

CATT – Intensive Service Building (ISB)

APPLICATIONS: CONDITIONAL USE PERMIT (RESIDENTIAL CARE)
CONDITIONAL USE PERMIT (HOURS OF OPERATION)
DESIGN REVIEW 3
LOADING DETERMINATION
SIDEWALK MODIFICATION
TREE PLAN 2

LAND USE NARRATIVE – REVISION 2

October 4, 2023

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HOLST ARCHITECTURE

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I. PROPOSAL:

The proposal is a conversion of an existing 24,000 SF office building plus a new 2-story building approx.. 16,600 SF. Both structures will be used for adult drug and alcohol treatment services.

Both structures will operate 24 hours a day and 7 days a week. The new building will provide 56 beds arranged in sleeping rooms for Residential treatment stays lasting a few weeks, as well as meeting spaces for resident therapy. The existing building will provide 16 beds for Detox services with stays lasting less than a week, as well as 6 beds for transitioning patients between programs. The existing building will also house outpatient sobering facilities, cooking and dining for residents, utility, and administrative spaces for staff. Two enclosed private outdoor spaces will be located between the existing and new buildings. The building will operate with a total of 80 employees, with no more than 35 employees per shift.

The site is approximately 2.0 acres within the Five Oaks/Triple Creek neighborhood and is bounded to the north-west by NW Evergreen Place, to the south-west by an access easement on the lot of an office building, to the south-east by Bronson Creek Park, and to the north-east by a lot with an office building. The lot is in Commercial Land Use District Community Service (CS).

In the following document, city code sections are shown in *italics*, and proposal responses are shown in **red**. Revised comments are red and underlined.

II. CHAPTER 20 – LAND USES

20.10 Commercial Land Use District

20.10.15 Site Development Standards

A. *Minimum Parcel Area – Non-Residential: 7,000*

Actual Parcel area: 87,190 (2.00 Acres)

B. *Minimum Land Area – Residential: 1,000/unit*

N/A – no residential in this proposal

C. *Lot Dimensions*

A. *Minimum width: 70'*

B. *Minimum depth: 100'*

Actual lot dimensions: 318' x 285'

D. *Minimum Yard Setbacks*

A. *Front: none*

B. *Side, abutting lot: 10'*

C. *Side, abutting street: none*

D. *Rear: 20'*

Actual yard setbacks:

Front: 60'

Side, abutting lot: 28'-9" and 20'-0"

Side, abutting street: N/A

Rear: 60'

E. *Minimum Open Air Display Setbacks*

A. *Front: 20'*

N/A - No Open Air Display in this proposal

- F. *Building height*
 - A. *Maximum: 60'*
Actual building height: 31'-0"

20.10.20 Land Uses

Commercial

- 4. *Care*
 - D. *Residential Care Facilities; C: Conditional*
Conditional use permit for Residential Care use is requested with this narrative.

Hours of Operation

- 31. *Uses Operating between 10:00 p.m. and 7:00 a.m*
Proposal is within 500 ft of a residential use. Conditional use permit for Hours of Operation is requested with this narrative.

20.10.32 Other CS Zoning Requirements

- 1. *Activity is conducted wholly within an enclosed structure, except for outside play areas for child care and educational facilities and as allowed in item 2, below.*
All clinical and treatment activities will primarily occur within the buildings. Gardens for patient access to the outdoors are enclosed with opaque fence that blocks visibility from public way and adjacent properties.
- 2. *Accessory open air sales / display / storage shall constitute no more than 5% of the gross building floor area of any individual establishment.*
N/A - No Open Air Display in this proposal

III. CHAPTER 60 – SPECIAL REQUIREMENTS

60.05 Design Review Principles Standards and Guidelines

60.05.35 Building Design and Orientation Guidelines

- 1. **Building articulation and variety.**
 - A. *Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians.*
N/A – No residential buildings are proposed on site.
 - B. *Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided.*
See exterior elevations – West Elevation faces NW Evergreen Pl. New building elevation is articulated with a 2' step back and material color change. Existing building is proposed for a re clad with a material change along the west Elevation. This re clad includes pattern created by texture change in the proposed material.
 - C. *To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized.*

Main building entry on West Elevation (along NW Evergreen Pl) is emphasized with a vestibule and projecting canopy.

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

Pedestrian scale is emphasized with the use of windows at the ground floor level, main entry vestibule with projecting canopy, and appropriate use of landscape buffers at parking areas.

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

No undifferentiated blank walls are proposed facing any street or major parking area. Exterior walls facing NW Evergreen Place (West Elevation) and the access easement (South Elevation) have windows at regular intervals on ground and second levels. The longer south façade is additionally articulated with a 2nd floor overhang and an off-set wall with entry alcove at the ground floor.

In response to staff concerns about an undifferentiated blank wall on the reclad of this existing building, the team has incorporated a decorative pattern created by texture mixing of the proposed material by which a visual rhythm is established to create interest and draw the eye across the façade to the main entry.

- F. *Building elevations visible from and within 100 feet of an adjacent street where the principle use of the building is manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities in an Industrial zoning district, should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street should be avoided.*

N/A – no manufacturing is proposed on site.

2. **Roof forms.**

- A. *Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be emphasized.*

New building includes a distinctive intersecting sloped roof form that incorporates a center mechanical area screened from the street.

A slope lower than the standard 4:12 slope is incorporated into the design to better fit the context of adjacent flat roof buildings to the north and south along NE Evergreen Pl, while still relating to the residential development to the NE that incorporates sloped roof forms, and providing a residential feel for patients entering residential care treatment.

B. *Flat roofs should include a roofline that provides visual interest such as cornice treatments.*

No change to existing building flat roof is proposed.

C. *Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure.*

New vestibule addition to existing structure retains a flat roof area that respects the existing flat roof form.

