

STAFF REPORT

Report Date: September 6, 2023

Application/Project Name: Raleigh Hills Elementary School

Application Numbers: ADJ2022-0005 / CU2022-0012 / CU2023-0005 / DR2022-0155 / LD2022-0020 / LLD2022-0008 / SDM2023-0001 / TP2022-0016

Proposal: The applicant, Beaverton School District, requests approval of a Design Review Three and a New Conditional Use for an Educational Institution in the Residential Mixed C (RMC) zone. The applicant proposes to demolish the existing Raleigh Hills Elementary School building and replace it with a new 97,000-square-foot school building. The applicant requests approval of a Major Adjustment to exceed the maximum 35-foot building height in the RMC zone by 13.25 feet. The applicant requests a Replat One to create a plat for the subject lot because it is not part of a previously recorded plat and a Legal Lot Determination to determine the subject lot is a legal lot. The applicant requests approval of a Sidewalk Design Modification to reduce the standard planter strip width on SW Scholls Ferry Road. The applicant requests approval of a Tree Plan Two to remove 35 Community Trees.



In April 1989, the Washington County Hearings Officer approved a Special Use Approval request for Raleigh Hills Elementary School (Washington County Case File No. 88-634-SU/M). This approval was issued prior to the subject site being annexed into the City of Beaverton. The applicant requests approval for a Modification of a Decision to modify the 1989 decision and remove a condition of approval from Case File No. 88-634-SU/M. The City of Beaverton does not have a Special Use Permit, so the most similar land use application, a New Conditional Use, is proposed to process the Modification of a Decision request.

Proposal Location: The site is located at 5225 SW Scholls Ferry Road, specifically identified as Tax Lot 00400 on Washington County Tax Assessor's Map 1S113CA.

Applicant: Beaverton School District

Recommendation: APPROVAL of Raleigh Hills Elementary School ADJ2022-0005 / CU2022-0012 / CU2023-0005 / DR2022-0155 / LD2022-0020 / LLD2022-0008 / SDM2023-0001 / TP2022-0016, subject to conditions identified at the end of this report.

Hearing Information: 6:30 p.m. September 13, 2023, at City Hall, 12725 SW Millikan Way

Note: Public Hearings are held remotely and can be viewed at the following link:
<https://beavertonoregon.gov/913/Agendas-Minutes>

Contact Information:

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Beaverton, OR 97003

Applicant's Representative: MIG | APG
Attn: Shayna Rehberg
506 SW Sixth Ave, Suite 400
Portland, OR 97204

Existing Conditions

Zoning: Residential Mixed C (RMC)

Site Conditions: The site is occupied by Raleigh Hills Elementary School. The campus includes the main school building, portable classrooms, accessory structures, athletic fields, play areas, and two parking lots. The site fronts on SW Scholls Ferry Road and has three vehicle access points. The westernmost access is an egress-only access that is paired with an ingress-only access located approximately 260 feet to the east. The easternmost access is a full access driveway that is located along the site's eastern property line.

Site Size: 9.65 acres

Location: Northwest side of SW Scholls Ferry Road, south of SW Beaverton Hillsdale Highway, and east of SW Laurelwood Avenue.

Neighborhood Association Committee: Denny Whitford / Raleigh West NAC

Table 1: Surrounding Uses

Direction	Zoning	Uses
North	RMC	Single Detached Dwellings
South	Washington County R-5	Single Detached Dwellings and Multi-Dwellings
East:	Washington County R-5 and R-24	Single Detached Dwellings and Multi-Dwellings
West:	Washington County R-5 and R-24	Single Detached Dwellings and Multi-Dwellings

Application Information

Table 2: Application Summaries

Application	Application type	Proposal summary	Approval criteria location
ADJ2022-0005	Major Adjustment	Request to exceed maximum building height in RMC zone by 13.25 feet	Development Code Section 40.10.15.2.C
CU2022-0012	New Conditional Use	Educational Institution in the RMC zone	Development Code Sections 40.03.1 and 40.15.15.5.C
CU2023-0005	New Conditional Use	Modify Washington County Case File No. 88-634-SU/M to remove a condition of approval	Development Code Sections 40.03.1, 40.15.15.5.C, and 50.95.7
DR2022-0155	Design Review Three	New 97,000-square-foot school building in residential zone with associated site improvements	Development Code Sections 40.03.1 and 40.20.15.3.C
LD2022-0020	Replat One	Create a plat for the subject lot because it is not part of a previously recorded plat	Development Code Sections 40.03.1 and 40.45.15.2.C
LLD2022-0008	Legal Lot Determination	Request to determine the subject lot is a legal lot	Development Code Section 40.47.15.1.C
SDM2023-0001	Sidewalk Design Modification	Request to reduce planter strip width on SW Scholls Ferry Road from standard 7.5 feet to 4 feet	Development Code Section 40.58.15.C
TP2022-0016	Tree Plan Two	Request to remove 35 Community Trees	Development Code Section 40.90.15.2.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
ADJ2022-0005	Nov. 23, 2022	Feb. 15, 2023	June 15, 2023	Feb. 15, 2024
CU2022-0012	Nov. 23, 2022	Feb. 15, 2023	June 15, 2023	Feb. 15, 2024
CU2023-0005	Aug. 2, 2023	Aug. 2, 2023	Nov. 30, 2023	Aug. 2, 2024
DR2022-0155	Nov. 23, 2022	Feb. 15, 2023	June 15, 2023	Feb. 15, 2024
LD2022-0020	Nov. 23, 2022	Feb. 15, 2023	June 15, 2023	Feb. 15, 2024
LLD2022-0008	Nov. 23, 2022	Feb. 15, 2023	June 15, 2023	Feb. 15, 2024
SDM2023-0001	Feb. 15, 2023	Feb. 15, 2023	June 15, 2023	Feb. 15, 2024
TP2022-0016	Nov. 23, 2022	Feb. 15, 2023	June 15, 2023	Feb. 15, 2024

*Applicant provided a continuance of 125 days to the original 120-day deadline, resulting in a Final Decision deadline of October 18, 2023.

