



CITY OF BEAVERTON  
Planning Division  
Community Development Department  
Tel: 503-526-2420  
[www.beavertonoregon.gov](http://www.beavertonoregon.gov)

## MEMORANDUM

City of Beaverton  
Community Development Department

**To:** Interested Parties  
**From:** City of Beaverton Planning Division  
**Date:** June 24, 2022  
**Subject:** LD2022-0009 / DR2022-0055 Progress Square Partition

Please find attached the Notice of Decision for **LD2022-0009 DR2022-0055 Progress Square Partition**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decisions for LD2022-0009 DR2022-0055 Progress Square Partition are 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 LD2022-0009 DR2022-0055 Progress Square Partition is 4:30 p.m., July 6, 2022.**

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, Lina Smith at [lsmith@beavertonoregon.gov](mailto:lsmith@beavertonoregon.gov).

NOTE: The City of Beaverton Community Development Department customer service center is now open to the public Monday through Thursday from 8:30am – 4:30pm. 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, please contact Lina Smith at 971-313-4244 or [lsmith@beavertonoregon.gov](mailto:lsmith@beavertonoregon.gov).

# STAFF REPORT

**Report date:** June 24, 2022

**Application/project name:** Progress Square Partition

**Application Numbers:** LD2022-0009 / DR2022-0055

**Proposal:** The applicant, Westlake Consultants, Inc., requests Preliminary Partition approval to partition one parent parcel, which is located at the northeast intersection of Hall Boulevard and Scholls Ferry Road, into two parcels. The applicant also requests Design Review Compliance Letter approval to demolish an existing eating and drinking establishment located at 8860 SW Hall Boulevard.

**Proposal location:** The site is located at 8860 SW Hall Boulevard, specifically identified as Tax Lots 00300, 00400, and 00500 on Washington County Tax Assessor's Map 1S126BC.



**Applicant:** Westlake Consultants, Inc.

**Decision:** APPROVAL of LD2022-0009 / DR2022-0055, subject to conditions identified at the end of this report.

**Contact information:**

City staff representative: Lina Smith, Associate Planner  
971-313-4244  
lsmith@beavertonoregon.gov

Applicant: Westlake Consultants, Inc.  
Attn: Ken Sandblast  
15115 SW Sequoia Parkway, Suite 150  
Tigard, OR 97224

Property owner: Progress Square Partners, LP  
Attn: Stephen B. Jaeger  
101 Larkspur Landing Circle, Suite 120  
Larkspur, CA 94939

## Existing conditions

**Zoning:** Community Service (CS)

**Site conditions:** The subject site is made up of three tax lots (Tax Lots 00300, 00400, and 00500 on Washington County Tax Assessor’s Map 1S126BC), but all three tax lots are located on one legal lot of record. Tax Lots 00300 and 00400 are developed with an existing shopping center, surface parking lot, and associated landscaping. Tax Lot 00500 is developed with an existing eating and drinking establishment, surface parking lot, and associated landscaping.

**Site Size:** Approximately 3.0 acres

**Location:** At the northeast intersection of Hall Boulevard and Scholls Ferry Road

**Neighborhood Association Committee:** Denney Whitford/ Raleigh West NAC

**Table 1: Surrounding uses**

Direction	Zoning	Uses
North	R2 Residential Urban Medium Density District	Attached Dwellings
South	CS and City of Tigard Mixed-Use Commercial	Minor Automotive Service (Gas Station) and Temporary Living Quarters (Hotel)
East:	CS and Interim Washington County	Service Business (Dental Office) and Attached Dwellings
West:	CS	Minor Automotive Service (Gas Station) and Shopping Center

## Application information

**Table 2: Application summaries**

Application	Application type	Proposal summary	Approval criteria location
LD2022-0009	Preliminary Partition	Preliminary approval to partition one parent parcel into two parcels	Development Code Section 40.45.15.4.C
DR2022-0055	Design Review Compliance Letter	Demolish an existing eating and drinking establishment on Parcel 2	Development Code Section 40.20.15.1.C

**Table 3: Key Application Dates**

<b>Application</b>	<b>Submittal Date</b>	<b>Deemed Complete</b>	<b>120-Day</b>	<b>365-Day*</b>
LD2022-0009	Feb. 28, 2022	May 11, 2022	Sept. 8, 2022	May 11, 2023
DR2022-0055	May 11, 2022	May 11, 2022	Sept. 8, 2022	May 11, 2023

