

STAFF REPORT

Report Date:

March 27, 2024

Application/Project Name:

LU32023-00833 Peterkort Starbucks
Phasing

Application Number:

DR32023-00832

Proposal: The applicant, Baysinger Partners Architecture, requests approval of a Design Review Three application to allow two-phase construction of a previously approved single-phase development. In Phase 1, the applicant proposes to 1) expand the existing Peterkort Towne Square shopping center pad building that currently houses Sunrise Bagels Beaverton by adding approximately 1,120 square feet of area on the west end of the building, and 2) add a drive-through lane and pick-up window on the west end of the building. Phase 2 development is limited in scope to constructing a new 2,950 sq. ft. building on the portion of the site identified as Pad J. In addition to dividing the project into two phases, the applicant also proposes 1) minor façade changes to the previously approved Sunrise Bagels building, 2) moving the location of a transformer and modifying an associated landscape planter, and 3) modifying the existing landscape plan to change some of the proposed plantings. The previous approvals associated with this application are DR2022-0008, LO2022-0002, and LU12023-00442 (DR12023-00440).



Proposal Location: The site is located at 11110–11140 SW Barnes Road on the south side of SW Barnes Road, within the existing Peterkort Towne Square shopping center, and specifically identified as Tax Lot 1600 on Washington County Tax Assessor's Map 1S103A.

Applicant: Baysinger Partners Architecture

Recommendation: **APPROVAL** of LU32023-00833 Peterkort Starbucks Phasing: DR32023-00832, subject to the conditions identified at the end of this staff report.

Hearing Information: 6:30 p.m. April 3, 2024, at City Hall, 12725 SW Millikan Way

Note: Public Hearings are held remotely and can be viewed at the following link:

<https://www.beavertonoregon.gov/291/Agendas-Minutes>

Contact Information:

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503-616-8453, aharris@BeavertonOregon.gov

Applicant: Jennifer Rinkus
Baysinger Partners Architecture
2410 N. Lombard St.
Portland, OR 97217

Property Owner: Peterkort Towne Square LLC.
9755 SW Barnes Road, STE 690
Portland, OR 97225

Existing conditions

Zoning: Corridor Commercial (CC)

Site conditions: The site is an existing shopping center (Peterkort Towne Square).

Site Size: Approximately 16.44 acres

Location: 11110–11140 SW Barnes Road. Located on the south side of SW Barnes Road, within the existing Peterkort Towne Square shopping center, and specifically identified as Tax Lot 1600 on Washington County Tax Assessor’s Map 1S103A.

Neighborhood Association Committee: Central Beaverton

Table 1: Surrounding uses

Direction	Zoning	Uses
North	Station Community Sunset District (SC-S)	Undeveloped
South	Corridor Commercial (CC)	Hwy 26
East	Station Community Sunset District (SC-S)	Undeveloped
West	Corridor Commercial (CC)	Life Time Fitness

Application information

Table 2: Application summaries

Application	Application type	Proposal summary	Approval criteria location
DR32023-00832	Design Review: Three	Request to allow two-phase construction of a previously approved single-phase development.	Development Code Section 40.20.15.3.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
DR32023-00832	November 21, 2023	January 29, 2023	May 28, 2024	January 28, 2025

* 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.

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Exhibits

Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Vicinity Map

Exhibit 1.2 Zoning Map

Exhibit 2. Public Comment

No Public Comments Received

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Applicant Narrative

Exhibit 3.2 Design Review Three Application

Exhibit 3.3 Design Review Submittal Checklist

Exhibit 3.4 Pre-application Conference notes

Exhibit 3.5 CWS Service Provider Letter

Exhibit 3.6 Fire Service Provider Letter

Exhibit 3.7 Architectural Plans

Exhibit 3.8 Traffic Memo dated January 21, 2022

Exhibit 3.9 Supplemental Traffic Memo dated July 5, 2022

Exhibit 3.10 Original TIA dated October 1993

- Exhibit 3.11 Stormwater Report
- Exhibit 3.12 Civil Plans Phase 1
- Exhibit 3.13 Civil Plans Phase 2
- Exhibit 3.14 Landscape Plans
- Exhibit 3.15 Photometric Plan
- Exhibit 3.16 Lighting Cut Sheets