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

Summary of Public Comment

Exhibit 2.1 E-mail from Seth Alford, property owner of 8915 SW Rosewood Way, requesting the bicycle lane on SW Scholls Ferry Road be kept free of materials or debris during construction.

Staff Response: SW Scholls Ferry Road is under the jurisdiction of Washington County. According to the County, the applicant will be required to provide a traffic control plan that meets Oregon Department of Transportation (ODOT) standards and illustrates how bicycle, pedestrian, and vehicle circulation will be maintained during construction.

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Exhibits

Exhibit 1. Materials Submitted by Staff

Exhibit 1.1 Zoning Map (page 8 of this report)

Exhibit 1.2 Vicinity Map (page 9 of this report)

Exhibit 2. Public Comment

Exhibit 2.1 Seth Alford

Exhibit 3. Materials Submitted by Applicant

Exhibit 3.1 Application Forms

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Exhibit 3.4 Pre-Application Conference Notes

Exhibit 3.5 Stormwater Report

Exhibit 3.6 Photometric Plan and Lighting Cut Sheets

Exhibit 3.7 Materials Board

Exhibit 3.8 Turning Diagrams

Exhibit 3.9 Civil Plans

Exhibit 3.10 Landscape Plans

Exhibit 3.11 Architectural Plans

Exhibit 3.12 Replat Plans

Exhibit 3.13 Service Provider Letters

Exhibit 3.14 Traffic Impact Analysis

Exhibit 3.15 Neighborhood Review Meeting Materials

Exhibit 3.16 Property Deed History

Exhibit 3.17 Sidewalk Sections

Exhibit 3.18 Washington County Special Use Approval (Case File No. 88-634-SU/M)

