

STAFF REPORT

Report Date:

November 2, 2022

Application/Project Name:

Peterkort Towne Square

Application Number:

DR2022-0008/ LO2022-0002

Proposal: The applicant, Baysinger Partners Architecture, requests approval to expand the existing Peterkort Towne Square shopping center pad building that currently houses the bagel store. The project will add approximately 1,120 square feet of area on the west end of the building. It will also add a drive-through lane and pick-up window on the west end of the building.



The project also includes construction of a new, approximately 2,950 square foot pad building east of the existing bagel shop store. The anticipated tenant will be a restaurant use.

Site work includes removing the existing parking west of the existing pad building to build a new drive-through. Site work also includes removing the parking east of the existing pad building to construct the new building pad, in addition to a new ADA ramp, pedestrian stairs, and a patio. The existing stairs to Barnes Road, west of the existing building, will be removed for the new drive-through and replaced west of the new drive-through.

Site work also includes reconfiguring several rows of parking and moving the existing drive isle to the south. A new pedestrian connection will be added from the existing north-south walkway east-west to the main entry of the former hardware store building.

A new refuse and recycling enclosures is proposed, located adjacent to the existing north-south pedestrian walkway that bisects the site. The new enclosure will serve both restaurant buildings and will result in the loss of several parking stalls and relocation of the existing ADA parking stalls. The proposal will remove 148 existing parking stalls and add 81 stalls, resulting in a net loss of 67 stalls.

The applicant's proposal also includes a Loading Determination to modify the dimensions of a required Type B loading berth.

Proposal Location: The site is located at 10902–10910 SW Barnes Road on the south side of SW Barnes Road, within the existing Peterkort Towne Square shopping center, and specifically identified as Tax Lots 1600 on Washington County Tax Accessor’s Map 1S103A.

Applicant: Baysinger Partners Architecture

Recommendation: **APPROVAL** of Peterkort Towne Square: DR2022-0008 / LO2022-0002, subject to the conditions identified at the end of this staff report.

Hearing Information: 6:30 p.m. November 9, 2022, at City Hall, 12725 SW Millikan Way

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

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

Contact Information:

City Staff Representative: Aaron Harris, Senior Planner
503-616-8453, aharris@BeavertonOregon.gov

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

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

Existing conditions

Zoning: Commercial – Corridor Commercial (CC)

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

Site Size: Approximately 16.44 acres

Location: 10902–10910 SW Barnes Road. Located on the south side of SW Barnes Road, within the existing Peterkort Towne Square shopping center, and specifically identified as Tax Lot 1600 on Washington County Tax Assessor’s Map 1S103A.

Neighborhood Association Committee: Central Beaverton

Table 1: Surrounding uses

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

Application information

Table 2: Application summaries

Application	Application type	Proposal summary	Approval criteria location
DR2022-0008	Design Review: Three	Expansion of a shopping center pad. The project will add approximately 1,120 square feet of area on the west end of the building. It will also add a drive-through lane and pick-up window on the west end of the building. The project also includes construction of a new, approximately 2,950 square foot pad building east of the existing bagel shop store, and associated site improvements.	Development Code Section 40.20.15.3.C
LO2022-0002	Loading Determination	Requests to modify the dimensions of the required off-street loading berths for this development.	Development Code Section 40.50.15.1.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
DR2022-0008	February 10, 2022	August 5, 2022	January 17, 2023***	September 1, 2023
LO2022-0002	August 26, 2022	September 1, 2022	December 30, 2022	September 1, 2023

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

** This is the latest date, with a continuance, by which a final written decision on the proposal can be made.

***The 120-day clock includes a 45-day extension provided by the applicant.

Table of Contents

STAFF REPORT.....	1
Attachment A: Facilities Review	10
Attachment B: DR2022-0008	24
Attachment C: LO2022-0002.....	50
Attachment D: Condition of Approval.....	54

Tables:

Table 1: Surrounding uses.....	3
Table 2: Application summaries.....	4
Table 3: Key Application Dates.....	5
Table 4: Chapter 20 Use and Site Development Requirements Community Service (CC) Zoning District.....	20
Table 5: Chapter 60 Special Requirements.....	21

Exhibits

Exhibit 1. Materials submitted by Staff	
Exhibit 1.1 Vicinity Map (page 8 of this report)	
Exhibit 1.2 Zoning Map (page 9 of this report)	
Exhibit 2. Public Comment	
Exhibit 2.1 Email from Ellen Driscoll, dated 10/2/22	
Exhibit 2.2 Email from Elise Bretz, dated 10/2/22	
Exhibit 3. Materials submitted by the Applicant	
Exhibit 3.1 Applicant Narrative	
Exhibit 3.2 Design Review Three Application	
Exhibit 3.3 Design Review Submittal Checklist	
Exhibit 3.4 Pre-application Conference notes	
Exhibit 3.5 CWS Service Provider Letter	
Exhibit 3.6 Fire Service Provider Letter	
Exhibit 3.7 Neighborhood Meeting materials	
Exhibit 3.8 Traffic Memo dated January 21, 2022	

- Exhibit 3.9 Supplemental Traffic Memo dated July 5, 2022
- Exhibit 3.10 Original TIA dated October 1993
- Exhibit 3.11 Stormwater Report
- Exhibit 3.12 Lighting Cut Sheets
- Exhibit 3.13 Civil Plans
- Exhibit 3.14 Landscape Plans
- Exhibit 3.15 Photometric Plan
- Exhibit 3.16 Architectural Plans
- Exhibit 3.17 Loading Determination Application with Applicant's Signature
- Exhibit 3.18 Loading Determination Application with Owner's Signature
- Exhibit 3.19 Applicant email with supplemental information