3. Primary building entrances.

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

New vestibule addition includes a projecting canopy. New building includes an overhanging 2nd floor along the south facade, as well as a roof overhang.

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

Main building entrance along NW Evergreen Pl is emphasized with the vestibule addition. This addition includes a projecting canopy with wood soffit, as well as exterior wood siding next to the entry storefront doors. Signage will be incorporated onto the wood siding area. The secondary entrance into the new building is similarly emphasized with wood siding and the use of storefront glazing.

4. Exterior building materials.

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

Proposed primary exterior material is to be fiber-cement panel with a secondary material to be stained wood siding at weather-protected entries, exterior overhang soffits, and breezeway through courtyard.

B. *Where masonry is used, decorative patterns (other than running bond pattern) should be provided, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. This guideline does not apply to development in Industrial zones, where masonry is used for exterior finishes.*

N/A – no masonry is proposed for this development.

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

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

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

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

No change is proposed to location of existing building. New building is located to visually align front and back with existing building for a cohesive site design. The proposed development reduces parking area between ROW and the building.

B. On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building.

N/A – no Major Pedestrian Routes are located near the site.

C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities.

N/A – no Major Pedestrian Routes are located near the site.

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

Main building entrance is located facing NW Evergreen Pl.

7. Building scale along Major Pedestrian Routes.

N/A – no Major Pedestrian Routes are located near the site.

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

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

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

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

No Major Pedestrian Routes are located near the site, and both new and existing buildings are set back from the sidewalk. The new building provides weather protection via a 2nd floor overhang and roof overhang over the walkway to the

main entrance. The existing building provides weather protection with a projecting canopy at the main entrance.

9. **Compact Detached Housing design.**

N/A – no Compact Detached Housing is proposed for the site.

10. **Ground floor elevations on eligible residential-only buildings.**

N/A – no residential-only buildings are proposed for the site.

60.05.40 Circulation and Parking Design Guidelines

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

No new pedestrian or bike connections are proposed. The Comprehensive Plan Transportations Elements indicates the site is in a low priority area for pedestrian systems, a medium priority area for bicycle systems, and that transit service at the site is appropriate for density. One existing and one relocated driveway onto the site are accessed from the access easement to the south of the site. A new drive-through drop-off is proposed off NW Evergreen Pl for emergency vehicle access to the main entrance. New short and long term bike parking is proposed to support future bike connectivity in the area.

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

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

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

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

Proposed loading area is located to the rear of the site, not visible from the public ROW on NW Evergreen Pl.

3. **Pedestrian circulation.**

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

Pedestrian walkways are proposed between adjacent sidewalks and main building entrances, and between parking areas and main building entrances.

In response to staff comments, 5' walkways were added to east and west sides of the new addition, and the walkway to the south of the new addition was increased to 10' from the visitor parking to the front door, which will be the primary path for individuals accessing that entry point.

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

See response to 60.05.40.3.A

C. *Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations.*

See response to 60.05.40.3.A

D. *Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles*

N/A – existing parking areas are retained.

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

Sidewalks meeting Local Street standards are proposed for the frontages along NW Evergreen Pl and along the Private Street access easement. SDM is no longer requested.

F. *Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces.*

See response to 60.05.40.3.E

4. **Street frontages and parking areas.** *Landscape or other screening should be provided when surface parking areas are located along public streets.*

An SDM was requested for frontage length in order to retain existing mature landscaping and trees buffering existing parking area from public street, however staff comments indicated SDM was not supported and it is no longer requested with this application. A landscape strip of just under 5' will remain between the existing parking area and the sidewalk, to be replanted with shrubs.

5. **Parking area landscaping.** *Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas.*

See response to 60.05.40.4

6. **Off-Street parking frontages in Multiple Use zones.**

A. *Surface parking should occur to the side or rear of buildings and should not occur at the corner of two Major Pedestrian Routes.*

N/A - no Major Pedestrian Routes are located near the site, existing surface parking is partially retained with new development taking the place of some existing surface parking.

B. *Surface parking areas should not be the predominant design element along Major Pedestrian Routes and should be located on the site to safely and conveniently serve the intended users of the development, without precluding future site intensification.*

See response to 60.05.40.6.A

7. ***Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.***
 - A. *Pedestrian connections designed for high levels of pedestrian activity should be provided along all streets.*

See response to 60.05.40.3.E
 - B. *Pedestrian connections should be provided along primary building elevations having building and tenant entrances.*

Walkways are provided along west and south building elevations on which primary building entrances are located.
In response to staff comments, 5' walkways were added to east and west sides of the new addition.
8. ***Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones.***
 - A. *On-Site vehicle circulation should be easily recognized and identified, and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles.*

Proposed drop-off driveway at the main entrance is identified with curbs, curb cuts, one-way markings, and landscape. In response to staff comments, a differentiated concrete walkway is proposed across the drive to connect sidewalk to building main entry.
 - B. *Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact.*

N/A – parking aisles are existing to remain with ADA upgrades as needed. See response to 60.05.40.4 for landscaping considerations.
9. ***Parking structures in Multiple Use zones. Active ground floor uses should be incorporated in parking structures, particularly on street level elevations facing Major Pedestrian Routes***

N/A – no parking structure is proposed on site and zone is Community Service (CS)

60.05.45 Landscape, Open Space, and Natural Areas Design Guidelines

1. ***Common open space for residential uses in Residential zones.***

N/A – no residential use is proposed on site and zone is Community Service (CS)
2. ***Minimum landscaping in Residential zones.***

N/A – zone is Community Service (CS)
3. ***Minimum landscaping for Conditional Uses in Residential zones and for developments in Commercial, Industrial, and Multiple Use zones.***
 - A. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings.*

Landscaping is proposed around the new and existing buildings to soften the edges and add aesthetic interest.