Exhibit 3.19 Affidavit of Posting

Exhibit 4. Agency Comments

Exhibit 4.1 Tualatin Hills Park & Recreation District

Exhibit 4.2 TriMet

Exhibit 4.3 Washington County

Exhibit 1.1 Zoning Map

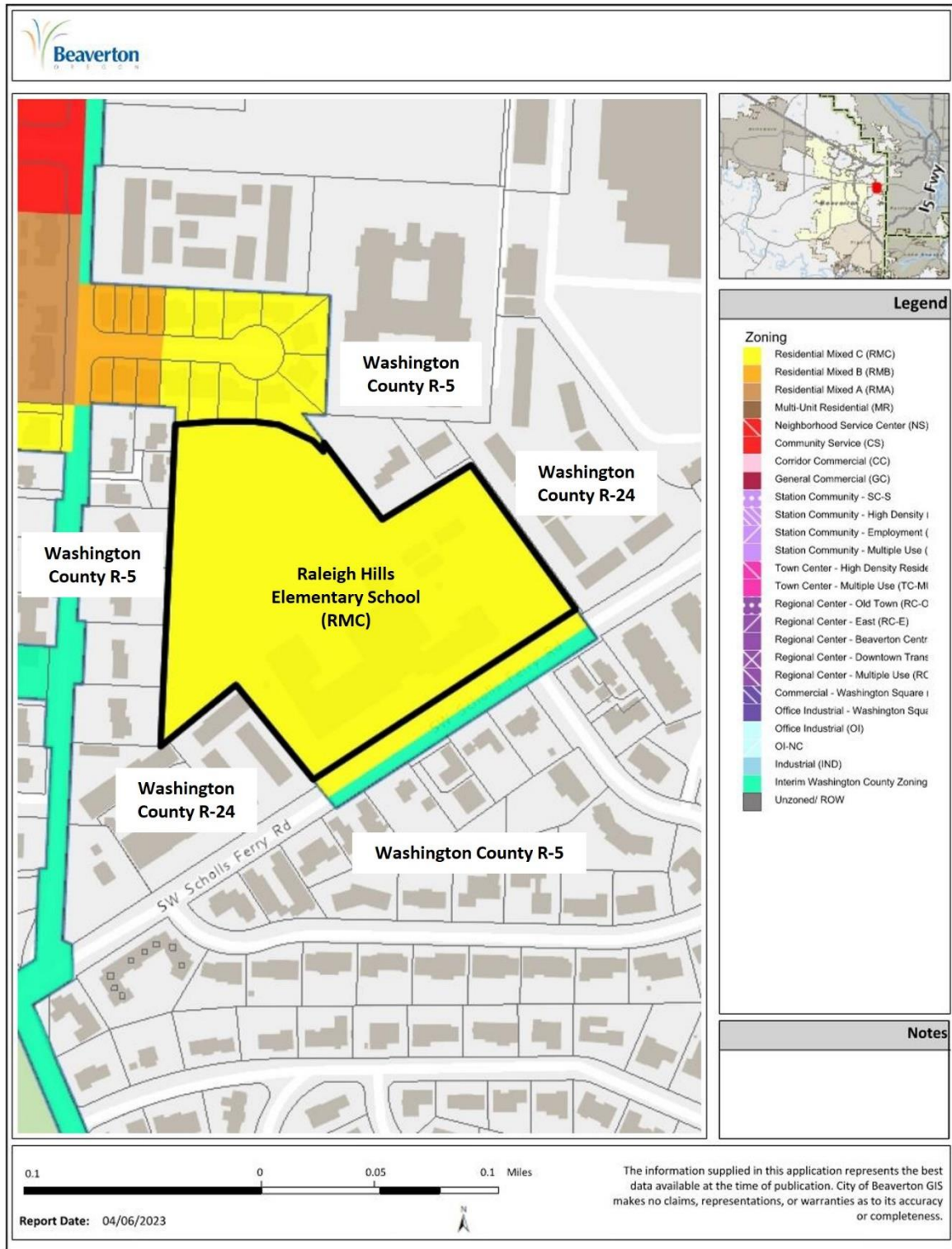
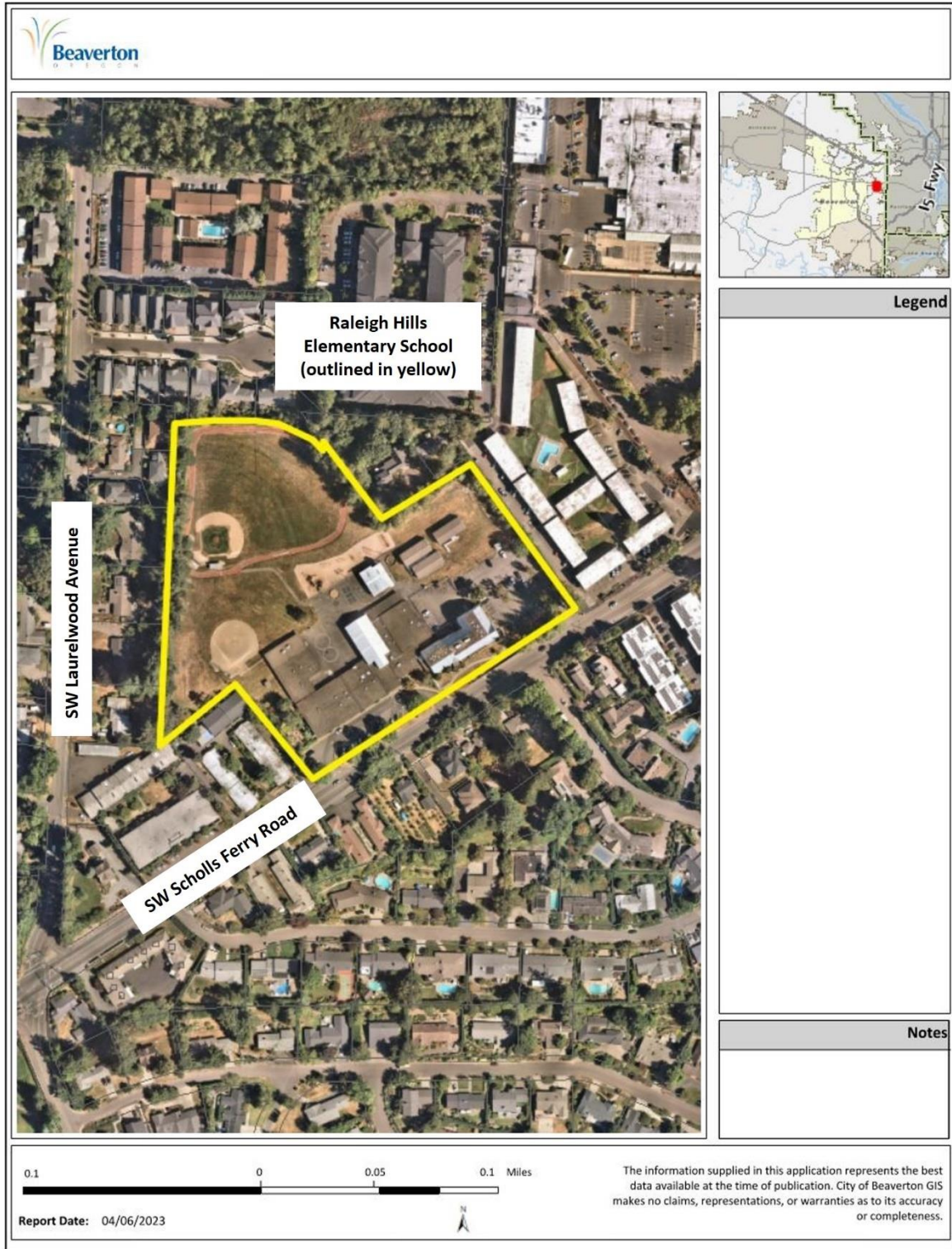


Exhibit 1.2 Vicinity Map



Attachment A: FACILITIES REVIEW COMMITTEE

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Raleigh Hills Elementary School

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Recommendation: APPROVE ADJ2022-0005 / CU2022-0012 / CU2023-0005 / DR2022-0155 / LD2022-0020 / LLD2022-0008 / SDM2023-0001 / TP2022-0016

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 New Conditional Use (CU2022-0012 and CU2023-0005), Design Review Three (DR2022-0155), and Replat One (LD2022-0020) applications.

- Facilities Review Committee criteria do not apply to the submitted Major Adjustment (ADJ2022-0005), Legal Lot Determination (LLD2022-0008), Sidewalk Design Modification (SDM2023-0001), or Tree Plan Two (TP2022-0016) applications.

Section 40.03.1.A

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

FINDING:

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

Potable Water: The subject site is in the Raleigh Water District and, as shown on the applicant’s utility plan (Sheet C5.1), the applicant proposes to connect the development to an existing 8-inch water main in the SW Scholls Ferry Road right of way. The Committee finds that adequate 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 area of development. Therefore, the proposal is exempt from connecting to a non-potable water network.