Exhibit 1.1: Vicinity Map

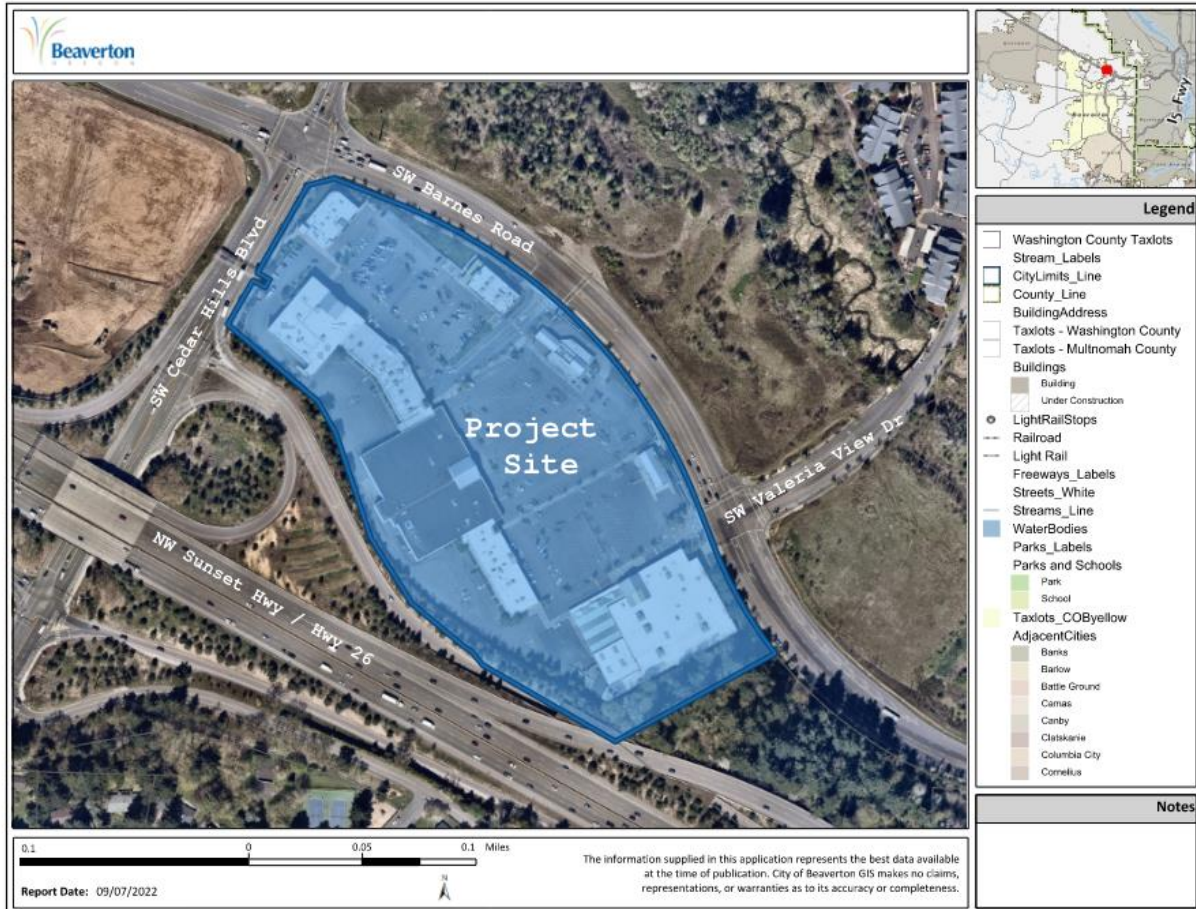
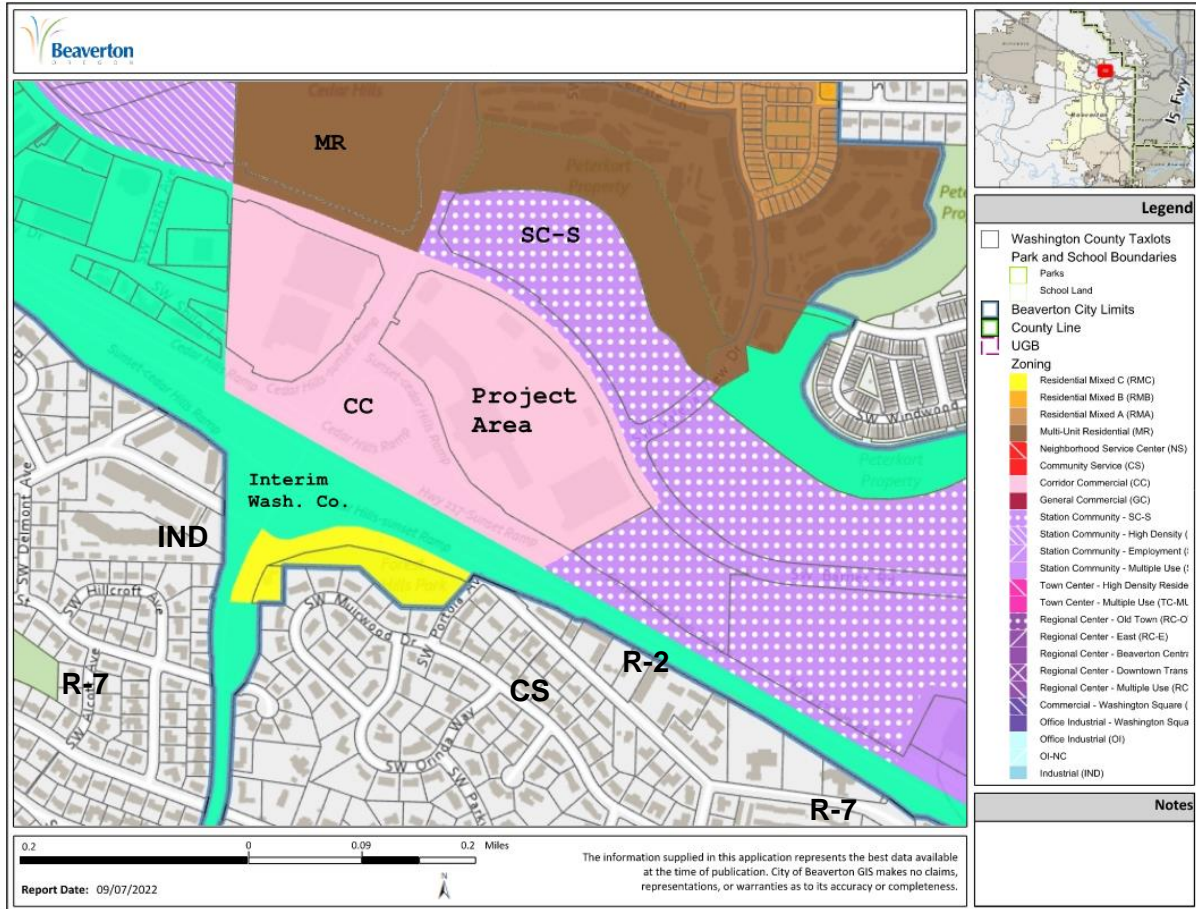


Exhibit 1.2: Zoning Map



Attachment A: Facilities Review

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Peterkort Towne Square

Proposal: The applicant, Baysinger Partners Architecture, requests Design Review Three approval to expand the existing Peterkort Towne Square shopping center pad building that currently houses Sunrise Bagels Beaverton. The project will add approximately 1,120 square feet of area on the west end of the building. It will also add a drive-through lane and pick-up window on the west end of the building. The project also includes construction of a new, approximately 2,950 square foot pad building east of the existing bagel shop store. A Loading Determination is requested to modify the dimensions of the required off-street loading berths.

Site work includes removing the existing parking west of the building for the new drive-through and removing the parking east of the building (between the building and site access) to construct the new pad building, ADA ramp, pedestrian stair, and patio. The existing stair to Barnes Road, west of the building, will be removed for the drive-through and replaced west of the drive-through. A new pedestrian connection will also be added from the existing north-south walkway east-west to the main entry of the former hardware store building. New refuse and recycling enclosures will be located south of the east-west drive aisle to serve both restaurant buildings.

Recommendation: APPROVE DR2022-0008 subject to conditions of approval.

Section 40.03 Facilities Review Committee:

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

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

- All twelve (12) criteria are applicable to the Design Review Three (DR2022-0008) application.
- The Facilities Review Criteria are not applicable to the associated Loading Determination (LO2022-0002) application.

Section 40.03.1.A

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

FINDING:

Chapter 90 of the Development Code defines “critical facilities” to be services that include potable and non-potable public water; public sanitary sewer; stormwater drainage, treatment, and retention; transportation; and fire protection. The applicant states the civil plans provided by the Engineer show that the utilities are available and able to provide adequate service to the site. Standard conditions of approval have been added to ensure critical facilities provided with this development meet City standards.

Potable Water: The property is served by Tualatin Valley Water District (TVWD) with an 8-inch public water line running north-south and east west through the project site. As a condition of approval, prior to the issuance of Site Development permits, the applicant shall submit a copy of issued permits or other approvals needed from TVWD for public water system construction, backflow prevention facilities, and service extensions. Therefore, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

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

Sanitary Sewer: The property is served by City of Beaverton sanitary sewer service. There is an existing eight-inch sanitary sewer line adjacent to the project site. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: The property is served by various private stormwater lines. On-site lines flow to City of Beaverton mains and the stormwater is served by regional treatment facilities located in SW Valeria View Drive.

The applicant has provided a Preliminary Stormwater Report for the quantity and quality of stormwater resulting from the proposed development. The Committee finds that adequate stormwater drainage, treatment, and retention service can be provided to the site to serve the proposed development.

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

The proposed project is for work within an existing fully developed shopping center. There are established pedestrian, bicycle and motor vehicle connections between the on-site circulation. The proposed project includes a new drive-through, construction of a new ADA ramp and new pedestrian stairs connecting the site and the existing right-of-way along SW Barnes Road. The project will also move the existing stairs to Barnes Road to be located west of the new drive-through. A new pedestrian connection will also be added from the existing north-south walkway east-west to the main entry of the former hardware store building.

Per BDC Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is required when a proposed development will generate 300 vehicles or more per day in average weekday trips. The applicant's trip generation memorandum from Transportation Consulting Group, dated July 5, 2022, states that the resulting redevelopment will not exceed the gross daily trip totals vested by the original 1994 project approval (Washington County Case no. 93-830-D). The vested average daily total trips vested in 1993 is 10,435 and the proposed daily total trips is 8,932, which equates to 14% fewer trips than the total daily trips vested per the 1994 approval.

The proposed project site abuts two developed rights-of-way. Both roadways include existing improvements (sidewalks and bike lanes) for safe and efficient vehicle, bicycle, and pedestrian circulation. The project does not trigger any improvements to these installed and functional rights-of-way.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff has reviewed the proposal and approved the submitted plans as a revision to Permit #2022-0014. Emergency vehicle access is provided in two locations on SW Barnes Road.

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

Section 40.03.1.B

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

FINDING:

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

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

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

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

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

Site work includes a new ADA ramp, pedestrian stair, and patio. The existing stair to Barnes Road, west of the building, will be removed for the drive-through and replaced west of the drive-through. A new pedestrian connection will also be added from the existing north-south walkway east-west to the main entry of the former hardware store building.

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

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

Section 40.03.1.C

The proposed development is consistent with all applicable provisions of CHAPTER 20 (Land Uses), or Sections 20.25 and 70.3 if located within the Downtown Design District, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of CHAPTER 20 (Land Uses) or Sections 20.25 and 70.3 if located within the Downtown Design District.

FINDING:

The site is zoned Corridor Commercial (CC). The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 20.