B. *Plazas and common areas designed for pedestrian traffic should be surfaced with a combination of landscape and decorative pavers or decorative concrete. (Standard 60.05.25.5.C)*

N/A – no public plazas are proposed with this development

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

Onsite landscaped areas consist of local and regional plant materials that are proven as reliable species for successful establishment and long-term viability. Additional consideration was given to provide habitat for various birds & pollinators as part of the plant selection.

D. *Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development.*

(23) Community Trees are planned for preservation on site, with (18) of them to be preserved in a contiguous area to the north-east corner of the site. 59.0% of DBH on site will be preserved.

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

The plant palette for on-site landscaped areas consists of a high diversity of shrubs and trees. Careful emphasis was placed on celebrating plant and tree seasonal expression of foliage colors, blooms, and textures.

4. **Common Greens.**

N/A – no residential use exists on site and abutting properties have separate pedestrian and bicycle access.

5. **Shared Courts.**

N/A – no residential use exists on site and abutting properties have separate pedestrian, bicycle, and vehicular access.

6. **Retaining walls.** *Retaining walls over six (6) feet in height or greater than fifty (50) feet in length should be architecturally treated, incorporated into the overall landscape plan, or screened by landscape material. (Standard 60.05.25.8) [ORD 4576; January 2012]*

N/A – no new retaining walls over (6) feet in height are proposed on site.

7. **Fences and walls.**

A. *Fences and walls should be constructed of attractive, durable materials.*

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

B. *Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection.*

There are no required front yard setbacks. Proposed west fence is 60-ft from front of sidewalk curb and provides no views into enclosed garden for the purpose of patient safety and privacy.

8. **Changes to existing on-site surface contours at residential property lines.** *The perimeters of properties should be graded in a manner to avoid conflicts with abutting*

residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight.

N/A – none of the abutting properties are in a residential zone.

9. ***Integrate water quality, quantity, or both facilities.*** *Above-ground stormwater detention and treatment facilities should be integrated into the design of a development site and, if visible from a public street, should appear as a component of the landscape design.*

See Stormwater Report for stormwater management strategy.

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

A Significant Riparian Corridor exists along the south-east lot line. A CWS Sensitive Area Pre-Screening Site Assessment indicated that the proposal “will not significantly impact the existing or potentially sensitive area(s) found near the site.” Per email from Senior Planner Aaron Harris on 5/4/2023, “staff will not consider the riparian area as a significant natural resource area based on the input received from CWS.”

11. ***Landscape buffering and screening.***

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

N/A – none of the abutting properties are in a residential zone.

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

N/A – no impacts of Conditional Use have been determined.

- C. *Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood.*

N/A – landscape requirements for non-residential development in Commercial district is met with 22% of site area being landscaped with a variety of trees, shrubs, and ground cover (60.05.25.5.A.1 – minimum is fifteen (15) percent)

- D. *When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction.*

No change to buffer requirements is requested.

60.05.50 Lighting Design Guidelines

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

See site lighting and photometric plan, as well as exterior lighting cutsheets for proposed site lighting strategy that meets minimum footcandle requirements, includes pedestrian scale lighting, and minimizes glare.

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

Lighting fixtures are of consistent type throughout the project site and compliment the architectural design intent.

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

Specified fixtures have low B.U.G. ratings (backlight, up-light, glare). Fixture O1 (on Evergreen Place) will have some light spill above 0.5FC in order to meet 0.9fc minimum requirement for street lighting.

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

The proposal complies with the City's Technical Lighting Standards, see Site Lighting Plans for details.

60.05.55 Major Pedestrian Route Maps

N/A – no Major Pedestrian Routes are located near the site.

60.06.60 Design Guidelines for Single-Detached Dwellings and Middle Housing

N/A – no Single-Detached Dwellings or Middle Housing are proposed for the site.

Table 60.06-1 Technical Lighting Standards

See Site Lighting and Photometric plans for details

Table 50.06-2 Minimum Landscape Buffer Requirements Between Contrasting Districts

N/A – all adjacent properties are in the Community Service (CS) district

60.25 Off-Street Loading

60.25.10 Loading Berth Design

Required off-street loading space shall be provided in berths which conform to the following minimum specifications:

2. *Type B berths shall be at least 30 feet long by 12 feet wide by 14 feet 6 inches high, inside dimensions with 30 feet maneuvering apron.*

A Type B loading berth that is 30 feet long by 12 feet wide with no overhead obstruction is provided in the rear (east) parking lot. The loading berth is located to the south of the trash enclosure facing a wall of the trash enclosure that does not have a door or gate on it. No other fences or tall obstructions surround the loading zone. To the west and south of the loading berth are low curbs, and to the east is the drive aisle. A type B loading berth will provide sufficient

space for the loading needs of this program, which can be accommodated by vehicles of SU-30 size or smaller.

60.25.15 Number of Required Loading Spaces

3. *Residential Care Facilities 10,000 – 100,000 SF: 1 berth required, Type B*
One (1) Type B loading berth is provided in the rear (east) parking lot next to the trash enclosure.

60.25.20 Loading Facilities Location

1. *The off-street loading facilities required for the uses mentioned in this Code shall be in all cases on the same lot or parcel of land as the structure they are intended to serve. In no case shall the required off-street loading space be part of the area used to satisfy the off-street parking requirements.*

Proposed loading space is located on the same lot as the structure it is intended to serve.

2. *No space for loading or unloading vehicles shall be so located that a vehicle using such loading space projects into any public street. Loading space shall be provided with access to any alley, or if no alley adjoins the lot, with access to a street. Any required front, side or rear yard may be used for loading unless otherwise prohibited by this Code.*

Proposed loading space does not project into any public street and is accessed through rear parking lot from private easement on adjoining lot.

60.25.25 Loading Determination

Off-Street loading requirements may be modified pursuant to Section 40.50. (Loading Determination)

A loading determination is no longer requested with this application, as a standard Type B loading space is now provided.

