



Staff Report

STAFF REPORT DATE: December 7, 2016

HEARING DATE: December 14, 2016

TO: Interested Parties

FROM: Jana Fox, Associate Planner *JcF*

PROPOSAL: **Morningstar Senior Living of Beaverton
CU2016-0007 / DR2016-0071 / LD2016-0010 / TP2016-0008**

LOCATION: The site is located at 14475 SW Barrows Road, west of SW Murray Boulevard. Tax Lots 7150, 7200, and 7300, on Washington County Tax Assessor's Map 2S104BB.

SUMMARY: The applicant, Confluent Development, requests approval for a new PUD Conditional Use, and Design Review Three for the development of a 122 bed senior living facility located at 14475 SW Barrows Road with associated site improvements. The applicant proposes a Preliminary Partition to tract out the wetland area to the northwest portion of the site. The applicant proposes to remove Community Trees as well as trees within a Significant National Resource Area in order to accommodate the development.

APPLICANT: Confluent Development LLC
H McNeish
2240 Blake Street, Suite 200
Denver, CO 80205

APPLICANT'S
REPRESENTATIVE: 3J Consulting
Brian Feeney
5075 SW Griffith Drive, Suite 150
Beaverton, OR 97005

PROPERTY
OWNER: Gregory T Kurahashi
Kenneth G K Hoo
PO Box 2800
Honolulu, HI 96803
DDS Professional Group
6521 SE Crosswhite Way
Portland, OR 97206

DECISION: **APPROVAL of CU2016-0007 / DR2016-0071 / LD2016-0010/
TP2016-0008 (Morningstar Senior Living of Beaverton).**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Application Deemed Complete	Final Written Decision Date	240-Day*
CU2016-0007	June 7, 2016	October 27, 2016	February 24, 2017	June 24, 2017
DR2016-0071	June 7, 2016	October 27, 2016	February 24, 2017	June 24, 2017
LD2016-0010	June 7, 2016	October 27, 2016	February 24, 2017	June 24, 2017
TP2016-0008	June 7, 2016	October 27, 2016	February 24, 2017	June 24, 2017

* 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.

Existing Conditions Table

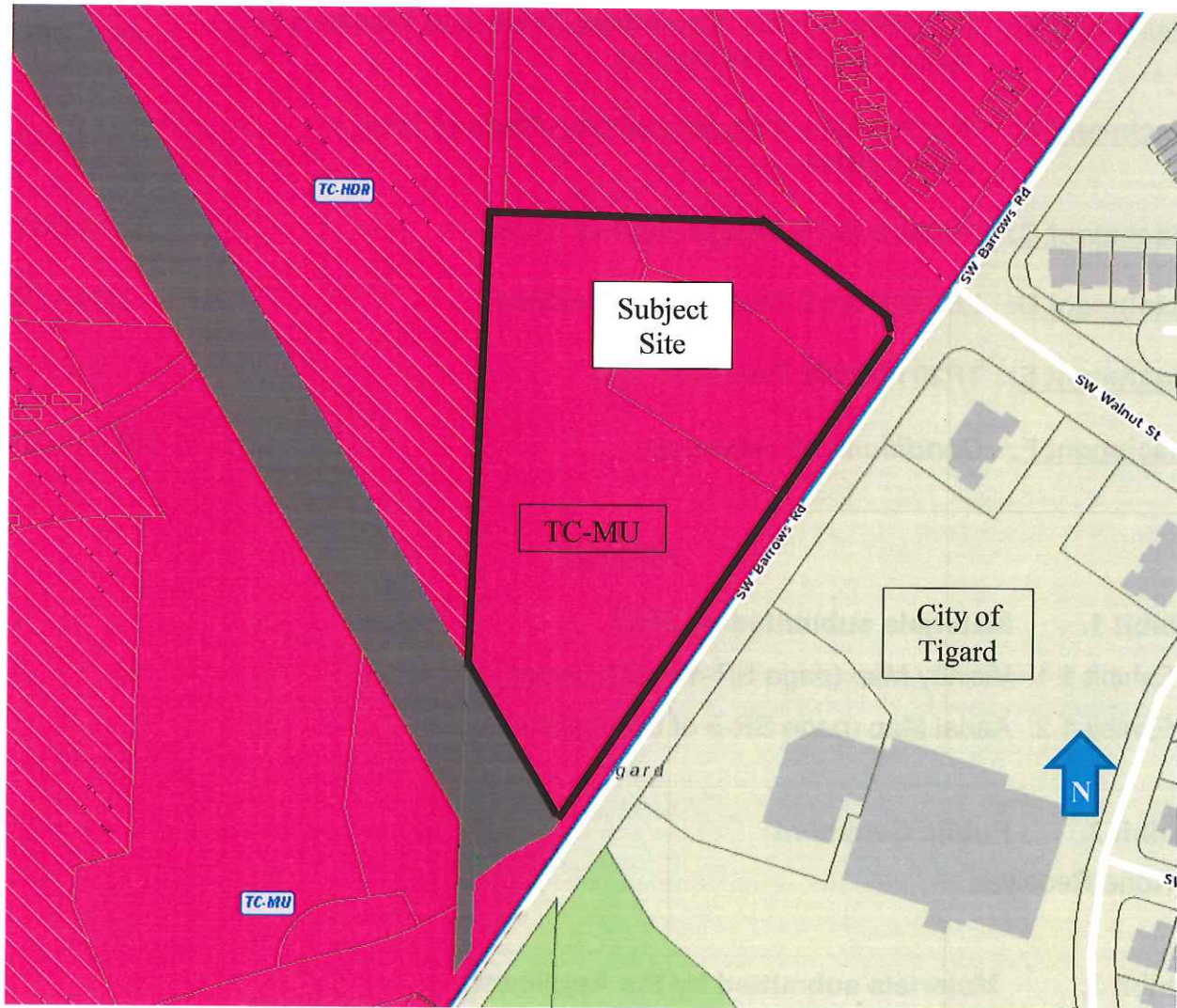
Zoning	Town Center-Multiple Use (TC-MU)	
Current Development	Vacant	
Site Size & Location	The site is located at 14475 SW Barrows Road, west of SW Murray Boulevard. Tax Lots 7150, 7200, and 7300, on Washington County Tax Assessor's Map 2S104BB and is approximately 5.25 acres.	
NAC	Neighbors Southwest	
Surrounding Uses	Zoning: <u>North:</u> TC-HDR <u>South:</u> Tigard <u>East:</u> TC-HDR <u>West:</u> TC-HDR & TC-MU	Uses: <u>North:</u> Wetlands <u>South:</u> Barrows Road & Commercial <u>East:</u> Murray Boulevard & Condominiums <u>West:</u> Apartments & THPRD Trail