Sanitary Sewer: Clean Water Services (CWS) sanitary sewer service is available to the site. The development connects to the public sanitary system via an existing CWS manhole located directly northeast of the baseball field. As shown on the applicant’s utility plans (Sheets C5.0 and C5.5), sanitary sewer service will be provided to the new school building by connecting to an existing sanitary sewer line that runs under the baseball field and links to the CWS manhole. The Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: CWS stormwater service is available to the site. The applicant submitted a preliminary stormwater report, which details how the development will meet water quality standards by installing new site stormwater piping for conveyance, water quality vaults, and catch basins. Water quantity standards will be met by installing stormwater detention chamber systems. Runoff from the development will be treated, detained, and routed to the public stormwater system. The applicant proposes to address runoff from improvements in the SW Scholls Ferry Road right of way by paying a hydromodification fee in-lieu. The Committee recommends conditioning the applicant to submit construction plans and a drainage report demonstrating compliance with applicable surface water management requirements as part of the site development permit. The applicant’s request for a hydromodification fee in-lieu will also be reviewed during the site development permit process. Accordingly, as conditioned, the Committee finds that

adequate stormwater drainage, treatment, and retention can be provided to the site to serve the proposed development.

Transportation: The subject site has public street frontage on SW Scholls Ferry Road, which is an arterial street under Washington County's jurisdiction. The applicant will be required to construct half-street improvements that include a center turn lane, travel lane, 6-foot bicycle lane, gutter/curb, 6-foot sidewalk, and planter strip with street trees. The applicant has applied for a Sidewalk Design Modification to reduce the planter strip width along SW Scholls Ferry Road from 7.5 feet (as required by the City of Beaverton Engineering Design Manual) to 4 feet. This Sidewalk Design Modification request is addressed in Attachment H of this staff report.

All on-site pedestrian walkways are designed to provide safe and efficient internal circulation throughout the school site and provide connections to building entrances, athletic fields, play areas, common areas, vehicle and bicycle parking areas, and trash and recycling areas. The walkways will also connect to the new 6-foot-wide public sidewalks on SW Scholls Ferry Road.

The subject site fronts on SW Scholls Ferry Road and has three vehicle access points. The westernmost access is an egress-only access that is paired with an ingress-only access located approximately 260 feet to the east. The egress-only access includes a right turn lane. These two accesses are primarily used for school bus pickup/drop-off and some staff parking. The easternmost access is a full access driveway that is located along the site's eastern property line and is primarily used by people picking/dropping off schoolchildren and most of the staff parking.

The applicant submitted a Traffic Impact Analysis (TIA) dated July 18, 2023, and prepared by DKS Associates. The TIA describes how, due to existing development along SW Scholls Ferry Road, the school's existing accesses, and any alternative designs to the school's accesses, would not be able to comply with Washington County's minimum 600-foot access spacing standard for arterial streets. Accordingly, the TIA recommends an alternative access design that combines the two existing western driveways into a single, full access driveway, and reorients the eastern driveway to align with SW Montclair Drive as a new four-way signalized intersection. The alternative design improves operations and safety by aligning the eastern access with SW Montclair Drive and consolidating cross-street access into a single intersection.

There are two existing single-detached dwelling properties located directly northeast of the school site (5149 and 5145 SW Scholls Ferry Road, specifically identified as Tax Lots 00300 and 00301 on Washington County Tax Assessor's Map 1S113CA). Both properties are located outside of the City of Beaverton and are under the jurisdiction of Washington County. The two properties are currently accessed from SW Scholls Ferry Road by utilizing the school's existing eastern driveway, driving northeast through the school's eastern parking lot, and continuing on a private gravel driveway that is located on the

school's property. With the alternative access design for the school site, the applicant proposes to provide a separate access for the two residential homes via a 9-foot-wide paved driveway along the school site's easternmost property line. As proposed, this residential driveway does not comply with Standard Residential Driveway Drawing 211 in the Beaverton Engineering Design Manual (EDM) because the driveway is less than 12 feet wide. Accordingly, the Committee recommends conditioning the applicant to obtain approval for an EDM Design Exception Request to the minimum residential driveway width prior to site development permit issuance. This proposed residential driveway is further addressed in Attachment D of this staff report.

The TIA also offers recommendations for site safety and traffic operations. The new school will have a permanent capacity for 770 students, but the TIA based traffic calculations on a capacity for 790 students to provide a conservative estimate. The recommendations include:

- Provide a traffic signal at the eastern site access (aligned with SW Montclair Drive) to improve safety and crossing opportunities for pedestrians and vehicles.
- Provide a center turn lane on SW Scholls Ferry Road along the site to allow vehicle storage for the proposed traffic signal.
- Sight distance at the proposed access point will need to be verified, documented, and stamped by a registered professional Civil or Traffic Engineer licensed in the State of Oregon to assure that buildings, signs, or landscaping does not restrict sight distance.

The Committee recommends incorporating the three TIA recommendations outlined above into the conditions of approval to ensure there are adequate transportation facilities to serve the proposed development.

The applicant also submitted a technical memorandum dated April 7, 2023, and prepared by DKS Associates. The memorandum details how the school's athletic fields are utilized by Tualatin Hills Park & Recreation District (THPRD) on weeknight evenings and weekends for programming youth sports activities. THPRD will continue to use the site for its programming, with no planned increase in activity levels. The Committee agrees with the memorandum's conclusion that no additional activities or traffic impacts are anticipated from THPRD's continued use of the site.

Fire Protection: Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff issued Service Provider Permit (SPP) approval for the applicant's proposal and stated that a final inspection will be required for the project. TVF&R will verify that their requirements are met prior to site development permit issuance. The Committee finds that adequate fire protection service can be provided to the site to serve the proposed development.

As conditioned, the Committee finds that critical facilities and services can be made available with adequate capacity to serve the proposed development.