60.30 Off-Street Parking

Table 60.30.10.5.A Parking Ratio Requirements for Motor Vehicles

According to the pre-application notes, “recent changes to the Oregon Administrative Rules prevent the City of Beaverton from requiring parking for residential treatment facilities for land use applications submitted on or after January 1, 2023.” Motor vehicle parking standards from Table 60.30.10.5.A do not apply.

Table 60.30.10.5.B Parking Ratio Requirements for Bicycles

Minimum Required Bicycle Parking Spaces for Residential Care Facilities (based on maximum capacity) are as follows:

Short Term: 1 space per 100 beds

Long Term: 1 space per 50 beds.

This facility has 86 beds, therefore 1 short term and 2 long term bike parking spaces are required. The building will provide 4 short term parking spaces on the exterior of the building next to the front door on Evergreen, and 2 long term bike parking spaces on the interior of the building next to the door off the east parking lot. See site plan for dimensions and additional information.

60.50 Special Use Regulations

60.50.20 Fences

Fences in any district may be constructed at the lot line; provided, however, that fences shall comply with all applicable sight clearance standards established in the Engineering Design Manual and meet the following standards:

1. Fences and walls shall not exceed the following height:
 - a. Six (6) feet in a required front yard along designated Collector and Arterial streets.
 - b. Three (3) feet in height in a required front yard along all other street classifications.
 - c. Four (4) feet in height in a required front yard for required above ground stormwater facilities.
 - d. Eight (8) feet in height for all other yards.

N/A - fences are located outside of the front and rear setback areas and therefore outside of the front and rear yards per Chapter 90 definitions of “Yard, Front” and “Yard, Rear”

60.55 Transportation Facilities

60.55.10 General Provisions

3. *For applications that meet the threshold criteria of section 60.55.15. (Traffic Management Plan) or of section 60.55.20. (Traffic Impact Analysis), these analyses or limited elements thereof may be required.*

A trip generation memo conducted for this proposal by a licensed traffic engineer concluded that the proposed building expansion and change of use results in a decrease in total daily trip making. A Traffic Management Plan and Traffic Impact Analysis are not required.

5. *Dedication of right-of-way shall be determined by the decision-making authority.*

Per pre-app notes, Right-of-Way dedication is not required.

60.55.15 Traffic Management Plan

Where development will add 20 or more trips in any hour on a residential street, a Traffic Management Plan acceptable to the City Engineer shall be submitted in order to complete the application.

See response to 60.55.10.3

60.55.20 Traffic Impact Analysis

2. Analysis Threshold

- A. *A Traffic Impact Analysis is required when the proposed land use change or development will generate 300 vehicles or more per day (vpd) in average weekday trips as determined by the City Engineer. [ORD 4706; May 2017]*

See response to 60.55.10.3

60.55.25 Street and Bicycle and Pedestrian Connection Requirements

1. *All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.*

No new streets or pedestrian connections are proposed.

2. *The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.*

The Comprehensive Plan Transportation Elements maps indicate the site is in a low priority area for pedestrian systems, a medium priority area for bicycle systems, and that transit service at the site is appropriate for density. This proposal includes sidewalk upgrades that will support pedestrian connectivity in the area.

10. Pedestrian Circulation.

B. Standards for Other Development.

1. *Walkways are required between parts of a development where the public is invited or allowed to walk.*

Walkways are provided on site.

2. *A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.*

A walkway is provided from NW Evergreen Pl to the main entrance of the building, and from the adjacent accessway to the secondary entrance.

3. *Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multi-dwelling, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.*

Proposed walkways connect building entrances to adjacent public streets and accessways, between building entrances and parking areas, and between sidewalks and bike facilities.

4. *Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.*

Walkways are as direct as possible given grade considerations on site.

5. *Walkways shall be paved and shall maintain at least five (5) feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.*

Walkways are paved and maintain a minimum of five feet of unobstructed width. Ramps conforming to ADA standards are provided where necessary to navigate grade change.

6. *The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.*

Ramps conforming to ADA standards are provided where necessary to navigate grade change from ADA parking areas to building entrances, and from sidewalks to building entrances.

7. *On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.*

See photometric plan for illumination levels at on-site walkways and around the site.

11. *Pedestrian Connections at Major Transit Stops. Commercial and institution buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures:*

N/A - Site is not located within 200 or 300 feet of a Major Transit Stop.

12. *Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.*

A Significant Riparian Corridor exists along the south-east lot line. A CWS Sensitive Area Pre-Screening Site Assessment indicated that the proposal “will not significantly impact the existing or potentially sensitive area(s) found near the site.” Per email from Senior Planner Aaron Harris on 5/4/2023, “staff will not consider the riparian area as a significant natural resource area based on the input received from CWS.”

13. *New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.*

N/A - no new bicycle and pedestrian connections are proposed along rear lot lines.

60.55.30 Minimum Street Widths

1. *Any project-specific modifications of the standards contained in the Engineering Design Manual regarding the widths of features relating to the movement of vehicles, including but not limited to rights of way, travel lanes, parking lanes, bike lanes, driveway aprons, curb radii, or other such features shall be processed in accordance with the provisions contained in the Section 145 Design Modifications of the Engineering Design Manual.*

No modifications to the widths of features relating to the movement of vehicles are requested.

2. *Any project-specific modifications of the standards of the Engineering Design Manual relating to the location and dimensions of required street landscaping and pedestrian features including, but not limited to, sidewalks, planter strips, street trees, street tree wells, street tree easements, or street furniture are subject to the procedures contained in CHAPTER 40 (Applications). The required application will depend on the scope of the proposed project and the type of application filed with the City.*

Based on staff comments that the requested SDM is not supportable, an SDM is no longer requested with this application and street frontage standards are met with this proposal.