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

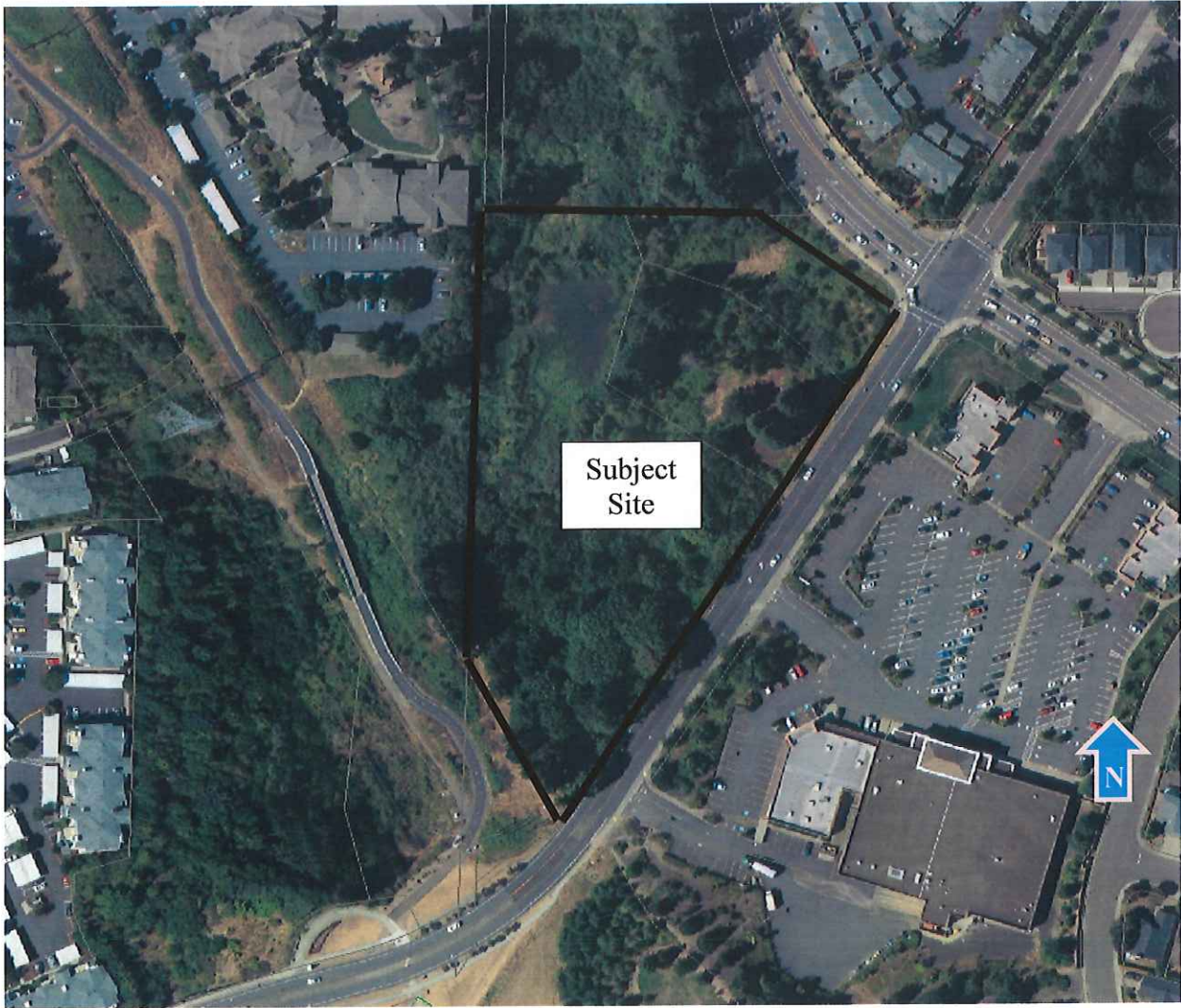
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<u>Attachment A:</u> Facilities Review Committee Technical Review and Recommendation Report	FR1 – FR9
<u>Attachment B:</u> CU2016-0007 <i>Conditional Use-Planned Unit Development</i>	CU1-CU8
<u>Attachment C:</u> DR2016-0071 <i>Design Review Three</i>	DR1-DR15
<u>Attachment D:</u> LD2016-0010 <i>Preliminary Partition</i>	LD1-LD4
<u>Attachment E:</u> TP2016-0008 <i>Tree Plan Two</i>	TP1-TP5
<u>Attachment F:</u> <i>Conditions of Approval</i>	COA1–COA9

Exhibits

- Exhibit 1. Materials submitted by Staff**
- Exhibit 1.1 Vicinity Map (page SR-4 of this report)
 - Exhibit 1.2 Aerial Map (page SR-5 of this report)
- Exhibit 2. Public Comment**
- None Received
- Exhibit 3. Materials submitted by the Applicant**
- Exhibit 3.1 Submittal Package including plans



**Morningstar Senior Living of Beaverton
CU2016-0007 / DR2016-0071 / LD2016-0010 / TP2016-0008
Zoning Map**



**Morningstar Senior Living of Beaverton
CU2016-0007 / DR2016-0071 / LD2016-0010 / TP2016-0008
Aerial Map**

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Morning Star Senior Living
CU2016-0007 / DR2016-0071 / LD2016-0010 / TP2016-0008**

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 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, below.

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

- **All twelve (12) criteria are applicable to the submitted Conditional Use (Planned Unit Development), Design Review Three, and Preliminary Partition applications as submitted.**
- A. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.***

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

Public Water

Water service will be provided to the site by the City of Beaverton. The applicant proposes to extend the existing water line in SW Barrows Road along the frontage of the subject site to serve the development. Adequate capacity exists to serve the proposed development.

Public Sanitary Sewer

Sanitary sewer service will be provided by the City of Beaverton. The applicant proposes a new sanitary sewer line along SW Barrows Road extending from the existing 8-inch sanitary sewer in SW Barrows Road at the Westside trail. Adequate capacity exists to serve the proposed development.

Stormwater

The applicant states that stormwater will be detained and treated on site and will outfall into the wetlands at the northern end of the property. Detailed stormwater plans will be reviewed at the time of Site Development Permit Issuance. Adequate capacity exists to serve the proposed development.

Transportation

The proposed 122-bed residential care facility is expected to generate approximately 314 trips per day to or from the facility, with approximately 27 of those expected to occur during the PM peak hour, according to the applicant's Traffic Impact Analysis (TIA). The analysis shows that the surrounding street system can accommodate this growth while continuing to meet the City's intersection performance specifications.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R has provided conditions of approval for the development. By meeting the conditions of approval the proposal will meet TVF&R requirements which will be verified at the time of Site Development Permit issuance.

The Committee finds that the proposed development will provide the required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion for approval.

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

- B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to 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 years of occupancy.***

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant's plans and materials were forwarded to City Transportation staff and City Police Department.

The subject site is an assisted living facilities which will not house school age children, therefore a service provider letter from the Beaverton School District is not required.

The site will be served by the Tualatin Hills Park and Recreation District (THPRD).

Dedication of right-of-way along SW Barrows Road has been proposed with this development, along with the construction of 10-foot-wide sidewalk with street trees in grated tree wells.

The City of Beaverton Police will serve the development site.

The site does not have direct bus service. The nearest transit stop is at the intersection of SW Murray Boulevard and SW Scholls Ferry Road, approximately 600 feet to the north of the subject site.

Bicycle parking will be installed to meet the applicable Development Code requirements found in Sections 60.30.10.2.B and 60.30.10.5.B.

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

- C. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) 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 proposal.***

Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates to the applicable Code requirements of Chapter 20 for the Town Center-Multiple Use (TC-MU) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the TC-MU zone.

Therefore, the Committee finds that the proposal meets the criterion.

- 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 proposal.***

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates to the applicable Code requirements of Chapter 60, in response to the above mentioned criteria. Staff will provide findings for the applicable Planned Unit Development, Design Review, and Land Division approval criteria within the applicable sections of the staff report.

For bicycle parking, the applicant proposes to install 3 bike racks to provide 6 covered and lighted bicycle parking spaces near the main entrance to the facility. This meets the Development Code requirements for 2 short-term parking spaces and 3 long-term spaces for the proposed building. Therefore, the proposal meets the Development Code requirements for bicycle parking.

For vehicle parking, the applicant states that 59 off-street parking spaces are provided. The minimum for a residential care facility of this size is 31 and the maximum is 61. The applicant has met the requirements for off-street parking.

The applicant has provided a Transportation Impact Analysis (TIA) with the proposal, as the proposed development will generate more than 200 net new average daily trips.

Therefore, the Committee finds that the proposal meets the criterion.

- 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 ditches, 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.***

The applicant states that the developer will be responsible for maintenance of all private facilities. Staff finds that the design of the project does not preclude the continued maintenance of private common facilities.

Therefore, the Committee finds that the proposal meets the criterion.

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

The applicant has proposed a single entrance to the site for vehicles from SW Barrows Road and has provided pedestrian walkways, as appropriate.