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

Section 40.03.1.B

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

FINDING:

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

Schools: Raleigh Hills Elementary School is part of the Beaverton School District. The proposal is to demolish the existing 59,260-square-foot school building and replace it with a new 97,000-square-foot school building. The current school serves grades K-8 and has a permanent capacity for 539 students and 67 staff members. The new school will serve grades PreK-5 and will have a permanent capacity for 770 students and 77 staff members. Accordingly, the Committee finds the project is designed to ensure the Beaverton School District will have adequate capacity to accommodate students and staff members based on projected future growth.

Transit Improvements: There are four bus stops within 500 feet of the subject site for TriMet Bus Line 56, which connects to the Beaverton Transit Center and the City of Portland. One bus stop is located directly adjacent to the school site in the SW Scholls Ferry Road right of way. TriMet has requested the applicant provide accessibility upgrades for this bus stop and this request has been incorporated into the conditions of approval. Accordingly, as conditioned, the Committee finds there is adequate transit service to serve the proposed development.

Police Protection: The City of Beaverton Police Department will provide police services to the development site. As of the date of this report, Beaverton Police have not provided comments or recommendations to the Committee. Any comments from Beaverton Police will be forwarded directly to the applicant, and the Committee finds that adequate police protection can be provided to the site to serve the proposed development.

Pedestrian and Bicycle Facilities: The applicant will construct frontage improvements along SW Scholls Ferry Road that will provide adequate pedestrian and bicycle facilities

to serve the proposed development, including 6-foot-wide sidewalks and a 6-foot-wide bicycle lane. On-site walkways are designed to provide internal pedestrian and bicycle circulation throughout the site and the walkways will also connect to the new 6-foot-wide public sidewalks on SW Scholls Ferry Road.

As conditioned, the Committee finds that essential facilities and services can be made available with adequate capacity to serve the proposed development.

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

Section 40.03.1.C

Approval Criterion: *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses), or Sections 20.25 and 70.15 if located within the Downtown Design District, unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses) or Sections 20.25 and 70.15 if located within the Downtown Design District.*

FINDING:

The subject site is zoned Residential Mixed C (RMC). The Committee refers to the Chapter 20 Use and Site Development Requirements table at the end of this report, which evaluates the project as it relates to the applicable code requirements of Section 20.05 Residential Land Use Districts. As demonstrated in the table, this proposal complies with all applicable standards in Section 20.05 Residential Land Use Districts, except for maximum building height. The applicant has applied for a Major Adjustment to exceed the maximum 35-foot building height in the RMC zone by 13.25 feet, and this Major Adjustment request is addressed in Attachment B of this staff report. Additionally, the applicant has applied for a New Conditional Use for an educational institution in the RMC zone. This New Conditional Use request is addressed in Attachment C of this staff report.

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

Section 40.03.1.D

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

FINDING:

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

Section 60.30 Off-Street Parking: The new school will serve grades PreK-5 with a permanent capacity for 770 students and 77 staff members, and BDC Table 60.30.10.5.A requires the development to provide a minimum of 77 parking spaces and a maximum of 116 parking spaces. The applicant's site plan (Sheet L2.0) shows that 100 parking spaces will be provided (41 spaces in the western parking lot and 59 spaces in the eastern parking lot); therefore, the proposal complies with the minimum and maximum parking requirements. Of the 100 parking spaces provided, 79 spaces will be standard-sized, 16 will be compact-sized, and 5 will be accessible. Additionally, all parking lot drive aisles are at least 24 feet wide and comply with the parking lot design standards in BDC 60.30.15.

As outlined in BDC Table 60.30.10.5.B, the school is not required to provide a minimum number of short-term bicycle parking spaces but is required to provide a minimum of 86 long-term bicycle parking spaces. The applicant's site plans (Sheets L2.0 to L2.5) show that 88 long-term bicycle parking spaces will be provided and that the spaces meet the bicycle parking design standards in EDM Figure 340.1 and Section 340.2. However, the applicant did not provide detail drawings for the bicycle racks that will be installed. Accordingly, the Committee recommends a condition of approval for the applicant to submit detail drawings prior to site development permit issuance showing all bicycle parking racks will meet the bicycle parking facility design standards in EDM Section 340.4.

Section 60.55 Transportation Facilities: The Committee refers to approval criterion 40.03.1.A of this report for findings and conditions of approval related to the TIA, pedestrian and bicycle facilities, frontage improvements, and access management.

The applicant's site plans (Sheets L2.0 to L2.5) demonstrate that all on-site walkways will meet the minimum width requirements in BDC 60.55.25.10.B.5. Additionally, the applicant's photometric plan (Sheet ES1.2) demonstrates all on-site walkways are illuminated to a minimum of 0.5 footcandles, as required in BDC 60.55.25.10.B.7.

Section 60.60 Trees and Vegetation Requirements: The site does not contain any Landscape Trees or Protected Trees, as defined in BDC Chapter 90. Accordingly, all on-site trees are considered to be Community Trees and the applicant requests Tree Plan Two approval to remove 35 Community Trees from the site (BDC 40.90.15.2.A.1). This request is addressed under Attachment I of this staff report. Community Trees are not subject to the removal, protection, or mitigation standards in BDC Section 60.60; however, the Committee recommends conditioning the applicant to install tree protection fencing prior to the start of construction because the applicant's tree planting plans (Sheets L6.0 to L6.5) show multiple mature trees will be preserved along the site's boundaries.

As conditioned, the Committee finds the proposal complies with all applicable provisions of Chapter 60 (Special Requirements).

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

Section 40.03.1.E

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

FINDING:

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

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

Section 40.03.1.F

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) show that all on-site pedestrian walkways are designed to provide safe and efficient internal circulation throughout the school site and provide connections to building entrances, athletic fields, play areas, common areas, vehicle and bicycle parking areas, and trash and recycling areas.