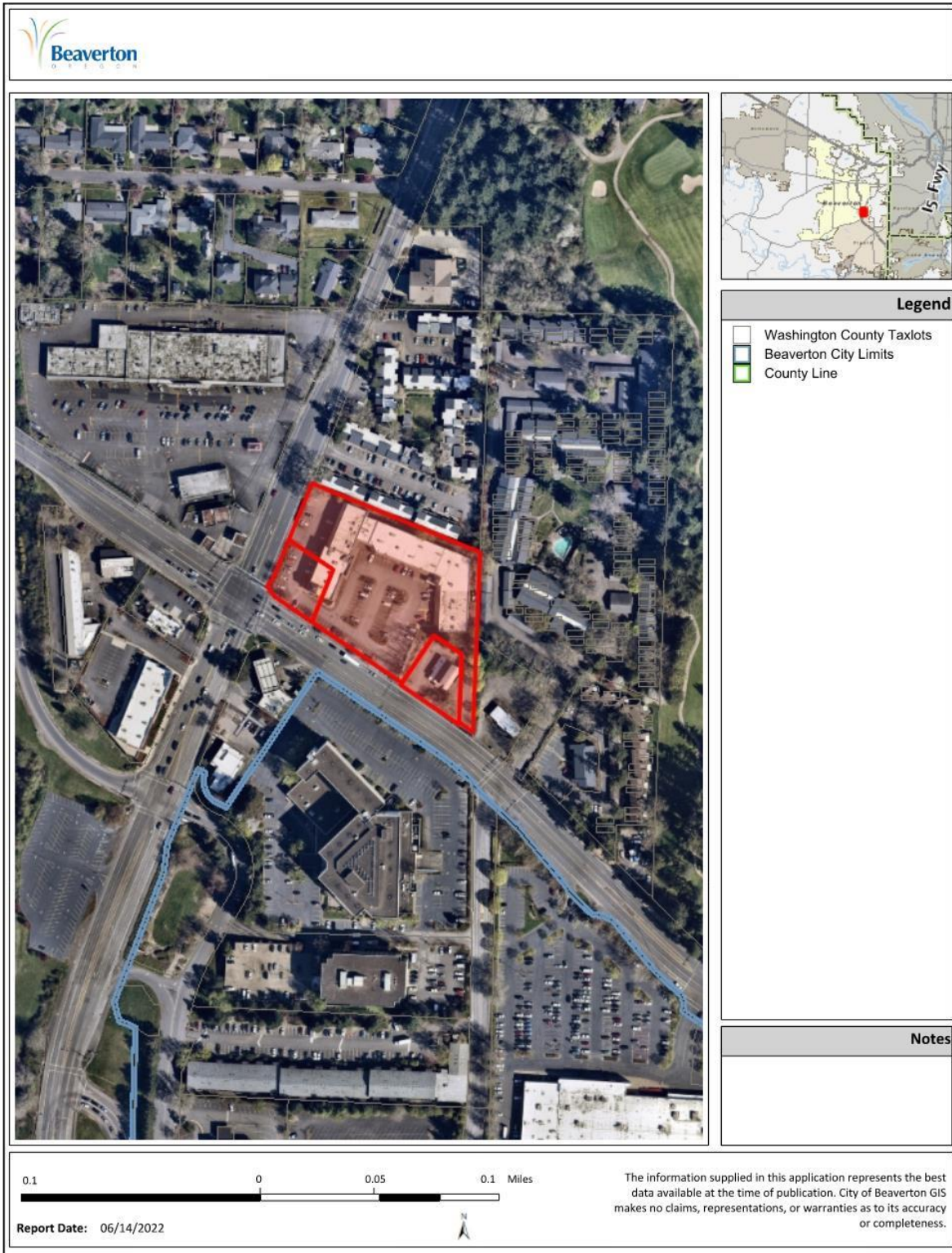
\* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

## Summary of Public Comment

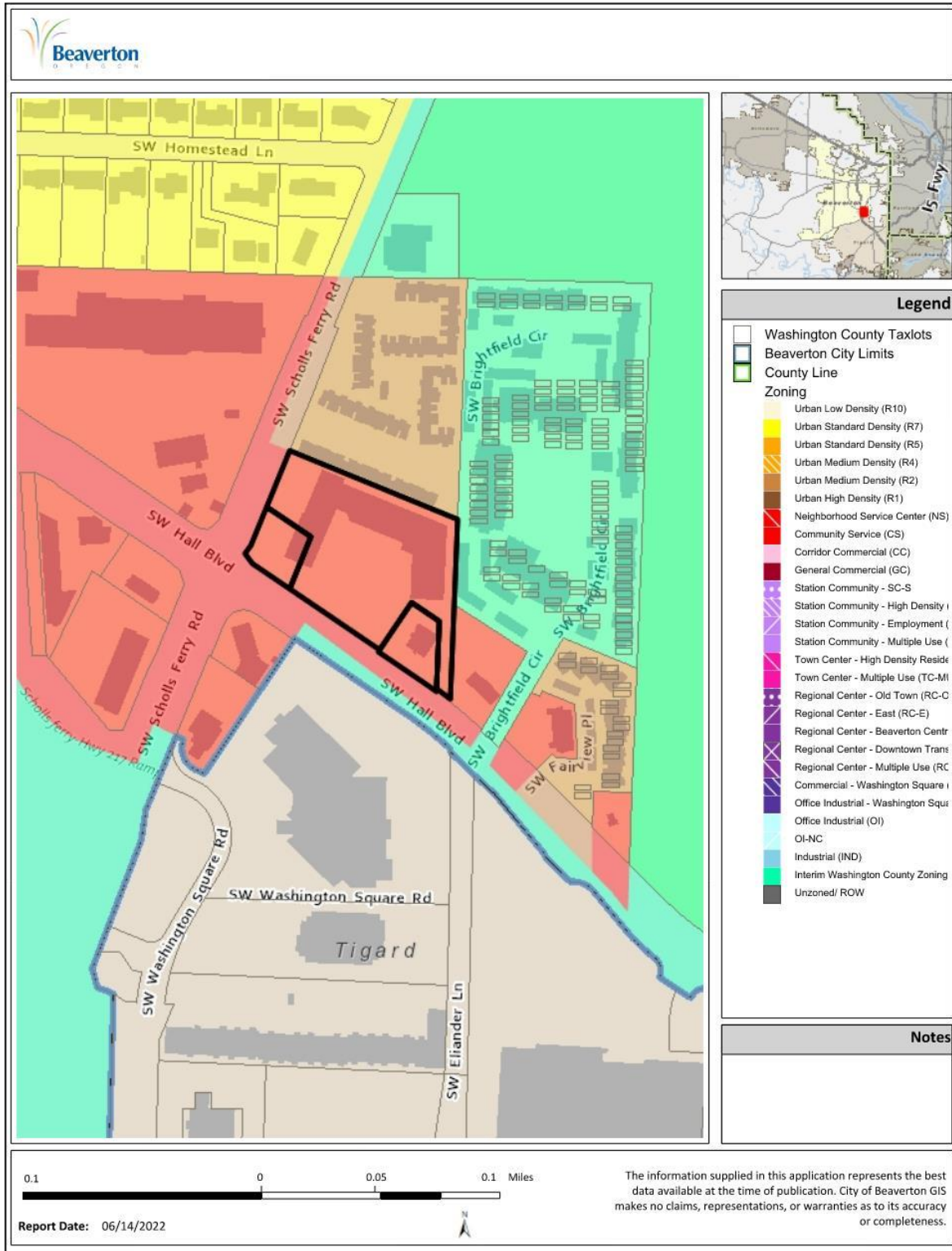
Exhibit 2.1 E-mail from Ernie Conway, Co-Chair of the Denney Whitford/ Raleigh West NAC, asking city staff to clarify why the proposal is considered a partition of one parent parcel into two parcels when there are three existing tax lots, and to identify which building was proposed for demolition.