3. *Street trees shall be planted at a maximum linear spacing of 30 feet along street frontages or in accordance with an approved street tree plan approved by the City Arborist. Proposed tree wells shall be designed to meet standards in the City Engineering Design Manual.*

Street trees are proposed at the required spacing, adjusting for conflict with curb cuts, see site plans for additional information.

60.55.35 Access Standards

1. *The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved.*

See site plan for streets and access easements adjacent to the property, as well as driveway access into the property from the existing access easement.

2. *No more than 25 dwelling units may have access onto a closed-end street system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03.*

N/A – No dwelling units are proposed on site.

3. *Intersection Standards.*

- A. *Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers.*

N/A – no new intersections are proposed.

See site plan showing that existing intersection meets the Sight Clearance Area requirements of EDM Section 210.18 at the intersection of NW Evergreen Place and the access easement to the south of the site.

- B. *Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.*

N/A – no new intersections are proposed.

New driveway access intersects access easement and NW Evergreen Pl at 90 degree angles.

C. *Driveways.*

1. *Corner Clearance for Driveways.* Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.

See site plan for dimensions - new driveways conform to corner clearance distance for Local Streets (>25 ft).

2. *Shared Driveway Access.* Whenever practical, access to Arterials and Collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement.

N/A – No shared driveway access on site.

3. *No new driveways for detached dwellings shall be permitted to have direct access onto an Arterial or Collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or Neighborhood Route is not practicable, the decision-making authority may approve access from a detached dwelling to an Arterial or Collector.*

N/A – No detached dwellings on site.

60.55.40 Transit Facilities

N/A - Site is not located on transit route or near transit facilities.

60.60 Trees and Vegetation

60.60.10 Types of Trees and Vegetation Regulated

1. *Significant Individual Trees*
2. *Historic Tree*
3. *Trees within Significant Natural Resource Areas*
4. *Trees within Significant Groves*
5. *Landscape Trees*
6. *Community Trees*
7. *Mitigation Trees*

Only landscape and community trees exist on site. A Significant Riparian Corridor exists along the south-east lot line. A CWS Sensitive Area Pre-Screening Site Assessment indicated that the proposal “will not significantly impact the existing or potentially sensitive area(s) found near the site.”

60.60.15 Pruning, Removal, and Preservation Standards

2. *Removal and Preservation Standards*
 - B. *Removal of Landscape trees and Protected Trees shall be mitigated as set forth in 60.60.25*

See response to 60.60.25

- C. *For SNRAs and Significant Groves, the following additional standards shall apply:*

Per email from Senior Planner Aaron Harris on 5/4/2023, “staff will not consider the riparian area as a significant natural resource area based on the input received from CWS.”

60.60.20 Tree Protection Standards during Development

1. *Trees classified as Protected Trees under this Code shall be protected during development in compliance with the following:*

- A. *A construction fence must be placed around a tree or grove beyond the edge of the root zone. The fence shall be placed before physical development starts and remain in place until physical development is complete. The fence shall meet the following:*

1. *The fence shall be a four foot (4') tall orange plastic or snow fence, secured to six foot (6') tall metal posts, driven two feet (2') into the ground. Heavy 12 gauge wire shall be strung between each post and attached to the top and midpoint of each post. Colored tree flagging indicating that this area is a tree protection zone is to be placed every five (5) linear feet on the fence to alert construction crews of the sensitive nature of the area.*

Tree protection fencing to be installed per City standards where possible, layout to be verified by arborist prior to start of construction. Modification of standard tree protection fencing to be installed per arborist report to accommodate construction requirements. See tree protection plan and arborist report for additional information.

- B. *Within the protected root zone of each tree, the following development shall not be permitted:*

1. *Construction or placement of new buildings.*
2. *Grade change or cut and fill, except where hand excavation is approved with the submittal of an arborist's report, as part of application approval.*
3. *New impervious surfaces.*
4. *Trenching for utilities, irrigation, or drainage.*
5. *Staging or storage of any kind.*
6. *Vehicle maneuvering or parking*

Tree protection fencing to be installed per arborist report to accommodate construction requirements. The above-listed development will not be conducted within the protected zone of each tree. See tree protection plan and arborist report for additional information.

60.60.25 Mitigation Requirements

2. *Mitigation for the removal of trees from Significant Groves or SNRAs shall be required as follows:*

Per email from Senior Planner Aaron Harris on 5/4/2023, “staff will not consider the riparian area as a significant natural resource area based on the input received from CWS.”

9. *The following standards apply to the replacement of a Landscape Tree:*

1. *A replacement tree shall be a substantially similar species or a tree approved by the City considering site characteristics.*

Replacement Landscape Tree Species were selected that are most viable for long term success instead of replacing with the exact species of those removed. We took into consideration the proposed development of the site and its intended use for this decision. Trees were selected that are proven to grow well regionally and most are on the City of Beaverton’s approved tree list.

2. *If a replacement tree of the species of the tree removed or damaged is not reasonably available, the City may allow replacement with a different species.*

N/A – see above.

3. *Replacement of a Landscape Tree shall be based on total linear DBH calculations at a one-to-one ratio depending upon the capacity of the site to accommodate replacement tree or unless otherwise specified through development review. Replacement of tree on a one-to-one basis shall be as follows:*

1. *Calculate the sum of the total linear DBH measurement of the tree to be removed.*

A total of 29 trees amounting to 448 inches in DBH are proposed to be removed.

2. *The total linear DBH measurement of the tree to be removed shall be replaced with tree at least 1.5 caliper inches in diameter. The total caliper inches of the replacement tree shall be at least equal to the sum total of the linear DBH measurement of the removed tree.*

Due to limited planting areas and space constraints, the mitigation requirement of trees at the required 1:1-inch DBH ratio is not achievable for this site, see Landscape Architect’s memo for additional information. The proposal includes a total of 46 trees for the site with an additive of 78 inches DBH.