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

Section 40.03.1.D

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

FINDING:

As further discussed in response to BDC Section 40.03.1.F below, the proposal includes swing doors for the new trash enclosure. Staff finds that the swing doors would encroach into the parking lot drive isles. According to BDC 60.35.15, a 24-foot drive isle width is required. As a condition of approval, prior to the issuance of Site Development permits, the applicant shall resubmit site plans and other relevant details necessary to demonstrate that the gates from the proposed trash enclosure located in the subject site's parking lot will not encroach into the parking lot drive aisle. Options could include (but are not limited to) installing sliding gates, installing swinging gates with self-closing hinges, or relocated the trash enclosure where the gates do not impact the required parking lot design standards.

For all other applicable provisions of Chapter 60, The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 (Special Requirements). Staff will provide findings for the applicable guidelines for the Design Review Three request within the staff report.

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

Section 40.03.1.E

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

FINDING:

As further discussed in response to BDC Section 40.03.1.F below, the proposal includes swing doors for the new trash enclosure. Staff finds that the swing doors would encroach into the parking lot drive isles. According to BDC 60.35.15, a 24-foot drive isle width is required. As a condition of approval, prior to the issuance of Site Development permits, the applicant shall resubmit site plans and other relevant details necessary to demonstrate that the gates from the proposed trash enclosure located in the subject site's parking lot will not encroach into the parking lot drive aisle. Options could include (but are not limited to) installing sliding gates, installing swinging gates with self-closing hinges, or relocating the trash enclosure where the gates do not impact the required parking lot design standards.

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

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

Section 40.03.1.F

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

FINDING: The proposed project will renovate a portion of an existing fully developed shopping center. The proposed project will make minor modifications to onsite vehicular circulation. The primary change will be removal of the existing parking area north-northwest of the pad building, between the project building and the adjacent Wells Fargo Bank, for installation of the new drive-through queue.

The project will also reorient three existing rows of parking stalls south of the buildings from one-way aisles with angled parking to two-way aisles with 90-degree parking.

A new pedestrian walkway along the building's south façades will connect to the adjacent bank building to the northwest and to the new pedestrian plaza to the southeast of the building. From the plaza, pedestrians have access to the right-of-way via a new set of stairs. To the north, the path will provide access to the adjacent bank building and to the existing walkway north of the bank to the right-of-way. The walkway along the façade also connects to the existing pedestrian walkway that runs southwest to the main anchor buildings. A new ADA ramp will also be added at the SW Valeria View Drive intersection, in addition to a new pedestrian stairs connecting the site and the existing right-of-way along SW Barnes Road. The existing stair to Barnes Road, west of

the building, will be removed for the drive-through and replaced west of the drive-through.

The proposed project includes a new trash and recycling enclosure located south of the existing building. The proposed location of the enclosure will abut the existing pedestrian connection that leads to the shopping center's anchor buildings. The proposed enclosure includes swing doors. Staff finds that the swing doors would encroach into the parking drive lot aisle. As a condition of approval, prior to the issuance of Site Development permits, the applicant shall resubmit site plans and other relevant details necessary to demonstrate that the gates from the proposed trash enclosure located in the subject site's parking lot will not encroach into the parking lot drive aisle which is required to be a minimum 24-foot wide. Options could include (but are not limited to) installing sliding gates, installing swinging gates with self-closing hinges, or relocating the trash enclosure where the gates do not impact the required parking lot design standards.

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

Section 40.03.1.G

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

FINDING:

Staff cite the findings in Criterion A as applicable to this criterion. The proposed project will renovate a portion of an existing fully developed shopping center. The existing center has safe and efficient vehicular and pedestrian circulation patterns including connections to the surrounding public infrastructure. The proposed project will relocate the existing midblock stairs to the right-of-way northwest of the pad building. The project will also construct new stairs and an ADA ramp along the west side of the SW Valeria View Drive access.

The project will also make a new ADA connection to the bank building to the west. Via that new connection, ADA access will be provided to the right-of-way at the main mid-block vehicular access. Minor changes to onsite lighting are being made but new lights are being provided and all areas are well lit; refer to the included photometric plan

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

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

Section 40.03.1.H

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

FINDING:

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

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

Section 40.03.1.I

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

FINDING:

The applicant states the proposed structures and public facilities have been designed in accordance with all adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions dues to inadequate, substandard, or ill-designed development.

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

Section 40.03.1.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.

FINDING:

The proposed project will renovate a small area of an existing, fully developed

shopping center. The applicant states that minimal changes to existing grades and contours are required and a state registered civil engineer has designed the grading to minimize impacts and mitigate any adverse effects.

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

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

Section 40.03.1.K

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

FINDING:

The proposed project will renovate a portion of an existing fully developed shopping center. The existing center has safe and accessible pedestrian circulation patterns. The project will also create a new connection between the existing building and adjacent bank pad building, improving connectivity and providing ADA access between the buildings and the right-of-way. The existing mid-block stair will be relocated and retained. A new ADA ramp and stair will be added along west side of the SW Valeria View Drive access.

Compliance with applicable ADA requirements is reviewed at the time of Building permit application. The Committee finds that review of the proposed plans at Site Development and Building Permit stages is sufficient to guarantee compliance with accessibility standards.

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

Section 40.03.1.L

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

FINDING:

The application was submitted on February 10, 2022, and the applicant deemed the project complete on August 5, 2022. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

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

Code Conformance Analysis

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

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code 20.10.20			
Land Uses: -Eating and Drinking Establishment -Retail Trade -Drive-up Window Facilities	Permitted Uses	The project will expand an existing building that currently houses a bagel shop. The bagel shop will stay and a second tenant, drive-through coffee shop will be added. A new building pad will provide for an additional eating and drinking establishment. All of the proposed land uses are permitted.	Yes
Development Code Section 20.10.15 (Commercial Site Development Standards)			
Minimum Land Area	7,000 square feet	The site is approximately 16.44 acres	Yes
Yard Setbacks	Front = None Side = None Rear = None	BDC 60.05.15.6.B requires buildings in Commercial zones to occupy a minimum of 35% public street frontage where a parcel exceeds 60,000 gross square feet. The site is a fully developed shopping center that exceeds 60,000 gross square feet. Due to the site's grading and existing development patterns, a Type 3 Design Review addressing the Design Guidelines is required. Compliance with the applicable Guidelines is addressed with the findings.	See DR2022-0008 Section of the Staff Report
Maximum Building Height	60 feet	The tallest portion of the renovated building is 31'-2". The new pad building is 28 feet in height.	Yes

Table 5: Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Due to the site's grading and existing development patterns, a Type 3 Design Review addressing the Design Guidelines is required. Compliance with the applicable Guidelines is addressed with the findings.	See DR2022-0008 section of the Staff Report
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for new drive-up windows.	The proposed project includes a drive-through that provides access and egress from an on-site drive aisle. The facility includes a queue lane of sufficient length and a by-pass lane.	Yes
Development Code Section 60.10			
Floodplain Regulations	Requirements for development within floodplains.	The site does not contain floodplains.	NA
Development Code Section 60.25			
Off-Street Loading Requirements	Retail Establishments (7K-24K) 1 B Berth	The applicant has requested a Loading Determination Application to modify the dimensions of required off-street loading per BDC 60.25.	See LO2022-0002 section of the staff report
Development Code Section 60.30			
Off-Street Vehicle Parking Requirements	Retail (per 1,000 sq. ft.) Min: 3.3 Max: 5.1	The following is the parking requirements for the proposal (calculations account for the entire shopping center): Retail: Min: 567 spaces Max: 876 spaces Proposed: 687 spaces	Yes
Bicycle Parking Requirements	Retail Short: 2 spaces or 1 space per 12K Long: 2 spaces or 1 space per 12K	The following is the bike parking requirements for the proposal: Retail: Short: 2 spaces Long: 2 spaces	YES
Development Code Section 60.33			

Park and Recreation Facilities and Service Provision	Annexation to THPRD	The property is located within THPRDs district therefore annexation is not necessary.	N/A
Development Code Section 60.55			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and replacement of trees.	The proposal includes the removal and planting of landscape trees. Removal of the trees will require the proposal to meet the protection standards and the removal and replacement standards outlined in Section 60.60. Replacement of landscape trees shall be based on total linear DBH calculations at a one-to-one ratio.	Yes
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities on-site must be placed underground. Existing utility poles that must be moved, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid.	All utilities are required to be placed underground in accordance with standards identified in Section 60.65. The Committee proposes a standard condition of approval to ensure utility undergrounding complies with Section 60.65.	Yes, w/COA
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to Significant Natural Resources	There are no Significant Natural Resources on site.	NA

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of DR2022-0008, Peterkort Towne Square, subject to the applicable conditions identified in Attachment D.