**Staff Response:** Staff responded to the inquiry by clarifying that a tax lot is used for property tax or tax account purposes but does not always meet the definition of a legal lot of record. In terms of the subject site, property records show that even though the site contains three tax lots, it is just one legal lot of record, which is identified on the public notice and in this staff report as the parent parcel. Additionally, staff clarified that the building proposed for demolition is the existing eating and drinking establishment on Parcel 2.

# Exhibit 1.1 Vicinity Map



# Exhibit 1.2 Zoning Map



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## Exhibits

### Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Vicinity Map (Page 6 of this report)

Exhibit 1.2 Zoning Map (Page 7 of this report)

### Exhibit 2. Public Comment

Exhibit 2.1 E-mail from Ernie Conway

### Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Preliminary Partition Application Form

Exhibit 3.2 Design Review Compliance Letter Application Form

Exhibit 3.3 Narrative

Exhibit 3.4 Preliminary Plat

Exhibit 3.5 Existing Conditions Plan

Exhibit 3.6 Utilities Exhibit

Exhibit 3.7 Clean Water Services Service Provider Letter

### Exhibit 4. Oregon Department of Transportation Comments



# Attachment A: FACILITIES REVIEW

**Application:** Progress Square Partition

**Proposal:** The applicant, Westlake Consultants, Inc., requests Preliminary Partition approval to partition one parent parcel, which is located at the northeast intersection of Hall Boulevard and Scholls Ferry Road, into two parcels. The applicant also requests Design Review Compliance Letter approval to demolish an existing eating and drinking establishment located at 8860 SW Hall Boulevard.

**Recommendation:** APPROVE LD2022-0009 DR2022-0055

## 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 Preliminary Partition (LD2022-0009) application as submitted.
- Facilities Review Committee criteria do not apply to the submitted Design Review Compliance Letter (DR2022-0055) application.

### Section 40.03.1.A

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

#### FINDING:

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

**Potable Water:** The subject site is located in the Tualatin Valley Water District (TVWD). The existing development on Parcel 1 receives water service via a water meter on the west side of the site, which connects to a TVWD water main in the Scholls Ferry Road

right of way. The applicant does not propose any changes to the development on Parcel 1, and the Committee finds TVWD water service is adequate to continue serving the existing development. The existing eating and drinking establishment on Parcel 2 receives water service via a water meter on the south side of the site, which connects to a TVWD water main in the Hall Boulevard right of way. The applicant proposes to demolish the eating and drinking establishment on Parcel 2 but does not propose any new development on Parcel 2 at this time. Any future development on Parcel 2 will be required to demonstrate there is adequate public water service 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:** Both Parcels 1 and 2 are currently served by City of Beaverton sanitary sewer. Parcel 1 is connected to an existing 8-inch sewer main in the Scholls Ferry Road right of way. The proposed partition will not impact this existing sewer connection or the existing development on Parcel 1, and the Committee finds existing sewer service is adequate to continue serving Parcel 1. The eating and drinking establishment on Parcel 2 receives sewer service via an existing sewer lateral that runs across Parcel 1 and connects to a sewer main located on the adjacent property to the east (Tax Lot 90000 on Washington County Tax Assessor's Map 1S126BC). The applicant proposes a private sewer easement across Parcel 1 to benefit Parcel 2 and document this existing sewer lateral. The applicant also proposes to demolish the eating and drinking establishment on Parcel 2 but does not propose any new development on Parcel 2 at this time. Any future development on Parcel 2 will be required to demonstrate there is adequate sanitary sewer service to serve the proposed development.

**Stormwater Drainage, Treatment, and Retention:** The site is located in the City of Beaverton stormwater service area and the parent parcel is connected to an existing 12-inch stormwater main in Scholls Ferry Road. The proposed partition will not impact this existing stormwater connection or the existing development on Parcel 1, and the Committee finds existing stormwater service is adequate to continue serving Parcel 1. The applicant proposes to demolish the existing eating and drinking establishment on Parcel 2 but does not propose any new development on Parcel 2 at this time. Any future development on Parcel 2 will be required to demonstrate there is adequate stormwater service to serve the proposed development.