Exhibit 1.1: Vicinity Map

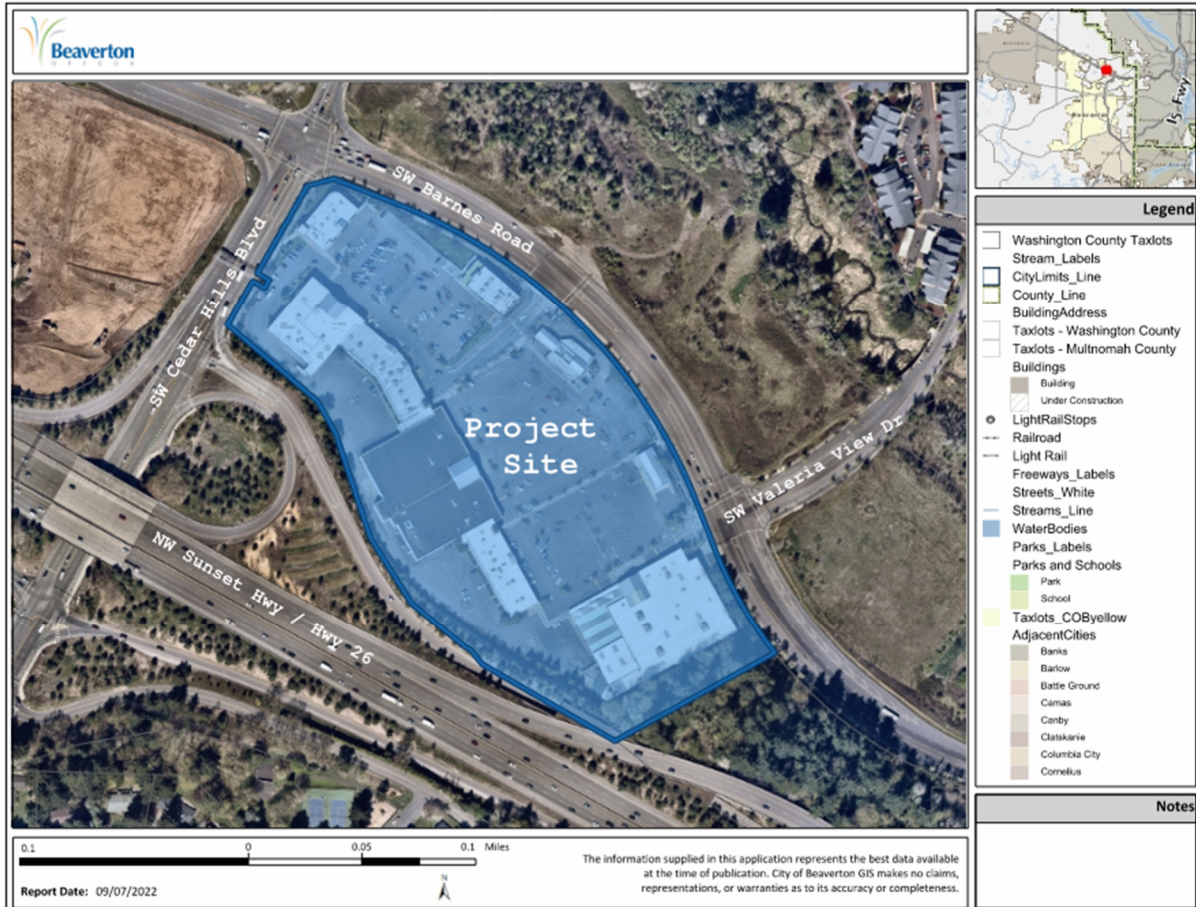
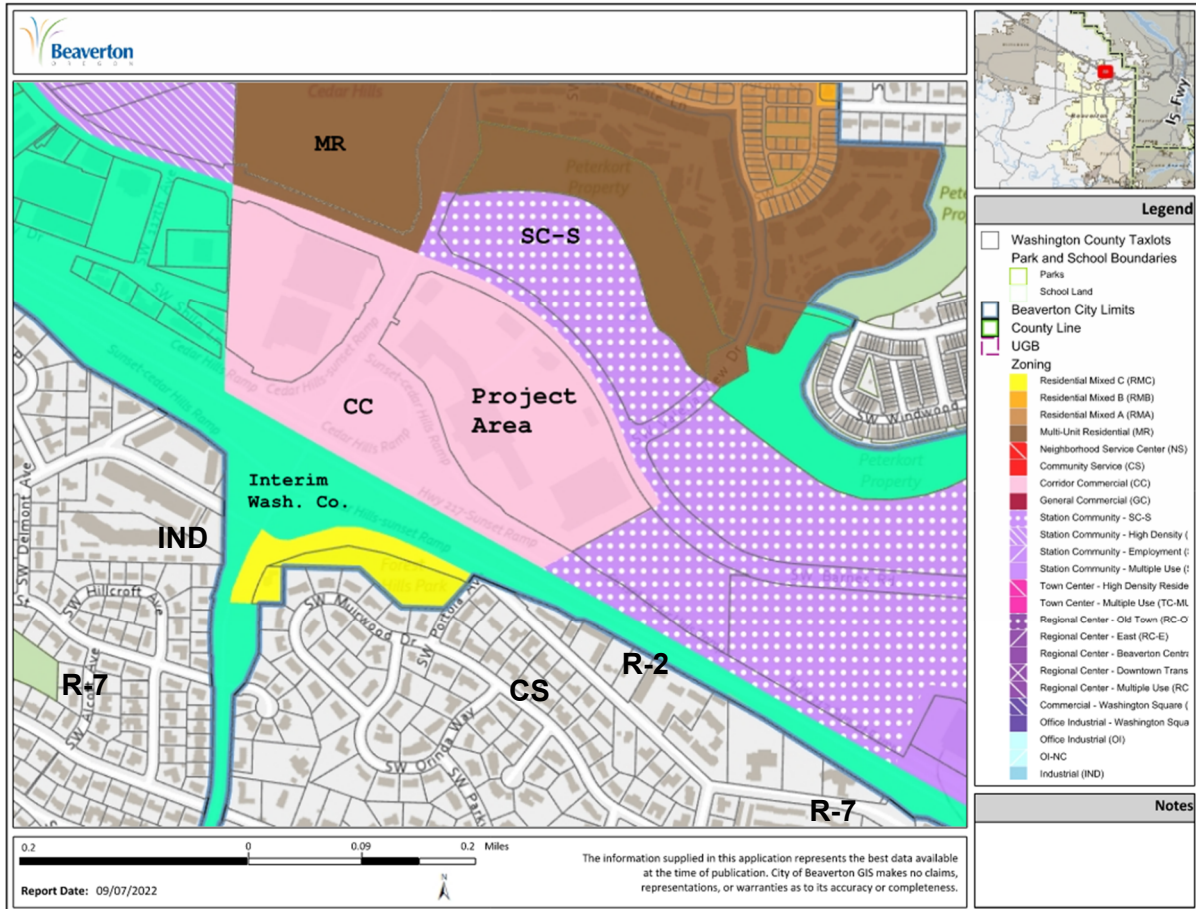


