle space. Developments within a quarter mile of a transit stop may qualify for this reduction upon demonstrating that vehicle parking demand will be met with the reduced number of vehicle spaces. Therefore, a maximum of 13 parking spaces may be eliminated with the provision of 26 extra long-term bike parking spaces with adequate justification. The development is less than a quarter mile from the Elmonica/SW 170th MAX light rail station, and the submitted materials demonstrate that the development will provide over 26 additional long-term bicycle parking spaces and proposes to eliminate 10 of the required vehicle parking spaces. The applicant provided the following justification in the project narrative to accompany this reduction request:

The immediate adjacency on the Elmonica MAX station, less than 500' from the site..., provides easy access to public transit for any tenants to travel to Downtown Portland to the East or Downtown Hillsboro to the West. This works in the opposite

direction, as well. Anybody travelling from Portland or Hillsboro to the Elmonica area doesn't need to drive and park. This is the goal of Transit Oriented Development (TOD); less reliance on cars, traffic and fossil fuel consumption. While parallel parking stalls do not count towards the code-driven parking ratio, we have provided several of this type to create a more street-like environment through the site. When counted with the code-compliant nose-in spots, we are above a 1:1 ratio of spaces to units. Additionally, we are providing the required additional bike parking spaces, either in dedicated rooms or in-unit, to offset the code-required number of spaces.

Staff concurs with the applicant's justification for the requested reduction based on the proposal's goal to provide a transit-oriented development site. By providing fewer parking spaces, some of the new vehicular trips anticipated to be generated by the development will be offset by site users taking public transit via the TriMet Elmonica/SW 170th MAX light rail station across the street. Currently, the only pedestrian crossings to safely access the light rail station from the proposed development are at the intersection of Baseline and 170th, approximately 750 feet from the light rail station platform and about 100 feet from the northernmost point of the site, or at the crossing located about 275 feet south of the southernmost point of the site. Since existing pedestrian crossings on SW 170th Ave are located far from the subject site and the requested parking reduction will increase pedestrian traffic to the light rail station, a safe and accessible pedestrian route from this development is needed to cross SW 170th Ave and access the transit stop. Staff cites the transportation findings in response to Facilities Review Criterion A which detail conditions of approval that the applicant obtain a Rail Order from ODOT Rail and construct any improvements required by that Rail Order. One of the improvements expected to be required and further detailed through the ODOT Rail Order process is a pedestrian crossing near the southeast corner of the site on SW 170th Ave. Requirements for safety enhancements to the pedestrian crossing are anticipated and will be specified at the time of ODOT Rail issuance of the Rail Order. A pedestrian crossing in this location which meets applicable ODOT Rail requirements will prevent unsafe and illegal jaywalking by the site's future users to access the transit stop. Further, a pedestrian crossing with safety enhancements will ensure that those crossing the street will be adequately protected from vehicles and on-coming rail. Based on the conditions of approval to obtain a Rail Order and construct the associated improvements, including the planned pedestrian crossing, staff finds that adequate connectivity will be provided between the development and the transit stop to justify the requested reduction in off-street vehicular parking spaces.

With the 5% reduction applied, the minimum number of required vehicular parking spaces for both residential and commercial uses is 252. The submitted plans demonstrate that 255 standard vehicular parking spaces are proposed in addition to 15 parallel parking spaces. Parallel parking spaces do not count towards meeting the minimum required off-street parking spaces. As described in response to Criterion A, landscaping conflicts with the required vehicle overhang area of many parking stalls since proposed ground cover plants will be 12-inches or taller once mature. It is also not clear if proposed EV charging stations conflict with parking stall dimensions. However, by meeting the recommended

conditions of approval, the site will meet the parking lot design standards of BDC 60.30.15 and will provide sufficient off-street vehicular parking to demonstrate compliance with BDC 60.30.

The development must also provide short- and long-term bicycle parking for proposed multi-dwelling and retail land uses. Thirteen short-term and 256 long-term bicycle parking spaces are required for the proposed dwellings. Two short-term and two long-term bicycle parking spaces are also required for the proposed retail use. Twenty-six additional long-term bike parking spaces are required to meet the requirements of the requested vehicular parking reduction (BDC 60.30.10.11.I). The submitted plans show that the development will provide 371 long-term bicycle parking spaces on site. One-hundred-ninety-four spaces will be located in secure bike rooms in Buildings 1 through 3. The applicant provided floor plans that demonstrate how an additional 177 spaces can be accommodated inside residential dwelling units. Lastly, one long-term bike parking space is provided in each retail tenant space. All long-term bicycle parking spaces are located indoors and are compliant with EDM requirements.

The project also provides 16 short-term bicycle parking spaces on eight bike rack staples. All bike racks are located within 50 feet of a primary building entrance. The submitted Landscape Plans include a detail drawing indicating that the proposed bike rack staples will be 30 inches wide by 36 inches tall, measured from grade. However, the detail drawing references spec drawing 33 32 00 of the project manual which states that the bike rack will be 28 inches wide by 33.4 inches tall. To resolve this inconsistency and ensure the provision of adequate short-term bicycle parking facilities, the Committee recommends a condition of approval that the applicant submit revised plan sets and detail drawings for the required bicycle parking to demonstrate compliance with the Engineering Design Manual Section 340 prior to Site Development Permit issuance.

Section 60.50 Special Use Regulations (Fences): The proposed development includes fencing in various locations across the site. In the front yard area abutting SW Baseline Road, an arterial street, a six-foot-tall cedar fence is proposed parallel to the property line. This six-foot-tall fence continues along the western side property line and the southwestern rear property line. A six-foot-tall steel picket fence is also proposed internal to the site for security fencing around the pool area and on the northern side of the gated parking area. Lastly, a four-foot-tall steel picket fence is proposed internal to the site around a dog walk area. All proposed fencing meets the height and location requirements of this section.

Section 60.55 Transportation Facilities: Staff cites the response to Facilities Review Criterion A as relevant to this criterion. The applicant submitted a Traffic Impact Analysis since the proposed development will generate 300 or more average net new daily trips compared to the existing uses on site. Since surrounding roadways and intersections are under Washington County jurisdiction, the analysis was assessed for potential traffic impacts by County staff. As detailed in Washington County comments dated June 13, 2023, and the findings in response to Criterion A, both access points will be interim and

subject to monitoring for safety by the County. The County also requires the construction of a median at the Baseline right-in right-out access point to prevent left turn movements as a mitigation measure for identified safety concerns. These County requirements are included as recommended conditions of approval.

Dedicated bicycle connections are not provided on site. However, the development will provide the required short- and long-term bicycle parking spaces by meeting the conditions of approval, and future users of the site will have direct access to the bike lanes on both street frontages via the site's two access points. Paved on-site pedestrian pathways provide a minimum five-foot unobstructed width and facilitate reasonably direct connections between pedestrian destinations while minimizing drive aisle crossings. The site is designed with four pedestrian pathway connections to each street frontage which exceeds the standard. Lighting of pedestrian pathways exceeds the required minimum illumination level, and accessible pedestrian routes are provided across the site to connect primary building entrances, parking areas, and transit stops. Additionally, the project includes pedestrian facilities that will provide safer, more direct connections to the existing Elmonica/SW 170th MAX light rail station by meeting recommended conditions of approval. First, the development will grant a public pedestrian access easement allowing the general public to traverse the site to access the MAX light rail station. Second, through the ODOT Rail Order process, the project is expected to construct pedestrian crossing infrastructure across SW 170th Avenue near the at-grade rail crossing to ensure safe connections across the street in such close proximity to the railway.

As detailed in response to Facilities Review Criterion A, the development must provide 10-foot-wide public sidewalks with street trees every 30 linear feet in tree wells that meet EDM standards on both street frontages. The submitted plans show that 10-foot-wide public sidewalks will be provided. However, the Committee recommends conditions of approval requiring the recordation of a public pedestrian access easement over a portion of the SW 170th Ave public sidewalk located on private property. The plans do not show compliance with the required number of street trees on either frontage. Six street trees are proposed along SW Baseline Road where eight trees are required, and 16 street trees are proposed on SW 170th Avenue where 20 are required. Reductions to the required number or spacing of street trees due to conflicts with necessary utilities or other infrastructure may be considered by the City Arborist pursuant to BDC 60.55.30.3. Because of this, the Committee recommends a condition of approval that the project submit plans prior to Site Development Permit issuance showing that eight street trees will be provided along SW Baseline Road and 20 street trees will be planted along SW 170th Avenue, unless an alternative number or spacing of street trees is approved by the City Arborist. The recommended condition will allow the applicant to request street tree spacing over 30 linear feet or fewer trees where utility or infrastructure conflicts exist, subject to approval by the City Arborist prior to issuance of the Site Development Permit. By meeting the conditions of approval, the Committee finds that adequate transportation facilities will be provided to serve the proposed development.

Section 60.65 Utility Undergrounding: All existing above ground utilities along the site's frontages will be undergrounded except for existing high voltage electric transmission lines which are exempt from undergrounding requirements. All new utility lines are also proposed to be undergrounded as reflected in the on-site and public right of way civil plan sets.

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

Section 40.03.1.E

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

FINDING:

The applicant's narrative states,

"Elmonica Group, LLC will be the property owner and developer and will be responsible for overseeing development and maintenance of the site. The company will provide continued maintenance and necessary replacement of private common facilities and areas such as drainage facilities, sidewalks, the parking area, landscaping, utility facility screening, and garbage and recycling storage areas...

The (3) residential buildings all have dedicated rooms for trash and recycling with chutes from the upper floors. Building 4 trash will be carried by Elmonica / Kinline (proposed project name) staff to the Building 2 trash room, see A2.01-5. Building 5 is a shell space to be built-out by future tenant and program is currently unknown. A trash and mixed recycling room has been incorporated into Building 5, please see A2.01-5. Trash can be wheeled out by future tenant to the Building 3 trash room and staging area across the drive aisle. The Building 3 trash room is now configured to accommodate (6) dumpsters, see A2.01-3.