Therefore, the Committee finds that the proposal meets the criterion.

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

The applicant has aligned the proposed driveway with the driveway of the grocery store on the opposite side of SW Barrows Road. This is the appropriate location for safe and efficient circulation patterns.

Therefore, the Committee finds that the proposal meets the criterion.

- 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.***

Fire protection will be provided to the site by Tualatin Valley Fire & Rescue Department (TVF&R). Tualatin Valley Fire & Rescue reviewed the proposal and have provided conditions of approval, which are incorporated herein. The proposal will need to show

compliance to the City's Building Code Standards prior to issuance of site development and building permits, which includes compliance with TVF&R standards.

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

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

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development. The proposed sidewalks and walkways will be adequately lighted to meet the minimum applicable Design Standards, as a Condition of Approval.

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

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

The applicant states the proposed grading of the site is in compliance with city requirements for grading along adjacent properties. Primary grading of the site occurs near the public right-of-way and in the center of the site. Impacts to adjacent sites are not anticipated.

The applicant must show compliance with Site Development erosion control measures at the time of Site Development permit issuance.

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

- 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.***

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Compliance with ADA requirements are reviewed with the Building Permit application.

Therefore, the Committee finds that the proposal meets the criterion.

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

The applicant submitted the land use applications on June 7, 2016 and was deemed complete on October 27, 2016. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements, as identified in Section 50.25.1 are contained within this proposal.

Therefore, the Committee finds the proposal meets the criterion.

Recommendation

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority in **APPROVE** the proposal **Morningstar Senior Living**, subject to conditions of approval identified in Attachment F.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Town Center-Multiple Use (TC-MU) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.20.20 (TC-MU)			
Use	Residential Care Facility	Permitted	Yes
Development Code Section 20.20.15 (TC-MU)			
Minimum Lot Area	none	Tract A: 91,533 Lot 1: 133,537	Yes
Minimum Corner Lot Dimensions			N/A
Width	none	n/a	
Depth	none	n/a	
Yard Setbacks			
Front	Max 20 feet	48 feet	
Side	none	n/a	See PUD Findings
Rear	none	n/a	
Maximum Building Height	60 feet	51 feet 4 inches	Yes
FAR	0.5	0.7	Yes

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.	Assisted living facility with associated site improvements.	See DR Findings
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested	N/A
Development Code Section 60.15 – Land Division Standards			
Land Division Standards	Standards pertaining to Land Divisions	A Land Division-Preliminary Partition application has been applied for.	See LD Findings
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking Parking Zone A	<u>Minimum:</u> 31 <u>Maximum:</u> 62	59 Spaces	Yes
Required Bicycle Parking	1 short term spaces 2 long term spaces	2 short term spaces 3 long term spaces	
Development Code Section 60.55 - Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes-with COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Community trees are proposed to be removed from the site.	See TP Findings
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	All utilities are required to be placed underground in accordance with standards identified in Section 60.65.	Yes- with COA

**CU2016-0007
ANALYSIS AND FINDINGS FOR
CONDITIONAL USE APPROVAL**

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

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

Therefore, the Committee finds that the proposal meets the criteria.

Section 40.15.15.4.C Planned Unit Development Approval Criteria:

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

1. The proposal satisfies the threshold requirements for a PUD application.

The applicant proposes a 122 bed senior living facility, approximately 99,000 square feet in size on a 5.25 acre parcel. Per Section 20.20.30.1 of the Development Code, development of sites greater than 5 acres require Planned Unit Development approval in the TC-MU zoning district. As the subject site is 5.25 acres and zoned TC-MU a PUD is required. Threshold 1 of a Planned Unit Development application allows for PUDs on properties zoned Commercial, Industrial, Multiple Use or Residential which are 2 acres in size or greater. As the subject site is a multiple use zoning district (TC-MU) and greater than 2 acres in size Threshold 1 has been met.

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

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

The applicant paid the required fee associated with a Conditional Use (Planned Unit Development) application.

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

3. The proposal meets the Site Development Requirement for setbacks within the applicable zoning district for the perimeter of the parent parcel unless otherwise provided by Section 60.35.03.

The TC-MU zoning district does not have minimum rear, front or side yard setbacks unless property abuts residentially zoned property, which this development does not. The TC-MU zoning district has a maximum front yard setback of 20 feet for developments not on a major pedestrian route without ground floor residential development. The applicant proposes a front yard setback of 48 feet, which is greater than the maximum front yard setback. The applicant states that the request to extend the front yard setback is necessary due to the topography and access restraints of the site. Access on the site is restricted to a single driveway along SW Barrows Road which requires a fire access lane around the entire perimeter of the building, which necessitates the additional setback.

Staff concurs that due to the limited buildable area of the site due to wetlands, topography, fire department access requirements, and frontage access restrictions an increased front yard setback is warranted. The increased front yard setback will not have negative impacts on abutting neighbors.

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

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

The following policies of the Beaverton Comprehensive Plan have been identified as being applicable to this Conditional Use request. At the conclusion of the identified Comprehensive Plan policies.

Chapter 7 (Significant Natural Resources)

7.3.1.1 Goal: Conserve, protect, enhance or restore the functions and values of inventoried Significant Natural Resources.

7.3.3.1 Goal: Protect or enhance wetlands adopted as Significant Wetlands in the Local Wetland Inventory.

7.3.4.1 Goal: Protect wildlife habitat in the city in association with protecting significant natural resources.

The applicant states that the proposed development will preserve the significant natural resource area and wetland identified on-site and will provide mitigation in the form of enhancement for the encroachments into the buffer area. Staff finds that the wetland is being retained and enhanced with the development, therefore meeting the intent of the above listed comprehensive plan policies.

Chapter 8 (Environmental Quality and Safety)

8.7.1 Goal: Maintain the functions and values of floodplains, to allow for the storage and conveyance of stream flows and to minimize the loss of life and property.

The applicant has submitted a detailed stormwater report, including a flood study which shows that the function and value of the floodplain will not be impacted by the proposed development.

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

5. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*

The applicant states that the size, dimensions, configuration and topography of the site and natural and man-made features on the site can reasonably accommodate the proposed development. The proposed development is located along the SW Barrows Road frontage in order to limit the impacts on the wetland area in the rear portion of the property. Limited wetland encroachment is proposed in order to develop the site. The applicant has provided a Service Provider Letter from CWS. The clustering of the development along SW Barrows Road allows the majority of the wetlands to be preserved. Staff finds that the site can reasonably accommodate the proposal.

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

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

The applicant states that the proposed development of a residential care facility is permitted outright in the zoning district. The location, size and functional characteristics of the proposal will have a minimal impact on the livability and appropriate development of surrounding uses. The proposed development is adjacent to SW Barrows Road, SW Murray Boulevard, the THPRD West Side Trail, Scholls Wetlands and the Wyndham Road Apartments. The apartments are separated from the proposed development by the wetlands to be protected with this development as well as the natural areas located on the apartment site. Staff finds that the location, size, and functional characteristics of the proposal can be made reasonably compatible with and have minimum impacts on the livability of surrounding properties.

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

7. *The width of the proposed lots or staggering of building setbacks within detached residential developments vary so as to break up the monotony of long blocks and provide for a variety of home shapes and sizes, while giving the perception of open spaces between homes.*

Detached residential development is not proposed.

Therefore, staff finds that the criterion is not applicable.

8. ***The lessening of the Site Development Requirements results in significant benefits to the enhancement of site, building, and structural design, preservation of natural features and the surrounding neighborhood as outlined in Section 60.35.15.***

The applicant is proposing additional front yard setbacks in order to provide fire apparatus access around the site. The majority of the natural features on the site are being preserved with the development, with limited encroachment on the southern portion of the development site.