**Transportation:** The subject site has public street frontage on Scholls Ferry Road, which is under the jurisdiction of Washington County, and Hall Boulevard, which is under the jurisdiction of the Oregon Department of Transportation (ODOT). Both Scholls Ferry Road and Hall Boulevard are classified as arterial streets. Street improvements and right of way dedication will not be required along Scholls Ferry Road with this proposed partition. However, the ultimate right of way width for Scholls Ferry Road is 51 feet from centerline; accordingly, the applicant will be required to record an 8-foot-wide special setback along Scholls Ferry Road on the final plat, which will prohibit new structures or encroachments from locating in this future right of way area, in accordance with Section 60.55.25.8 of the

Beaverton Development Code (BDC). The applicant will not be required to provide street improvements along Hall Boulevard with this proposed partition but will be required to dedicate 5 feet of right of way in front of Parcel 2. The Committee recommends including conditions of approval to ensure the special setback and right of way dedication are recorded on the final plat. As conditioned, the Committee finds that adequate transportation facilities will be provided to the site to serve the proposed development.

**Fire Protection:** Fire protection will continue to be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff reviewed the applicant's materials and had no objections to the proposal. The Committee finds that adequate fire protection service will continue to be provided to the development.

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

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

## Section 40.03.1.B

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

### FINDING:

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

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

**Transit Improvements:** There are approximately 11 TriMet bus stops located within 500 feet of the subject site, which are served by multiple TriMet bus lines including Bus Line 56, which connects to Portland, and Bus Lines 76 and 78, which connect to the Beaverton Transit Center, located approximately 3 miles north of the site. The Beaverton Transit Center is served by multiple bus lines, the MAX Light Rail, and the WES Commuter Rail. Accordingly, the Committee finds there is adequate transit service to serve the proposed development.

**Police Protection:** The City of Beaverton Police Department will continue to provide police services to the development site. 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, and the Committee finds that adequate police protection service will continue to be provided to the development.

**Pedestrian and Bicycle Facilities:** Parcel 1 has public street frontage on Scholls Ferry Road and Hall Boulevard and both frontages are already developed with sidewalks and bicycle lanes. Additionally, Parcel 1 is developed with an existing shopping center and on-site pedestrian walkways that provide connections among the multiple tenant spaces, parking lot, and trash enclosure area and connect to public sidewalks along both frontages. Parcel 2 has public street frontage on Hall Boulevard and this frontage includes a bicycle lane but no sidewalks. The applicant proposes to demolish the existing eating and drinking establishment on Parcel 2 but does not propose any new development on Parcel 2 at this time. Any future development on Parcel 2 will require a land use application and any necessary street improvements, including sidewalks, will be determined during land use review.

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

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

## Section 40.03.1.C

**Approval Criterion:** *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses), 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 site is zoned Community Service (CS). The Committee refers to the Code Conformance Analysis table at the end of this report, which evaluates the project as it relates to applicable code requirements of 20.10.15 Commercial Site Development Standards and 20.10.20 Commercial Land Uses. The table demonstrates that Parcel 1 complies with all applicable standards in Section 20.10 Commercial Land Use Districts, except for the maximum front and street side setbacks and the minimum rear setback abutting a residential zone. The existing buildings on Parcel 1 are considered nonconforming structures and will not be enlarged, altered, damaged or moved as a result of the proposed partition. Accordingly, the existing buildings may remain, subject to the provisions of 30.25 Nonconforming Structures. The table demonstrates that Parcel 2 complies with all applicable standards in Section 20.10 Commercial 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 Compliance Letter request within the applicable section of the staff report.

**Section 60.30 Off-Street Parking:** Parcel 1 contains an existing 40,783-square-foot shopping center. As outlined in BDC Table 60.30.10.5.A, the minimum vehicle parking requirement for a shopping center use is 3.3 spaces per 1,000 square feet of gross floor area and the maximum vehicle parking allowed is 5.1 spaces per 1,000 square feet of gross floor area. The minimum parking requirement for Parcel 1 is 135 spaces and the maximum parking allowed is 208 spaces. Parcel 1 contains 139 spaces and therefore complies with minimum and maximum parking standards. Additionally, the applicant is not proposing any modifications to the existing development on Parcel 1 that would impact bicycle parking requirements, such as a change of use or building expansion.

Parcel 2 is currently under-parked because it contains a 2,276-square-foot eating and drinking establishment which requires a minimum of 23 vehicle parking spaces (10 spaces per 1,000 square feet of gross floor area) and only 19 spaces currently exist on site. Accordingly, the applicant proposes to demolish this eating and drinking establishment to address the parking issue and is not proposing any new development on Parcel 2 at this time. Any future development on Parcel 2 will be required to demonstrate compliance with vehicle and bicycle parking standards at the time of land use review. To ensure compliance with the requirements of Section 60.30 Off-Street Parking, the Committee recommends a condition of approval requiring the building on Parcel 2 to be demolished prior to recording the final plat.