We have provided paving in the vicinity of the trash rooms so dumpsters can be rolled from the rooms to the drive surfaces for loading into the route-trucks. Hauler trucks will enter the site via the right-turn-only drive access off Baseline, stopping first at Building 1. Building 2 trash will be collected by the hauler, with the truck pulling into the loading area adjacent to the trash room and then backing out through the central "intersection" and continuing on to Building 3/5 and out at the 170th driveway. The Building 3 trash pickup

is due North of the trash room. The crosswalk apron has been widened, allowing direct maneuvering of the dumpsters to the pick-up zone.”

The Committee reviewed the project and finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance or normal replacement of drainage facilities, roads and other improved rights-of-way, recreation facilities, landscaping, on-site pedestrian and vehicular areas, garbage and recycling areas, or fencing. Regarding waste management for the site, the Committee finds that adequate capacity for trash, mixed recyclables, and glass will be provided in Buildings 1, 2, and 3 for all proposed uses. The Committee concurs with the applicant’s plan for future property management staff to bring trash and recycling from Building 4 to Building 2 for service. Building 5 features a trash room with an exterior access door that can accommodate four roll carts for trash, mixed recyclables, glass, and food waste. The waste facilities for Building 2 also have sufficient capacity to accommodate the waste needs for the community building. The waste receptacles for the commercial use in Building 5 will be rolled out to the Building 3 staging area for service. The Committee finds that the proposed plan for servicing and maintenance of the waste facilities across the site is feasible and will provide sufficient capacity for all uses.

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. Vehicle circulation areas provide 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, and all parking spaces will meet applicable standards by complying with the recommended conditions of approval prior to Site Development Permit issuance. 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.

On-site pedestrian pathways facilitate efficient connections between building entrances, parking areas, outdoor amenities, and other pedestrian destinations within the development. Some ground floor dwelling units offer residents direct access to private patio areas via accessible pathways or stairs. All on-site pathways are accessible except some of those providing private tenant access to individual ground-floor dwelling units.

Where pedestrian pathways cross drive aisles, concrete will be used to differentiate the path from the asphalt drive aisle for enhanced safety. All pedestrian paths meet or exceed the minimum required five-foot unobstructed width except where proposed EV charging stations may conflict with the sidewalk area. As noted in Criterion A, the Committee recommends a condition of approval that the applicant submit plans prior to Site Development Permit issuance providing sufficient details to confirm that EV charging stations to be installed with this development do not conflict with the minimum five-foot-wide unobstructed sidewalk area. Some EV charging stations are proposed to be installed at a future, unknown date at which time a Design Review application will be required to review the structures and confirm there are no conflicts with pedestrian facilities or other required infrastructure.

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 Criterion A as relevant to this criterion. The development proposes one right-in right-out vehicular access point and four pedestrian connections to the SW Baseline Road circulation system abutting the site. One full-movement vehicular access is proposed to SW 170th Avenue, and four pedestrian pathways connect to the public sidewalk along this frontage in addition to serve the development. As noted in the comments and conditions of approval provided by Washington County, both vehicular accesses will be considered interim and subject to modification by the County which may result in turning movement restrictions or closures if safety concerns arise once the site is operational. By complying with Washington County standards and the recommended conditions of approval, on-site vehicular circulation will connect to the surrounding circulation systems in a safe and direct manner.

Pedestrian connections to the surrounding circulation system are designed to meet ADA requirements and are frequently provided in convenient locations along the site's frontages. As identified in the recommended conditions of approval, the applicant will be required to grant a public pedestrian access easement across the site which will provide a continuous connection between the public sidewalks on SW Baseline Road and SW 170th Avenue. Further, the applicant will be required to grant a second public pedestrian access easement over the portion of the public sidewalk abutting SW 170th Avenue that is located on the subject site. Therefore, the Committee finds that, by meeting the conditions of approval, the proposed pedestrian connections will connect to the surrounding circulation network in a safe, efficient, and direct manner.

Conclusion: Therefore, the Committee finds that, by meeting the conditions of approval, 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. The applicant states that a new fire line will provide sprinkler water to buildings, with distribution lines around the site. Building 1 will have a fire-pump to increase pressure in the system in order to achieve code-required pressure levels in Buildings 2 through 5. TVF&R will verify that their requirements are met prior to Site Development Permit issuance and will conduct inspections prior to occupancy. Therefore, the Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

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

Section 40.03.1.I

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

FINDING:

The applicant states that compliance with vision clearance, lighting, and glazing standards provides protection from crime and accident conditions. Vision clearance is addressed in the Access Management Plan. Lighting is addressed in Sections 60.05.30 of the narrative and in the lighting plan. Glazing and windows on ground floors are addressed in Sections 60.05.15.8 of the narrative. Construction documents for building and site development permitting will be reviewed to ensure protection from hazardous conditions.

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 designed to convey all surface drainage to catch basins and then into an underground storm detention chamber system. No stormwater drainage will discharge onto neighboring properties, and the proposed development will not increase runoff into the public facility, as the post development discharge will not increase compared to the current development conditions.

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

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

Section 40.03.1.K

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

FINDING:

The applicant states that the proposed development meets all applicable accessibility standards of the Oregon Structural Specialty Code (OSSC) (2010) and other standards as required by the American Disabilities Act (ADA). There are a total of 13 off-street ADA accessible parking spaces located in the parking lot. They are connected to adjacent buildings via a direct, flat, unobstructed walkway from the parking lot through the courtyard to the building. All new sidewalks included in the proposed development will be constructed with five (5) feet of unobstructed paths and curb extensions with curb ramps.

All interior common spaces, including common and staff bathrooms, mail areas and community spaces will be accessible per International Code Council (ICC) 117.1 and Oregon Structural Specialty Code (OSSC). Two percent of the total unit count will be Type “A” accessible per ICC 117.1. Elevators from upper floors will serve as the accessible route. In addition, all common area door hardware will meet push-force requirements.

Staff concurs but notes that 11 ADA-compliant vehicular parking spaces are provided on site. Staff finds that the proposed accessible routes connect on-site buildings and amenities to each other and to the surrounding public pedestrian network in a continuous and convenient manner. All pathways provide uninterrupted access routes with a minimum unobstructed width of five feet by meeting the recommended conditions of approval.

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 Design Review Two, Tree Plan Two, and Replat One applications on October 12, 2022, and a Legal Lot Determination application on March 8, 2023. The applicant deemed all applications complete on April 7, 2023. Pursuant to Section 50.25.1, staff finds that the proposal contains all applicable submittal materials.

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

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Station Community Multiple Use (SC-MU) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.20.20			
Multi-Dwelling	Permitted Use ⁴⁴	The applicant proposes a total of 256 multi-dwelling units distributed across three buildings. Two of the buildings are residential-only while the third is a multiple use building with a portion of the ground floor devoted to commercial uses.	YES
Retail Trade	Permitted Use ^{9, 25, 34}	The applicant proposes a total of 2,927 square feet of commercial retail space within the development. One retail tenant space is 1,509 square feet and located on the ground floor of a multiple use building. The other retail space is 1,418 square feet and located in a standalone commercial building. The footprint of the single-use commercial building does not exceed 10,000 square feet as restricted by footnote 9. Together, the proposed retail commercial space does not exceed 25% of the total proposed floor area of this multiple use development as limited by footnotes 9 and 34. All commercial activity is proposed to occur indoors and is, therefore, in conformance with footnote 25.	YES
Live/Work Uses	Permitted Use	One live/work unit is proposed in a ground-floor dwelling of Building 2. The live/work space is accessed directly from the public sidewalk along SW 170 th Avenue.	YES
Development Code Section 20.20.15			
Parcel Area	Minimum: None	5.43 acres	YES
Lot Dimensions	Minimum Width: None Minimum Depth: None	Width (following lot consolidation): 247 feet Depth: approx. 595 feet	YES
Yard Setbacks	Front: Exempt from minimum and maximum front setbacks per footnote 9. Must meet Design Standard in BDC 60.05.15.6. Side: None Rear: None	Front (Baseline): 11 feet 4 inches Front (170 th): 9 feet (Buildings 2 and 3), 8 feet (Building 5) Side (west): approx. 70 feet Side (north interior): 13 feet 8 inches Side (east interior): approx. 82 feet Side (west interior): approx. 67 feet Rear (southwest): 14 feet 5 inches	YES SEE DR FINDINGS

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Residential Density	Minimum for Residential Only Project (per acre): 30 ¹ 24 Maximum for Residential Only Project (per acre): None ²	See 20.25.10 Findings	SEE 20.25.10 FINDINGS
Floor Area Ratio (FAR)	Minimum: 0.4 Maximum: 2.00 ¹⁸ 1.00	See 20.25.10 Findings	SEE 20.25.10 FINDINGS
Maximum Building Height	100 ^{19,20} 60 feet	Site is within 1,320 feet of an LRT station platform per note 19. Building 1: 69 feet 10 inches Building 2: 70 feet 8 inches Building 3: 71 feet 10 inches Building 4: 25 feet 3 inches Building 5: 21 feet 10 inches	YES
Development Code Section 20.25.10			
Supplemental Multiple Use Density Standards	<u>Residential-Only Calculation</u> 5.19 net acres x 33.4% proposed res-only use x 30 min. res. density = 52 minimum required dwelling units <u>Non-Residential Calculation</u> 5.19 net acres x 66.6% proposed non-res use x 43,560sf x 0.4 min. FAR = 60,227 minimum required non-res. square footage	256 dwelling units proposed 173,456 square feet non-residential floor area proposed	YES

Development Code Table 20.20.20.A Footnotes

9. The maximum building footprint size for a building involving a single use shall be 10,000 square feet. In addition, the maximum square footage for these uses within a multiple use development shall be 25% of the total square footage of the development.

25. Activity is conducted wholly within an enclosed structure and no sales or outdoor storage of animals or livestock are allowed with this use.

34. These uses are Permitted only within multiple uses developments, as long as the floor area of this use does not exceed 25% of the total proposed floor area within a multiple use development.