Attachment B: DR2022-0008

ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR2022-0008**, subject to the applicable conditions identified in Attachment D.

Section 40.03.1 Facilities Review Approval Criteria:

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

Facilities Review Approval Criteria Section 40.03.1.A-L

FINDING:

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

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

Section 40.20.05 Purpose:

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

Planning Commission Standards for Approval:

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

To approve a Design Review Three application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.20.15.3.C.1

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

FINDING:

Staff references BDC Section 40.20.15.3.A.9:

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

Staff finds that the proposed project includes 4,070 square feet of new building area between the new pad building and the Starbucks addition to the existing building; however, the project cannot meet the setback standard of 60.05.15.6 and thus must use the Guidelines of a Type 3 review. Therefore, the proposal satisfies the threshold requirements for a Design Review Three application per BDC Section 40.20.15.3.A.9.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.2

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

FINDING:

The City of Beaverton received the appropriate fees for a Design Review Three application.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.3

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

FINDING:

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

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

Section 40.20.15.3.C.4

For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:

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

FINDING:

The proposed project is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) and can demonstrate that the project is moving toward compliance. The existing building does not meet the required maximum setback of Section 60.05.15.6.C. The new building area associated with this project will also not meet the setback due to the location of the existing building and the existing grade differences between the existing building and the right-of-way which meet subsections (a) and (b) above.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.5

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

FINDING:

The applicant states that the city's grading standards have been met. Based on the applicant's grading plan, the proposed grading meets all the City standards outlined in Section 60.15.10 and does not require an adjustment or variance for approval.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.20.15.3.C.6

For Design Review Build-Out Concept Plan (DRBCP) proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site,

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

FINDING:

The proposed development does not include a DRBCP proposal and does not contain phasing of work.

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

Section 40.20.15.3.C.7

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

FINDING:

The proposal meets Threshold 9 for a Design Review Three application. However, the applicant has decided to address only the Design Guidelines.

Conclusion: Staff finds the approval criterion is not applicable.

Section 40.20.15.3.C.8

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

FINDING:

The proposal meets Threshold 9 for a Design Review Three application. The applicant has decided to address only the Design Guidelines. As discussed below, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50.

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

Section 40.20.15.3.C.9

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

FINDING:

The applicant has submitted this Design Review application with an associated Loading Determination. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Staff recommends a condition requiring approval of the associated Loading Determination prior to Site Development Permit issuance.

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

Design Review Guidelines Analysis:

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

Section 60.05.35. *Building Design and Orientation Guidelines.*

1. *Building Articulation and Variety*

B. *Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standard 60.05.15.1.A and B)*

FINDING:

According to the applicant, the proposed addition to the pad building includes projections, canopies, varied roof forms, changes in materials, changes in color and ample glazing. The new pad building also includes projections, canopies, varied roof heights, changes in materials, changes in color and ample glazing. All of which combine to provide visually appealing and pedestrian-scale elevations. Staff concurs that the proposal includes adequate articulation and visual interest for pedestrians.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

According to the applicant, the design of the building addition includes a pillar element on the southwest corner of the building that will be painted to accentuate it from the materials and entry next to it. The roof line includes a peaked element and a fin to separate but unite the existing building area and new building area. The new pad building balances horizontal features by providing second story building area and a rooftop patio with canopy to accentuate verticality. Staff concurs that horizontal features on longer building elevations are balanced by vertical building elements.

Conclusion: Staff finds that the proposal meets the guideline.

D. *Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in industrial districts where the*

principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B)

FINDING:

According to the applicant, the building expansion area includes ample windows for views into work areas, 14-foot-high canopies, and pedestrian scale lighting. These elements promote pedestrian scale by providing pedestrians with views, weather coverage and overhead enclosure, and well-lit walkways and architectural interest at the pedestrian level.

The new pad building includes ample windows, 10-foot-high canopies on the ground floor, and pedestrian scale lighting. The design of the new building also provides pedestrian scale by giving pedestrians views, weather coverage and overhead enclosure and well-lit walkways, and architectural interest at the pedestrian level. Staff concurs that the proposal promotes and enhances a comfortable pedestrian scale and orientation.

Conclusion: Staff finds that the proposal meets the guideline.

E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D)

FINDING:

According to the applicant, the north façade of the building expansion area, facing SW Barnes Road, includes ample window area, changes in materials, wall offsets and changes in roof design. There is one section of blank undifferentiated wall on the north façade that is part of the existing building. The proposed project does not include work on this portion of the existing building as there is numerous mechanical and electrical equipment adjacent to it. The portion of brick wall is not clearly visible from the right-of-way as it is more than 9.5 feet above the right-of-way elevation and is screened by two large evergreen trees. The north elevation is approximately 3,161 square feet in area and provide approximately 968 sf or 30.6% articulation.

The south façade of the existing building facing the main parking area includes ample windows, changes in materials, canopies, and changes in roof design. As does the east elevation adjacent to the new patio area and facing the new pad building. The west façade abuts the drive-through and does not include pedestrian circulation.

The south elevation of the existing building is 3,161 square feet in area and provides approximately 1,221 square feet (38.6%) articulation. The west and east elevations are

878 square feet in area with the west providing 814 square feet (92.7%) and east providing 318 square feet (36.2%) articulation.

The new pad building includes ample windows, changes in materials, walls offsets, changes in roof and canopy design on all elevations. The north façade is approximately 1,234 square feet in area and provides 990 square feet (78%) articulation. The south façade is also 1,234 square feet in area and provides 572 square feet (46.4%) articulation. The east elevation is approximately 995 square feet in area and provides 520 square feet (52.3%) articulation. The west elevation does not face the street or major parking area. Staff concurs that building elevations visible from and within 200 feet of the adjacent street are sufficiently articulated by design features that reflect the building's structural system.

Conclusion: Staff finds that the proposal meets the guideline.

2. **Roof Forms**

A. *Roof forms should be distinctive and include variety and detail when viewed from the street. Sloped roofs should have a significant pitch and building focal points should be highlighted. (Standards 60.05.15.2.A and B)*

FINDING:

The applicant states that the existing building has a pitched roof that will remain. To blend the new building area with the existing, but still accommodate for HVAC equipment on the roof, the building addition roof will be flat but have architectural elements that mimic the slope of the existing roof, providing the illusion of a sloped roof. The existing sloped roof and the new roof-like elements have a significant pitch.

The new pad building does not include any pitched roof elements. This building includes variations in roof height and canopies between the ground floor and upper story to create variety and detail. The patio and canopy are very distinctive and will add significant curb appeal. Staff concurs that the roof form is distinctive and includes variety and detail when viewed from the street.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

On the existing building, while the roof over the new building area will be flat, there are structural elements that will provide the illusion of a sloped roof so that the addition blends with the existing sloped roof. Adding cornices only to the new building area would not blend with the design and look of the existing portion of the building. The new sloped roof structural elements provide visual interest and a cohesive building.

The new pad building includes flat roofs only and utilizes the roof deck canopy as a faux cornice element to add interest and dimension to the top of the second story roof line. This ties the building design together with the existing building as well as to other proposed site improvements associated with the Peterkort Rock Gym project (land use application DR2022-0088).

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

While the roof over the new building area will be flat, there are structural elements that will provide the illusion of a sloped roof so that the addition blends with the existing sloped roof.

Conclusion: Staff finds that the proposal meets the guideline.

3. Primary building entrances

A. The design of buildings should incorporate features such as arcades, roofs, porches, alcoves, porticoes, awnings, and canopies to protect pedestrians from the rain and sun. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.3.A)

FINDING:

Both buildings include ample canopies to provide pedestrians from the elements. All main entries include a canopy in addition to significant portions of pedestrian areas and walkways.

Conclusion: Staff finds that the proposal meets the guideline.

B. *Special attention should be given to designing a primary building entrance that is both attractive and functional. Primary entrances should incorporate changes in mass, surface, or finish to emphasize the entrance. (Standard 60.05.15.3)*

FINDING:

On the existing building, the location of the existing eastern tenant entry will not change but will receive a new canopy to provide weather protection. The building entries of the new addition are accentuated by an overhead canopy and a brick accent wall upon which signage will be placed.

The entrances of the new pad building are located on the south and west elevations and set within ample glazing which provides views into the work area of the tenant space(s). Both entries include canopies to emphasize the entries and provide weather protection for pedestrians.

Conclusion: Staff finds that the proposal meets the guideline.

4. Exterior Building Materials

A. *Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta, and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standard 60.05.15.4.A)*

FINDING:

The portion of the existing building to remain is comprised of brick and stucco with ample windows on all facades. The proposed building addition also includes ample windows and will be constructed of brick and wood accents. The whole building will be painted to provide a cohesive look. The building addition also expands the materials palette with wood siding and metal canopies.