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

9. ***The proposal provides improved open space that is accessible and usable by persons living nearby. Open space meets the following criteria unless otherwise determined by the Planning Commission through Section 60.35.15:***

- a. *The dedicated land forms a single parcel of land except where the Planning Commission determines two (2) parcels or more would be in the public interest to complement the overall site design.*
- b. *The shape of the open space is such that the length is not more than three (3) times the width the purpose of which is to provide usable space for a variety of activities except where the Planning Commission determines a greater proportioned length would be in the public interest and complement the overall site design.*
- c. *The dedicated land(s) is located to reasonably serve all lots for the development, for which the dedication is required.*

The applicant states that the proposed useable open space is in the form of two outdoor courtyards and an outdoor dining patio of the use of the residents of the site. Given that the proposed use of the site is a senior care facility the open space needs of the residents are different from those of a traditional residential development, as people living in this facility will need additional care and assistance. Staff finds that the applicant has provided sufficient open space to serve the proposed use. The wetland area to the rear of the property will be visually accessible to residents in addition to the active outdoor open space provided.

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

10. ***For proposals within the SC-S (Station Community-Sunset) zoning district, the requirements identified in Sections 20.20.40.2. and 20.20.40.3. are satisfied.***

The proposed PUD is not located within the SC-S zoning district, therefore this criteria is not applicable.

Therefore, staff finds the criterion is not applicable.

11. ***If the application proposes to develop the PUD over multiple phases, the decision***

making authority may approve a time schedule of not more than five (5) years for the multiple development phases. If a phased PUD has been approved, development of the future phases of the PUD shall be filed within five (5) years of the date of decision of the PUD. Refer to Section 50.90.

The applicant does not propose to phase the development.

Therefore, staff finds the criterion is not applicable.

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

The applicant has submitted this Conditional Use (PUD) application with associated Design Review Three, Preliminary Partition, and Tree Plan Two applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. The Conditional Use (PUD) application is dependent upon the Design Review Three, Preliminary Partition and Tree Plan Two applications, staff suggests a condition of approval that approval of the Conditional Use (PUD) is dependent upon Design Review Three, Preliminary Partition and Tree Plan Two approval.

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **CU2016-0007 (Morningstar Senior Living)** subject to the applicable conditions identified in Attachment F.

Planned Unit Development Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Modification of Base Zoning Standards			
60.35.10.1A Permitted Uses	Compliance with permitted and conditional uses of the zoning district.	The development proposes a residential care facility, a permitted use in the TC-MU zoning district.	Yes
60.35.10.1B Detached and Attached Dwellings	Detached and attached dwellings may be allowed in a PUD provided the overall residential density satisfies the applicable residential density provisions of the Code.	Residential development is not proposed. Residential Care Facilities are considered a commercial use.	N/A
60.35.10.2 Density and Lot Dimensions	Density and building scale shall relate to the surrounding neighborhood development and natural resources by providing massing and architectural compatibility with surrounding neighborhood.	The applicant proposes a three and four story residential care facility. There are no structures in the immediate vicinity of the subject site. Apartment buildings are located to the north of the subject site across the wetlands and contain two and three story structures.	Yes
60.35.10.2.A.1 Density Transfers	Density transfers allow an equal transfer of dwelling units from one portion of the site to another in certain areas.	The applicant does not propose residential density and is not eligible for density transfers.	N/A
60.35.10.2.B.1-4 Residential Lot Sizes	Residential Lot Sizes	The applicant proposes a commercial development. No residential lots are proposed.	N/A
60.35.10.3.A Setbacks	Proposed lots abutting the perimeter of the property shall comply with the standard front and rear yard setbacks of the parent parcel. Side yards of the parent parcel, where abutting existing development, must be a minimum of 15'.	As discussed in PUD approval criteria 3 the applicant requests additional front yard setback from the maximum. All minimum setbacks will be met. See Criteria 3 above.	Yes

Open Space			
60.35.15.1 Open Space Percentage	A PUD shall provide a minimum of 20% of the subject site as open space.	The applicant proposes 37% of the subject site as open space.	Yes

60.35.15.2.Exemptions	Properties within the South Cooper Mountain Community Plan (SCMCP) are exempt from the open space requirements in Section 60.35.15.1, but shall provide all community features, including but not limited to, trails, habitat benefit areas, and scenic views identified in the SCMCP, as identified in Section 60.35.25.	The subject site it not within the South Cooper Mountain Community Plan Area.	N/A
60.35.15.3. Open Space Standards	Open space shall be land that is available for the creation of active and/or passive areas, or resource areas that provide visible and accessible open space to the proposed community.	The proposed natural resource area will be visible accessible open space for the community. Programed outdoor space is provided for residents of the facility.	Yes
60.35.15.3.A Passive Open space	The following resource areas may count towards passive open space: Significant trees and/or groves, habitat benefit areas, view corridors, steep slopes, water quality facilities, environmentally sensitive areas including wetlands and any buffers required by CWS or other regulatory body.	The applicant has proposed a 84,000 square foot wetland tract to preserve the natural areas on site.	Yes
60.35.15.3.B Accessibility	Open space shall be easily accessible, physically or visually, to all members of the planned community via a minimum thirty (30) foot wide street frontage of access easement.	The natural resource tract will be visually accessible to members of the community. Active open spaces will be physically accessible and are integrated into the development where appropriate given the nature of the development as an assisted living facility.	Yes
60.35.15.3.C Slope	Not more than 60% of the gross land dedicated may have slopes greater than 5%.	The applicant states that no active open spaces areas which are physically accessible will be greater than 5% slopes.	Yes
60.35.15.3.D Irrigation	Open spaces shall have a dedicated irrigation system. Resource areas are exempt.	Staff recommends a condition of approval that open space areas, with the exception of the resource areas have a dedicated irrigation system.	Yes w/ COA
60.35.15.3.E Developments over 10 acres	Developments greater than 10 acres in size shall dedicate 25% of total required open space to active commons areas.	The subject site is 5.25 acres in size.	N/A
60.35.15.3.F Exclusions	Open space does not include streets, driveways, parking lots, buildings, buffers or vehicular access areas.	The proposal does not include these areas.	Yes
60.35.15.4.A Common Area Square Footage	Active open space areas are common areas that may be gathering spots, community rooms, play areas, overlooks, or any that consist of	The applicant proposes two outdoor courtyards and a dining patio as well as interior common features such as living rooms,	Yes

	active uses for owners, residents, or the community at large.	craft rooms, sun rooms, exercise room, and other communal space for the use of residents.	
60.35.15.4.B	Active open space may abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, when separated from the street by a barrier, such as a fence or wall, at least three (3) feet in height.	The proposed active open space areas are internal to the site and not located adjacent to public streets.	N/A
60.35.15.4.C	Active open space shall be physically accessible to all residents of the development.	Active open spaces areas are intended for the use of residents of the assisted living facility and will be available and accessible for the use of residents.	Yes
60.35.15.4.D	Active open space shall include physical improvements to enhance the area. These improvements may include benches, gazebos, plazas, picnic areas, playground equipment, sport courts, swimming/wading pools, indoor clubhouse or meeting facilities, play fields, or other items permitted.	Active open spaces include outdoor courtyards with walking paths, landscaping, and additional features. Internal common areas will be appropriately furnished for the proposed uses.	Yes
60.35.15.4.E	Floor area within buildings devoted to common uses serving the residents of the development may be counted as Active Open Space based on the total floor area devoted to such uses.	The proposal includes indoor active open spaces areas as previously discussed.	Yes
60.35.15.5.A-C Maintenance and Ownership	Land shown on the final development plan as common open space, and landscaping and/or planting contained therein shall be permanently maintained by and conveyed to either and HOA or public agency dedicated into perpetuity as permanent through application of CC&R's or deed restriction approved by the City Attorney.	Land shown in the natural resource area will be preserved in a tract owned by the property owner or their designee. Other open space and community areas will be maintained by the property owners or the manager of the facility.	Yes
Building Architecture			
60.35.20.1 Purpose	Architectural Standards for Buildings not subject to Design Review	The proposed residential care facility is subject to Design Review.	N/A

Development Bonuses and Development Incentive Options			
60.35.30 Development Bonuses and Incentives	PUD offers the applicants additional standards which can be met as incentives to promote innovative approaches and can lead to reduced open space and reduced setbacks.	The applicant is not seeking development bonuses or incentives.	N/A

**DR2016-0070
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW THREE APPROVAL**

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

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

Therefore, the Committee finds that the proposal meets the criteria.