The applicant's TIA describes how safe and efficient vehicular circulation will be provided for the two on-site parking lots. The western parking lot will be utilized by school buses and staff member vehicles. Except for the 12 parking spaces located directly south of the proposed garden area (Sheet L2.3), the western parking lot will have one-way counterclockwise circulation, which will allow for the efficient movement of school buses and passenger vehicles. The TIA states a maximum of 10 school buses at a time will utilize this western parking lot and there is adequate room to accommodate these school buses,

with over 700 feet of vehicle storage provided. The western driveway will also include separate right and left turn lanes exiting the site to improve vehicle flow and enhance on-site bus and vehicle stacking opportunities. The eastern parking lot will be utilized by parent vehicles and will also have one-way counterclockwise circulation to allow for efficient movement. The eastern parking lot can also accommodate on-site stacking for over 30 vehicles, which will further enhance safety during student drop-off/pick-up times.

The TIA also outlines on-site operations and communications strategies for student drop-off/pick-up times, including a mandatory training for parents and guardians prior to the start of each school year on how to access and depart the school site and having school staff on site to direct traffic. The Committee recommends these strategies be incorporated into the conditions of approval to ensure safe and efficient vehicle and pedestrian circulation during the peak morning and peak afternoon periods.

The applicant's turning maneuvers exhibits (Sheets L7.0 to L7.2) demonstrate how the on-site parking lots will provide adequate turning radii for delivery trucks, fire trucks, and waste and recycling trucks. Furthermore, TVF&R reviewed the applicant's materials for issues related to fire access and issued Service Provider Permit approval for the proposal.

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

Section 40.03.1.G

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

FINDING:

The applicant's site plan (Sheet L2.0) shows the school's on-site pedestrian walkways will connect to the public sidewalk on SW Scholls Ferry Road in a safe, efficient, and direct manner. One public sidewalk connection will be provided directly adjacent to the western parking lot and two public sidewalk connections will be provided near the primary eastern building entrance.

The Committee refers to approval criterion 40.03.1.A of this report for findings and conditions of approval related to the site's vehicular access. As conditioned, the Committee finds the school's vehicular access will connect to the surrounding circulation system in a safe, efficient, and direct manner.

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

Section 40.03.1.H

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

FINDING:

Fire protection will be provided by TVF&R. The layout of the proposed development provides proper spacing, building access, and turning radii. TVF&R staff issued Service Provider Permit (SPP) approval for the applicant's proposal, and the agency will verify that their requirements are met prior to site development permit issuance. The SPP also shows that emergency access will be provided to the two existing homes directly northeast of the school site (5149 and 5145 SW Scholls Ferry Road, specifically identified as Tax Lots 00300 and 00301 on Washington County Tax Assessor's Map 1S113CA) via the school's eastern parking lot and a pedestrian path leading to the two homes. The applicant will also install a gate that will only be used for emergency access between Tax Lot 00300 and the school site. To ensure that adequate fire protection is provided, the Committee recommends the School District provide an emergency access easement over the eastern parking lot and the pedestrian pathway leading to the two neighboring homes. As conditioned, the Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

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

Section 40.03.1.I

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

FINDING:

The applicant states that all structures and public facilities serving the development site are designed in accordance with adopted City codes and standards. As of the date of this report, Beaverton Police have not raised any concerns about crime or accident at the development site. Any comments from Beaverton Police will be forwarded directly to the applicant, and the Committee finds the development is designed to provide adequate protection from crime and accident.

The applicant will be required to submit for development permits for life and safety review as part of the building permit review process. Accordingly, the Committee finds that review of the construction documents at the building permit stage will ensure protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

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

Section 40.03.1.J

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

FINDING:

The applicant states the development site will be graded in such a way as to not adversely impact neighboring properties, public right-of-way, surface drainage, water storage facilities, or the public storm drainage system. Additionally, the applicant's preliminary grading plans (Sheets C3.0 to C3.5) demonstrate compliance with the on-site surface contouring standards for sites within or abutting any residentially zoned property (Section 60.15.10.3).

The Committee has reviewed the proposed preliminary grading plan and finds no adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, or the public storm drainage system are anticipated. 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: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the approval criterion.

Section 40.03.1.K

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

FINDING:

The applicant states that all paved on-site pedestrian routes will meet Americans with Disabilities Act (ADA) standards and facilitate efficient pedestrian travel. The applicant will also be required to meet all applicable accessibility standards of the International Building Code, Fire Code, and other standards as required by the ADA. The Committee finds that review of the proposed plans at the site development and building permit stages is sufficient to guarantee compliance with accessibility standards.

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

Section 40.03.1.L

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

FINDING:

The applicant submitted applications for a Major Adjustment, New Conditional Uses, Design Review Three, Replat One, Legal Lot Determination, Sidewalk Design Modification, and Tree Plan Two. All applications have been deemed complete, in accordance with Section 50.25 Application Completeness.