Exhibit 1.2: Zoning Map



Attachment A: Facilities Review

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Peterkort Starbucks Phasing

Proposal: The applicant, Baysinger Partners Architecture, requests approval of a Design Review Three application to allow two-phase construction of a previously approved single-phase development. In Phase 1, the applicant proposes to 1) expand the existing Peterkort Towne Square shopping center pad building that currently houses Sunrise Bagels Beaverton by adding approximately 1,120 square feet of area on the west end of the building, and 2) add a drive-through lane and pick-up window on the west end of the building. Phase 2 development is limited in scope to constructing a new 2,950 sq. ft. building on the portion of the site identified as Pad J. In addition to dividing the project into two phases, the applicant also proposes 1) minor façade changes to the previously approved Sunrise Bagels building, 2) moving the location of a transformer and modifying an associated landscape planter, and 3) modifying the existing landscape plan to change some of the proposed plantings. The previous approvals associated with this application are DR2022-0008, LO2022-0002, and LU12023-00442 (DR12023-00440).

Recommendation: APPROVE DR32023-00832 subject to conditions of approval.

Section 40.03 Facilities Review Committee:

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

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

- All twelve (12) criteria are applicable to the Design Review Three (DR32023-00823) application.

Section 40.03.1.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.

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. The applicant states the civil plans provided by the Engineer show that the utilities are available and able to provide adequate service to the site. Standard conditions of approval have been added to ensure critical facilities provided with this development meet City standards.

Potable Water: The property is served by Tualatin Valley Water District (TVWD) with an 8-inch public water line running north-south and east west through the project site. Water service is proposed consistent with previous land use approval DR2022-0008, and a Site Development permit has already been issued for the development. Therefore, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

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

Sanitary Sewer: The property is served by City of Beaverton sanitary sewer service. There is an existing eight-inch sanitary sewer line adjacent to the project site. Sanitary sewer service is proposed consistent with previous land use approval DR2022-0008, and a Site Development permit has already been issued for the development. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: The property is served by various private stormwater lines. On-site lines flow to City of Beaverton mains and the stormwater is served by regional treatment facilities located in SW Valeria View Drive. Stormwater drainage, treatment, and retention is proposed consistent with previous land use approval DR2022-0008, and a Site Development permit has already been issued for the development. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Transportation: Vehicular access is provided to the site in two locations on SW Barnes Road. SW Barnes Road has a functional classification of Arterial. Based on the information provided in the application and staff analysis, no street dedications are required with the proposed development.

The proposed project is for work within an existing, fully developed shopping center that contains established on-site pedestrian, bicycle and motor vehicle connections.

Staff notes that previous land use approval (DR2022-0008/LO2022-0002), includes a new drive-through, construction of a new ADA ramp, and new pedestrian stairs connecting the site and the existing right-of-way along SW Barnes Road. The previous

approval will also relocate the existing stairs to Barnes Road to west of the new drive-through. A new pedestrian connection will also be added from the existing north-south walkway east-west to the main entry of the former hardware store building. This application, DR32023-00832, does not propose any changes to the previously approved transportation-related site improvements.

The proposed project site abuts two developed rights-of-way. Both roadways include existing improvements (sidewalks and bike lanes) for safe and efficient vehicle, bicycle, and pedestrian circulation.

No changes to the transportation system are proposed with this application.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). Emergency vehicle access is provided in two locations on SW Barnes Road. Fire protection is proposed consistent with previous land use approval DR2022-0008, and a Site Development permit has already been issued for the development.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.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.

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 Beaverton School District (BSD) boundaries. The proposal is not projected to generate additional demand on the Beaverton School District system as no residential uses are proposed.

Transit Improvements: Bus transit service is provided on SW Barnes Road in both directions with service from bus lines 20, 48, and 62.

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

Pedestrian and Bicycle Facilities: The proposed project site abuts two developed County rights-of-way (SW Barnes Road and SW Cedar Hills Blvd). Both roadways include existing improvements (sidewalks and bike lanes) for safe and efficient vehicle, bicycle, and pedestrian circulation. The project does not trigger any improvements to these installed and functional rights-of-way.

Site work is proposed consistent with previous land use approval DR2022-0008, and a Site Development permit has already been issued for the development. Site work includes a new ADA ramp, pedestrian stair, and patio. The existing stair to Barnes Road, west of the building, will be removed for the drive-through and replaced west of the drive-through. A new pedestrian connection will also be added from the existing north-south walkway east-west to the main entry of the former hardware store building.

The applicant's Phase 1 development proposal includes concrete pavers and landscaping in the future Pad Building J location. With Phase 2 development, the concrete pavers and landscaping in the Pad Building J location are proposed for removal to construct the proposed new building.