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

Section 40.20.15.3.C Approval Criteria: In order to approve a Design Review Three application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

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

The applicant proposes to construct two new 122 bed senior living facility, approximately 99,000 square feet in size. The proposal meets threshold 1 for a Design Review Three application.

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

Therefore, staff finds that the criterion is met.

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

The applicant paid the required fees for a Design Review Three application.

Therefore, staff finds that the criterion is met.

3. ***For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

Staff cites the Design Guidelines Analysis at the end of this Design Review section, which evaluates the project as it relates the applicable Design Review Guidelines found in Section 60.05 of the Development Code. Staff reviews each Guideline with respect to the applicability of the Guideline to the project, the applicant's response, and illustrative representation of the proposal. Staff provides an evaluation of the proposal in relation to the Guideline and a statement as to whether the Guideline is met below. Staff finds that the proposal meets the Guidelines.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

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 of 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 prevent 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.***

The proposal is for one new senior living facility, not an expansion of an existing building, therefore the criterion does not apply.

Therefore, staff finds the criterion is not applicable.

5. ***For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The applicant does not propose a DRBCP.

Therefore, staff finds the criterion is not applicable.

6. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, 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). [ORD 4531; March 2010]***

The proposal meets threshold 1, therefore this criterion is not applicable.

Therefore, staff finds the criterion is not applicable.

7. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, 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 applying to instead meet the applicable Design Guideline(s).***

The proposal meets threshold 1, therefore this criterion is not applicable.

Therefore, staff finds the criterion is not applicable.

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

The applicant has submitted all documents related to this request for Design Review Three approval. Conditional Use (PUD), Preliminary Partition and Tree Plan Two applications are being processed concurrently with the subject request for Design Review Three. The Design Review Three application is dependent upon approval of the Conditional Use (PUD), Preliminary Partition and Tree Plan Two applications. Staff recommend a condition of approval which states that approval of the Design Review Three application is subject to approval of the Conditional Use (PUD), Preliminary Partition and Tree Plan Two applications.

Therefore, staff finds that by meeting the conditions of approval the criterion is met.

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.

60.05.35 *Building Design and Orientation Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

1. *Building Elevation Design Through 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)

The applicant states that the building is divided into three distinct parts, the entry, the memory care wing and the assisted living wing. The entrance is centered and recessed slightly with a cross-gable roof and a covered portico over the entrance, elevator towers on both ends of the entrance provide additional articulation and roof features. The wings are elevated through varied roof forms, bay windows, wall plane changes, materials changes, trellises and awnings. The north, west and east elevations have similar articulation. Staff finds that sufficient articulation and variety are provided.

Therefore, staff finds the Guideline is met.

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)

The applicant states that the main entrance vestibule is emphasized with the use of a cross gable roof with two towers located on either side which provide a vertical balance to the elevation. Balance is also provided through roofline changes, cross gable roofs, bay windows and vertical material orientation. Staff concurs that building entrances are adequately emphasized.

Therefore, staff finds the Guideline is met.

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)

The applicant states that the southern elevation is oriented towards SW Barrows Road and will have three visible stories along the south elevation. Walkways along the front of the building area provided as well as a pedestrian scale covered front entry feature. Staff concurs that the building promotes a comfortable pedestrian scale.

Therefore, staff finds that the Guideline is met.

- 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)*

The applicant states that the south elevation which is visible from SW Barrows Road is articulated with windows, dormers, off-setting walls, alcoves, changes in roof form, cross gable roofs and bay windows. The applicant further states that other facades are articulated with similar features. Staff concurs that the elevations facing public streets and major parking areas are adequately emphasized.

Therefore, staff finds the Guideline is met.

2. *Roof Forms as Unifying Elements*

- 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)*

The applicant states that the proposed roof forms are distinctive and include variety and detail when viewed from the street. The sloped roofs have a significant pitch and building focal points have been emphasized with cross-gable roofs, lowered roof forms and changes in roof pitch. Staff concurs that roof forms are distinctive with significant pitch.

Therefore, staff finds the Guideline is met.

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

The applicant states that sloped roof forms are provided. No flat roofs are proposed.

Therefore, staff finds that the Guideline is not applicable.

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)*

The applicant states that the primary entrances is marked by a covered porte cochere which provides weather protection for pedestrians. Staff concurs that adequate pedestrian protection is provided at building entrances.

Therefore, staff finds the Guideline is met.

- 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.B)
Building 1 (Multi-Tenant)*

The applicant states that the primary entrance features a covered vestibule which will protect pedestrians and vehicles from the elements. The primary entrance is recessed with a lowered roof and is emphasized with the use of a cross-gable roof. Staff concurs that the primary building entrance is attractive and functional and incorporates changes in mass to provide emphasis.

Therefore, staff finds the Guideline is met.

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)*

The applicant states that the proposed building materials include stone, board and batten siding, ledgerstone, and shingle siding in addition to other materials which provide an impression of permanence and durability. Windows are provided on all elevations. Staff concurs that the proposed materials convey an impression of permanence and durability and provide adequate views into interior areas.

Therefore, staff finds the Guideline is met.

- 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)*

The applicant states that the proposed ledgerstone will have varied color and edges in order to provide a decorative pattern. Staff concurs that large areas of running bond masonry are not proposed.

Therefore, staff finds the Guideline is met.

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)*

The applicant states that the proposed development includes a shared trash/recycle areas and maintenance equipment along the north elevation of the building at ground level. All equipment will be screened fully from public view. Should any future rooftop units be proposed the units will be reviewed for compliance with Design Review Standards. Staff concur that the mechanical equipment can be adequately screened.

Therefore, staff finds the Guideline is met.

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, particularly on Class 1 Major Pedestrian Routes, 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. (Standard 60.05.15.6.A and B)*

The applicant states that the proposal is not located along a Major Pedestrian Route. As previously discussed the building is required to have a fire access lane around the entirety of the building which precludes placing the building at the street. The steep slopes and wetlands at the rear of the property preclude options in building placement. The applicant provides numerous pedestrian connections to the building from the public street. The height and mass of the building will allow for it to remain a prominent feature. Staff finds that the building location set back from the street is required to meet fire department aerial apparatus access requirements, however the building is a predominant feature from the street.

Therefore, staff finds the Guideline is met.

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)*

The applicant states that the ground floor elevation of the proposed building is pedestrian oriented and treated with windows and glass doorway openings. However given the residential care nature of the building display windows have not been utilized. Staff concurs that the ground floor elevations are pedestrian oriented and treated with windows and glass doorways.

Therefore, staff finds the Guideline is met.

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. (Standards 60.05.15.8.B)

The applicant states that the proposed building provides weather protection at the entrance, patios, courtyards and the bike parking area. While the building is considered a commercial use the nature of a residential care facility is similar to a residential use in that resident rooms are located along ground floors and landscaping separates the building from walkways for resident privacy. Staff concurs that adequate weather protection is provided.

Therefore, staff finds the Guideline is met.

60.05.40. Circulation and Parking Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts.*

1. Connections to public street system. *The on-site circulation system and the abutting street system should provide for efficient access and circulation, and should connect the project to abutting streets. (Standard 60.05.40.1)*

The vehicular connection to the public street system is limited to one connection allowed along SW Barrows Road in order to allow for adequate driveway and intersection spacing. Access is provided in a safe and efficient manner to the site.

Therefore, staff finds that the Guideline is met.