44. For the purposes of this footnote, "Multi-dwelling" is inclusive of one or more units above a permitted or Conditionally approved non-residential use.

Development Code Section 20.20.15 Footnotes

1. 30 units within 400 feet of LRT station platform, 24 beyond 400 feet

2. Within 120 feet of Washington County R5 zoning, the maximum residential density is 12 units per acre

18. Maximum FAR 2.00 for sites within 1,320 feet of LRT station platform, 1.00 beyond 1,320 feet

19. 100 feet permitted for sites within 1,320 feet of LRT station platform; 60 feet permitted beyond 1,320 feet

20. Maximum building height of a building or portion of a building within 50 feet of a residentially zoned property, measured from the residential property line, is 35 feet or the maximum height permitted in the residential district, whichever is greater.

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	The applicant seeks Design Review Two approval to develop a multiple use site comprised of one multi-dwelling building, two multiple use buildings, one residential community building, and one standalone commercial building.	See DR Findings
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a floodplain.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	The applicant is not proposing a food cart or food cart pod.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	N/A
Development Code Section 60.15			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property, and within 25 feet of a Significant Tree or Grove.	The subject site does not abut any residentially zoned property and is not within 25 feet of any Significant Tree or Grove.	N/A
Development Code Section 60.20			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	N/A
Development Code Section 60.25			
Off-Street Loading Requirements	Minimum: None	No loading space is proposed.	N/A

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	<u>Multi-Dwelling Use</u>		
	Minimum: 255 spaces		
	Maximum: 477 spaces		
	<u>Live/Work Use</u>		
	Minimum: 1 space	255 total off-street parking spaces are provided. Many do not meet vehicle bumper overhang requirement of BDC 60.30.15 due to landscaping obstructions. Refer to the Facilities Review Committee findings herein.	YES w/ COA
	Maximum: 2 spaces		
	<u>Retail Use</u>		
	Minimum: 9 spaces		
	Maximum: 15 spaces		
	Reduction for Substitution of Bicycle Parking met for up to 5% reduction (13 spaces) per BDC 60.30.10.11.I.		
Total Minimum: 252 spaces			
Total Maximum: 494 spaces			

Development Code Section 60.30			
Required Bicycle Parking	<u>Multi-Dwelling and Live/Work Uses</u>		
	Short-Term: 13 spaces		
	Long-Term: 256 spaces		
	<u>Retail Use</u>		
	Short-Term: 2 spaces	16 total short-term bicycle parking spaces are provided. However, more information is needed to confirm that the proposed bike rack staple meets the 30"x36" minimum dimension standard. Refer to the Facilities Review Committee findings herein.	YES w/ COA
	Long-Term: 2 spaces		
	Reduction for Substitution of Bicycle Parking (BDC 60.30.10.11.I) requires 26 additional long-term bicycle parking spaces to eliminate up to 5% of required vehicle spaces.		
	Total Minimum Short-Term: 15 spaces		
	Total Minimum Long-Term: 284 spaces		
	371 total long-term bicycle parking spaces provided (194 in secure bike rooms, 177 in dwelling units, and one in each retail tenant space)		

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	N/A
Development Code Section 60.35			
Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	N/A
Development Code Section 60.40			
Sign Regulations	Requirements for signs	All signs will be reviewed under separate sign permit(s).	N/A
Development Code Section 60.50			
Fences	Height restrictions for fences and walls.	Six-foot-tall cedar fencing is proposed within the front yard area abutting Baseline right of way, an arterial street, and in the side and rear yards along the western and southwestern property lines. Steel picket fencing is used in several areas internal to the site. A six-foot-tall electric rolling steel picket gate is proposed to access the secure parking area. Six-foot-tall steel picket fencing is also proposed around the pool and outdoor community building area. Lastly, a four-foot-tall steel picket fence is proposed around a dog walk area.	YES
Development Code Section 60.55			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	Refer to the Facilities Review Committee findings herein.	NO
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	Five Community Trees are proposed to be removed. There are no Protected Trees on site requiring protection or mitigation during development.	See TP Findings
Development Code Section 60.65			
Utility Undergrounding	Requirements for placing overhead utilities underground.	The applicant states that all new and affected utilities on the subject site will be placed underground except for the existing high-voltage electric transmission lines which are exempt from undergrounding requirements.	YES

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	There are no identified significant natural resources on the subject site.	N/A
Development Code Section 60.70			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A

Attachment B: DESIGN REVIEW TWO DR2022-0139

ANALYSIS AND FINDINGS FOR DESIGN REVIEW TWO

Decision: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR2022-0139**, subject to the conditions identified in Attachment F.

Section 40.03.1 Facilities Review Approval Criteria:

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

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets all applicable criteria by complying with the conditions of approval in Attachment F.

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

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

FINDING:

The applicant proposes the development of a multiple use site in a Multiple Use zone with 255 multi-dwelling units, one live/work unit, and 2,927 square feet of commercial floor area. The proposal satisfies the following thresholds for a Design Review Two:

1. *New construction of up to and including 50,000 gross square feet of non-residential floor area where the development does not abut any Residential District; and*
3. *New construction of multi-dwellings in any zone where multi-dwellings are a Permitted or Conditional Use.*

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

Section 40.20.15.2.C.2

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

FINDING:

The applicant has paid the required fee related to the Design Review Two application.

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

Section 40.20.15.2.C.3

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

FINDING:

The applicant submitted the Design Review Two application on October 12, 2022. The application was deemed complete on April 7, 2023. Pursuant to Section 50.25.1, staff finds that the proposal contains all applicable submittal materials.

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

Section 40.20.15.2.C.4

Approval Criteria: 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:

The proposed project is not an addition to or a modification of an existing development. The subject request is for the construction of a new multiple use development on the site.

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

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. Since the subject site does not abut any residentially zoned property and is not within 25 feet of any Significant Tree or Grove, the standards of this section do not apply to this project.

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

Section 40.20.15.2.C.8

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

FINDING:

The applicant also submitted Tree Plan Two, Replat One, and Legal Lot Determination applications to be processed concurrently with this Design Review Two request. No additional applications or documents are needed at this time. Staff recommends a condition requiring approval of the associated Tree Plan Two, Replat One, and Legal Lot Determination applications prior to Site Development Permit issuance.

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 DR2022-0139, subject to the applicable conditions identified in Attachment F.