The Committee has reviewed the proposal and has found that the essential facilities and services to serve the site are adequate to accommodate the proposal.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.C

The proposed development is consistent with all applicable provisions of CHAPTER 20 (Land Uses), or Sections 20.25 and 70.3 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 70.3 if located within the Downtown Design District.

FINDING:

The site is zoned Corridor Commercial (CC). 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 20.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.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.

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 applicable guidelines for the Design Review Three request within the staff report.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.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.

FINDING:

The applicant states all drainage facilities, roads, structures, recreation facilities, landscaping, screening, and garbage recycling area will be maintained by the building owners.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.F

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

FINDING: The proposed project will renovate a portion of an existing fully developed shopping center. The proposed project will not impact existing onsite vehicular and pedestrian circulation.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.G

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

FINDING:

Staff cite the findings in Criterion A as applicable to this criterion. The proposed project is for work within an existing fully developed shopping center that contains established on-site pedestrian, bicycle and motor vehicle connections. The existing center has safe and efficient vehicular and pedestrian circulation patterns including connections to the surrounding public infrastructure.

No changes to the transportation system are proposed with this application.

Staff notes that previous land use approval (DR2022-0008/LO2022-0002), includes a new ADA connection to the bank building located immediately west of the new Starbucks drive through. Via that new connection, ADA access will be provided to the right-of-way at the main mid-block vehicular access.

The Committee finds that there are safe and efficient vehicular and pedestrian circulation patterns connecting to surrounding circulation system of the proposed development.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.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.

FINDING:

Staff cite the findings in Criterion A as applicable to this criterion. Fire protection for the site is provided by Tualatin Valley Fire and Rescue (TVF&R). The applicant states the proposed development has been design in accordance with all adopted City codes and standards and provides adequate fire protection. TVF&R has provided a service provider letter to ensure adequate fire protection. The Committee finds that with the review of the construction documents at the Site Development and Building Permit stages, protection from hazardous conditions due to inadequate, substandard, or ill-designed development is ensured.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.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.

FINDING:

The applicant states the proposed structures and public facilities have been designed in accordance with all adopted City codes and standards and provide adequate protection from crime and accident.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.J

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

FINDING:

The applicant's previous land use approval (DR2022-0008/LO2022-0002), includes minimal changes to existing grades and contours. A state registered civil engineer designed the grading to minimize impacts and mitigate any adverse effects. The applicant's current proposal (DR32023-00832) will not impact the previously approved grading plan.

The Committee has reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, or the public storm system.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.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.

FINDING:

The applicant's previous land use approval (DR2022-0008/LO2022-0002) included a new connection between the existing building and the adjacent bank pad building, improving connectivity and providing ADA access between the buildings and the right-of-way. The previous approval also included a new ADA ramp along the west side of the SW Valeria View Drive access. The applicant's current proposal (DR32023-00832) will not impact the previously approved ADA improvements.

Compliance with applicable ADA requirements is reviewed at the time of Building permit application. The Committee finds that review of the proposed plans at Site Development

and Building Permit stages is sufficient to guarantee compliance with accessibility standards.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Section 40.03.1.L

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

FINDING:

The application was submitted on November 22, 2023, and the application was deemed complete on January 29, 2024. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Conclusion: The Committee finds that the proposal meets the approval criterion.

Code Conformance Analysis

Table 4: Chapter 20 Use and Site Development Requirements: Corridor Commercial (CC) Zoning District.

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code 20.10.20			
Land Uses: -Eating and Drinking Establishment -Retail Trade -Drive-up Window Facilities	Permitted Uses	The proposal is to allow two-phase construction of a previously approved single-phase development. The applicant also proposes minor façade changes and minor site changes.	Yes
Development Code Section 20.10.15 (Commercial Site Development Standards)			
Minimum Parcel Area	None.	The site is approximately 16.43 acres	Yes
Yard Setbacks	Front = None Side = None Rear = None	BDC 60.05.15.6.B requires buildings in Commercial zones to occupy a minimum of 35% public street frontage where a parcel exceeds 60,000 gross square feet. The site is a fully developed shopping center that exceeds 60,000 gross square feet. Due to the site's grading and existing development patterns, a Type 3 Design Review addressing the Design Guidelines was required and subsequently approved with previous land use application DR2022-0008. No changes to the already approved building footprints are proposed with this application.	Yes
Maximum Building Height	60 feet	The tallest portion of the renovated building is 31'-2". The new pad building is 28 feet in height.	Yes

Table 5: Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	The proposed project will modify a prior decision (DR2022-0008/LO2022-0002) that was subject to a Type 3 procedure. The proposed modifications include changes to the existing conditions of approval. A Type 3 Design Review is required per BDC Section 50.95.6–7.	See DR32023-00823 section of the Staff Report
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for new drive-up windows.	The proposed project will expand an existing building that currently houses a bagel shop. The bagel shop will stay and a second tenant, drive-through coffee shop will be added.	Yes
Development Code Section 60.10			
Floodplain Regulations	Requirements for development within floodplains.	The site does not contain floodplains.	NA
Development Code Section 60.25			
Off-Street Loading Requirements	Retail Establishments (7K-24K) 1 B Berth	A Loading Determination was approved with previous land use application LO2022-0002 to modify the dimensions of required off-street loading per BDC 60.25. No changes associated with approved Loading Determination are proposed with this application.	Yes
Development Code Section 60.30			
Off-Street Vehicle Parking Requirements	Retail (per 1,000 sq. ft.) Max: 5.1	No changes associated with approved vehicle parking are proposed with this application. The following is the parking requirements for the proposal (calculations account for the entire shopping center): Retail: Max: 876 spaces Proposed: 658 spaces	Yes