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

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements

Residential Mixed C (RMC) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20			
Educational Institutions	Conditional Use	The applicant has applied for a New Conditional Use for an Educational Institution in the RMC zone	See CU Findings
Development Code Section 20.05.15			
Minimum Land Area	N/A	9.65 acres	YES
Minimum Lot Width	20 feet	658 feet	YES
Minimum Yard Setbacks	Front: 10 feet Side: 5 feet Rear: 15 feet Minimum Between Buildings: 6 feet	Applicant's site plan (Sheet L2.0) demonstrates all minimum yard setbacks are met.	YES
Maximum Building Height	35 feet	The applicant has applied for a Major Adjustment to exceed the maximum building height by 13.25 feet	See Major ADJ Findings
Development Code Section 20.30.10			
Additional Height Limitations	In the RMC district, the maximum building height at both the front and rear setback lines is 25 feet	The proposed building is located outside of the front and rear setback areas. Therefore, this standard does not apply.	N/A

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.	Applicant proposes a new 97,000-square-foot school building and a Design Review Three is required.	See DR Findings
Development Code Section 60.07			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located in the floodplain.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	Applicant is not proposing a food cart or food cart pod.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	N/A
Development Code Section 60.15			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property, and within 25 feet of a Significant Tree or Grove.	Applicant's preliminary grading plans demonstrate compliance with the grading standards in Section 60.15.10.3.	YES
Development Code Section 60.20			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	N/A
Development Code Section 60.25			
Off-Street Loading Requirements	One Type B loading berth is required.	Applicant's site plan (Sheet L2.1) shows one Type B loading berth will be provided in western parking lot.	YES

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	<u>Elementary School:</u> Minimum: 77 spaces Maximum: 116 spaces	Applicant's site plan (Sheet L2.0) shows that 100 parking spaces will be provided.	YES
Development Code Section 60.30			
Required Bicycle Parking	<u>Elementary School:</u> Short-Term: Not Required Long-Term: 86 spaces	Applicant's site plans (Sheets L2.0 to L2.5) show that 88 long-term bicycle parking spaces will be provided.	YES w/ COA
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	N/A
Development Code Section 60.35			
Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	N/A
Development Code Section 60.40			
Sign Regulations	Requirements for signs.	All signs will be reviewed under a separate sign permit and are not reviewed with this proposal.	N/A
Development Code Section 60.50			
Fences	Height restrictions for fences and walls.	The applicant proposes a 6-foot-tall fence around the perimeter of the school site and retaining walls that will be a maximum of 30 inches tall. All fences and walls comply with the height restrictions in Section 60.50.20.	YES
Development Code Section 60.55			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities	Refer to the Facilities Review Committee findings herein.	YES w/ COA
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	Refer to the Facilities Review Committee findings herein.	YES w/ COA

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.65			
Utility Undergrounding	Requirements for placing overhead utilities underground.	The Committee recommends conditioning the applicant to place all affected, applicable existing overhead utilities and any new utility service lines underground.	YES w/ COA
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	There are no Significant Natural Resources on the subject site.	N/A
Development Code Section 60.70			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A

Attachment B: MAJOR ADJUSTMENT ADJ2022-0005

ANALYSIS AND FINDINGS FOR MAJOR ADJUSTMENT APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **ADJ2022-0005**, subject to the applicable conditions identified in Attachment J.

Section 40.10.05 Purpose:

The purpose of an Adjustment application is to provide a mechanism by which certain regulations in the Development Code may be adjusted if the proposed development continues to meet the intended purpose of such regulations. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.10.15.2.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on Major Adjustment applications. The Planning Commission will determine whether the application as presented meets the Major Adjustment approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Major Adjustment.

To approve a Major Adjustment application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.10.15.2.C.1

The proposal satisfies the threshold requirements for a Major Adjustment application.

FINDING:

The applicant requests to exceed the maximum building height of 35 feet in the RMC zone by 13.25 feet or 38%. This request involves an adjustment of more than 10% and up to and including 50% adjustment from the numerical Site Development Requirements specified in Chapter 20 (Land Uses), and therefore meets Major Adjustment Threshold 1.

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

Section 40.10.15.2.C.2

The application complies with all applicable submittal requirements as specified in Section 50.25.1. and includes all applicable City application fees.

FINDING:

The applicant submitted all the required items outlined in Section 50.25.1, including the Major Adjustment application fee, and this application was deemed complete as of February 15, 2023.

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

Section 40.10.15.2.C.3

Special conditions or circumstances exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.

FINDING:

This Major Adjustment request is to exceed the maximum building height of 35 feet in the RMC zone by 13.25 feet or 38%. The applicant states Raleigh Hills Elementary School requires an approximately 97,000-square-foot building to accommodate needed educational space for projected student enrollment. The applicant states the site is constrained because there are significant grade changes between the north and south sides of property, and the northwest portion of the site is occupied by an existing baseball field and running track, which are important community amenities that must be preserved. The site will be further constrained by the addition of two new parking lots that must be large enough to provide safe and efficient circulation for vehicles and school buses, adequate on-site stacking space to relieve vehicle congestion on SW Scholls Ferry Road during student drop-off/pick-up times, and parking for parents and school staff. The applicant states that due to these site constraints it is physically difficult to design a building that provides the school's needed educational space while complying with the 35-foot maximum building height; accordingly, the proposed design is for a taller school building within a tight building envelope.

The proposed school building also includes gabled roofs that contribute to its height. The applicant states the gabled roofs are necessary to screen mechanical equipment that must be installed on the roof because floor area within the school's building footprint is maxed out. The applicant also states the gabled roofs are necessary to support required photovoltaic equipment:

These gables not only screen the mechanical units and complete the form of the building aesthetically, but they provide structure on which to efficiently mount the

required photovoltaic (PV) array at an optimal angle. The PV array is required as part of the State of Oregon's Administrative Rule 330-135-0010, which mandates agencies to spend at least 1.5% of the total contract price of a building on green energy technology (GET).

Staff finds that due to existing site constraints, requirements for parking and circulation, and the need to install mechanical and PV equipment on the roof, it is physically difficult to design a building that can accommodate the school's space needs and projected student enrollment while complying with the 35-foot maximum building height for the RMC zone.

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

Section 40.10.15.2.C.4

The special conditions or circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.