The new pad building includes ample glazing and will be constructed of concrete, wood and metal panel siding. Staff finds that the proposed materials will convey an impression of permanence and durability.

Conclusion: Staff finds that the proposal meets the guideline.

B. *Where masonry is used for exterior finish, decorative patterns (other than running bond pattern) should be considered, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete.*

This guideline does not apply to developments in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C)

FINDING:

The existing building is constructed of brick and it will be the primary material of the new addition. Because the existing building is fairly old, the applicant is unable to get brick that exactly matches the existing. To provide a cohesive look and the impression that it is one building constructed at the same time, the applicant proposes to paint the entire building. The design includes a darker base and a lighter main building body to provide interest and variation. A running bond pattern is proposed in order to ensure that the addition matches the existing building. The new brick is proposed to be laid in the same arrangement as the existing brick.

Conclusion: Staff finds that the proposal meets the guideline.

5. **Screening of Equipment.** *All roof, surface, and wall-mounted mechanical, electrical, communications, and service equipment should be screened from view from adjacent public streets by the use of parapets, walls, fences, enclosures, dense evergreen foliage, or by other suitable means. (Standards 60.05.15.5.A through C)*

FINDING:

Existing equipment for the existing building is located on the ground along the north building façade. It is currently screened by the sizable grade difference between the site and right-of-way along with existing landscaping. This equipment and landscaping will not change. New equipment for the existing building's new addition will be located on the flat roof portion of the building over their tenant space. This equipment will be screened by the building parapets.

The mechanical equipment for the new pad building will be located in the small utility pop-up on the roof and screened by pop-up walls. Staff concurs that equipment is appropriately screened.

Conclusion: Staff finds that the proposal meets the guideline.

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

- A. *Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression should be that architecture is the predominant design element over parking areas and landscaping. Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location and orientation of buildings. (Standards 60.05.15.6.A and B)*

FINDING:

The subject site is a fully developed shopping center. The applicant states that there were limited on-site locations that would accommodate the proposed drive through and the new pad building. The building addition was located as close to the right-of-way as is possible while accounting for the existing building and site grades. The new pad building, located near the access corner, will provide ample architectural interest at this location. Due to existing grades and ADA access requirements, the building could not be located within 20 feet of the right-of-way. However, the predominant design element along the right-of-way will remain architectural, and it will be further enhanced by the new pad building's two-story design. Staff finds that the proposal meets the building orientation and location guideline.

Conclusion: Staff finds that the proposal meets the guideline.

B. On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building. (Standards 60.05.15.6.B and D)

FINDING:

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

Conclusion: Staff finds that the guideline does not apply.

C. On Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C and D)

FINDING:

The existing building, proposed for the drive-through addition, is located along the SW Barnes Road right-of-way and does not currently have an entry facing the street. The building is more than 9.5 feet above the right-of-way and a large retaining wall separates the building from the street. All existing entries are on the façade facing away from the right-of-way (south). That façade is currently connected to the right-of-way by a staircase on the west end of the building.

Due to the existing grades, the proposed building addition does not include an entry facing the street as there is no way to connect that entry to the street. To the west of the building, no pedestrian connection is possible due to the drive-through lane. Additionally, due to existing ground mounted HVAC equipment and a large tree, a pedestrian connection cannot be installed around the north of the building. The

proposed project will relocate the existing midblock stairs west of the drive-through and also provide a new stair east of the building. This stair will continue to allow the south facing main entries to connect to the street. Additionally, the project includes a new ADA compliant path from the south facade to the adjacent bank building, and from there to the right-of-way via the existing pedestrian walkway along the access drive. A new ADA ramp at the SW Valeria View Drive access provide connectivity directly to the south façade pedestrian walkway.

The new pad building also has topographical design constraints. Due to significant grade differences between the right-of-way and the site, in order to provide an ADA ramp in close proximity to the SW Valeria View Drive, the ramp design necessitated the use of a multi-leg switch back ramp which impacted the placement of the new building. Stairs located in close proximity to the ramp also impacted the building location.

The project will provide new and improved pedestrian connections, including a new ADA complaint connection (which does not currently exist) to the right-of-way from the main entries on the south façade. These new accessways are as reasonably direct as allowed by the location of existing development, topographical constraints, and need for ADA access. Staff concurs that the proposal meets the building entrance orientation guideline.

Conclusion: Staff finds that the proposal meets the guideline.

D. Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E)

FINDING:

The proposed project includes adding square footage and a drive-through lane to an existing pad building within a fully developed shopping center. The existing building is located along the SW Barnes Road right-of-way and does not currently have an entry facing the street. The building is more than 9.5 feet above the right-of-way and a large retaining wall separates the building from the street. All existing entries are on the façade facing away from the right-of-way. That façade is currently connected to the right-of-way by a staircase on the west of the building.

Due to the existing grades, the building addition does not include an entry facing the street as there is no way to connect that entry to the street. To the west of the building no pedestrian connect is possible due to the drive-through lane. Additionally, due to existing ground mounted HVAC equipment and a large tree, a pedestrian connect cannot be installed around the north of the building. The proposed project will relocate the existing stairs but there is no access to the stair from the north building façade. This stair will continue to allow the south facing main entries to connect to the street via the new cross building walkway between the project and the existing bank. Additionally, the

project includes a new ADA compliant path from the south facade to the SW Valeria View Drive intersection via a new walkway and ADA ramp.

The existing building does not currently have entries facing the street and the proposed project will not add any new entries facing the street due to topographical constraints and the existing HVAC equipment.

The finished floor elevation of the new pad building is 9.25 feet higher than the right-of-way which precludes entries on that façade and the new ADA ramp prevents entry doors on the west façade. All entries on the south and east facades are connected to the right-of-way, the ADA ramp, and stairs as directly allowed by grades differences between the site and adjacent right-of-way. Staff finds that the proposal meets the primary building entrance orientation and location guideline.

Conclusion: Staff finds that the proposal meets the guideline.

7. Building scale along Major Pedestrian Routes

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

FINDING:

The proposed project includes an increase in floor area to an existing single-story pad building adjacent to a major pedestrian route. The height difference between the right-of-way and the finished floor elevation of the building is more than 9.5 feet, giving the impression of a taller building, as does the pitched roof and pitched roof elements.

The new pad building is designed with a small second story along with a second story patio with a canopy. As this two-story building will be located at the intersection of the SW Valeria View Drive access, it will add character and quality to the street at a key intersection. Staff concurs that the proposal meets the building scale guideline.

Conclusion: Staff finds that the proposal meets the guideline.

- B. *Building heights at or near the street should help form a sense of enclosure, but should not create an undifferentiated high wall out of scale with pedestrians. Building heights at the street edge should be no higher than sixty (60) feet without the upper portions of the building being set back from the vertical building line of the lower building stories. (Standard 60.05.15.7.A)*

FINDING:

The height difference between the right-of-way and the finished floor elevation of the building creates a sense of enclosure. The total height of the building is 31'-2" feet and with the grade difference the tallest part of the building is more than 40 feet above the right-of-way. The new pad building is designed with a small second story and a second story patio and canopy. The height of the building from site grade is 28 feet and the right-of-way is approximately 9.25 feet lower than the site, providing a total building height feel of 37.25 feet. Staff concurs that the proposal meets the building height guideline.

Conclusion: Staff finds that the proposal meets the guideline.

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

A. *Excluding residential only development, ground floor building elevations should be pedestrian oriented and treated with windows, display areas or glass doorway openings to the extent possible and where appropriate to the design and use of the building. This guideline particularly applies to ground floor building elevations situated along Major Pedestrian Routes. (Standard 60.05.15.8.A)*

FINDING:

The north façade of the Starbucks building faces the right-of-way and includes ample windows. The existing windows between gridlines 2 and 3, as shown in the applicant's architectural drawings will remain. The existing portion of the building between gridlines 3 and the demising line just beyond gridline 6 will remain as is. This portion of the building has a small amount of window that will remain; however, no work is being done on the existing building in this location. Between the demising line and the gridline 9, which denotes the extent of the new tenant's space, windows are provided where they will be seen from the right-of-way and not interfere with equipment placement as this is the service/work area portion of the space. The lower portion of the wall in this location is required for equipment placement and will not be seen from the right-of-way due to the significant grade difference between the building and right-of-way. Additional glazing is provided in the drive-through window area as well (Exhibit 3.16).

The new pad building includes ample glazing on all elevations and a glass doorway opening on the west-facing façade, adjacent to the outdoor plaza. Staff concurs that the proposal meets the ground floor elevations guideline.

Conclusion: Staff finds that the proposal meets the guideline.