Bicycle Parking Requirements	Retail Short: 2 spaces or 1 space per 12K Long: 2 spaces or 1 space per 12K	Two short term spaces and two long term spaces were provided with previous land use application DR2022-0008. No changes associated with bicycle parking are proposed with this application.	YES
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Annexation to THPRD	The property is located within THPRDs district therefore annexation is not necessary.	N/A
Development Code Section 60.55			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and replacement of trees.	A tree plan was approved with previous land use application DR2022-0008. The current proposal includes changing out one of the approved tree species due to difficulty obtaining it.	Yes
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities on-site must be placed underground. Existing utility poles that must be moved, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid.	All utilities are required to be placed underground in accordance with standards identified in Section 60.65. A Type 3 Design Review addressing the Special Requirements for utility undergrounding was approved with previous land use application DR2022-0008. No changes associated with utility undergrounding are proposed with this application.	Yes
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to Significant Natural Resources	There are no Significant Natural Resources on site.	NA

Attachment B: DR32023-00832

ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR32023-00832**, subject to the applicable conditions identified in Attachment C.

Section 40.03.1 Facilities Review Approval Criteria:

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

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

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

Conclusion: As conditioned, the Committee finds that the proposal meets the review criteria.

Section 40.20.05 Purpose:

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

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on Design Review Applications. The Planning Commission will determine whether the application as presented, meets the Design Review Three approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

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:

Section 40.20.15.3.C.1

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

FINDING:

Staff references BDC Sections 50.95.6–7:

6. An application for modification shall be subject to a Type 1, Type 2, or Type 3 procedure as determined by the Director.

7. A process type for an application to modify a decision shall be based upon the thresholds for the appropriate application listed in CHAPTER 40. In all cases, regardless of the thresholds listed in CHAPTER 40, when a proposed modification involves a condition of approval, that condition of approval can be modified or removed only by the same decision making authority that issued the original decision and through the same procedure that was followed to establish the condition to be modified. Modification or removal of a condition of approval shall only be granted if the decision making authority determines any one of the following:
 - A. The applicant or owner has demonstrated that a mistake of law or fact occurred, and that the mistake was substantial enough to warrant modification or removal of the condition to correct the mistake.
 - B. The condition could not be implemented for reasons beyond the control of the applicant and the modification will not require a significant modification of the original decision.
 - C. The circumstances have changed to the extent that the condition is no longer needed or warranted.
 - D. A new or modified condition would better accomplish the purpose of the original condition.

Staff finds that the applicant's request to construct the project in two phases requires one new and one modified condition of approval. The proposal is therefore subject to a Type 3 procedure, consistent with BDC Sections 50.95.6–7.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.2

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 fees for a Design Review Three application.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.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).

FINDING:

The Design Review Three application does not meet thresholds number 1 through 7.

Conclusion: Staff finds that the approval criterion is not applicable.

Section 40.20.15.3.C.4

For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (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:

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
- b. The location of existing structural improvements prevents the full implementation of the applicable guideline; or
- c. The location of the existing structure to be modified is more than 300 feet from a public street.

FINDING:

The proposed project is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines). The applicant's proposal is to allow two-phase construction of a previously approved single-phase development. In addition to dividing the project into two phases, the applicant also proposes 1) minor façade changes to the previously approved Sunrise Bagels building, 2) moving the location of a transformer and modifying an associated landscape planter, and 3) modifying the existing landscape

plan to change some of the proposed tree plantings. All other site work is proposed consistent with previous land use approval DR2022-0008.

Staff notes that the existing building does not meet the required maximum setback of Section 60.05.15.6.C. The new building area associated with this project will also not meet the setback due to the location of the existing building and the existing grade differences between the existing building and the right-of-way which meet subsections (a) and (b) above.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.5

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

FINDING:

Based on the applicant's grading plan, the proposed grading meets all the City standards outlined in Section 60.15.10 and does not require an adjustment or variance for approval. Grading is proposed consistent with previous land use approval DR2022-0008.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.6

For Design Review Build-Out Concept Plan (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.

FINDING:

The proposed development does not include a DRBCP proposal.

Conclusion: Staff finds that the approval criterion is not applicable.

Section 40.20.15.3.C.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).

FINDING:

The applicant's request to construct the project in two phases requires one new and one modified condition of approval. The proposal is therefore subject to a Type 3 procedure, consistent with BDC Sections 50.95.6–7.

Staff notes that the applicant has decided to address only the Design Guidelines. As discussed below, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50.

Conclusion: Staff finds the approval criterion is not applicable.

Section 40.20.15.3.C.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).

FINDING:

The applicant's request to construct the project in two phases requires one new and one modified condition of approval. The proposal is therefore subject to a Type 3 procedure, consistent with BDC Sections 50.95.6–7.

Staff notes that the applicant has decided to address only the Design Guidelines. As discussed below, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50.

Conclusion: Staff finds that the approval criterion is not applicable.

Section 40.20.15.3.C.9

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

FINDING:

The applicant has submitted this Design Review Three application only. No other applications are required of the applicant at this stage of City review.

Conclusion: Staff finds the proposal meets the approval criterion.

Design Review Guidelines Analysis

In the following analysis, staff have only identified the Design Guidelines which are relevant to the subject development proposal. Non-relevant Guidelines have been omitted.