Section 60.05 Design Standards

Section 60.05.15 Building Design and Orientation Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Design and Orientation		
60.05.15.1.A Max length of multi-dwelling buildings in Residential zones	The proposed multi-dwelling building is in a Multiple Use zone.	N/A
60.05.15.1.B.1 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.	Buildings 1, 2, 3, and 5 are visible from and within 200 feet of an adjacent public street. This standard applies to those building elevations that face the street or contain a primary building entrance or multiple tenant entrances. Applicable elevations must feature at least 30% articulation using permanent architectural features. Elevations subject to this standard are listed below with the percentage of articulated elevation area provided. Building 1 North: 55% (2,681sf) Building 2 East/Southeast: 64% (9,582sf) Building 3 East/Northeast: 67% (10,944sf) Building 5 East: 48% (516sf)	YES
60.05.15.1.C.1 Maximum 40' spacing between permanent architectural features.	The horizontal spacing between permanent architectural features on all building elevations is less than 40 feet horizontally and vertically, as reflected in the submitted architecture plans.	YES
60.05.15.1.D Undifferentiated blank walls over 150sf facing a street, common green, or shared court	Building 1 is an attached residential building. This standard applies to its north building elevation since it faces a street. There are no undifferentiated blank walls on this elevation over 150sf. The largest undifferentiated wall area is 148sf.	YES
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12	Buildings 1, 2, and 3 feature sloped roofs and are visible from adjacent public streets and properties. All roofs of these buildings have a minimum 4:12 pitch.	YES
60.05.15.2.B Min roof eave = 12"	Buildings 1, 2, 3, and 4 have sloped roofs. The submitted architecture plans demonstrate that all applicable roofs have eaves that project 12 inches or more from the building wall, exclusive of gutters.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.15.2.C Flat roofs need parapets	Building 5 has a flat roof, and the submitted architecture plans show that a parapet wall will be provided that projects 2.5 feet above the roof line.	YES
60.05.15.2.D New structures in existing development be similar	The proposal is new development, not part of an existing development.	N/A
60.05.15.2.E 4:12 roof standard is N/A to smaller feature roofs	Feature roofs are proposed at the ends of Buildings 1, 2, 3, and 4. Although they are not subject to the minimum 4:12 slope requirement, the feature roofs meet or exceed the 4:12 slope standard.	YES
Primary Building Entrances		
60.05.15.3 Weather Protection for Primary Entrances	Primary entrances on all buildings include a covered entry way for weather protection. All canopies over primary entrances exceed the 4-foot-deep by 6-foot-long standard.	YES
Exterior Building Materials		
60.05.15.4.A Residential Double Wall Construction	The site is located in a Multiple Use zoning district, and buildings 1, 2, and 3 include multi-dwelling units. All three buildings are double wall construction.	YES
60.05.15.4.B Maximum 30% of primary elevation to be made of unfinished concrete block	The request is in a Multiple Use zoning district, and multiple building elevations are visible and within 200 feet of a public street or contain primary entrances. The applicant states that all applicable elevations feature small areas of exposed concrete foundation stem walls. The largest elevation area with exposed, unfinished concrete is 5% of the south-facing elevation of Building 3.	YES
60.05.15.4.C Foundations	<p>The subject site is in a Multiple Use zone, so this standard applies to all buildings. All five buildings feature some plain, smooth, exposed concrete for foundation material. Buildings 4 and 5 do not use plain, unfinished concrete more than three feet from finished grade level and meet this standard. Buildings 1, 2, and 3 all feature some areas that use plain, exposed concrete foundations more than three feet from grade level.</p> <p>Therefore, staff recommends a condition of approval that the applicant submit plans</p>	YES w/ COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	<p>prior to Building Permit issuance, for each building respectively, demonstrating that any exposed concrete foundation areas on Buildings 1, 2, and 3 that measure over three feet from finished grade level adjacent to the foundation wall are pigmented, textured, or both.</p>	
Roof-Mounted Equipment		
	<p>Buildings 1, 2, and 3 are proposed to have roof-mounted equipment in mechanical equipment wells. It is unclear if Building 4 will have any roof-mounted equipment since the applicant's narrative responses to BDC 60.05.15.5.A and B provide conflicting information about this building. Building 5 will be initially constructed as a shell building with a 2.5-foot-tall parapet wall to screen future roof-mounted equipment that is anticipated to be permitted and installed by the future tenant.</p>	
<p>60.05.15.5.A-C Equipment screening</p>	<p>Based on the information provided in the Architectural Plan Set, it is not clear if all roof-mounted equipment will be fully screened from view by the rooftop equipment wells on Buildings 1, 2, and 3 or the parapet wall on Building 5. It is also not possible to conclude from the information in the project narrative or plans if Building 4 will have roof-mounted equipment. Therefore, staff recommends a condition of approval requiring the applicant to submit plans prior to the issuance of each Building Permit demonstrating screening of roof-mounted equipment in accordance with this standard.</p>	<p>YES w/ COA</p>
Building Location and Orientation along Streets in MU and Com. Zones		
<p>60.05.15.6.A Street frontage Multiple Use Zones</p>	<p>The proposed development is in a Multiple Use zone and abuts the Class 1 Major Pedestrian Route along the site's frontage with SW 170th Avenue and the Class 2 Major Pedestrian Route on SW Baseline Road. As such, buildings must occupy 50% of the street frontage along SW 170th Ave and 35% of the street frontage along SW Baseline Rd. The applicant states that 68% of the SW 170th Ave street frontage is occupied by Buildings 2, 3, and 5 and that</p>	<p>YES</p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	37% of the SW Baseline Rd street frontage is occupied by Building 1. Staff's calculations differ from the applicant's, but staff concurs that the project meets the standard with 38% of the Baseline street frontage and 62% of the SW 170 th Ave street frontage occupied by buildings.	
60.05.15.6.B Street frontage Commercial Zones	The site is located in a Multiple Use zone.	N/A
60.05.15.6.C Street frontage Location and Design	Buildings that are subject to the street frontage standard of BDC 60.05.15.6.A are located within 20 feet of the property line. The areas between buildings are landscaped in accordance with BDC 60.05.25.5 in areas that are not occupied by pedestrian pathways, vehicular maneuvering areas, bike infrastructure, or stormwater planters.	YES
60.05.15.6.D Corner Lots fronting Major Pedestrian Routes	The subject site is not a corner lot fronting multiple Major Pedestrian Routes.	N/A
60.05.15.6.E Orientation of Primary Building Entrances	Buildings 1, 2, 3, and 5 are subject to the street frontage standard and provide at least one primary building entrance per building oriented toward an abutting public street. All primary building entrances are located within 20 feet of the abutting public street, and the pedestrian connections between the public sidewalk and primary entrances do not cross drive aisles or parking areas.	YES
60.05.15.6.F Secondary Entrances	All buildings feature multiple secondary entrances which face abutting streets, off-street parking areas, or landscaped areas.	YES
Building Scale along Major Pedestrian Routes		
60.05.15.7.A 22' Height Minimum 60' Height Maximum	Buildings 1, 2, 3, and 5 are subject to this standard, as they are within 20 feet of a property line abutting a Major Pedestrian Route. When measured 20 feet from the property line, Buildings 1 and 2 are both 58 feet tall, and Building 3 is 60 feet tall where 60 feet is the maximum allowed. Within 20 feet of the property line, Building 5 measures 22 feet tall where 22 feet is the minimum allowed.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.15.7.B Detached Residential Dwellings Exemption	The proposal is not for the development of detached residential dwellings.	N/A
60.05.15.7.C Maximum Height	The proposal does not exceed the maximum building height permitted pursuant to Chapter 20.	YES
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A Minimum Glazing	<p>Buildings 2, 3, and 5 are multiple use or commercial buildings and are subject to this standard. All applicable buildings have elevations that are visible from and within 200 feet of a public street and Class 1 Major Pedestrian Route. Therefore, 50% of each elevation must be treated with glazing.</p> <p>Applicable ground floor elevations of Building 2 feature 42% treatment with windows, display areas, or glass doorways which does not meet this standard. Thus, staff recommends a condition of approval that the applicant submit plans prior to Building Permit issuance for Building 2 demonstrating that the east/southeast facing ground floor elevation includes at least 50% glazing. Building 3's east/northeast ground floor elevation provides 50% glazing. Building 5 has three applicable ground floor elevations that face east, south, and north. Respectively, the elevation areas feature 55%, 87%, and 52% glazing.</p>	YES w/ COA
60.05.15.8.B Minimum Weather Protection	<p>Buildings 1 and 4 are exclusively for residential use. Ground floor elevations of Building 2, 3, and 5 are subject to this standard and are located on a Class 1 Major Pedestrian Route. Therefore, 50% of the ground floor elevation areas on the Major Pedestrian Route where pedestrians are allowed to walk must provide weather protection.</p> <p>On ground floor elevation areas of Building 2 that adjoin pedestrian pathways on the Major Pedestrian Route, weather protection is provided along 65% of the applicable elevation length. Building 3 provides 61% weather protection coverage over</p>	YES w/ COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	applicable lengths of the ground floor. Lastly, Building 5 provides 44% weather protection over pedestrian areas along the ground floor elevation on the Major Pedestrian Route which does not meet this standard. Therefore, staff recommends a condition of approval that the applicant submit plans prior to Building Permit issuance for Building 5 demonstrating that at least 50% weather protection is provided in applicable areas.	
Compact Detached Housing Design		
60.05.15.9.A-K	Compact Detached Housing is not proposed.	N/A
Ground Floor Elevations on Eligible Residential-Only Buildings		
60.05.15.10.A-B	No eligible residential-only buildings are proposed.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the Public Street System		
60.05.20.1 Connect on-site circulation to existing and planned street system	The site provides 10 direct pedestrian connections to SW 170 th Avenue and four pedestrian connections to SW Baseline. One vehicular access point per frontage is also provided. Cyclists share the on-site vehicular circulation areas to access the bike lane facilities on both SW Baseline Rd and SW 170 th Ave. The proposed connections extend to the boundaries of the development and provide links to the street, bicycle, and pedestrian networks in accordance with the Comprehensive Plan.	YES
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A Service, Storage, and Utility Area Screening	Multiple utility vaults and transformers are proposed on the subject site which are fully screened from view or located in an area that is not visible from a public street. All waste storage and recycling facilities are located inside the proposed buildings. No on-site service areas, outdoor storage areas, or disposal facilities are proposed.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.20.2.B Loading Area Screening	Loading areas are not proposed.	N/A
60.05.20.2.C Screening with a Wall, Hedge, or Wood Fencing	<p>Screening of three utility vaults and three transformers are subject to this standard. One utility vault is located on the north side of Building 2 near SW 170th Ave. This utility vault is screened by a hedge planted with Convex-Leaved Japanese Holly that will reach 95% opacity within two years and grow to at least one foot taller than the vault. A second utility switch vault is located behind Building 3 as is not visible from public view. The third utility vault is located near the public sidewalk on 170th next to Building 3. However, it is not clear from the submitted plans if this is an at-grade vault or above ground which will require screening. Therefore, staff recommends a condition of approval that the applicant submit plans prior to Site Development Permit issuance demonstrating that this utility vault is either at-grade and compliant with applicable ADA requirements if any portion of the vault is located in the public sidewalk or public pedestrian access easement area, or that the vault is above ground and screened in accordance with this standard.</p> <p>One transformer is located at the northwest corner of the site near SW Baseline Rd and is screened by a solid, six-foot-tall wood fence. Two other transformers are located behind Buildings 2 and 3 and are not visible from a public street.</p>	YES w/ COA
60.05.20.2.D Chain-link screening prohibited	Screening with chain-link fencing is not proposed.	N/A
60.05.20.2.E Loading Zone Screening Waived in Some Zones	Loading zones are not proposed.	N/A
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	Ten direct pedestrian connections to facilities on SW 170 th Ave and four connections to SW Baseline Rd are provided by this development. These	YES w/ COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	<p>pathways connect primary and secondary on-site building entrances, off-street parking areas, and outdoor amenity areas to one another and to surround public pedestrian facilities. The development also proposes to provide a public pedestrian easement over its internal pathway network to allow the public to cross through the site between SW Baseline Rd and SW 170th Ave for improved access to the existing TriMet Elmonica/SW 170th MAX station. As discussed in Attachment A, recordation of the public pedestrian easement is a condition of approval of this application prior to issuance of final occupancy.</p>	
<p>60.05.20.3.B Direct walkway connection</p>	<p>Reasonably direct walkway connections are provided between primary building entrances and the public pedestrian facilities along SW Baseline Rd and SW 170th Ave. Additionally, frontage improvements to construct a 10-foot-wide public sidewalk along SW 170th Ave is required which will provide improved access for pedestrians to the existing light rail transit stop at the southeast corner of the site.</p>	<p>YES</p>
<p>60.05.20.3.C Walkways every 300'</p>	<p>A minimum of two pedestrian connections to SW 170th Ave and one connection to SW Baseline Rd are required into the subject site based on the length of each street frontage. Ten pedestrian connections to SW 170th Ave and four connections to SW Baseline Rd are provided in excess of this standard.</p>	<p>YES</p>
<p>60.05.20.3.D Physical separation</p>	<p>Pedestrian connections through parking lots are proposed and are separated from vehicle parking and maneuvering areas through a combination of curbs, landscaping including trees, shrubs, and groundcover, and lighting.</p>	<p>YES</p>
<p>60.05.20.3.E Distinct paving</p>	<p>Five pedestrian connections are proposed to cross drive aisles on site. Each pedestrian crossing is proposed to be constructed of vehicular-grade concrete to differentiate the path from the asphalt drive aisles.</p>	<p>YES</p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<p>60.05.20.3.F 5' minimum width</p>	<p>The submitted site plan (Sheet A1.01 of the Architectural Plan Set) shows that proposed pedestrian pathways are five feet wide and constructed with scored concrete. However, as mentioned in Attachment A, it is not clear from the submitted plans if proposed EV charging stations obstruct the minimum 5-foot pathway width in some areas. Thus, a condition of approval is recommended that the applicant submit more information prior to Site Development Permit issuance to confirm that EV charging infrastructure will not obstruct the required 5-foot pedestrian walkway width.</p>	<p>YES w/ COA</p>
Street Frontages and Parking Areas		
<p>60.05.20.4.A.1-2 Street frontages and parking areas</p>	<p>A portion of a surface parking lot is proposed adjacent to S Rd. Perimeter parking lot landscaping is provided in an eight-foot-wide planter strip planted with Shamrock Inkberry Holly, an evergreen hedging shrub that will reach a minimum 30-inch height and 50% opacity within two years of planting. The proposed perimeter parking lot landscaping meets the requirements of BDC 60.05.20.4.A.1.</p>	<p>YES</p>
Parking and Landscaping		
<p>60.05.20.5.A Landscape planter island every 10 spaces</p>	<p>Landscape planter islands are provided for every ten contiguous parking spaces or less across the site.</p>	<p>YES</p>
<p>60.05.20.5.B Landscape planter islands dimensions</p>	<p>Provided landscape planter islands meet or exceed the minimum required 70 square foot area and have a minimum planting area width of six feet. The planting areas are surrounded by six-inch curbs in a way that protects landscaping. Planter islands are evenly distributed across the site. All landscape planter islands are proposed to be planted with one tree that will reach a minimum mature height of 20 feet.</p>	<p>YES</p>
<p>60.05.20.5.C Raised Sidewalks</p>	<p>Linear raised sidewalks or walkways within parking areas are not proposed.</p>	<p>N/A</p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<p>60.05.20.5.D Trees on Street Tree List</p>	<p>Four different tree types are proposed to be planted in landscape planter islands. They are Legacy Sugar Maple, Skyline Honey Locust, Green Vase Sawleaf Zelkova, and Ginkgo Biloba Autumn Gold Maidenhair trees. All four trees are identified on the City of Beaverton Street Tree List that was in effect at the time of application submittal in October 2022.</p>	<p>YES</p>
Off-Street Parking Frontages in Multiple-Use Districts		
<p>60.05.20.6.A Off-Street Parking Area Frontage Requirements</p>	<p>Off-street surface parking areas are located adjacent to SW Baseline Rd, a Class 2 Major Pedestrian Route. Therefore, surface parking areas may not exceed 65% of the street frontage along this public street. Twenty-eight percent of the site's Baseline frontage is adjacent to off-street surface parking areas.</p>	<p>N/A</p>
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
<p>60.05.20.7.A 10' Minimum Sidewalk along Streets</p>	<p>The development proposes ten-foot-wide public sidewalks along the site's frontages with SW Baseline Rd and SW 170th Ave. The submitted plans demonstrate that all sidewalks along streets maintain a minimum unobstructed width of five feet.</p>	<p>YES</p>
<p>60.05.20.7.B Internal sidewalks along elevations with primary entrances, tenant entrances, or display windows</p>	<p>Sidewalks and walkways internal to the site are provided along building elevations that include a primary building entrance, multiple tenant entrances, or display windows. All pathways are paved with scored concrete. At building entrances and along elevations containing display windows, the sidewalks are 10-feet-wide with an unobstructed path of five feet or more.</p>	<p>YES</p>
<p>60.05.20.7.C Exemption for some residential developments</p>	<p>The proposal is not a residential development fronting a common green or shared court, nor is it a detached residential development.</p>	<p>N/A</p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
60.05.20.8.A Drive aisles to be designed as public streets, if applicable	A parking lot drive aisle linking public streets with parking stalls is proposed. This drive aisle provides direct access to perpendicular parking stalls, so it qualifies for the exemption identified in subsection 3 of this standard (BDC 60.05.20.8.A.3).	YES
60.05.20.8.B Private streets, common greens, shared courts	Since the project qualifies for the exemption identified in BDC 60.05.20.8.A.3, this standard is not applicable.	N/A
Ground Floor uses in parking structures		
60.05.20.9.A 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
Minimum Landscaping		
60.05.25.5.A Minimum landscaping for development of eight or more attached housing units	A minimum of 10% of the total gross lot area, or 23,653 square feet, must be landscaped. The submitted Landscape Plan demonstrates that 38,744 square feet of landscaped area, roughly 16% of gross lot area, is provided on site.	YES
60.05.25.5.B Minimum Planting Requirements	Based on a required minimum landscaped area of 23,653 square feet, 30 trees must be provided. Ninety-eight trees are proposed; all are deciduous trees with a minimum 1.5-inch caliper at the time of planting. At least 59 evergreen shrubs with a minimum mature height of 48-inches must also be provided. The proposed Landscape Plan shows that several different evergreen shrub types that grow 48-inches tall or taller will be planted in excess of the required 59 shrubs. Live ground cover plants are proposed in portions of landscaped area that are not occupied by trees or shrubs, except where gravel is used. Gravel is proposed over 3,807 square feet, or 16%, of the required landscaped area where 25% is the maximum permitted.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.25.5.C Pedestrian Plazas	Pedestrian plazas are not proposed.	N/A
60.05.25.5.D Foundation Landscaping	All buildings have windows on the ground floor.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	Retaining walls are used in some portions of the site to create landscape planter areas. No proposed retaining walls are taller than six feet or longer than fifty lineal feet.	N/A
Fences and Walls		
60.05.25.9.A Fencing Materials	Three different fence designs are proposed on site. All fencing is constructed of commonly used, durable materials. One fence is constructed with cedar wood, and the other two fence types are constructed with steel pickets.	YES
60.05.25.9.B Chain Link Fencing	Chain link fencing is not proposed.	N/A
60.05.25.9.C Masonry Walls	Multiple concrete masonry wall designs are proposed for use across the site. All walls meet or exceed the minimum six-inch width requirement.	YES
60.05.25.9.D Fencing and Wall Requirements for Manufacturing Uses	The proposal is not in an Industrial zoning district.	N/A
60.05.25.9.E Fencing and Wall Heights	Proposed fencing in the front yard area adjacent to SW Baseline Rd, an arterial street, is six feet tall. Fencing and walls in other locations on site do not exceed six feet tall where eight feet is the maximum height permitted outside of the front yard area.	YES
Minimize Significant Changes to Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10.A-B Minimize grade changes	There are no identified Significant Individual Trees, Historic Trees, Significant Groves, or Significant Natural Resource areas on the subject site. Since the site does not abut any residential property lines, the standards of BDC 60.15.10 do not apply.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of non-vaulted facilities	Two non-vaulted stormwater detention facilities are proposed on site. One is located on the south side of Building 1 and west of Building 4. The second non-vaulted facility is located south of Building 3. Neither facility is proposed between a street and the front of a building.	YES
Natural Areas		
60.05.25.12 No encroachment into buffer areas.	No natural areas exist on site.	N/A
Landscape Buffering Requirements		
60.05.25.13 Landscape buffering between contrasting zoning districts	Abutting properties to the west, south, and east are located within the same zoning district as the subject site, SC-MU. Across the street to the north, properties are zoned Station Community High Density Residential (SC-HDR). Since the site is surrounded on all sides by properties located in one of the Station Community Multiple Use zoning districts, landscape buffers are not required.	N/A