B. *Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians*

are allowed to walk should provide weather protection for pedestrians on building elevations. (Standard 60.05.15.8.B)

FINDING:

The applicant states that the existing building has pedestrian walkways or plaza on the east and south facades. The south façade has approximately 112.5 lineal feet of pedestrian area and provides approximately 66.75 lineal feet (59.3%) of weather protection in canopies ranging from four feet to 23'-3" deep. The east façade has 40 lineal feet of pedestrian area and provides 32 lineal feet (80%) of weather protection in canopies ranging from 12 to 32 feet deep.

The new pad building has pedestrian areas on all four facades. The north façade has approximately 49 lineal feet of pedestrian area and provides 100% weather protection with canopies four feet deep. The south façade has approximately 49 lineal feet of pedestrian area and provides 42.5' lineal feet (86.7%) with canopies a minimum of four feet deep. The west façade has approximately 42.33 lineal feet of pedestrian area and provides canopies a minimum of four feet deep over 100% of the façade. The east façade has approximately 42.33 lineal feet of pedestrian area and provides canopies a minimum four feet deep for 26.25 lineal feet (62.1%) of the façade. Staff concurs that the proposal meets the ground floor elevations guideline.

Conclusion: Staff finds that the proposal meets the guideline.

Section 60.05.40. Circulation and Parking Design Guidelines.

1. **Connections to public street system.** *The on-site pedestrian, bicycle and motor vehicle circulation system and the abutting street system should provide for efficient access and circulation and should connect the project to abutting streets in accordance with connections identified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan. (Standard 60.05.20.1)*

FINDING:

The proposed project is within a fully developed shopping center. All bike and motor vehicle connections will remain existing without change. The proposed project will improve the onsite pedestrian system linked to the project building by providing new ADA compliant connections between both project buildings, the adjacent bank pad building, and right-of-way. The project will relocate the existing midblock stairs, west of the new drive-through. The project also includes a new ADA ramp and stairs along the west side of the SW Valeria View Drive access which provides direct access to the project building south facades and shared patio area. Staff concurs that the proposal meets the connections to public street system guideline.

Conclusion: Staff finds that the proposal meets the guideline.

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

- A. *On-Site service, storage and similar activities should be designed and located so that these facilities are screened from an abutting public street. (Standard 60.05.20.2)*
- B. *Except in Industrial districts, loading areas should be designed and located so that these facilities are screened from an abutting public street, or are shown to be compatible with local business operations. (Standard 60.05.20.2)*

FINDING:

The proposed project includes a new trash and recycling enclosure located south of the building. The enclosure will provide screening for all receptacles inside. Additionally, the pad building itself will screen the enclosure from the right-of-way. There is no existing loading area associated with the pad buildings in this project and the tenants will not receive shipments by large semi-trucks. Deliveries are also typically during off hours. Staff concurs that the proposal meets the loading area, solid waste facilities, and similar improvements guideline.

Conclusion: Staff finds that the proposal meets the guideline.

3. Pedestrian circulation

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

FINDING:

The site includes an existing north-south walkway and midblock stairs. The proposed project will relocate the midblock stairs west of the proposed drive-through. It will connect to the new ADA compliant east-west walkway between the project buildings and the existing bank building. Via this east-west connection pedestrians can access the both project buildings and the existing north-south walkway to the large anchor buildings along the south property line. The project also includes a new east-west walkway from the existing north-south walkway to the future Rock Gym building (land use application DR2022-0088). The project also includes a new ADA ramp and stairs east of the project buildings which provide access to the building's south façade and patio area and main on-site connections to the existing anchor buildings. Staff concurs that the proposal meets the pedestrian connections guideline.

Conclusion: Staff finds that the proposal meets the guideline.

- B. *Pedestrian connections should connect on-site facilities to abutting pedestrian facilities and streets unless separated by barriers such as natural features, topographical conditions, or structures. (Standard 60.05.20.3.A)*

FINDING:

The existing right-of-way is approximately 9.25 feet lower than the existing on-site buildings. As discussed in subsection 3.A above, the project includes two new ADA routes. The new ADA connection between the project buildings and the adjacent bank building will connect to the midblock signalized access. Additionally, the project includes a new ADA ramp and stairs at the SW Valeria View Drive intersection. These connections from the right-of-way provide access to the pad buildings along the right-of-way, their associated facilities (like trash enclosure and parking), and connects the existing on-site circulation system to the main anchor buildings. Staff concurs that the proposal meets the pedestrian connections guideline.

Conclusion: Staff finds that the proposal meets the guidelines.

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

FINDING:

As discussed in subsection 3.A above, the project includes two new ADA routes. The new ADA connection between the project buildings and the adjacent bank building will connect to the midblock signalized access. Additionally, the project includes a new ADA ramp and stairs at the SW Valeria View Drive intersection. These connections from the right-of-way provide access to the pad buildings along the right-of-way, their associated facilities (like trash enclosure and parking), and connects the existing on-site circulation system to the main anchor buildings. Staff concurs that the proposal meets the pedestrian connections guideline.

Conclusion: Staff finds that the proposal meets the guidelines.

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

FINDING:

The proposed project does not include any new connections through parking areas that connect to the street. The existing mid-block stair will be relocated west of the drive-through making it slightly more centrally located. There will also be a new east-west connection from the main north-south walkway to the former hardware store building. Staff concurs that the proposal meets the pedestrian connections guideline.

Conclusion: Staff finds that the proposal meets the guideline.

E. *Excluding manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, pedestrian connections designed for high levels of pedestrian activity should be provided along all streets. (Standards 60.05.20.3.A through H)*

FINDING:

The proposed project is within a fully developed shopping center adjacent to developed rights-of-way that include existing pedestrian connections. The project will not change the existing rights-of-way or their walkways. Staff concurs that the proposal meets the pedestrian connections guideline.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

All new pedestrian areas will be constructed of concrete and designed to be ADA compliant, except for the new stair at the northeast corner of the patio. All walkways will be raised when adjacent to vehicle areas, except for drive aisle crossings. Staff concurs that the proposal meets the pedestrian connections guideline.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

The project does not include any new parking area adjacent to the right-of-way. The drive-through queue lane is set back from the right-of-way by between 10.8 feet and 12.8 feet. The setback area has landscape areas at grade with the right-of-way as well as at the top of the large retaining wall within the setback. Staff concurs that the proposal meets the street frontages and parking areas guideline.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

Staff finds that all new parking and the restriped parking areas include planter islands with canopy trees.

Conclusion: Staff finds that the proposal meets the guideline.

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

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

FINDING:

The project is for modifications to an existing, fully developed shopping center. The center has existing pedestrian pathways along both abutting streets. The project does not require any additional dedications or right-of-way improvements and the project will not alter the existing pedestrian connections. Staff concurs that the proposal meets the sidewalks guideline for pedestrian connections.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

Both buildings include tenant entries on their south façades and have entrances facing the shared patio area between them (a door on the west façade of the new pad building and a door on the east façade of the Starbucks building). The project includes a 10-foot sidewalk along the south façade of both buildings and the shared patio area is between 22 and 26 feet in width. Staff concurs that the proposal meets the sidewalks guideline for pedestrian connections.

Conclusion: Staff finds that the proposal meets the guideline.

8. Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial and Multiple Use zones.

A. *On-Site vehicle circulation should be easily recognized and identified and include a higher level of improvements such as curbs, sidewalks, and landscaping compared to parking lot aisles. (Standard 60.05.20.8) [ORD 4531; April 2010]*

FINDING:

The proposed project is within a fully developed shopping center. The project will make changes to a very limited area of the site. All improvements will provide vehicle circulation areas that are clearly marked with curbs, sidewalks, and landscaping. Staff concurs that the proposal meets the guideline to connect on-site buildings, parking, and other improvements.

Conclusion: Staff finds that the proposal meets the guideline.

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

FINDING:

The new and restriped a parking is limited between 7 and 8 stalls before a landscape island. There is one aisle of 11 stalls where the ADA parking is located. Landscaping has been used to break up parking bays and long, continuous parking aisles are avoided. Staff concurs that the proposal meets the parking aisles guideline.

Conclusion: Staff finds that the proposal meets the guideline.

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

3. Minimum landscaping for Conditional Uses in Residential zones and for developments in Commercial, Industrial, and Multiple Use zones.

A. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standards 60.05.25.5.A, B, and D)*

FINDING:

The proposed project includes landscaping at the corner of the new pad building facing the right-of-way as well as along the east side of the new ADA ramp. A landscape buffer is also proposed between the drive-through lane and the right-of-way. Landscaping is included at the ends of all rows of parking stalls. This guideline is met as ample landscaping is provided and has been located to soften the edges of the building and parking area, to add aesthetic interest and general attractiveness to the development. Staff concurs that the proposal meets the landscaping guideline.