Section 60.05.35. *Building Design and Orientation Guidelines.*

1. *Building Articulation and Variety*

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.* (Standard 60.05.15.1.A and B)

FINDING:

The applicant's current proposal includes the retention an existing door that was proposed for removal with prior approval DR2022-0008. The applicant's current proposal also includes a new awning to be installed over the existing door to remain, as well as a decorative wood screen and awning over the electrical equipment on the north side of the building. No other building elevations changes are proposed with the current application. Staff finds that the elevation changes proposed with the current application will increase visual interest to pedestrians. Staff also notes that both buildings associated with the current application were found to be compliant with this guideline with prior approval DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

C. *To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized.* (Standard 60.05.15.1.B)

FINDING:

The applicant's current proposal includes the retention an existing door that was proposed for removal with prior approval DR2022-0008. The applicant's current proposal also includes a new awning to be installed over the existing door to remain, as well as a decorative wood screen and awning over the electrical equipment on the north side of the building. No other building elevations changes are proposed with the current application. Staff finds that the new wood screen on the north façade provides an additional vertical element to the building. Staff also notes that both buildings associated with the current application were found to be compliant with this guideline with prior approval DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standard 60.05.15.1.B)*

FINDING:

Staff finds that both buildings associated with the current application were found to be compliant with this guideline with prior approval DR2022-0008. The applicant's current proposal will not impact the scale or the orientation of the project.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standards 60.05.15.1.B, C, and D)*

FINDING:

The applicant's current proposal includes a new decorative wood screen and awning over the electrical equipment on the north side of the building. No other changes are proposed to building elevations visible from and within 200 feet of an adjacent street.

Along the south side of the building, the applicant's current proposal includes the retention an existing door that was proposed for removal with prior approval DR2022-0008 as well as a new awning over the existing door to remain. No other changes are proposed to building elevations visible from a parking area.

No other building elevation changes are proposed. Staff notes that both buildings associated with the current application were found to be compliant with this guideline with prior approval DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

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 highlighted. (Standards 60.05.15.2.A and B)*

FINDING:

The applicant's current proposal does not include changes to the roof forms previously approved under land use application DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

- B. *Flat roofs should include distinctive cornice treatments. (Standard 60.05.15.2.C)*

FINDING:

The applicant's current proposal does not include changes to the roof forms previously approved under land use application DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

- C. *Additions to existing structures which involve the addition of new roof area should respect the roof form and material of the existing structure. (Standard 60.05.15.2.D)*

FINDING:

The applicant's current proposal does not include changes to the roof forms previously approved under land use application DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standard 60.05.15.3.A)*

FINDING:

The applicant's current proposal includes the retention an existing door on Building I that was proposed for removal with prior approval DR2022-0008, as well as a new awning over the existing door to remain. No other changes to primary building entrances are proposed with this proposal.

Conclusion: Staff finds that the proposal meets the guideline.

- 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. (Standard 60.05.15.3)*

FINDING:

The applicant's current proposal includes the retention an existing door on Building I that was proposed for removal with prior approval DR2022-0008, as well as a new awning over the existing door to remain. No other changes to primary building entrances are proposed with this proposal.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standard 60.05.15.4.A)*

FINDING:

The applicant's current proposal includes the retention an existing door that was proposed for removal with prior approval DR2022-0008. The applicant's current proposal also includes a new awning to be installed over the existing door to remain, as well as a decorative wood screen and awning over the electrical equipment on the north side of the building. No additional changes to the project's exterior building materials and finishes are proposed.

Conclusion: Staff finds that the proposal meets the guideline.

B. *Where masonry is used for exterior finish, decorative patterns (other than running bond pattern) should be considered, 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 developments in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C)*

FINDING:

The existing building is constructed of brick, and it will be the primary material of the new addition, consistent with prior approval DR2022-0008. The applicant's current proposal does not include changes to the previously approved masonry designs.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standards 60.05.15.5.A through C)

FINDING:

The applicant's current proposal includes a decorative wood screen and awning over the electrical equipment on the north side of Building I, thereby providing additional screening of existing electrical equipment. Staff notes that the electrical equipment in this location was found to be screened by the sizable grade difference between the site and right-of-way as well as the existing landscaping with previous land use approval DR2022-0008.

The applicant's current proposal also includes the relocation of a transformer across the drive aisle. The transformer is not currently visible from adjacent public streets, and it will not be visible from adjacent public streets once it is relocated across the drive aisle.

No other changes associated with the screening of equipment are proposed.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standards 60.05.15.6.A and B)

FINDING:

The applicant's current proposal will not change the building locations, or their orientation, as approved under previous land use approval DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standards 60.05.15.6.B and D)

FINDING:

The project site is located on the Class 1 Major Pedestrian Route, but the buildings associated with the project are not located at the intersection of two streets.

Conclusion: Staff finds that the guideline does not apply.

- 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. (Standards 60.05.15.6.C and D)

FINDING:

The applicant's current proposal includes the retention an existing door along the building's southern facade that was proposed for removal with prior approval DR2022-0008. The applicant's current proposal does not include changes to the on-site circulation system.

Conclusion: Staff finds that the proposal meets the guideline.

- 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. (Standard 60.05.15.6.E)*

FINDING:

The applicant's current proposal includes the retention an existing door along the building's southern facade that was proposed for removal with prior approval DR2022-0008. The applicant's current proposal does not include changes to the on-site circulation system or the abutting street system's access and circulation to the site.