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)

The applicant states that the trash/recycling area and maintenance equipment are located on the northeast side of the building and are fully screened within an enclosure. Staff concurs that the loading area and trash areas are appropriately located and adequately screened from public view.

Therefore, staff finds the Guideline is met.

- 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)*

The applicant states that the loading area is located along the north elevation of the building for deliveries which is screened from view by the building. The location of the proposed loading areas, set behind the building will be sufficiently screened.

Therefore, staff finds the Guideline is met.

3. *Pedestrian circulation.*

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

The applicant states that the proposed pedestrian circulation system will connect to on-site buildings, parking areas and open spaces on site. The applicant provides three pedestrian pathways through the parking area, one is proposed to connect to SW Barnes Road. Staff recommends a condition of approval that one additional pedestrian path on the eastern side of the entrance be connected to SW Barrows Road to serve pedestrians coming from the east. Staff finds that by providing the additional connection to SW Barrows Road that adequate pedestrian connections are made.

Therefore, staff finds that by meeting the conditions of approval the Guideline is met.

- 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)*

As described above, the applicant provides one connection to SW Barrows Road and will be required to provide an additional connection to SW Barrows Road east of the entrance. Pedestrian connections are provided between parking areas and on-site buildings. Staff concurs with the applicant that sufficient pedestrian connections to adjacent streets and pedestrian facilities are provided, subject to meeting the conditions of approval.

Therefore, staff finds that by meeting the conditions of approval the Guideline is met.

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

The applicant provides a direct pedestrian connection from street to the building entrances with paved pathways, and will be required to provide an additional connection to the east. Staff finds that by providing the additional pedestrian connection to SW Barrows Road adequate pedestrian connections from the building entrance to the street will be provided.

Therefore, staff finds that by meeting the conditions of approval the Guideline is met.

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

The applicant provides pedestrian walkways through parking areas which are proposed to be concrete to provide a differentiated materials. As previously discussed the applicant needs one more pedestrian connection to SW Barrows Road to provide evenly spaced connections through parking areas. Staff concurs that pedestrian connections are evenly spaced and separated from vehicles, subject to meeting the conditions of approval.

Therefore, staff finds that by meeting the conditions of approval the Guideline is met.

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. (Standard 60.05.20.3.A through H)

The applicant proposes ten foot wide sidewalks with trees in tree wells along public street frontages and private sidewalks adjacent to buildings. Staff concurs that adequate pedestrian facilities are provided.

Therefore, staff finds the Guideline is met.

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

Pedestrian ways are designed for safe movement and constructed with concrete. Staff concurs that the applicant has proposed hard, durable differentiated surfaces for pedestrian connections.

Therefore, staff finds the Guideline is met.

- 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)***

The applicant states that the proposed parking is screened from SW Barrows Road by perimeter landscaping. The proposed landscape strip contains trees, dense hedges and groundcover. The intensive plantings will screen headlights from the parking area to SW Barrows Road. Staff finds that the applicant has provided adequate vegetated screening of parking lot areas.

Therefore, staff finds that the Guideline is met.

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

The applicant proposes landscape islands containing trees and ground cover.

Therefore, staff finds the Guideline is met.

7. ***Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.***

- A. *Pedestrians connections designed for high levels of pedestrian activity should be provided along all streets. (Standard 60.05.20.7.A)*

The applicant proposes to provide the required ten foot wide sidewalk with trees in tree wells along SW Barrows Road and SW Murray Boulevard adjacent to the proposed development. Pedestrian connections are provided from this public sidewalk into the site. Staff finds that the sidewalk is designed for high levels of pedestrian activity.

Therefore, staff finds the Guideline is met.

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

The proposed pedestrian connections are from the street to the main building entry.

Therefore, staff finds the Guideline is met.

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)*

The applicant states that on-site vehicular circulation includes improvements such as curbs sidewalks, pedestrian crossing and landscaping. The drive aisle wraps around the building to meet fire apparatus access requirements and parking is provided in areas along the access path to limit impacts to the natural resource area at the rear of the site. Staff concurs that the parking lot circulations system provides a high level of improvement and circulations patterns are easily identifiable.

Therefore, staff finds the Guideline is met.

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

The applicant's plan provides adequate landscape islands with trees and vegetation to reduce visual impact of parking areas.

Therefore, staff finds the Guideline is met.

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts.*

3. Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.

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

The applicant's landscape plan shows significant landscape materials around the building, between the parking areas and the street and along SW Murray Boulevard. Landscape materials are also provided in parking areas to provide interest.

Therefore, staff finds the Guideline is met.

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)*

The applicant's narrative states that the two pedestrian courtyards adjacent to the building are designed with decorative pavers and landscape materials. Staff concurs that the proposed plazas are surfaced with decorative pavers and provide adequate landscaping.

Therefore, staff finds the Guideline is met.

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

The applicant states that native vegetation and regionally suitable landscape plants have been proposed. Plant species selected have been proposed due to their performance within urban environments and their drought tolerance and hardiness. Staff concurs that native and regionally compatible vegetation have been proposed.

Therefore, staff finds the Guideline is met.

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

The applicant states that the existing trees within the natural areas are to be preserved. Due to the preservation of the natural areas development intensity precludes saving all the trees on the site, however where possible trees and mature vegetation will be retained.

Therefore, staff finds the Guideline is met.

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

The applicant states that the landscaping plan demonstrates a diversity of tree and shrub species, staff concurs.

Therefore, staff finds the Guideline is met.

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)*

The applicant's narrative states that the retaining wall along the north perimeter of the development will be a lock-n-load wall and will not be visible to residents. All other smaller retaining walls will be cornerstone and screened with landscape materials.

Therefore, staff finds the Guideline is met.

7. ***Fences and walls.***

A. *Fences and walls should be constructed of attractive, durable materials. (Standard 60.05.35.9)*

The applicant proposes walls of wood and metal as well as cornerstone retaining walls. The fences and retaining walls are constructed of attractive durable materials.

Therefore, staff finds the Guideline is met.

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.*

The subject site does not abut residentially zoned properties.

Therefore, staff finds the Guideline is not applicable.

60.05.50. Lighting Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts. (Standard 60.05.30.1 and 2)*

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

The applicant states that a photometric plan has been provided. Pole-mounted and wall-mounted fixtures are proposed in locations throughout the site to maximize on-site safety. The lighting plan provided shows a mix of luminaries on site which provide sufficient light to maximize safety. The lighting plan shows compliance with the Technical Lighting Standards.

Therefore, staff finds that the Guideline is met.

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.*

The applicant states that the proposed development features 10-foot high steel pole lighting, 36 inch tall bollard lighting and exterior wall mounted lighting. All lighting will be pedestrian scale and integrated into the design concept. Pedestrian areas are adequately lit in conformance with the minimum lighting levels described in the Technical Lighting Standards.

Therefore, staff finds the Guideline is met.

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.*

The applicant states that lighting will feature shields and housing which will minimize direct and indirect glare impacts to abutting and adjacent properties and streets. The applicant's photometric plan shows compliance with the City's Technical Lighting Standards.

Therefore, staff finds that the Guideline is met.

4. *On-Site lighting should comply with the City's Technical Lighting Standards.*

The lighting plan shows compliance with the minimum and maximum standards of the City's Technical Lighting Standards.

Therefore, staff finds that the Guideline is met.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **DR2016-0071 (Morningstar Senior Living)**, subject to the applicable conditions identified in Attachment F.

**LD2016-0010
ANALYSIS AND FINDINGS FOR
PRELIMINARY PARTITION**

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

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

Therefore, the Committee finds that the proposal meets the criteria.

Section 40.45.05 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

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:

- 1. The application satisfies the threshold requirements for a Preliminary Partition application. 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.***

The applicant proposes to create one buildable parcel and one preservation tract from three existing parcels. No Legal Lot Determination is pending for either parcel, meeting the threshold for a Preliminary Partition below.

- 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.***

Therefore, staff find that the proposal meets the criterion for approval.