Conclusion: Staff finds that the proposal meets the Guideline.

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

FINDING:

The project includes a new outdoor plaza area between the two project buildings. The plaza includes pavers and landscaping. Staff concurs that the proposal meets the landscaping guideline.

Conclusion: Staff finds that the proposal meets the Guideline.

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

FINDING:

The proposed landscape plan includes several native plant species including Dense Sedge, Soft Rush and Birch Leaf Spiraea. Staff concurs that the proposal meets the landscaping guideline.

Conclusion: Staff finds that the proposal meets the Guideline.

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

FINDING:

Existing landscaping is being kept along the north façade of the existing building, including a large evergreen tree. Staff concurs that the proposal meets the landscaping guideline.

Conclusion: Staff finds that the proposal meets the Guideline.

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

FINDING:

The proposed landscape plan includes four different trees and nine different shrubs. Staff concurs that the proposal meets the landscaping guideline.

Conclusion: Staff finds that the proposal meets the Guideline.

site and, if visible from a public street, should appear as a component of the landscape design. (Standard 60.05.25.11)

FINDING:

The applicant states that project is for minor work within a large fully developed shopping center. There is an existing storm water quality and quantity facility onsite. Due to recent changes to Clean Water Services (CWS) codes, the system will be improved as part of this project to address all applicable CWS and City of Beaverton codes. Staff concurs that the proposal meets the water quality/quantity facilities guideline.

Conclusion: As conditioned, staff finds that the proposal meets the Guideline.

- 10. *Natural areas.*** *Natural features that are indigenous to a development site, such as streams, wetlands, and mature trees should be preserved, enhanced and integrated when reasonably possible into the development plan. (Standard 60.05.25.12)*

FINDING:

The only natural features within the work area are two mature evergreen trees on the north façade of the building. These trees will be retained. Staff concurs that the proposal meets the natural areas guideline.

Conclusion: Staff finds that the proposal meets the Guideline.

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

A. *A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13)*

FINDING:

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

Conclusion: Staff finds that the guideline does not apply.

B. *When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13).*

FINDING:

The proposal does not include a Conditional Use.

Conclusion: Staff finds that the guideline does not apply.

C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.13)

FINDING:

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

Conclusion: Staff finds that the guidelines do not apply.

D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E).

FINDING:

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

Conclusion: Staff finds that the guidelines do not apply.

Section 60.05.50. Lighting Design Guidelines.

1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standards 60.05.30.1 and 2)

FINDING:

The applicant states that the project includes new lighting throughout the work area and lighting has been located to ensure adequate light for both pedestrian and vehicular circulation as well as general site safety. Lighting includes a mix of new pole lights, pedestrian scale bollard lights and on-building lighting. All lighting has been designed by registered lighting engineers to ensure that glare has been minimized on abutting and adjacent properties including the right-of-way. Staff concurs that the proposal meets the lighting guideline.

2. Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a

consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)

FINDING:

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

- 3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other measures to screen the view of light sources from residences and streets. (Standards 60.05.30.1 and 2)*

FINDING:

According to the applicant, the proposed lighting has been designed by registered lighting engineers to ensure that glare has been minimized on abutting and adjacent properties including the right-of-way. Staff concurs that the proposal meets the lighting guideline.

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

FINDING:

Staff finds that the applicant's photometric plan complies with the City's Technical Lighting Standards in all areas except in some portions of the proposed ADA ramp. The applicant's photometric plan identifies new lighting in this area. Based on the provided photometric plan, and discussions with the applicant, staff's understanding is that the proposed ADA ramp is expected to comply with the City's Technical Lighting Standards as proposed and that the plans only need to be updated for accuracy. As a condition of approval, prior to Site Development Permit issuance, the applicant shall resubmit photometric plans and any relevant details to demonstrate that the proposed ADA ramp complies with the City's Technical Lighting Standards. (Planning / AH)

Conclusion: As conditioned, staff finds that by meeting the conditions of approval the proposal meets the Guideline.

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of DR2022-0008 Peterkort Towne Square, subject to the applicable conditions identified in Attachment D.

ATTACHMENT C: LO2022-0002

ANALYSIS AND FINDINGS FOR LOADING DETERMINATION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **LO2022-0002**, subject to the applicable conditions identified in Attachment D.

Section 40.50.05 Purpose:

The purpose of a Loading Determination is to establish a mechanism to determine or modify the required number of off-street loading spaces or modify the off-street loading space dimensions in advance of, or concurrent with, applying for approval of an application, development permit, or other action. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.50.15.1.C of the Development Code provides standards to govern the decisions of the decision making authority as they evaluate and render decisions on Loading Determination Applications. The decision making authority will determine whether the application as presented, meets the approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Loading Determination.

To approve a Loading Determination Application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.50.15 Application:

There is a single Loading Determination application which is subject to the following requirements.

Section 40.50.15.1.C.1

The proposal satisfies the threshold requirements for a Loading Determination application.

FINDING:

The applicant's loading determination request is not for a reduction in the number of spaces in Section 60.25. The site provides the minimum number of loading berths and the proposed project will include two (2) additional parking stalls signed for temporary loading. The loading determination requested is for a change in size, not number of loading berths.

The proposed project is for the addition of 4,070 square feet, in restaurant and

drive-through uses, to an existing shopping center. At completion of the project, the total shopping center building area on site will be approximately 171,853 sf. According to Table 60.25.15, subsection 4, retail and restaurant or shopping center, requires three Type B loading berths for the first 100,000 square foot plus an additional two loading berths for the remaining 71,853 square feet (one berth per each 50,000 sf or fraction thereof). A total of five Type B loading berths are required for the entire shopping center.

The existing shopping center has one Type B loading berth associated with the Rite Aid Building (Anchor E), two Type B loading berths associated with the former grocery store building (Anchor C), and two Type B berths associated with the former hardware store building (Anchor A). In total, there are five Type B loading berths on site (Exhibit 3.16). The existing Type B berths onsite meet the minimum loading berths required for the total shopping center. Two additional, non-standard loading spaces are proposed, to satisfy the requirements for this application.

The applicant's requested loading determination is a request to modify the dimension of a loading area, meeting threshold 3:

3. A request to modify the dimensions of a required off-street loading space listed in section 60.25.15 of this Code.

Table 60.25.15, subsection 4, retail and restaurant or shopping center, requires loading berths to be Type B, 30 feet long, 12 feet wide and 14.5 feet high. As discussed in subsection two above, the site provides the total number of required Type B berths onsite, but the two buildings associated with this application together would require one Type B berth for their combined building areas. The project does not include a Type B berth, but instead proposes two parking stalls signed for temporary loading adjacent to the south facades of the buildings.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.50.15.1.C.2

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

FINDING:

The City of Beaverton received the appropriate fee for a Loading Determination application.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.50.15.1.C.3

The determination will not create adverse impacts, taking into account the total gross floor area and the hours of operation of the use.

FINDING:

As discussed above, the shopping center as a whole provides the required number of full-sized Type B loading berths for the total on-site building area. However, the square footage of the two pad buildings associated with this application meet the threshold to require a Type B berth. The two pad buildings are anticipated to house three restaurant users. The existing bagel store will remain and their hours are currently between 7 am to 1 pm Monday through Saturday. The Starbucks is anticipated to operate between 5:30 am to 6:00 pm seven days a week. The third tenant is unknown at this time.

This application requests modification of the loading area size as the typical delivery for small food users are multiple small utility truck deliveries throughout the week. The project proposes two parking spaces adjacent to the south facades of the buildings, signed for temporary loading.

The proposed temporary loading stalls are located so as to be convenient to both buildings and will suffice for shared use. The spaces are located on the main drive aisle so that the delivery vehicles do not need to travel unnecessarily through the shopping center and delivery persons do not need to cross drive aisles. The location of the loading spaces will ensure that deliveries are accommodated and will not negatively impact vehicular or pedestrian circulation and will not create any safety concerns.

The proposed Starbucks will receive daily deliveries via trucks that could utilize up to a 45-foot trailer if deliveries to multiple locations are necessary; however, all of their deliveries are done after hours, between 8 pm and 3 am. The applicant notes that the drive aisle in front of the pad buildings is 24 feet wide and that a standard 45-foot-long truck trailer is approximately 8.5 feet wide. Therefore, if a truck is parked in the aisle that would still allow 15.5 feet of maneuvering lane around the truck, which is more than the standard 12 feet required for a one-way aisle and ensures that vehicles can pass around the truck.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.50.15.1.C.4

There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the site and in connecting with the surrounding circulation system.