60.65 Utility Undergrounding

60.65.20 Information on Plans

1. *Easements for all public and private utility facilities;*
2. *The location of all existing above ground and underground public and private utilities within 100 feet of the site;*
3. *The proposed relocation of existing above ground utilities to underground; and*
4. *That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.35.3 of this Code.*

All utilities to be underground. See plans for required information regarding utilities.

60.67 Significant Natural Resources

60.67.05 Local Wetland Inventory

No LWI DSL Wetland exists on the site. A CWS Sensitive Area Pre-Screening Site Assessment indicated that the proposal “will not significantly impact the existing or potentially sensitive area(s) found near the site.”

60.67.05 Significant Riparian Corridors

A Significant Riparian Corridor exists along the south-east lot line. A CWS Sensitive Area Pre-Screening Site Assessment indicated that the proposal “will not significantly impact the existing or potentially sensitive area(s) found near the site.” Per email from Senior Planner Aaron Harris on 5/4/2023, “staff will not consider the riparian area as a significant natural resource area based on the input received from CWS.”

III. CHAPTER 40 – APPLICATIONS

40.03 Facilities Review Committee

- A. *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.*

This project has received service provider letters from CWS, City Water, and TVFR, as required in the pre-app meeting notes.

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

This project has conducted a Trips Generation Study that determined no new trips would be generated by this use. It is not a residential use, so no school services will be needed. Sidewalk improvements will be made to the right of way to meet pedestrian requirements per the pre-app meeting notes. A public safety working group has been meeting with the development team throughout the conception of this project to address police protection needs. This group’s requests were for safety-related site design including minimizing low shrubs and other visibility-blocking plantings, ensuring adequate lighting on site, and including a drive-through drop off at the main entrance.

- C. *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.*

This development requires two conditional use approvals per Chapter 20 Land Uses – one for the use as a Residential Care Facility in a CS zone, and two for the hours of operation between 10pm and 7am within 500 ft of a residential development.

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

See Chapter 60 responses in this narrative.

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

All structures and site features on the property will be maintained by the Owner's maintenance team.

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

Pedestrian walkways are provided on site from parking areas to main entrances. Existing parking areas on site have been retained and improved to meet ADA standards.

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

Pedestrian walkways are provided on site from sidewalk to main entrances. Drive aisle connections into parking areas are accessed from access easement to the south of the site.

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

New fire hydrant will be provided on site and will need to meet fire flow requirements in a fire flow test once installed, see FS-1 plan.

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

N/A – no off-site structures or public facilities are included in this proposal

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

See Grading Plans and Stormwater Report for stormwater management strategy.

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

Upgrades to existing parking areas are proposed to bring ADA parking spaces up to current standards. Continuous, uninterrupted access routes are planned from the ADA

parking stalls to the nearest entrance. Additional ADA upgrades are proposed at the sidewalk improvements to replace substandard sidewalk ramps along the site's frontage.

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

Applications signed by the owner, this written narrative, neighborhood meeting requirements, pre-app conference notes, and other required documentation will be submitted with this application.

40.15 Conditional Use 1: Residential Care Facility in a CS zone

40.15.10 Applicability

The uses listed in CHAPTER 20 (Land Uses) for each zoning district as a Conditional Use shall be subject to the provisions of this section.

Per Chapter 20 Land Uses, this development requires a conditional use approval for the use as a Residential Care Facility in a CS zone.

40.15.15 Application

5. New Conditional Use.

- A. *Threshold. An application for a New Conditional Use shall be required when the following threshold applies:*
- 1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.*
The proposed use as a Residential Care Facility is conditionally permitted in the CS zone, no prior Conditional Use is in effect.
 - 2. The proposed permitted residential use is located in the floodway fringe on a lot greater than five acres in size. Planned Unit Developments, single-detached and duplex dwellings are exempt.*
N/A – no residential use is proposed.
 - 3. A proposed use located on parcel(s) designated Interim Washington County, which requires Type III approval through Washington County's Development Code where no other Type I or greater review is required with the proposal.*
N/A – the proposed use is not located on a parcel designated Interim Washington County.
- C. *Approval Criteria. In order to approve a New Conditional Use application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*
- 1. The proposal satisfies the threshold requirements for a Conditional Use application.*
See responses to 40.15.15.5.A.1
 - 2. All City application fees related to the application under consideration by the decision making authority have been submitted.*
City application fees will be submitted with this application.
 - 3. The proposal will comply with the applicable policies of the Comprehensive Plan.*

Comprehensive Plan Goal 3.7.1 Policy A: Over time, new development and redevelopment should improve accessibility and comfort for non-auto modes, including

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

The proposal includes sidewalk improvements along two street frontages that will support pedestrian connections in the area. The proposal also includes bike parking beyond the code requirement of 1 short term space that will support bike transportation in the area. Improvements to the sidewalk frontage will provide a more visually engaging street frontage through the deployment of street trees and lighting, as will additional new landscaping and pedestrian scale lighting between the building and sidewalk. Safe and convenient walkways meeting City walkway standards are provided with the goal of connecting the main entrances of both buildings on site, and providing safe and well-lit passage for pedestrians from parking areas to the front doors.

4. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*
Site can accommodate the proposal, see existing and proposed site plans.
5. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.*

Efforts have been made in the design to minimize impact on the neighborhood – by keeping the new building to 2 stories, aligning its frontage with the frontage of the existing building, and minimizing site work by keeping the existing parking areas where possible, and most of the existing trees on site.

6. *The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.*
See responses to 40.15.15.5.A.2
7. *For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code.*
See responses to 40.15.15.5.A.3

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

Required documents are submitted with this application.

40.15 Conditional Use 2: Hours of Operation between 10pm and 7am

40.15.10 Applicability

The uses listed in CHAPTER 20 (Land Uses) for each zoning district as a Conditional Use shall be subject to the provisions of this section.