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A Lighting complies with the City's Technical Lighting Standards	<p>The City's Technical Lighting Standards require a minimum 0.7 foot-candle illumination level in applicable on-site areas for Multiple Use developments with Residential land uses. The Standards also state that lighting levels at property lines not abutting the ROW may not exceed 0.5 foot-candles.</p> <p>The submitted Photometric Plans demonstrate that proposed on-site lighting provides a minimum 0.7-foot candle illumination level in all applicable areas. However, lighting levels in several areas at interior property lines exceed 0.5 foot-candles. Because of this, staff recommends a condition of approval that the applicant</p>	YES w/ COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	provide revised Photometric Plan(s) prior to Site Development Permit issuance demonstrating that lighting at property lines that do not abut the right of way do not exceed 0.5 foot-candles in accordance with the City's Technical Lighting Standards.	
60.05.30.1.B Lighting provided for vehicle and pedestrian circulation	The submitted Photometric Plans demonstrate that lighting is proposed in all on-site vehicular and pedestrian circulation areas. The plans show that a minimum 0.7 foot-candle lighting level is maintained in all vehicular and pedestrian circulation areas in accordance with the City's Technical Lighting Standards.	YES
60.05.30.1.C Lighting of Ped Plazas	Pedestrian plazas are not proposed.	N/A
60.05.30.1.D Lighting of building entrances	The applicant's Photometric Plan shows adequate lighting at proposed building entrances.	YES
60.05.30.1.E Canopy lighting	Canopy lighting is not proposed.	N/A
Pedestrian-scale on-site lighting		
60.05.30.2.A Pole Mounted Luminaires	Pole-mounted luminaires are proposed for pedestrian and vehicular circulation areas. Sheet E0.02-LU of the submitted Photometric Plan Set specifies that pole-mounted lights for parking areas will be 20 feet tall where 20 feet is the maximum allowed for multiple use developments with residential. The same sheet also states that pole-mounted lights for pedestrian areas will be 15 feet tall where 15 feet is the maximum allowed.	YES
60.05.30.2.B Non-Pole Mounted Luminaries	Wall-mounted lights are proposed at building entrances of Buildings 1, 2, and 3. The submitted Photometric Plans state that all wall-mounted light fixtures will be mounted eight feet above the finished floor height of each building, respectively. Thus, wall mounting height of proposed fixtures will not exceed the maximum 20 feet permitted for multiple use with residential development.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<p>60.05.30.2.C Lighted Bollards</p>	<p>Lighted bollards are proposed in multiple areas of the site in landscaping areas that provide lighting for on-site pedestrian pathways. The submitted Photometric Plans and lighting cut sheets demonstrate that all proposed lighted bollards will be 37 ¼ inches tall which is less than the maximum height of 48 inches permitted.</p>	<p>YES</p>

Attachment C: TREE PLAN TWO TP2022-0015

ANALYSIS AND FINDINGS FOR TREE PLAN TWO APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **TP2022-0015**, 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 decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.90.15.2.C.1

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

FINDING:

The subject site contains five Community Trees measuring ten inches DBH or greater. The proposal is to remove all five trees. The project triggers 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

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

FINDING:

The City of Beaverton received the appropriate fee for a Tree Plan Two application.