Conclusion: Staff finds that the proposal meets the guideline.

7. *Building scale along Major Pedestrian Routes*

- A. *Architecture helps define the character and quality of a street. Along Major Pedestrian Routes, low height, single story buildings located at the right-of-way edge are discouraged except where detached single-family dwellings are permitted. (Standards 60.05.15.7.A and B)*

FINDING:

The applicant's current proposal includes a decorative wood screen and awning over the electrical equipment on the north side of Building I, providing additional architectural to the building's street-facing facade. No other street-facing architectural changes are proposed to the previously approved design (casefile DR2022-0008).

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standard 60.05.15.8.A)*

FINDING:

The applicant's current proposal includes the retention an existing door that was proposed for removal with prior approval DR2022-0008. The applicant's current proposal also includes a new awning to be installed over the existing door to remain, as well as a decorative wood screen and awning over the electrical equipment on the north side of the building. No additional changes to ground floor building elevations are proposed.

Conclusion: Staff finds that the proposal meets the guideline.

- 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. (Standard 60.05.15.8.B)*

FINDING:

The applicant's current proposal includes the retention an existing door that was proposed for removal with prior approval DR2022-0008. The applicant's current proposal also includes a new awning to be installed over the existing door to remain, as well as a decorative wood screen and awning over the electrical equipment on the north side of the building. No additional changes to weather protection design elements are proposed.

Conclusion: Staff finds that the proposal meets the guideline.

Section 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. (Standard 60.05.20.1)*

FINDING:

The applicant's current proposal does not include changes to the on-site circulation system or the abutting street system's access and circulation to the site. Staff notes that

the proposed project is within a fully developed shopping center and that all bike and motor vehicle connections will remain existing without change.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standard 60.05.20.2)*
- 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. (Standard 60.05.20.2)*

FINDING:

The applicant's current proposal does not include changes to on-site loading areas or solid waste facilities.

Conclusion: Staff finds that the guideline is not applicable.

3. Pedestrian circulation

- A. *Pedestrian connections should be made between on-site buildings, parking areas, and open spaces. (Standard 60.05.20.3.A)*

FINDING:

The applicant's proposal does not include modifications to the previously approved pedestrian connections between on-site buildings, parking areas, and open spaces associated with DR2022-0008. Staff notes that Phase 1 development will include an additional patio area in the location of the future Pad Building J.

Conclusion: Staff finds that the proposal meets the guideline.

- 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. (Standard 60.05.20.3.A)*

FINDING:

The applicant's proposal does not include modifications to the previously approved pedestrian connections from on-site facilities to abutting pedestrian facilities associated with DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

- C. *Pedestrian connections should link building entrances to nearby streets and other pedestrian destinations. (Standard 60.05.20.3.B)*

FINDING:

The applicant's proposal does not include modifications to the previously approved pedestrian connections linking building entrances to nearby streets and other pedestrian connections associated with DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

D. *Pedestrian connections to streets through parking areas should be evenly spaced and separated from vehicles (Standards 60.05.20.3.C through E)*

FINDING:

The applicant's proposal does not include modifications to the previously approved pedestrian connections to streets through parking areas associated with DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standards 60.05.20.3.A through H)*

FINDING:

The proposed project is within a fully developed shopping center adjacent to developed rights-of-way that include existing pedestrian connections. The project will not change the existing rights-of-way.

Conclusion: Staff finds that the proposal meets the guideline.

F. *Pedestrian connections should be designed for safe pedestrian movement and constructed of hard durable surfaces. (Standards 60.05.20.3.F through G)*

FINDING:

The applicant's proposal does not include modifications to the previously approved pedestrian connections associated with DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

4. ***Street frontages and parking areas. Landscape or other screening should be provided when surface parking areas are located along public streets. (Standard 60.05.20.4)***

FINDING:

The applicant's proposal does not include modifications to landscape or other screening associated with surface parking areas located along public streets.

Conclusion: Staff finds that the proposal meets the guideline.

5. ***Parking area landscaping. Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas. (Standards 60.05.20.5.A through D)***

FINDING:

The applicant's current proposal will expand one landscape island previously approved with DR2022-0008. No other changes to the previously approved landscape islands or tree canopy are proposed.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standard 60.05.20.7.A)*

FINDING:

The applicant's current proposal will not affect sidewalks along streets or primary building elevations.

As noted in the DR2022-0008 staff report, the project is for modifications to an existing, fully developed shopping center. The center has existing pedestrian pathways along both abutting streets. The project does not require any additional dedications or right-of-way improvements and the project will not alter the existing pedestrian connections.

Conclusion: Staff finds that the proposal meets the guideline.

- B. *Pedestrian connections should be provided along primary building elevations having building and tenant entrances. (Standard 60.05.20.7.B)*

FINDING:

The applicant's current proposal will not affect pedestrian connections previously approved with application DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

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. (Standard 60.05.20.8) [ORD 4531; April 2010]*

FINDING:

The applicant's current proposal will not affect on-site vehicle circulation previously approved with application DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

- B. *Long, continuous parking aisles should be avoided if possible, and landscaped as necessary to minimize the visual impact. (Standard 60.05.20.8)*

FINDING:

The applicant's current proposal will not affect the design of existing parking aisles previously approved with application DR2022-0008.

Conclusion: Staff finds that the proposal meets the guideline.