Per Chapter 20 Land Uses, this development requires a conditional use approval for the hours of operation between 10pm and 7am within 500 ft of a residential development.

40.15.15 Application

5. New Conditional Use.

- B. *Threshold.* An application for a New Conditional Use shall be required when the following threshold applies:
1. *The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.*
Per table 20.10.20A, the proposed use for the hours of operation between 10pm and 7am within 500 ft of a residential development is conditionally permitted in the CS zone, no prior Conditional Use is in effect.
 2. *The proposed permitted residential use is located in the floodway fringe on a lot greater than five acres in size. Planned Unit Developments, single-detached and duplex dwellings are exempt.*
N/A – no residential use is proposed.
 3. *A proposed use located on parcel(s) designated Interim Washington County, which requires Type III approval through Washington County's Development Code where no other Type I or greater review is required with the proposal.*
N/A – the proposed use is not located on a parcel designated Interim Washington County.
- D. *Approval Criteria.* In order to approve a New Conditional Use application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:
1. *The proposal satisfies the threshold requirements for a Conditional Use application.*
See responses to 40.15.15.5.A.1
 2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*
City application fees will be submitted with this application.
 3. *The proposal will comply with the applicable policies of the Comprehensive Plan.*
Comprehensive Plan Goal 3.7.3 Policy D: Use development standards and/or conditional use review to address potential issues related to compatibility of commercial uses with adjacent housing, including noise, access and parking.
The proposed commercial use as a residential treatment facility is not incompatible with residential uses in that it is not anticipated to create any nuisance noise, glare, smell, or other environmental pollutants (such as an

industrial use might, for instance). All proposed clinical and treatment activities will primarily occur within the buildings, and the gardens for patient access to the outdoors are enclosed with opaque fences that block visibility from public way and adjacent properties. Parking is provided on site, and any overflow is not anticipated to strain public street parking. A drive-through is proposed for periodic public safety escort of new patients or emergency vehicle drop-off that will allow these vehicles a spot to pull off the public street and turn around without impacting the flow of traffic along Evergreen Pl.

4. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*
Site can accommodate the proposal, see existing and proposed site plans.
5. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.*
The proposed facility needs to be operable 24 hours a day to allow residents to stay on site to receive extended treatment over time and with staff supervision. While the building will be open and staffed through the 10pm to 7am hours for patient safety, these will be quiet hours for patients when they will be in their sleeping rooms or in shared common interior spaces.
6. *The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.*
See responses to 40.15.15.5.A.2
7. *For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code.*
See responses to 40.15.15.5.A.3
8. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*
Required documents are submitted with this application.

40.20 Design Review

40.20.10 Applicability

1. *The scope of Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development are located.*
2. *Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three applications and unless exempted by Section 40.20.10.3. (Design Review) approval shall be required for the following:*
 - A. *All uses listed as Conditional Uses in the RMB and RMC zoning districts.*
N/A – zone is Commercial CS

- B. *All uses listed as Permitted and Conditional Uses in the RMA and MR Residential zoning districts, except those that are exempt, per Section 40.20.10.3, and except those subject to Single-Detached and Middle Housing Design Review in the RMA district, per Section 40.21.10.*
N/A – zone is Commercial CS
- C. *All uses listed as Permitted and Conditional Uses in all Commercial, Industrial, and Multiple-Use zoning districts.*
Residential Care is listed as a Conditional Use in Commercial CS zoning district
- D. *Site grading.*
N/A – only minor site grading is proposed with this development.
- E. *Domestic Violence Shelters and Mass Shelters in any zoning district.*
N/A – no shelter use is proposed with this development.
3. *Design Review approval shall not be required for the following:*
N/A – design review is required.
4. *Design review approval through one of the procedures noted in Section 40.20.15. will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, demolitions and redevelopments associated with them, will be treated according to the following principles:*
- A. *Development constructed or approved prior to December 15, 2004 is not subject to Design Review standards and guidelines, and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments constructed prior to December 15, 2004, are not considered nonconforming if they do not meet design standards.*
Existing building on site was constructed prior to December 15, 2004 and is not subject to Design Review guidelines except where redevelopment is proposed.
- B. *Proposed new free-standing building(s) within an existing development will be subject to all applicable design standards.*
Proposed new free-standing building is subject to design guidelines.
- C. *Proposed redevelopment of existing structures and project site area is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review standards or guidelines as determined applicable.*
Proposed redevelopment of existing building and project site area is subject to all design guidelines.
5. *Design Review approval is required for all applicable new and existing developments. The City recognizes, however, that meeting minimum Floor Area Ratio (FAR) in an early phase of a multi-phased development on a large site may be difficult. The City also recognizes that creating high quality pedestrian environments along public streets is a priority. In recognition of these and other issues, the following options are available.*
- A. *Projects may use a Design Review Build-out Concept Plan (DRBCP), approved through a Type 3 process, to develop a site by demonstrating conceptually full*

compliance at build-out with the design review standards and/or guidelines established in Section 60.05. Such projects shall demonstrate in a DRBCP how future development of the site, to the minimum applicable floor area ratio (FAR), while meeting the development standards contained in CHAPTER 20 of the Beaverton Development Code and to the minimum applicable design standards contained in Section 60.05 or greater, can be achieved at ultimate build out of the DRBCP. A DRBCP shall:

N/A – a DRBCP is not requested.

- B. When a development site abuts two (2) or more Arterial Streets that are also designated Major Pedestrian Routes, application of the applicable design standards may be moved from along the Arterial Streets. This alternative is to provide parking lot drive aisles developed as internal private streets, and to locate buildings along the internal private streets, subject to the following:*

N/A – development does not abut Arterial Streets or Major Pedestrian Routes

40.20.15 Application

3. Design Review Three.

- A. Threshold. An application for Design Review Three shall be required when an application is subject to applicable design standards and/or guidelines and one or more of the following thresholds describe the proposal:*

- 1. New construction of more than 50,000 gross square feet of non-residential floor area where the development does not abut any Residential zoning district.*

N/A – new construction is less than 50,000 gross square feet

- 2. New construction or addition of more than 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential zoning district.*

N/A – new construction is less than 30,000 gross square feet and does not abut or is located within a Residential zoning district.