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

Section 40.90.15.2.C.3

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

FINDING:

The applicant states that removal of trees is not proposed to observe good forestry practices associated with American National Standards Institute (ANSI) A300-1995 or International Society of Arborists (ISA) standards.

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

Section 40.90.15.2.C.4

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

FINDING:

The applicant states that six community trees are proposed to be removed to accommodate the physical development of the site. Because of the site size in relation to the size of the proposed development and construction activities such as grading, locating utilities, and developing the various uses (building, parking, pedestrian and activity areas and landscaping) will require the removal of the identified trees. The landscape plan identifies how tree replacement will be accomplished.

Staff notes that five on-site Community Trees are proposed for removal to accommodate physical development of the site. The five Community Trees to be removed are located in close proximity to the north and western internal property lines. These trees conflict with utility infrastructure including utility vaults and stormwater sewer lines, light poles, and parking areas needed to support the development of the site to applicable standards. Staff concurs that no reasonable alternative exists to accommodate physical development of this site while retaining the Community Trees.

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

Section 40.90.15.2.C.5

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

FINDING:

The applicant states the trees proposed for removal are to facilitate development of the property and are not a nuisance.

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

Section 40.90.15.2.C.6

Approval Criterion: 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 states the removal of various trees is necessary to facilitate public improvements included in the proposed development. Staff concurs that two of the five Community Trees must be removed as they conflict with the proposed relocation of a public sanitary sewer utility easement that will benefit the adjacent tax lot. Staff has not identified a reasonable alternative to tree removal that would not increase public costs while accomplishing the required public improvement.

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

Section 40.90.15.2.C.7

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

FINDING:

The applicant states that no tree removals are proposed to enhance the health of a tree or grove.

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

Section 40.90.15.2.C.8

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

FINDING:

The trees proposed for removal are not located within a SNRA or Significant Grove.

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

Section 40.90.15.2.C.9

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

FINDING:

The trees proposed for removal are not located within a SNRA or Significant Grove.

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

Section 40.90.15.2.C.10

Approval Criterion: 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 conformance with Section 60.60 is demonstrated in Section 60.60 of the narrative, and Section 60.67 Significant Natural Resources is not applicable to this application. Staff cites the findings in the table titled Chapter 60 Trees and Vegetation at the end of this section which evaluates the project as it relates to applicable

code requirements of Section 60.60, as applicable to the criterion. Since there are no significant natural resources on the subject site, the provisions of Section 60.67 are not applicable to this project.

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

Section 40.90.15.2.C.11

Approval Criterion: 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:

The applicant states that, as demonstrated by the Grading and Utility Plans and Stormwater Management Report, the project was designed to meet the City of Beaverton standards for grading and drainage. In keeping with City of Beaverton requirements, the project was designed to minimize adverse effects on neighboring properties, public rights-of-way, surface drainage, water storage facilities, and the public drainage system.

Staff cites the findings in Attachment A as relevant to this criterion. The Facilities Review Committee reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, or the public storm system. The Committee recommends conditions of approval requiring the applicant to obtain a Site Development Permit and a Washington County Facility Permit which will ensure that grading and contouring of the development site meet applicable City and County standards to ensure no adverse effects occur.

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

Section 40.90.15.2.C.12

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

FINDING:

The applicant submitted the Tree Plan Two application on October 12, 2022. The application was deemed complete on April 7, 2023. Staff finds that the proposal contains all applicable submittal materials.

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

Section 40.90.15.2.C.13

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

FINDING:

The applicant also submitted Design Review Two, Replat One, and Legal Lot Determination applications to be processed concurrently with this Tree Plan Two request. No additional applications or documents are needed at this time. Staff recommends a condition requiring approval of the associated Design Review Two application prior to Site Development Permit issuance.

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 TP2022-0015, subject to the applicable conditions identified in Attachment F.

Chapter 60 Trees and Vegetation

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Pruning, Removal, and Preservation Standards			
60.60.15.1.A-B	Pruning standards for Protected and Landscape Trees.	No pruning of a Protected Tree is proposed for this project.	N/A
60.60.15.2.	Removal and Preservation Standards for Protected Trees	The applicant is proposing the removal of seven Community Trees. The trees are not Landscape Trees or Protected Trees.	N/A
Tree Protection Standards during Development			
60.60.20.1.A-B	Trees shall be protected during construction and activity within the protected root zone shall be limited.	The applicant is proposing to remove seven Community Trees. No trees are proposed to remain on site that would require protection during development.	N/A
Mitigation Requirements			
60.60.25.	Mitigation Standards	The applicant is proposing to remove seven Community Trees. Mitigation is not required for the removal of Community Trees.	N/A

Attachment D: REPLAT ONE LD2022-0018

ANALYSIS AND FINDINGS FOR REPLAT ONE FOR LOT CONSOLIDATION APPROVAL

Decision: Based on the facts and findings presented below, staff recommends **APPROVAL** of **LD2022-0018**, 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 40.45.05 Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of the boundaries of land within the City of Beaverton. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.45.15.2.C of the Development Code provides standards to govern the decisions of the decision making authority as they evaluate and render decisions on Replat One for Lot Consolidation. The decision making authority will determine whether the application as presented meets the approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Replat One.

To approve a Replat One for Lot Consolidation 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 40.45.15.2.C.1

Approval Criterion: The application satisfies the threshold requirements for Replat One.

FINDING:

The applicant states the proposal meets Threshold No. 1 as the request consolidates the two existing lots into one. Staff concurs and notes that the proposal also satisfies Threshold No. 2 for a Replat One, since the existing lots have never been a part of a previously recorded plat. As such, staff finds that proposal satisfies both Threshold No. 1 and No. 2 of the Replat One application which read:

1. *The reconfiguration of lots, parcels, or tracts within an existing single existing plat that decreases or consolidates the number of lots, parcels, or tracts in the plat; and*
2. *The creation of a plat for land that has never been part of a previously recorded plat where no new lots or parcels are proposed.*

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

Section 40.45.15.2.C.2

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

FINDING:

The applicant has paid the required fees related to the Replat One application.

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

Section 40.45.15.2.C.3

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

FINDING:

The applicant states that the applicant is not aware of any existing City approvals that the Replat 1 would conflict with and understands that the City may modify prior approvals through the Replat process to comply with current Code standards and requirements. Staff's analysis found that the proposed Replat to consolidate two lots does not conflict with any existing City approval, and there have been no prior approvals associated with the subject lots that require modifications to comply with current standards.

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

Section 40.45.15.2.C.4

Approval Criterion: The application is consistent with applicable requirements of CHAPTER 20 and CHAPTER 60, 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.

FINDING:

Staff cites the findings in Attachment A, including the Chapter 20 Use and Site Development Requirements table and the Chapter 60 Special Requirements table, as relevant to this criterion. Staff also cites the findings in Attachment B which evaluate the project's compliance with the Design Standards of BDC 60.05. The application was found to be consistent with all applicable requirements of these chapters, and the applicant has not submitted any applications to modify any applicable standards or requirements of Chapter 20 or Chapter 60.

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

Section 40.45.15.2.C.5

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

FINDING:

An oversized parcel is defined in Chapter 90 as:

“Except in RMB, RMC, and RMA for lots where single-detached dwellings or middle housing are existing or proposed, a lot which is greater than twice the required minimum lot size allowed by the subject zoning district.”

The subject site is zoned Station Community Multiple Use (SC-MU) which does not have a minimum parcel area requirement. The subject site following right of way dedication will be approximately 5.28 acres in size. As there is no minimum lot size in the SC-MU zoning district, the lot cannot be oversized. The proposed development site and the consolidation of two lots will not preclude or hinder the future partitioning or subdividing of the resulting lot. Should the lot be subdivided or partitioned in the future, the proposal will have the ability to meet site development requirements of the underlying zoning district and will have adequate access to abutting rights of way.

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

Section 40.45.15.2.C.6

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

FINDING:

Phasing is not proposed with this development.

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

Section 40.45.15.2.C.7

Approval Criterion: The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.

FINDING:

The applicant states that the proposal will not eliminate any pedestrian, utility, or vehicle service to the affected property. Staff concurs and references the findings in Attachment A confirming that all critical and essential facilities will be available to serve the proposed development by meeting the conditions of approval.

Furthermore, the adjacent tax lot to the northeast of the subject site, tax lot number 1S106DB00100, will be affected by the development and lot consolidation. First, the project proposes to relocate a public sanitary sewer utility easement that benefits the adjacent lot. The applicant has submitted written consent from the adjacent property's representative confirming that the proposal to relocate the utility easement is acceptable to the property owner (Exhibit 3.19). Second, this development is required to grant a reciprocal access easement that connects tax lot 1S106DB00100 to the subject site's Baseline access point pursuant to Washington County access standards, detailed in Attachment A, which require the consolidation of access points on arterials and near intersections. Washington County access standards also require that the development provide an alternate access easement to tax lot 1S106DB00100 in the future should the Baseline access point be modified or closed in a way that prevents adequate access for the adjacent lot. As reflected in the conditions of approval, recordation of the reciprocal access easement to the Baseline access prior to approval of the final plat and a future, conditional requirement to grant an alternative access easement, the requested lot consolidation and associated development will not eliminate vehicular access to the adjacent affected property.