FINDING:

The proposed project will renovate a portion of an existing, fully developed shopping center. The existing center has safe and efficient vehicular and pedestrian circulation patterns. The proposed project will make only minor modifications to on-site vehicular circulation. The primary change will be removal of the existing parking area north-northwest of the pad building, between the project building and the adjacent Wells Fargo Bank, for installation of the new drive-through queue. The project will also remove the seven parking spaces adjacent to the east façade of the building to accommodate the addition of the 2,950 sf pad building.

The project will add 19 parking stalls along the south façade of both buildings. It will also reorient three existing rows of parking stalls located south of the buildings from one-way aisles with angled parking to two-way aisles with 90-degree parking. In total, the project will result in a net loss of 67 stalls; however, the new and restriped parking is provided in more usable locations and the total parking on-site still exceeds the minimum required parking for the center.

The new pedestrian walkway along the building's south façades will connect to the adjacent bank building to the northwest and to the new pad building to the southeast of the building. From the plaza, pedestrians have access to the right-of-way via a new set of stairs. To the northwest, the path will provide access to the adjacent bank building and to the existing walkway north of the bank to the right-of-way. The walkway along this façade also connects to the existing pedestrian walkway that runs southwest to the main anchor buildings. A new ADA ramp will also be added at the SW Valeria View Drive intersection that provides connection from the right-of-way to the south façade of the pad buildings. The existing midblock stairs will be relocated west of the drive-through lane.

The proposed loading spaces will be located in the 19 new stalls along the south building facades. They have been located so that they can be easily and conveniently shared between the tenants. Their location adjacent to the buildings allows delivery drivers to complete their deliveries without crossing a drive aisle to ensure their safety.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.50.15.1.C.5

The proposal will be able to reasonably accommodate the off-street loading needs of the structure.

FINDING:

The proposal includes the construction of a new 2,950 sf pad building for restaurant use, a 1,120-sf addition to the existing building, and a drive-through associated with the existing pad building. The drive-through building will have two restaurant tenants and total 4,520 sf. The combined building area for the two buildings is 7,470 sf. BDC Table 60.25.15 requires one Type B loading berth for restaurants uses over 7,000 sf in area. The entire shopping center will total 171,853 sf following project buildout. As discussed further above, the total number of Type B loading berths required for the total shopping center square footage is provided on-site.

According to the applicant, deliveries for the three restaurant tenants are anticipated to occur throughout the week with typically no more than one delivery a day per tenant. Deliveries typically occur via small utility trucks and UPS. Starbucks may receive some deliveries via trailers as large as 45 feet when delivers to multiple stores occur via a single truck; however, their deliveries occur after hours between 8 pm and 3 am. The applicant notes that the drive aisle in front of the pad buildings is 24 feet wide and that a standard 45-foot-long truck trailer is approximately 8.5 feet wide. Therefore, if a truck is parked in the aisle that would still allow 15.5 feet of maneuvering lane around the truck, which is more than the standard 12 feet required for a one-way aisle and ensures that vehicles can pass around the truck.

The adjacent bagel store's operating hours are currently between 7 am and 1 pm so the Starbucks deliveries will occur after their business hours as well. Currently, there is no confirmed tenant for the stand-alone pad building. Should a larger Starbucks delivery arrive during overlapping open hours, their tenant spaces are the furthest apart, ensuring that deliveries will not negatively impact operations.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.50.15.1.C.6

The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are provided or can be provided in rough proportion to the identified impacts of the proposal.

FINDING:

The applicant states the proposed development is consistent with all applicable Chapter 60 requirements. The staff cites the Code Conformance Analysis chart (Table 5) in Attachment A, which evaluates the proposal as it relates to the applicable Code requirements of Chapter 60 (Special Requirements).

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.50.15.1.C.7

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: 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 periodic maintenance by the City or other public agency.

FINDING:

The applicant states that all periodic maintenance of the above-noted common facilities and areas has been conducted on an ongoing basis and will continue to be maintained. Staff cites the findings to approval criterion E of Facilities Review, found in Attachment A to this report as applicable to this criterion.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.50.15.1.C.8

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

FINDING:

The application was submitted on August 26, 2022, and the applicant deemed the project complete on September 1, 2022. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Conclusion: Staff finds the proposal meets the approval criterion.

Section 40.35.15.1.C.9

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

FINDING:

The applicant has submitted this Loading Determination application with an associated Design Review Three. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Staff recommends a condition requiring approval of the associated Design Review Three Loading Determination prior to Site Development Permit issuance.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LO2022-0002**, Peterkort Towne Square, subject to the applicable conditions identified in Attachment D.

Attachment D: Conditions of Approval

Recommendation: APPROVE DR2022-0008 / LO2022-0002

Design Review (DR2022-0008)

A. General Conditions, the Applicant shall:

1. Ensure the associated land use application LO2022-0002 has been approved. (Planning / AH)

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

2. Resubmit site plans and any relevant details to demonstrate that the gates from the proposed trash enclosure located in the subject site's parking lot will not encroach into the parking lot drive aisle which is required to be a minimum 24 feet wide. Options could include (but are not limited to) installing sliding gates, installing swinging gates with self-closing hinges, or relocated the trash enclosure where the gates do not impact the required parking lot design standards. (BDC 40.03.1.F and D, and BDC 60.30.15) (Transportation / KM)
3. Resubmit photometric plans and any relevant details to demonstrate that the proposed ADA ramp complies with the City's Technical Lighting Standards. (Planning / AH)
4. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div. / SAS)
5. Retain a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / SAS)
6. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div. / SAS)
7. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div. / SAS)

8. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the County right of way. (Site Development Div. / SAS)
9. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District (TVWD) for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div. / SAS)
10. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. These submittals will go to City for processing to Clean Water Services. (Site Development Div. / SAS)
11. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the standard plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div. / SAS)
12. Provide construction plans and a drainage report demonstrating compliance with City surface water management requirements per City 2019 Engineering Design Manual, Resolution 4542, Section 530; and with CWS Resolution and Order 2019-22 for quantity control for conveyance capacity, hydromodification and quality treatment. Fee-in-lieu can be requested if development meets criteria set forth in City EDM Sections 190, table 530.1, and 530.1.A.4 and CWS Design & Construction Standards Section 4.03.7.a and 4.04.2.a. (Site Development Div. / SAS)
13. Provide a drainage analysis of the subject site prepared by a professional engineer meeting the standards set by the City. The analysis shall identify all contributing drainage areas and plumbing systems for this project with the site development permit application. The analysis shall also delineate all areas for this project that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. (Site Development Div. / SAS)
14. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). The 100 year/emergency overflow path of the storm water management facility shall be shown on the plans. Grading shall direct storm water to a conveyance system or existing natural drainage. (Site Development Div. / SAS)
15. Any changes to approved grading must meet provisions of Beaverton Code 9.05.110 and 9.05.115, no grading can occur within 10 feet of a property line or half the height of the vertical embankment created, whichever is greater. This applies to all exterior property boundaries of the proposed project. (Site Development Div. / SAS)
16. Pay any required storm water system development charges (storm water quality, quantity, hydromodification and overall system conveyance) for the new impervious area proposed. (Site Development Div. / SAS)
17. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div. / SAS)

18. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site. (Site Development Div. / SAS)
19. Provide plans for the placement of underground utility lines within the site for services to the proposed building addition. If existing utility poles along existing street frontages or within the site must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div. / SAS)
20. Submit plans that show access for a maintenance vehicle within 9-feet from the front, or within 19-feet from the side of a vehicle to all control structures unless otherwise specifically approved by the City Engineer. (Site Development Div. / SAS)
21. When required by OAR 918-780-0040, submit proposed private plumbing plans to the City Building Division for review. If private sewer systems crossing lot lines and within a private easement is proposed, please submit plumbing permit application to the Building Division. Drainage within covered areas shall be piped as approved by the City Building Division. (Site Development Div. / SAS)

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

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

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

24. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div. / SAS)
25. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / SAS)
26. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / SAS)

27. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by project area construction. (Site Development Div. / SAS)
28. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Div. / SAS)

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

29. Have completed the site development improvements and verify that the location and width of proposed easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div. / SAS)
30. Submit any required easements, executed and ready for recording, to the City. City will require approval of legal description and form prior to execution. 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. / SAS)
31. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation as shown on the approved plan within the storm water management facility as determined by the City Engineer. If the plants are not well established (as determined by the City) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development Div. / SAS)
32. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security for plant establishment and is released 2 years after project acceptance following the correction of any identified defects. (Site Development Div. / SAS)

Loading Determination (LO2022-0002)

A. General Conditions, the Applicant shall:

1. Ensure the associated land use application DR2022-0008 has been approved. (Planning / AH)