- 3. Building additions in Residential, Commercial, or Multiple Use zones more than 30,000 gross square feet of floor area.*

N/A – building addition floor area does not exceed 30,000 gross square feet

- 4. Building additions in industrial zones more than 30,000 gross square feet.*

N/A – building addition is not in an industrial zone

- 5. Construction of a permanent structure, not considered a building, in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, which exceeds 10,000 square feet in size and is a use permitted within the underlying zoning district.*

N/A – no construction of a permanent structure not considered a building is proposed

- 6. Projects proposed utilizing the options described in Section 40.20.10.5.*

N/A – project does not propose utilizing the options described in Section 40.20.10.5

- 7. New parks in Residential zoning districts.*

N/A – development is not a park

8. *A project meeting the Design Review Compliance Letter thresholds which does not meet an applicable design standard(s).*

N/A – project does not meet Design Review Compliance Letter thresholds

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

Project meets Design Review Two thresholds but does not meet all applicable design standards.

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

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

See 40.20.15.3.A response

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

City application fees will be submitted with this application.

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

N/A - thresholds numbers 1 through 7 are not applicable

4. *For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.06.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:*

See Sections 60.05.35 through 60.06.50 responses.

- a. *A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or*

N/A – no physical obstacles prevent guideline implementation.

- b. *The location of existing structural improvements prevent the full implementation of the applicable guideline; or*

The location of the new construction on site was dictated by existing building and existing parking lot locations.

- c. *The location of the existing structure to be modified is more than 300 feet from a public street.*

N/A – structure is within 300 feet of public street.

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

See Grading Plans and Stormwater Report for stormwater management strategy.

6. *For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the*

minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP.

N/A – no DRBCP is proposed

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

N/A – Design Guidelines are addressed

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

See Sections 60.05.35 through 60.05.50 responses

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

Required documents are submitted with this application.

40.50 Loading Determination

40.50.10 Applicability

A Loading Determination may be requested in writing to establish an off-street loading space total for any use not specifically listed in Section 60.25. (Off-Street Loading), establish an off-street loading space total that differs from the listed requirement in Section 60.25., and modify the off-street loading space dimensions listed in Section 60.25. of the Development Code.

A Loading Determination is no longer requested with this application. A type B loading berth is provided adjacent to the trash enclosure in the east parking lot.

40.58 Sidewalk Design Modification

40.58.10 Applicability

The Sidewalk Design Modification application shall be applicable to all streets in the City.

A Sidewalk Design Modification is no longer requested with this application following staff feedback that the requested modification would not be supportable. New sidewalk along Evergreen and the private street is proposed to meet the required frontage improvements listed from the pre-app notes: “An alternative sidewalk design of ten (10) foot curb-tight sidewalk with tree wells is required.”

40.90 Tree Plan

40.90.10 Applicability

Different types of resources require different levels of protection. No Tree Plan is required for the following actions:

1. *Removal of up to four (4) Community Trees, or up to 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period. Properties one-half acre or less in size developed with a detached dwelling or middle housing may remove any number of Community Trees.*

Removal of (29) Community Trees is proposed, this is 55% of the number of Community Trees on site, this exemption does not apply.

15. *Landscape Trees are covered by Section 40.20. (Design Review) and Section 60.60. (Trees and Vegetation).*

Community Trees proposed for removal are considered Landscape Trees. See responses to 40.20 and 60.60 for Landscape Tree removal mitigation.

40.90.15 Application

2. Tree Plan Two

- A. *Threshold. An application for Tree Plan Two shall be required when none of the actions listed in Section 40.90.10. apply, none of the thresholds listed in Section 40.90.15.1. apply, and one or more of the following thresholds apply:*

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.*

Removal of (29) Community Trees is proposed, this is 55% of the number of Community Trees on site, a tree plan 2 is required.

3. *Commercial, Residential, or Industrial zoning district: Removal of up to and including 75% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.*

Removal of 40.9% of total DBH of surveyed trees on site is proposed. Removal of 21% of the total DBH of surveyed trees within the area of the site that is a Riparian Zone is proposed.

4. *Removal of a Significant Individual Tree(s).*

N/A – no significant individual trees are located on site

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

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

See 40.90.10 and 40.90.15 responses.

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

City application fees will be submitted with this application.

5. *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.*

N/A – proposed tree removal is for development purposes.

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

Proposed removal of trees 21-26 (see Existing Tree Plan) will allow development of a new building within district setbacks and at a size and scale that complements the overall visual character of the adjacent neighborhood. Tree protection of these trees meeting the 60.60.20 development standards would not leave enough space on site to accommodate the new program. Removal of trees 27-43 is required to install frontage improvements following input from that that a Sidewalk Design Modification was not supportable in order to retain the trees.

7. *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.*

N/A – proposed tree removal is for development purposes.

8. *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.*

Removal of trees 27-43 is required to install frontage improvements following input from that that a Sidewalk Design Modification was not supportable in order to retain these trees.

9. *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.*

N/A – proposed tree removal is for development purposes.

10. *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.*

N/A – proposed tree removal is for development purposes.

11. *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.*

N/A – proposed tree removal is for development purposes.

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

See 60.60 and 60.67 responses.

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

See Grading Plans and Stormwater Report for stormwater management strategy.

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

Applications signed by the owner, this written narrative, neighborhood meeting requirements, pre-app conference notes, and other required documentation will be submitted with this application.

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

Required documents are submitted with this application.

END