**Section 60.55 Transportation Facilities:** The subject site has public street frontage on Scholls Ferry Road, which is under the jurisdiction of Washington County, and Hall Boulevard, which is under the jurisdiction of ODOT. Both Scholls Ferry Road and Hall Boulevard are classified as arterial streets. Street improvements and right of way dedication will not be required along Scholls Ferry Road with this proposed partition. However, the ultimate right of way width for Scholls Ferry Road is 51 feet from centerline; accordingly, the applicant will be required to record an 8-foot-wide special setback along Scholls Ferry Road on the final plat, which will prohibit new structures or encroachments

from locating in this future right of way area, in accordance with BDC 60.55.25.8. The applicant will not be required to provide street improvements along Hall Boulevard with this proposed partition but will be required to dedicate 5 feet of right of way in front of Parcel 2. The Committee recommends including conditions of approval to ensure the special setback and right of way dedication are recorded on the final plat. As conditioned, the Committee finds that adequate transportation facilities will be provided to the site to serve the proposed development.

**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:**

Progress Square Partners, LP will retain ownership of both parcels and provide regular maintenance of all private common facilities and areas. The Committee finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

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

## **Section 40.03.1.F**

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

### **FINDING:**

Parcel 1 is developed with an existing shopping center and on-site pedestrian walkways that provide safe and efficient pedestrian connections among the multiple tenant spaces, parking lot, and trash enclosure area. Parcel 1 also contains an existing surface parking lot and there will be no changes to the existing vehicular circulation patterns within the development as a result of proposed partition. The applicant proposes to demolish the existing eating and drinking establishment on Parcel 2 but does not propose any new development on Parcel 2 at this time. Any future development on Parcel 2 must

demonstrate there are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development at the time of land use review.

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

## **Section 40.03.1.G**

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

### **FINDING:**

Parcel 1 contains two commercial driveways that connect to Scholls Ferry Road and Hall Boulevard in a safe, efficient, and direct manner and the site is developed with pedestrian walkways that connect to public sidewalks along both public street frontages. Parcel 1's existing connections to the surrounding circulation system will not be modified as result of the proposed partition. The applicant proposes to demolish the existing eating and drinking establishment on Parcel 2 but does not propose any new development on Parcel 2 at this time. Any future development on Parcel 2 must demonstrate there are safe, efficient, and direct connections to the surrounding circulation system at the time of land use review.

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

## **Section 40.03.1.H**

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

### **FINDING:**

Fire protection will continue to be provided by TVF&R. TVF&R staff reviewed the applicant's materials and had no objections to proposed partition. The Committee finds that adequate fire protection service will continue to be provided to the development.

**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 all existing structures and public facilities serving Parcel 1 were designed in accordance with adopted City codes and standards. As of the date of this report, Beaverton Police have not raised any concerns about crime or accident at the development site and any comments from Beaverton Police will be forwarded directly to the applicant. The Committee finds the existing development on Parcel 1 was designed to provide adequate protection from crime, accident, and hazardous conditions.

The applicant proposes to demolish the existing eating and drinking establishment on Parcel 2 but does not propose any new development on Parcel 2 at this time. Any future development on Parcel 2 must be designed in accordance with adopted City codes and standards in effect at the time of the proposed development and must provide adequate protection from crime, accident, and hazardous conditions.

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

### **Section 40.03.1.J**

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

#### **FINDING:**

No on-site grading or contouring is proposed with this application. The applicant proposes to demolish the existing eating and drinking establishment on Parcel 2 and will be required to obtain a Building Permit for the demolition. City staff will review the applicant's proposal for adequate erosion control measures at the time of Building Permit submittal.

**Conclusion:** Therefore, the Committee finds that 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:**



This application is for a Preliminary Partition and there will be no changes to the existing accessible facilities on Parcel 1 as a result of this proposal. The applicant proposes to demolish the existing eating and drinking establishment on Parcel 2 but does not propose any new development on Parcel 2 at this time. Any future development on Parcel 2 will be required to demonstrate compliance with the applicable accessibility standards in the Beaverton Engineering Design Manual, International Building Code, Fire Code, and other standards as required by the Americans with Disabilities Act.

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

## **Section 40.03.1.L**

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

### **FINDING:**

The applicant submitted a Preliminary Partition application on February 28, 2022, and a Design Review Compliance Letter application on May 11, 2022. Both applications were deemed complete as of May 11, 2022.

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

# Code Conformance Analysis

## Chapter 20 Use and Site Development Requirements Community Service (CS) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 20.10.20</b>			
<p><u>Parcel 1:</u> Eating and Drinking Establishments, Retail Trade, and Service Businesses/Professional Services</p> <p><u>Parcel 2:</u> No new use proposed at this time</p>	<p><u>Parcel 1:</u> Permitted</p> <p><u>Parcel 2:</u> N/A</p>	<p><u>Parcel 1:</u> Contains an existing shopping center that will not be impacted by this partition.</p> <p><u>Parcel 2:</u> Contains an eating and drinking establishment that applicant proposes to demolish. No new use proposed on Parcel 2 at this time.</p>	<b>YES</b>
<b>Development Code Section 20.10.15</b>			
Minimum Parcel Area	7,000 square feet	<p><u>Parcel 1:</u> 116,919 square feet</p> <p><u>Parcel 2:</u> 13,880 square feet</p>	<b>YES</b>
Minimum Lot Dimensions	Width: 70 feet Depth: 100 feet	<p><u>Parcel 1:</u> 449 feet wide / 306 feet deep</p> <p><u>Parcel 2:</u> 105 feet wide / 124 feet deep</p>	<b>YES</b>
Minimum Yard Setbacks	<p><u>Parcel 1:</u> Front Minimum: None Front Maximum: 20 feet Side Abutting Residential: 10 feet Street Side Minimum: None Street Side Maximum: 20 feet Rear Abutting Residential: 20 feet</p> <p><u>Parcel 2:</u> Front: None Side: None Rear: None</p>	<p><u>Parcel 1:</u> Front (Facing Hall Boulevard): 56 feet East Side (Abutting Residential): 20 feet West Side (Facing Scholls Ferry Road): 82 feet Rear (Abutting Residential): 9.6 feet</p> <p><u>Parcel 2:</u> Existing building will be demolished. No new development proposed at this time.</p>	<b>Refer to the Facilities Review Committee findings herein.</b>
Maximum Building Height	<p><u>Parcel 1</u> (within 50 feet of residentially zoned property): 35 feet</p> <p><u>Parcel 2:</u> 60 feet</p>	<p><u>Parcel 1:</u> 31 feet</p> <p><u>Parcel 2:</u> Existing building will be demolished. No new development proposed at this time.</p>	<b>YES</b>

## Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.05</b>			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Demolish existing eating and drinking establishment on Parcel 2.	<b>See DRCL Findings</b>
<b>Development Code Section 60.07</b>			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	<b>N/A</b>
<b>Development Code Section 60.10</b>			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a floodplain.	<b>N/A</b>
<b>Development Code Section 60.11</b>			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	The applicant is not proposing a food cart or food cart pod.	<b>N/A</b>
<b>Development Code Section 60.12</b>			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	<b>N/A</b>
<b>Development Code Section 60.15</b>			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property.	No on-site grading or contouring proposed.	<b>N/A</b>
<b>Development Code Section 60.20</b>			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	<b>N/A</b>
<b>Development Code Section 60.25</b>			
Off-Street Loading Requirements	Minimum: None	No loading space is proposed.	<b>N/A</b>

<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>
<b>Development Code Section 60.30</b>			
Off-Street Motor Vehicle Parking	<u>Parcel 1:</u> Minimum: 135 spaces Maximum: 208 spaces  <u>Parcel 2:</u> N/A	Refer to the Facilities Review Committee findings herein.	<b>YES</b>
<b>Development Code Section 60.30</b>			
Required Bicycle Parking	Refer to the Facilities Review Committee findings herein.	Refer to the Facilities Review Committee findings herein.	<b>YES</b>
<b>Development Code Section 60.33</b>			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	<b>N/A</b>
<b>Development Code Section 60.35</b>			
Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	<b>N/A</b>
<b>Development Code Section 60.40</b>			
Sign Regulations	Requirements for signs.	All signs will be reviewed under a separate sign permit, and are not reviewed with this proposal.	<b>N/A</b>
<b>Development Code Section 60.45</b>			
Solar Access Protection	Solar access requirements for subdivisions and single family homes.	No subdivisions or single family homes are proposed.	<b>N/A</b>
<b>Development Code Section 60.50</b>			
Accessory Uses and Structures	Requirements for accessory uses and structures.	No accessory uses or structures proposed.	<b>N/A</b>
<b>Development Code Section 60.55</b>			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	Refer to the Facilities Review Committee findings herein.	<b>YES w/ COA</b>
<b>Development Code Section 60.60</b>			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	No existing trees will be impacted by the proposal.	<b>N/A</b>

<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>
<b>Development Code Section 60.65</b>			
Utility Undergrounding	Requirements for placing overhead utilities underground.	No new utility lines proposed, and any existing overhead utilities will not be impacted by the proposal.	<b>N/A</b>
<b>Development Code Section 60.67</b>			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	No Significant Natural Resources are located on site.	<b>N/A</b>
<b>Development Code Section 60.70</b>			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	<b>N/A</b>

# Attachment B: LD2022-0009 PRELIMINARY PARTITION

## ANALYSIS AND FINDINGS FOR PRELIMINARY PARTITION APPROVAL

**Recommendation:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **LD2022-0009**, subject to the applicable conditions identified in Attachment D.

### Section 40.03.1 Facilities Review Committee Approval Criteria

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

#### **FINDING:**

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

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

### Section 40.45.15.4.C Approval Criteria

*In order to approve a Preliminary Partition 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 40.45.15.4.C.1**

**Approval Criterion:** *The application satisfies the threshold requirements for a Preliminary Partition. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met.*

## FINDING:

The applicant requests approval of a Preliminary Partition to divide one parent parcel, located at the northeast intersection of Hall Boulevard and Scholls Ferry Road, into two parcels. No other land division applications have been submitted or approved for the site in the past calendar year. The proposal meets the following Preliminary Partition threshold:

1. *The creation of up to and including three (3) new parcels from at least one (1) lot of record (parent parcel) in one (1) calendar year.*

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

## Section 40.45.15.4.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 Preliminary Partition application.

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

## Section 40.45.15.4.C.3

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

## FINDING:

Previous land use approvals for the site include Conditional Uses, Design Reviews, Sign Permits, and Temporary Uses. The proposed Preliminary Partition does not conflict with these previous land use approvals.