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

Section 40.45.15.2.C.8

Approval Criterion: The proposal does not create a parcel or lot which will have more than one zoning designation.

FINDING:

Both tax lots associated with this Replat One request are currently zoned Station Community Multiple Use. Therefore, the proposed lot consolidation would not create a parcel with more than one zoning designation.

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

Section 40.45.15.2.C.9

Approval Criterion: Applications and documents related to the request requiring further City approval shall be submitted to the City in the proper sequence.

FINDING:

The applicant also submitted Design Review Two, Tree Plan Two, and Legal Lot Determination applications to be processed concurrently with this Replat One request. No additional applications or documents are needed at this time. Staff recommends a condition requiring approval of the associated Legal Lot Determination application prior to Site Development Permit issuance.

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 LD2022-0018, subject to the applicable conditions identified in Attachment F.

Attachment E: LEGAL LOT DETERMINATION LLD2023-0003

ANALYSIS AND FINDINGS FOR LEGAL LOT DETERMINATION

Decision: Based on the facts and findings presented below, staff recommends **APPROVAL** of **LLD2023-0003**, subject to the applicable conditions identified in Attachment F.

Section 40.47.05 Purpose

The purpose of the Legal Lot Determination is to determine the legal status of lots and subdivisions that were created prior to the enactment of current subdivision regulations or prior to the City annexing a particular property. This section provides criteria for rendering decisions on the legal status of lots and subdivisions consistent with State Statute. This Section is carried out by the approval criteria listed herein.

Section 40.47.15.1.C Approval Criteria

In determining if the subject lot or parcel is a Legal Lot, the decision making authority shall make findings based in evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.47.15.1.C.1

Approval Criterion: The application satisfies the threshold requirements for a Legal Lot Determination.

FINDING:

This Legal Lot Determination request is associated with a development proposal to construct 255 multi-dwelling units, one live/work unit, and nearly 3,000 square feet of commercial space on two tax lots. The applicant has also submitted a Replat One request to consolidate the two lots. There is no record that the lots have been a part of a previously recorded plat, and no prior Legal Lot Determination has been made to establish the legal status of the lots that comprise the subject site. As such, the application satisfies Threshold number 3 for a Legal Lot Determination which reads:

- 3. The Director requires a Legal Lot Determination be made as a prerequisite to, or concurrently with, the filing of a land use application.*

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

Section 40.47.15.1.C.2

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

FINDING:

The applicant has paid the required fee related to the Legal Lot Determination application.

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

Section 40.47.15.1.C.3

Approval Criterion: The unit of land conforms to the lot area and dimensional standards of Chapter 20 (Land Use) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District; except where a unit of land was created by sale prior to January 1, 2007, and was not lawfully established, the Director may deem the unit of land a Legal Lot upon finding:

- a. The unit of land could have complied with the applicable criteria for creation of a lawful parcel or lot in effect when the unit of land was sold; or
- b. The City, or the County prior to annexation, approved a permit as defined in ORS 215.402 or 227.160(2) for the construction or placement of a dwelling or other structure on the unit of land after the sale, and such dwelling has all the features listed in ORS 215.755(1)(a)-(e).

FINDING:

The subject units of land are located in the Station Community Multiple Use (SC-MU) zoning district. The SC-MU Site Development Standards of BDC 20.20.15 have no minimum lot area or dimensional standards for lots in this zoning district. This Replat One request proposes to consolidate two contiguous tax lots. The first lot, tax lot 1S106DB00400, is currently 0.52 acres in size with a lot width abutting SW Baseline Road of approximately 70 feet and lot depth of about 234 feet. The second lot, tax lot 1S106DB02500, is currently 4.91 acres and fronts both SW Baseline Road and SW 170th Avenue. The lot is 150 feet wide abutting SW Baseline Road and approximately 594 feet wide abutting SW 170th Avenue. At its narrowest point internal to the site, the second tax lot is roughly 225 feet deep. Since both existing tax lots meet the current lot area and dimensional standards of Chapter 20 (Land Use) for lots in the SC-MU zoning district, staff finds that the two units of land associated with this Legal Lot Determination request are Legal Lots.

For the units of land to become lawfully established parcels, a Final Land Division must be recorded with Washington County pursuant to BDC 40.47.15.1.E. Since the applicant is concurrently requesting Replat One approval to consolidate two lots which also requires subsequent recordation of a Final Land Division, staff recommends conditions of approval

related to the recordation of one Final Land Division that will establish the final, consolidated tax lot as a Legal Lot of record prior to final occupancy.

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

Section 40.47.15.1.C.4

Approval Criterion: The application contains all applicable submittal materials as specified in Section 50.25.1 of the Development Code.

FINDING:

The applicant submitted the Legal Lot Determination application on March 8, 2023. The application was deemed complete on April 7, 2023. Staff finds that the proposal contains all applicable submittal materials.

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

Section 40.47.15.1.C.5

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

FINDING:

The applicant also submitted Design Review Two, Tree Plan Two, and Replat One applications to be processed concurrently with this Legal Lot Determination request. No additional applications or documents are needed at this time.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of LLD2023-0003.

Attachment F: CONDITIONS OF APPROVAL

Application: Elmonica Mixed Use

Recommendation: APPROVE DR2022-0139 / TP2022-0015 / LD2022-0018 / LLD2023-0003, subject to the conditions of approval herein

Design Review Two (DR2022-0139)

A. General Conditions, the applicant shall:

1. Ensure that the Tree Plan Two (TP2022-0015), Replat One (LD2022-0018), and Legal Lot Determination (LLD2023-0003) applications have been approved and are consistent with the submitted plans. (Planning / BG)

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

2. Obtain a Washington County Facility Permit for all public improvements on SW Baseline Road and SW 170th Avenue as noted below (Washington County / NV).
 - a. Submit to Washington County Public Assurance Staff: A completed "Design Option" form (original copy), City's Notice of Decision (NOD) and County's Letter dated June 13, 2023.
 - b. \$50,000.00 Administration Deposit

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and permit processing. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

- c. Electronic submittal of engineering plans, geotech/pavement report, engineer's estimate, preliminary sight distance certification and the "Engineer's Checklist" (Appendix 'E' of County Road Standards) for construction of the following public improvements:

Note: Improvements within the ROW may be required to be relocated or modified

to permit the construction of public improvements. All public improvements and modifications shall meet current County and ADA standards. Public improvements that do not meet County standards shall submit a design exception to the County Engineer for approval.

- d. West Baseline Avenue – RI/RO access
 - i. Removal of the existing sidewalk and reconstruction of a 10-foot-wide sidewalk with a 13-foot planter and street trees on SW Baseline Road. The sidewalk shall be located 1 foot from the ROW. Street trees shall be to City standards and shall use County root barrier detail. Maintenance of street trees and tree grates shall be maintained by the Developer/Owner.
 - ii. Installation of continuous street lighting and communication conduit along the site's frontage of SW Baseline Road to County standards.
 - iii. Construction of a RI/RO access, including installation of a median on SW Baseline Road. Use County Standard Detail 2300. Include truck turning templates and vision triangle clearance.
 - iv. Closure of all existing access on SW Baseline Road not approved with this development.
 - v. Construction access and traffic circulation/control plan.
 - vi. Preliminary Sight Distance Certification and mitigation for access to SW Baseline Road.
- e. SW 170th Avenue Access
 - i. Construction of a half-street improvement to a minimum A-4 County standard along the site's entire frontage, including the portion that fronts ODOT Rail ROW. The half-street improvement shall include a 3 lane road section, 6 foot bike lane with 2 foot buffer, gutter/curb, 10 foot wide sidewalk with tree wells, 6 foot planter strip. Street trees shall be to City standards and shall use County root barrier detail is required. Maintenance of street trees and tree grates shall be maintained by the Developer/Owner.

NOTE: The half-street improvement that fronts ODOT Rail ROW shall be constructed per the ODOT Rail Order and County Engineer.
 - ii. Installation of continuous street lighting and communication conduit along the site's frontage of SW 170th Avenue to County standards.
 - iii. Closure of all existing access on SW 170th Avenue not approved with this development.
 - iv. Stop-controlled private access to SW 170th Avenue aligned with Trimet parking lot access. Lane configuration shall be 1 outbound lane and 1 inbound lane. Include truck turning templates and vision triangle clearance.
 - v. Construction access and traffic circulation/control plan.

- vi. Preliminary Sight Distance Certification for access to SW 170th Avenue.
- vii. Reconstruction of the transit stop bus pull-out adjacent to the project site per Trimet and the County Engineer.
- viii. Construction of the rail crossing improvements per ODOT Rail Order.

NOTE: ODOT Rail Order must be approved prior to issuance of a County Facility Permit.