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

The applicant has paid the required application fee for a Preliminary Partition application.

Therefore, staff find that the proposal meets the criterion for approval.

3. ***The proposed development 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.***

There are no existing land use approvals for the subject site, therefore, the proposed application will not affect or modify any land use approvals.

Therefore, staff find that the proposal meets the criterion for approval.

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

There is no minimum parcel size in the TC-MU zoning district, therefore no oversized lots can be created.

Therefore, staff find that the criterion for approval does not apply.

5. ***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 a street is proposed provides a standard street cross section with sidewalks.

Lot averaging is not proposed with this development.

Therefore, staff find that the criterion for approval does not apply.

6. ***Applications that apply the lot area averaging standards of Section 20.05.15.D. do not require further Adjustment or Variance approvals for the Land Division.***

Lot averaging is not proposed with this development.

Therefore, staff find that the criterion for approval does not apply.

7. *The proposal does not create a lot which will have more than one (1) zoning designation.*

The proposal only includes lots zoned TC-MU (Town Center-Multiple Use). No proposed lot will have more than one zoning designation.

Therefore, staff find that the proposal meets the criterion for approval.

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

The applicant has submitted this Preliminary Partition application and the associated Conditional Use (PUD), Design Review Three, and Tree Plan Two applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once. The Preliminary Partition application is not dependent upon any other land use applications.

Therefore, staff find that the proposal meets the criterion for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2016-0010 (Morningstar Senior Living)**, subject to the applicable conditions identified in Attachment F.

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Grading Standards			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review.	The proposal is subject to the grading standards contained herein.	Yes
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	Grading for the public right of way expansion and public utilities are exempt.	N/A
60.15.10.3.A-F 0-5 Feet From Property Line	Maximum slope differentials from the existing or finished slope of the abutting residential property.	The subject site does not residentially zoned property.	N/A
Significant Trees and Groves			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	The applicant does not propose to grad within 25 feet of any significant trees located within the resource area.	N/A

**TP2016-0008
ANALYSIS AND FINDINGS FOR
TREE PLAN TWO**

Section 40.90.05 Tree Plan Applications; Purpose

Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.

Section 40.90.15.2.C Approval Criteria

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

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

The applicant proposes to remove all 81 community trees from the site, which meets threshold one for a Tree Plan Two application.

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

Therefore, staff find that the proposal meets the criterion for approval.

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

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

Therefore, staff find that the proposal meets the criterion for approval.

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

The trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the development of the site and the associated grading and construction.

Therefore, staff find that the criterion for approval does not apply.

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

The applicant states that the proposed tree removal is required due to the new building and associated site work. The development of the building and associated site improvements is limited to the front of the site in order to leave the majority of the wetland and buffer areas undeveloped. However the required intensity to fit the development on a limited portion of the overall site necessitates removal of the majority of the trees from the development area.

Therefore, staff find that the proposal meets the criterion for approval.

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

Property damage or other nuisances are not the reason the trees are being removed. Trees are being removed to facilitate development of the site.

Therefore, staff find that the criterion for approval does not apply.

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

Trees are being removed to facilitate development of the site, including street widening and utility construction.

Therefore, staff find that the proposal meets the criterion for approval.

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

The trees proposed for removal are Community Trees which are being removed to accommodate new development where no reasonable alternative exists.

Therefore, staff find that the criterion for approval does not apply.

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

The subject site does not contain a SNRA or significant grove.

Therefore, staff find that the criterion for approval does not apply.

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

The applicant states that no surveyed non-exempt trees are proposed to be removed within the wetland area (a SNRA). The removal of trees from the areas outside the SNRA will not result in a safety hazard due to the effects of wind throw. Staff concurs.

Therefore, staff find that the proposal meets the criterion for approval.

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

Staff cites the Code Conformance Analysis chart at the end of the Tree Plan Staff Report, which evaluates the project as it relates to applicable code requirements of Sections 60.60 through 60.67, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of Chapter 60.60 and 60.67.

Therefore, staff find that the proposal meets the criterion for approval.

- 11. *Grading and contouring of the 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.***

This approval criterion is identical to Facilities Review approval criterion J and the response contained within the revised Facilities Review report (Attachment A, above) is hereby cited and incorporated. The applicant's proposal balances accommodating the proposed use and mitigating the adverse effects on neighboring properties.

Therefore, staff find that the proposal meets the criterion for approval.

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

The applicant submitted the application on June 7, 2016 and was deemed complete on October 27, 2016. In the review of the materials during the application review, staff finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

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

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

The applicant has submitted this Tree Plan Two application and the associated Conditional Use (PUD), Design Review Three, and Preliminary Partition applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once. The Tree Plan Two application is dependent upon the Design Review Three, staff suggests a condition of approval that approval of the Tree Plan Two is dependent upon the Design Review Three approval.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2016-0008 (Morningstar Senior Living)** subject to the applicable conditions identified in Attachment F.

Code Conformance Analysis
Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
60.60.15 Pruning, Removal, and Preservation Standards			
60.60.15.1A-B	Pruning Standards	The applicant does not proposal pruning.	N/A
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed tree removal complies with this section (see findings below).	YES
60.60.15.2.B	Mitigation is required as set forth in 60.60.25	No mitigation is required for Community Trees	N/A
60.60.15.2.C.1	Standards for SNRA & Significant Groves	No surveyed non-exempt trees are proposed to be removed from the SNRA.	N/A
60.60.15.2.C.2	DBH shall be retained in cohesive Preservation Areas.	No surveyed non-exempt trees are proposed to be removed from the SNRA.	N/A
60.60.15.2.C.3	Native understory vegetation and trees shall be preserved in Preservation Areas.	No surveyed non-exempt trees are proposed to be removed from the SNRA.	N/A
60.60.15.2.C.4	Preservation Areas shall be clustered and connect with adjoining portions of the SNRA or Significant Grove.	No surveyed non-exempt trees are proposed to be removed from the SNRA.	N/A
60.60.15.2.C.5	Preservation Areas shall be set aside in conservation easements.	No surveyed non-exempt trees are proposed to be removed from the SNRA.	N/A
60.60.15.2.C.6	Preservation Areas conditioned for protection through the Land Division process.	No surveyed non-exempt trees are proposed to be removed from the SNRA.	N/A
60.60.15.2.C.7	Native species shall be preferred for preservation over non-native species.	Trees are proposed to be removed for development.	N/A
60.60.15.2.C.8	Hazardous and dead trees should be fallen only for safety and left at the resource site unless the tree has been diagnosed with a disease.	No surveyed non-exempt trees are proposed to be removed from the SNRA.	N/A
60.60.20 Tree Protection Standards During Development			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures may be used with City approval.	For the trees to be retained compliance with this standard is required.	YES w/ COA

CONDITIONS OF APPROVAL**CU2016-0011 Conditional Use**

1. Ensure that the Design Review Three (DR2016-0071) application has been approved and is consistent with the submitted plans. (Planning/JF)

DR2016-0071 Design Review Three**A. Prior to Issuance of the Site Development permit, the applicant shall:**

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management facilities, utility undergrounding, Clean Water Services Sensitive Area mitigation and vegetative corridor plantings, and fire access paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. Submit a copy of issued permits or other approvals as needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (for work within or affecting a jurisdictional wetland). (Site Development Div./JJD)