Section 60.05.45. Landscape, Open Space and Natural Areas Design Guidelines.

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. (Standards 60.05.25.5.A, B, and D)*

FINDING:

The applicant's landscape plan was approved with prior approval DR2022-0008. The location of some trees was subsequently modified with prior approval LU12023-00442 (DR12023-00440). The applicant's current proposal includes the modification of an existing landscape planter to accommodate a transformer proposed to be moved across the drive isle. The applicant's current proposal also includes the change of some tree species and plant materials. No other changes to the previously approved landscape plan are proposed.

Conclusion: Staff finds that the proposal meets the Guideline.

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)*

FINDING:

The project includes a new outdoor plaza area between the two project buildings. The applicant's current proposal includes an expanded plaza area with Phase 1 development in the location of the future Pad Building J. In both phases, the plaza area is surfaced with a combination of landscaping and decorative pavers.

Conclusion: Staff finds that the proposal meets the Guideline.

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

FINDING:

The applicant's proposal includes native species such as slough sedge and slender rush. The applicant states that the small amount of landscaping associated with the Pad J footprint in Phase 1 will use native vegetation where appropriate. Staff concurs that the proposal meets the landscaping guideline.

Conclusion: Staff finds that the proposal meets the Guideline.

D. *Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standards 60.05.25.5.A and B)*

FINDING:

The applicant's current proposal does not include the removal of any existing trees or vegetation.

Conclusion: Staff finds that the proposal meets the Guideline.

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

FINDING:

The applicant's current proposal includes six tree species and 15 shrub species.

Conclusion: Staff finds that the proposal meets the Guideline.

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)*

FINDING:

The applicant's current proposal will not modify any retaining walls previously approved with DR2022-0008.

Conclusion: Staff finds that the proposal meets the Guideline.

7. **Fences and walls.**

- A. *Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.25.9)*
- 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.*

FINDING:

The applicant's current proposal will not modify any fences and walls previously approved with DR2022-0008.

Conclusion: Staff finds that the proposal meets the Guideline.

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. (Standard 60.05.25.10)*

FINDING:

The proposal does not abut any residential property lines.

Conclusion: Staff finds that the guideline does not apply.

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. (Standard 60.05.25.11)*

FINDING:

The applicant's current proposal will not modify any water quality facilities or water quality facilities previously approved with DR2022-0008.

Conclusion: Staff finds that the proposal meets the Guideline.

- 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. (Standard 60.05.25.12)*

FINDING:

The only natural features within the work area are two mature evergreen trees on the north façade of the building. These trees were approved for removal with LU12023-00442 (DR12023-00440) to allow on-site improvements required by Portland General Electric.

Conclusion: Staff finds that the proposal meets the Guideline.

- 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. (Standard 60.05.25.13)*

FINDING:

The project work area does not abut any residential zones or residential uses.

Conclusion: Staff finds that the guideline does not apply.

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. (Standard 60.05.25.13).*

FINDING:

The proposal does not include a Conditional Use.

Conclusion: Staff finds that the guideline does not apply.

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. (Standard 60.05.25.13)*

FINDING:

As discussed above, landscape buffering is not required for the proposal per BDC Section 60.05.45.11, subsections A and B.

Conclusion: Staff finds that the guidelines do not apply.

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. (Standard 60.05.25.13.E).*

FINDING:

As discussed above, landscape buffering is not required for the proposal per BDC Section 60.05.45.11, subsections A and B.

Conclusion: Staff finds that the guidelines do not apply.

Section 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. (Standards 60.05.30.1 and 2)*

FINDING:

The applicant's lighting plan was approved with prior approval DR2022-0008. The applicant's current proposal includes two additional pedestrian scale pole lights within the Pad Building J footprint during Phase 1 construction in order to meet the lighting standards in BDC Section 60.05.30.1 and 2. Additional lighting is proposed on the Pad Building J, which will be added during Phase 2 construction. The applicant's lighting plans demonstrate compliance with the lighting standards in BDC Section 60.05.30.1 and 2 during both phases of development.

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. (Standard 60.05.30.2)*

FINDING:

The project's proposed lighting includes a mix of new pole lights, pedestrian scale bollard lights and on-building lighting. Staff finds that the proposal meets the lighting guideline.

- 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. (Standards 60.05.30.1 and 2)*

FINDING:

The applicant's lighting plan has been designed by registered lighting engineers to ensure that glare has been minimized on abutting and adjacent properties including the right-of-way. Staff finds that the proposal meets the lighting guideline.

- 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.*

FINDING:

The applicant's photometric plan demonstrates compliance with the City's Technical Lighting Standards in all areas of the proposed development for both phases of the project. Staff finds that the proposal meets the lighting guideline.

Conclusion: Staff finds that the proposal meets the Lighting Design Guidelines.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of DR32023-00832 Peterkort Starbucks Phasing, subject to the applicable conditions identified in Attachment C.

Attachment C: Conditions of Approval

Recommendation: APPROVE DR32023-00832

Design Review (DR32023-00832)

A. General Conditions, the Applicant shall:

1. Ensure that the proposal complies with all existing, previously established conditions of approval associated with land use applications DR2022-0008, LO2022-0002, and LU12023-00442 (DR12023-00440). (Planning / AH)

B. Prior to final inspection and final occupancy of Phase 1, the applicant shall:

2. Ensure that all site improvements have been constructed consistent with the applicant's plans (Sheet A102a). (Planning / AH)