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

## Section 40.45.15.4.C.4

**Approval Criterion:** *Oversized parcels (oversized lots) resulting from the Partition shall have a size and shape that facilitates 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 partition and future potential development on oversized lots. Easements and rights-of-way shall either exist or be proposed to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.*

## FINDING:

Chapter 90 of the Development Code defines an oversized lot as a lot which is greater than twice the required minimum lot size allowed by the subject zoning district. The minimum lot size required within the Community Service zone is 7,000 square feet. Parcel 1 meets the definition of an oversized lot because it is 116,919 square feet in size. Parcel 2 does not meet the definition of an oversized lot because it is 13,880 square feet in size. Although Parcel 1 is oversized, it is fully developed with an existing shopping center, surface parking lot, landscaping, on-site pedestrian walkways, two commercial driveways, and all necessary utility connections. Additionally, as detailed in the Facilities Review Committee findings of this staff report (Attachment A), all critical and essential facilities already exist to serve Parcel 1. Because Parcel 1 is fully developed and adequately served by existing streets, driveways, and utilities, future partitioning or subdividing of Parcel 1 is not required.

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

## Section 40.45.15.4.C.5

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

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

## FINDING:

The applicant does not propose to apply lot averaging standards.

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

## Section 40.45.15.4.C.6

**Approval Criterion:** *If lot area averaging standards are proposed pursuant to Section 20.05.15.D, no further applications for Adjustment or Variance from this standard are required or permitted.*

## FINDING:

The applicant does not propose to apply lot averaging standards.

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



## Section 40.45.15.4.C.7

**Approval Criterion:** *For proposals which create a parcel with more than one zoning designation the portion of the lot within each zoning district shall meet the minimum lot size and dimensional requirements of that zoning district.*

### FINDING:

The proposal will not create a parcel with more than one zoning designation. Both parcels will be zoned Community Service.

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

## Section 40.45.15.4.C.8

**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 submitted this Preliminary Partition application on February 28, 2022, and a Design Review Compliance Letter application to demolish the existing eating and drinking establishment on Parcel 2 on May 11, 2022. Both applications are being reviewed concurrently and were deemed complete as of May 11, 2022. No other applications are required of the applicant at this stage of City review. Staff recommends a general condition of approval for the applicant to ensure the Design Review Compliance Letter has been approved and is consistent with the submitted plans.

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

## Conclusion and Recommendation

Based on the facts and findings presented above, staff recommends **APPROVAL** of **LD2022-0009**, subject to the conditions of approval in Attachment D.

# Land Division Standards Code Conformance Analysis

## Section 60.15.10 Grading Standards

CODE STANDARD	PROJECT PROPOSAL	MEETS STANDARD?
<b>60.15.10.1 Applicability</b>		
<i>The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.</i>	No on-site grading or contouring is proposed with this application. The applicant proposes to demolish an existing building on Parcel 2 and will be required to show adequate erosion control measures will be provided during Building Permit submittal.	<b>N/A</b>
<b>60.15.10.2 Exemptions</b>		
<i>The improvements listed in Section 60.15.10.2 will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3.</i>	No on-site grading or contouring is proposed with this application. The applicant proposes to demolish an existing building on Parcel 2 and will be required to show adequate erosion control measures will be provided during Building Permit submittal.	<b>N/A</b>
<b>60.15.10.3 On-Site Surface Contouring</b>		
<i>When grading a site within 25 feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall meet the standards in Section 60.15.10.3.</i>	No on-site grading or contouring is proposed with this application. The applicant proposes to demolish an existing building on Parcel 2 and will be required to show adequate erosion control measures will be provided during Building Permit submittal.	<b>N/A</b>
<b>60.15.10.4 Significant Trees and Groves</b>		
<i>Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall meet the standards in Section 60.15.10.4.</i>	There are no significant trees or groves on- or off-site and no on-site grading or contouring is proposed as part of the preliminary partition.	<b>N/A</b>

# Attachment C: DR2022-0055 DESIGN REVIEW COMPLIANCE LETTER

## ANALYSIS AND FINDINGS FOR DESIGN REVIEW COMPLIANCE LETTER APPROVAL

**Decision:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR2022-0055**, subject to the applicable conditions identified in Attachment D.

### 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 that 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 40.20.15.1.C Approval Criteria

*In order to approve a Design Review Compliance Letter 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 40.20.15.1.C.1

**Approval Criterion:** *The proposal satisfies the threshold requirements for a Design Compliance Review Letter.*

#### FINDING:

The applicant proposes to demolish an existing building on Parcel 2, located at 8860 SW Hall Boulevard. The proposal meets the following Design Review Compliance Letter threshold under Section 40.20.15.1.A:

*Threshold. An applicant may utilize the Design Review Compliance Letter process when the application is limited to one or more of the following categories of proposed action:*

- 1. Minor design changes to existing building or site including, but not limited to:*
  - e. Demolition or other reduction in square footage of an existing building.*

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

### **Section 40.20.15.1.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 application fee for this Design Review Compliance Letter.

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

### **Section 40.20.15.1.C.3**

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

**FINDING:**

The applicant's submittal included all the requirements specified in Section 50.25.1 of the Development Code.

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

### **Section 40.20.15.1.C.4**

**Approval Criterion:** *The proposal meets all applicable Site Development Requirements of Sections 20.05.15., 20.10.15., 20.15.15., and 20.20.15. of the Development Code unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application which shall be already approved or considered concurrently with the subject proposal.*

**FINDING:**

Staff cites the Code Conformance Analysis table in the Facilities Review Committee findings of this staff report (Attachment A), which demonstrates the proposal complies with all applicable Site Development Requirements in Chapter 20.