7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
8. Obtain the City Building Official's review approval of the proposed site utility plan if the installation is defined as a "complex structure" by plumbing rules OAR 918-780-004, for private plumbing needed to serve the private water, backflow prevention, storm and sanitary sewer systems outside the proposed building pad(s). (Site Development Div./JJD)
9. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
10. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the 2006 plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (For more information and to access the new format, see: <http://www.cleanwaterservices.org/PermitCenter/PermittingProcess/ErosionControl.aspx>) (Site Development Div./JJD)
11. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. The site plans shall clearly show the 100-year flood limits on each plan that contains elevation information. (Site Development Div./JJD)
12. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (June 6, 2016), demonstrating compliance with City storm detention (per Section 330, of City Ordinance 4417) and SLOPES V requirements, and with CWS Resolution and Order 2007-020 in regard to water quality treatment. (Site Development Div./JJD)
13. Provide plans showing a CWS approved proprietary treatment system (for treatment of the site's piped surface water runoff) or for a publicly maintained filter for the street frontage, a Contech Stormfilter system with a minimum of 3.0 cartridges per tributary impervious acre. Plans shall also show a trash capture water quality pre-treatment unit (ex: sumped, lynch-type catch basin, sedimentation structure, or other City of Beaverton approved equivalent as determined by City Engineer) located in front any Stormfilter vaults or ahead of piped detention systems. For any impervious area determined to not be practical to be piped to a Stormfilter, a fee in lieu of stormwater quality provision will be assessed. (Site Development Div./JJD)
14. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD)

15. Submit to the City a certified impervious surface determination of the entire site prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total. In addition, changes in specific types of impervious area totals, in square feet, shall be given for roofs, parking lots and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, the new impervious surface area created, and total final impervious surfaces areas on the entire site and individual lots. (Site Development Div./JJD)
16. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for the entire project. (Site Development Div./JJD)
17. Provide plans for LED street lights along the site's public street frontages (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. No overhead utility lines or services shall remain on the site. If existing utility poles along the public street frontage must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
18. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
19. Submit plans that show dedication of right-of-way along the SW Barrows Rd. frontage sufficient to meet the City's 3-lane Collector Street standards, or as modified by the City Engineer through the Engineering Design Modification process, and show construction of street improvements to provide three 12-foot lanes and two 5-foot bike lanes, as well as a 10-foot curb-tight sidewalk (measured from the back of the curb) with street trees in grated tree wells along the entire SW Barrows Rd. frontage of the property. (Transportation/KR)
20. Submit plans that show that pedestrian circulation areas will be lighted to at least the City's minimum standard of 0.5 foot-candles. (Transportation/KR)
21. Submit plans that show the installation of 3 bike racks that are at least 30 inches wide by 36 inches tall, each centered within a paved or concrete area of at least 6 feet deep by 4 feet wide. (Transportation/KR)
22. Submit plans that show reconfiguration of the curb at the intersection of SW Murray Boulevard and SW Barrows Road to provide for a 5-foot bike lane that extends to the intersection to the satisfaction of the City Engineer. (Transportation/KR)
23. Provide a pedestrian connection from the building to the SW Barrows Road sidewalk, east of the entrance. (Planning/JF)

24. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL HEIGHT:** Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. (D104.1) This condition is waived with the applicant providing a 30 foot wide driveway entrance and one fire rated exist enclosure that is continuous to the roof and provides firefighter access to the rooftop. (TVF&R/JF)
25. **AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2) Specify the location of the proposed aerial fire department access. (TVF&R/JF)
26. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the Fire Marshal. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4) Specify the location of the proposed aerial fire department access. (TVF&R/JF)
27. **MULTIPLE ACCESS ROADS SEPARATION:** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Marshal), measured in a straight line between accesses. (OFC D104.3) Only one access is currently shown. Provide second access or provide a complying alternative. (TVF&R/JF)
28. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3) Painted curbing will be required to delineate the fire lanes around the building. (TVF&R/JF)
29. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) All fire lanes must meet these loading requirements. (TVF&R/JF)
30. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3) (TVF&R/JF)

31. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 15%. Alternate methods and materials may be available at the discretion of the Fire Marshal (for grade exceeding 15%). (TVF&R/JF)
32. **AERIAL APPARATUS OPERATING GRADES:** Portions of aerial apparatus roads that will be used for aerial operations shall be as flat as possible. Front to rear and side to side maximum slope shall not exceed 10%. Specify the location of the proposed aerial fire department access.
- a) Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
 - b) FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants (as diagramed below).
 - c) Show the locations of the FDC's on the fire service plan sheet. (TVF&R/JF)
33. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)
- Note: OFC B106, Limiting Fire-Flow is also enforced, except for the following:
- a) The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.
 - b) Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1 (TVF&R/JF)
34. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B) Provide fire flow documentation at site development review time. (TVF&R/JF)
35. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1) Provide documentation that fire hydrants meet the minimum number and spacing requirements of the OFC. It appears that the SW corner may be deficient. (TVF&R/JF)
36. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the Fire Marshal. (OFC C102.1) (TVF&R/JF)

37. FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS: FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)

- a) Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
- b) FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants. (TVF&R/JF)

38. EMERGENCY RESPONDER RADIO COVERAGE: In new buildings where the design reduces the level of radio coverage for public safety communications systems below minimum performance levels, a distributed antenna system, signal booster, or other method approved by TVF&R and Washington County Consolidated Communications Agency shall be provided. (OSSC 915.1, OFC 510.1, and Appendix F) Emergency responder radio system testing and/or system installation is required for this building. Please contact me (using my contact info below) for further information including an alternate means of compliance that is available. If the alternate method is preferred, it must be requested from TVF&R prior to issuance of building permit. (TVF&R/JF)

39. Provide a plan showing 4 ft. by 6 ft. kira style tree wells for street trees. (Operations/PH)

B. Prior to Building Permit issuance, the applicant shall:

40. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)

41. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)

42. Submit to the City a certified impervious surface determination of the proposed project prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total. In addition, specific types of impervious area totals, in square feet, shall be given for roofs, parking lots and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, the new impervious surface area created, and total final impervious surfaces areas on the entire site and individual lots as applicable. (Site Development Div./JJD)

C. Prior to Occupancy of any Building Permit, the applicant shall:

43. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)

44. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
45. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
46. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./JJD)
47. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
48. Have obtained a Source Control Permit (AKA Industrial Sewage Permit) from the Clean Water Services District and submitted a copy to the City Building Official if such a permit is required, as determined by CWS. (Site Development Div./JJD)
49. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in the Conditions of Approval. (On file at City Hall). (Planning/JF)
50. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in the Conditions of Approval. (On file at City Hall). (Planning/JF)
51. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in the Conditions of Approval. (On file at City Hall). (Planning/JF)
52. Ensure all landscaping approved by the decision making authority is installed. (Planning/JF)
53. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning/JF)
54. Ensure that the planting of all approved trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Trees shall have a minimum caliper of 1-1/2 inches and be adequately staked. (Planning/JF)
55. Ensure all exterior lighting fixtures are installed and operational. Illumination from light fixtures, except for street lights, shall be limited to no greater than 0.5 foot-candle at the property line as measured in the vertical and horizontal plane. Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. (Planning/JF)

D. Prior to Release of Performance Security, the applicant shall:

56. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
57. Submit any required on-site easements, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
58. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation within the wetland mitigation and CWS vegetative corridor, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer and City Public Works Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Public Works Director prior to release of the security. (Site Development Div./JJD)
59. Provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacturer's recommendations for the project's proprietary storm water treatment systems by a CONTECH qualified maintenance provider as determined by the City Engineer. Additionally, another servicing report from the maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD)

LD2016-0010 Preliminary Partition

A. Prior to Final Plat approval, the applicant shall:

1. Have commenced construction of the site development improvements or otherwise show provision of minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed or available) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD)
2. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)

3. Demonstrate all lots meet ordinance standards for lot size, dimension and frontage. The final plat shall be fully dimensioned and indicate the square footage of each lot. (Planning Division/JF)
4. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/JF)
5. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/JF)
6. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/JF)

TP2016-0008 Tree Plan Two

1. Ensure that the Design Review Three (DR2016-0071) application has been approved and is consistent with the submitted plans. (Planning/JF)
2. Provide tree protection fencing in accordance with the standards of Section 60.60.20 of the Development Code. Any alternatives to the standards in 60.60.20 must be approved by the City Arborist. (Planning/JF)