- 3. 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. / SAS)
- 4. 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. / SAS)
- 5. 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. / SAS)
- 6. 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. / SAS)
- 7. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the County right of way. (Site Development Div. / SAS)
- 8. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. These submittals will go to City for processing with Clean Water Services. (Site Development Div. / SAS)
- 9. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the standard plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div. / SAS)
- 10. 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. / SAS)

11. 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. / SAS)
12. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). Pad elevation shall be at least one foot higher and FFE shall be at least three feet higher than the 100 year/emergency overflow of the storm water management facility. (Site Development Div. / SAS)
13. 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. / SAS)
14. Provide plans showing a proprietary stormwater treatment system for treatment of the site's piped surface water runoff. The treatment facility detail shall identify the number of filter cartridges required per device. Plans shall also show a trash capture water quality pre-treatment unit located directly upstream from any proprietary stormwater treatment system vaults or manholes. (Site Development Div. / SAS)
15. 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. / SAS)
16. Provide a detail for the proposed flow control structure that includes orifice and weir elevation data. (Site Development Div. / SAS)
17. 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. / SAS)
18. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. Any home demolition is credited at one equivalent surface unit (2640 square feet). The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways,

sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site. (Site Development Div. / SAS)

19. Provide plans for the placement of underground utility lines for services to the proposed new buildings. 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. / SAS)
20. 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. / SAS)
21. When required by OAR 918-780-0040, submit proposed private plumbing plans to the City Building Division for review. If private sewer systems crossing lot lines and within a private easement is proposed, please submit plumbing permit application to the Building Division. Drainage within covered areas shall be piped as approved by the City Building Division. (Site Development Div. / SAS)
22. Submit documentation of the required Rail Order application submitted to Washington County along with associated site plans for any transportation improvements required by the Rail Order. (BDC 60.55.10) (Transportation / KM)
23. Submit preliminary sight distance analysis for both the proposed access on SW Baseline Road and the proposed access on SW 170th Avenue. (BDC 40.03.1 and 60.55.35) (Transportation / KM)
24. Submit dimensioned plans and associated details showing all improvements associated with the approved Washington County Facility Permit and the approved ODOT Rail Order. (BDC 40.03.1 and 60.55.10) (Planning / BG)
25. Submit revised plan sets and applicable detail drawings for the required bicycle parking to demonstrate compliance with the Engineering Design Manual Section 340, "Bicycle Parking Standards". (BDC 40.03.1 and 60.30.05.3) (Transportation / KM)
26. Submit revised site plans demonstrating that all vehicle parking spaces meet the minimum parking lot design standards contained in BDC 60.30.15. Where vehicle parking stalls rely upon vehicle overhang in order to meet these standards, proposed landscaping shall be provided with mature heights of less than 1-foot (12-inches) so as not to obstruct the required vehicle overhang space and to prevent vehicles from encroaching into drive aisles. (BDC 40.03.1.D and 60.30.15) (Transportation / KM)
27. Resubmit site plans to confirm which of the proposed electric vehicle (or EV) parking spaces are to be constructed with this land use proposal and which EV parking spaces are proposed to be constructed at a later unknown date. Resubmitted site plans for any EV infrastructure proposed with this land use application shall include sufficient

detail drawings to demonstrate that adjacent pedestrian walkways will maintain the required 5-foot unobstructed width and that there are no encroachments to any needed vehicle overhang for vehicle parking stalls. (BDC 40.03.1D and G, 60.30.15, and 60.55.25) (Transportation / KM)

28. Submit site plans demonstrating that eight street trees will be planted in the public sidewalk along the site's frontage with West Baseline Avenue and that 20 street trees will be planted in the site's public sidewalk frontage on SW 170th Avenue. Street tree spacing shall comply with BDC 60.55.30.3. If street tree spacing exceeds 30 linear feet, the applicant shall justify the proposed spacing and shall provide an alternative street tree plan, subject to approval by the City Arborist. (BDC 60.05.30) (Planning / BG)
29. Submit plans demonstrating that a public pedestrian access easement will be dedicated granting full, unobstructed public pedestrian access from SW Baseline Road, through the site, to SW 170th Avenue as shown on the applicant's site plan, Sheet A1.01 of the Architectural Plan Set, Exhibit 3.5. (BDC 60.55.25) (Planning / BG)
30. Submit plans demonstrating that a public pedestrian access easement will be dedicated over the portion of the 10-foot-wide public sidewalk abutting SW 170th Avenue that is located on private property, as shown on the applicant's site plan, Sheet A1.01 of the Architectural Plan Set, Exhibit 3.5. (BDC 60.05.20.7.A and 60.55.30) (Planning / BG)
31. Submit plans demonstrating that the utility vault on the south side of Building 3 adjacent to SW 170th Avenue is either: 1) an at-grade utility vault and, if the vault is located in any portion of the public sidewalk or public pedestrian easement, is compliant with applicable ADA requirements, or 2) an above-ground utility vault that is screened in accordance with BDC 60.05.20.2.C. (Planning / BG)
32. Submit revised Photometric Plan(s) that provide lighting measurements over all abutting rights of way between property lines and centerlines of adjacent streets and include updated photometric calculations for average, minimum, and maximum illumination for both frontages demonstrating compliance with the roadway illumination requirements of Section 350 of the Washington County Road Design and Construction Standards. (Planning / BG)
33. Submit revised Photometric Plan(s) demonstrating that illumination levels at property lines that do not abut the right of way do not exceed 0.5 foot-candles (BDC 60.05.30 and BDC 60.05-1) (Planning / BG)

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

34. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / SAS)
35. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form

- inspection from the Building Division. (Site Development Div. / SAS)
36. For Buildings 1, 2, and 3, as identified on the site plan Sheet A1.01 of the Architectural Plan Set (Exhibit 3.5), submit building elevations demonstrating that any exposed concrete foundation areas measuring over three feet from finished grade level adjacent to the foundation wall are pigmented, textured, or both. (BDC 60.05.15.4.C) (Planning / BG)
 37. For Buildings 1, 2, 3, 4, and 5 as identified on the site plan Sheet A1.01 of the Architectural Plan Set (Exhibit 3.5), submit plans demonstrating that all proposed roof-mounted equipment will be fully screened from view from adjacent streets and properties. (BDC 60.05.15.5) (Planning / BG)
 38. For Building 2, as identified on the site plan Sheet A1.01 of the Architectural Plan Set (Exhibit 3.5), submit plans demonstrating that at least 50% of the east/southeast-facing ground floor elevation is treated with windows, display areas or glass doorway openings. (BDC 60.05.15.8.A) (Planning / BG)
 39. For Building 5, as identified on the site plan Sheet A1.01 of the Architectural Plan Set (Exhibit 3.5), submit plans demonstrating that at least 50% of the east-facing ground floor elevation area where the building adjoins pedestrian circulation areas provides weather protection. (BDC 60.05.15.8.B) (Planning / BG)

D. Prior to recordation of the final plat, the applicant shall:

40. Have verified to the satisfaction of the City Engineer that the location and width of all existing and proposed rights of way and easements are adequate; that each parcel and tract has proper access provisions; and that each parcel and tract has adequate public utility service provision/availability per adopted City standards and requirements. (Site Development Div. / SAS)
41. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div. / SAS)
42. Show granting of any required on-site easements on the plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div. / SAS)
43. The following shall be recorded with Washington County Survey Division (John Kidd 503.846.7932) (Washington County / NV):
 - a. Provision of a non-access restriction along the site's frontage of SW Baseline Road and SW 170th Avenue except for the accesses approved with this land use approval.
 - b. Dedication of right-of-way to meet 61 feet from the centerline of SW Baseline Road.

- c. Dedication of right-of-way to meet 45 feet from the centerline of SW 170th Avenue.
- d. Dedication of an 8-foot PUE along the site's frontage of SW Baseline Road and SW 170th Avenue.

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

- 44. The road improvements required in Condition B.2.c above shall be completed and accepted by Washington County, including final sight distance certification for both accesses to County streets. (Washington County / NV)
- 45. Pay a Fee-in-Lieu cash assurance for the anticipated costs for access modification(s) for both accesses to Washington County in any amount to be determined by the County Engineer based on anticipated future driveway restriction costs and an engineer's estimate. (Washington County / NV)
- 46. 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. / SAS)
- 47. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / SAS)
- 48. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / SAS)
- 49. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / SAS)
- 50. 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. / SAS)
- 51. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div. / SAS)
- 52. Submit a copy of the Final Rail Order and demonstrate that any required improvements are substantially complete. (BDC 60.55.10.1) (Transportation / KM)
- 53. Submit a copy of the recorded reciprocal access easement with Tax Lot -00100 on Washington County's Tax Assessor's Map 1S106DB (commonly referred to as the REACH Community Development site) to demonstrate compliance with the Engineering Design Manual Section 210.21 J., "Joint-Use Agreement for Common Driveways"; K., "Maintenance Agreement for Common Driveways"; and M., "Documentation to be provided by the applicant". (BDC 60.55.35) (Transportation / KM)
- 54. Submit a copy of the recorded public pedestrian access easement that will grant full, unobstructed public pedestrian access from SW Baseline Road, through the site, to

SW 170th Avenue as shown on the applicant's site plan, Sheet A1.01 of the Architectural Plan Set, Exhibit 3.5. (BDC 60.55.25) (Transportation / KM)

55. Submit a copy of the recorded public pedestrian access easement that will grant full, unobstructed public pedestrian access over the portion of the 10-foot-wide public sidewalk abutting SW 170th Avenue that is located on private property, as shown on the applicant's site plan, Sheet A1.01 of the Architectural Plan Set, Exhibit 3.5. (BDC 60.05.20.7.A and 60.55.30) (Planning / BG)

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

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

Tree Plan Two (TP2022-0015)

A. General Conditions, the applicant shall:

1. Ensure that the Design Review Two (DR2022-0139) application has been approved and is consistent with the submitted plans. (Planning / BG)

Replat One (LD2022-0018)

A. General Conditions, the applicant shall:

1. Ensure that the Legal Lot Determination (LLD2023-0003) application has been approved and is consistent with the submitted plans. (Planning / BG)

B. Prior to recordation of the final plat, the applicant shall:

2. Show granting of the required public pedestrian access easements on the plat, along with plat notes as approved by the City Engineer for the encumbered areas, and as approved by the County Surveyor as to form and nomenclature. The applicant shall verify that the proposed easements are of sufficient width to meet the City's standards. (BDC 40.03.1, 60.55.10, and 60.55.25) (Transportation / KM)
3. Show granting of the required reciprocal access easement with Tax Lot -00100 on Washington County's Tax Assessor's Map 1S106DB (commonly referred to as the REACH Community Development site) to demonstrate compliance with the Engineering Design Manual Section 210.21 J., "Joint-Use Agreement for Common Driveways"; K., "Maintenance Agreement for Common Driveways"; and M., "Documentation to be provided by the applicant". Plat notes associated with the easement shall be approved by the City Engineer for the encumbered area, as well as approved by the County Surveyor as to form and nomenclature. (BDC 60.55.35) (Transportation / KM)

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

4. Have recorded the final plat in County records and submitted a recorded copy to the City. (Planning / BG)

Legal Lot Determination (LLD2023-0003)

No conditions of approval.