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

### **Section 40.20.15.1.C.5**

**Approval Criterion:** *The proposal, which is not an addition to an existing building, is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).*

**FINDING:**

The applicant is not proposing any additions to an existing building. As detailed in the Design Review Standards Analysis table of this staff report, the proposal complies with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).

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

**Section 40.20.15.1.C.6**

**Approval Criterion:** *If applicable, the proposed addition to an existing building and/or site, and only that portion of the building and/or site containing the proposed improvements, complies with the applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).*

**FINDING:**

The applicant is not proposing any additions to an existing building or to the site.

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

**Section 40.20.15.1.C.7**

**Approval Criterion:** *The proposal complies with all applicable provisions in CHAPTER 60 (Special Regulations).*

**FINDING:**

Staff cites the Chapter 60 Special Requirements table in the Facilities Review Committee findings of this staff report (Attachment A), which demonstrates the proposal complies with all applicable provisions of Chapter 60.

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

**Section 40.20.15.1.C.8**

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

**FINDING:**

No on-site grading or contouring is proposed with this application. The applicant proposes to demolish the existing eating and drinking establishment on Parcel 2 and will be required to obtain a Building Permit for the demolition. City staff will review the applicant's proposal for adequate erosion control measures at the time of Building Permit submittal.

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

### **Section 40.20.15.1.C.9**

***Approval Criterion:** Except for conditions requiring compliance with approved plans, the proposal does not modify any conditions of approval of a previously approved Type 2 or Type 3 application.*

#### **FINDING:**

The applicant is not proposing to modify any conditions of approval from a previous land use decision.

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

### **Section 40.20.15.1.C.10**

***Approval Criterion:** Proposals for Community Gardens comply with Section 60.05.25.14 of CHAPTER 60. Community Gardens are exempt from Criteria 4, 5, 6, 7, and 8 above.*

#### **FINDING:**

The applicant is not proposing any community gardens with this application.

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

### **Section 40.20.15.1.C.11**

***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 submitted this Design Review Compliance Letter application on May 11, 2022 and submitted a Preliminary Partition application on February 28, 2022. Both applications are being reviewed concurrently and were deemed complete as of May 11, 2022. No other applications are required of the applicant at this stage of City review.

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

## **Conclusion**

Based on the facts and findings presented above, staff recommends **APPROVAL** of **DR2022-0055**, subject to the conditions of approval in Attachment D.

## Design Review Standards Analysis

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>60.05.15 Building Design and Orientation Standards</b>		
<b>60.05.15.1 – 10</b>	The applicant only proposes to demolish an existing building and does not propose to construct a new building. Therefore, these standards do not apply.	<b>N/A</b>
<b>60.05.20 Circulation and Parking Design Standards</b>		
<b>60.05.20.1 – 9</b>	The applicant only proposes to demolish an existing building and does not propose any changes to existing on-site circulation or parking areas. Therefore, these standards do not apply.	<b>N/A</b>
<b>60.05.25 Landscape, Open Space, and Natural Areas Design Standards</b>		
<b>60.05.25.1 – 7</b>	The site is located in the CS zone and the applicant only proposes to demolish an existing building. The applicant does not propose any changes to existing landscape or open space areas; therefore, these standards do not apply.	<b>N/A</b>
<b>60.05.25.8 – 9</b>	No new retaining walls or fences are proposed. Therefore, these standards do not apply.	<b>N/A</b>
<b>60.05.25.10</b>	No on-site grading or contouring is proposed with this application. The applicant proposes to demolish an existing building on Parcel 2 and will be required to show adequate erosion control measures will be provided during Building Permit submittal.	<b>N/A</b>
<b>60.05.25.11</b>	No new stormwater facilities proposed. Therefore, this standard does not apply.	<b>N/A</b>
<b>60.05.25.12</b>	No natural areas on site. Therefore, this standard does not apply.	<b>N/A</b>
<b>60.05.25.13</b>	No new development or redevelopment proposed. Therefore, landscaping and buffering standards do not apply.	<b>N/A</b>
<b>60.05.25.14</b>	No community gardens proposed. Therefore, these standards do not apply.	<b>N/A</b>
<b>60.05.30 Lighting Design Standards</b>		
<b>60.05.30.1 – 2</b>	No new lighting is proposed. Therefore, these standards do not apply.	<b>N/A</b>

# Attachment D: CONDITIONS OF APPROVAL

## Preliminary Partition (LD2022-0009)

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

1. Ensure that the Design Review Compliance Letter (DR2022-0055) application has been approved and is consistent with the submitted plans. (Planning / LS)

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

2. 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 / CR)

### **C. Prior to approval of the final plat, the applicant shall:**

3. 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 / CR)
4. 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 / CR)
5. Include on final plat a special setback along the site's frontage along SW Scholls Ferry Road measured as 51' from the right of way center line, consistent with BDC 60.55.25.8, to preserve future right of way needs for Washington County's adopted arterial street standards. (BDC 60.55.10, 60.55.25.8) (Transportation / KM)
6. Obtain a Building Permit and complete final inspection to demolish the existing building on Parcel 2. (Planning / LS)
7. Provide 5' right of way donation to ODOT along Hall Boulevard for Parcel 2. The deed must be to the State of Oregon, Oregon Department of Transportation. The ODOT District contact will assist in coordinating the transfer. ODOT should provide verification to the local jurisdiction that this requirement has been fulfilled. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site prior to transfer of property to the Department. (ODOT / MD)

### **D. Prior to final inspection and final occupancy permit, the applicant shall:**



8. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development / CR)
9. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development / CR)