FINDING:

As detailed under approval criterion 3, the applicant states it is physically difficult to design a building that provides the school's needed educational space while complying with the 35-foot maximum building height in the RMC zone due to site constraints including topography, the need to preserve important community amenities (baseball field and running track) on the northwest portion of the site, and design requirements for parking and circulation. Due to these site constraints, the proposed design is for a taller school building within a tight building footprint. Additionally, because the school's building footprint is constrained, the applicant states it is necessary to install mechanical equipment on the roof and to provide gabled roofs, which screen the mechanical equipment but further contribute to the building's height. The applicant states the gabled roofs are also required to support State-mandated PV equipment. Accordingly, staff finds the site's special conditions or circumstances do not result from the actions of the applicant and do not merely constitute financial hardship or inconvenience.

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

Section 40.10.15.2.C.5

Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.

FINDING:

Granting the requested adjustment to maximum building height will allow the applicant to design a building with a smaller footprint and provide adequate space for on-site

pedestrian and vehicular movement. Additionally, the findings in Attachment A, approval criteria 40.03.1.A and 40.03.1.F, demonstrate how all on-site walkways and vehicle parking and maneuvering areas will be designed to provide safe and efficient pedestrian and vehicular circulation patterns within the boundaries of the development.

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

Section 40.10.15.2.C.6

City designated significant trees and/or historic resources, if present, will be preserved.

FINDING:

This criterion does not apply because there are no city designated significant trees or historic resources on site.

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

Section 40.10.15.2.C.7

Granting an adjustment to the grading standards will allow additional significant and/or community trees to be preserved.

FINDING:

This criterion does not apply because the applicant is not requesting an adjustment to the grading standards.

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

Section 40.10.15.2.C.8

If more than one adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.

FINDING:

This criterion does not apply because the applicant is only requesting one adjustment.

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

Section 40.10.15.2.C.9

Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.

FINDING:

The applicant provided the following response to this approval criterion:

The adjustment allows for a one- to three-story building (depending on the grade and the function of that part of the building) with gable roofs – a building design element that is vital for reasons described in response to Subsection C.3. The building footprint and number of stories as designed are critical to the site plan and are the minimum necessary for delivering the program that the District promised to community members and bond voters.

As can be seen in the Site Plan (Exhibit G, Sheet L2.0), the building footprint and stories are needed as proposed in order to accommodate the conditions on this constrained site outlined in responses above, and including the following: significant improvements in safety and on-site vehicle circulation (particularly bus and parent drop-off and pick-up areas); landscape and courtyard areas for gathering and learning spaces; a garden learning space; soft-surface and covered play areas; preservation of the existing ball field and track, which are highly valued community assets; and pedestrian circulation (walkways) to serve all of the above.

Accordingly, staff finds the requested adjustment to maximum building height is the minimum necessary to permit a reasonable use of the subject site and new school building.

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

Section 40.10.15.2.C.10

Either it can be demonstrated that the proposed modification equally or better meets the intent of the standard to be modified or the proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.

FINDING:

The intent of the 35-foot maximum building height standard in the RMC zone is to prevent buildings that are out of scale with neighboring residential properties. The applicant proposes the following building and site design features that compensate for the requested adjustment to maximum building height:

Lower-density zoning (e.g., Washington County R-5) is adjacent to the school site at its back half and higher-density zoning (e.g., Washington County R-24) is adjacent to the school site at its front half. The back half of the site will generally remain as is, where the existing ball field, track, and trees will be preserved, which is highly valuable to the community. The northeast corner of the proposed building is in a similar location to existing structures including a covered play area and portable classroom. The location of the northeast corner of the proposed building is set back at least 50' from the rear property line and the adjacent R-5 zone. A thick cluster of trees is present in the southeast corner of the adjacent property (Figure 1), and a set of new trees and plantings are proposed between the northeast corner of the school building and the property line (Landscape Plan, Exhibit G, Sheet L6.4). The tree plantings proposed on the school site and along the boundary between the school site and adjacent sites will provide adequate screening and will mitigate building height impacts (Landscape Plan, Exhibit G, Sheet L6.0).

The front half of the site is adjacent to a busy arterial road and to Washington County R-24 zoning on both the east and the west. The R-24 zone permits multifamily buildings up to 50' tall (Washington County Community Development Code Section 306-7.2(C)). Buildings up to 50' tall on neighboring properties would be compatible with the range of one-story to three-story building heights proposed for Raleigh Hills Elementary School.

Accordingly, staff finds the applicant has incorporated design features that minimize impacts to neighboring residential properties and compensate for the requested adjustment to maximum building height.

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

Section 40.10.15.2.C.11

The proposal is consistent with all applicable provisions of CHAPTER 20 (Land Uses) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District, unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.

FINDING:

Staff refers to the Chapter 20 Use and Site Development Requirements table in Attachment A of this staff report, which evaluates the project as it relates to the applicable code requirements of Section 20.05 Residential Land Use Districts. As demonstrated in the table, this proposal complies with all applicable standards in Section 20.05 Residential Land Use Districts, except for maximum building height. The applicant requests modification of the maximum building height through the subject Major Adjustment application. Additionally, the applicant has applied for a New Conditional Use for an

educational institution in the RMC zone. This New Conditional Use request is addressed in Attachment C of this staff report.

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

Section 40.10.15.2.C.12

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 impact(s) of the proposal.

FINDING:

Staff refers to the Code Conformance Analysis chart in Attachment A of this staff report, which evaluates the proposal as it relates to the applicable code requirements of Chapter 60 (Special Requirements). Findings for the applicant's Design Review Three request are provided in Attachment E of this staff report.

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

Section 40.10.15.2.C.13

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:

Beaverton School District will retain ownership of the site and provide regular maintenance of all private common facilities and areas. Staff finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

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

Section 40.10.15.2.C.14

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

FINDING:

The applicant submitted applications for New Conditional Uses, Design Review Three, Replat One, Legal Lot Determination, Sidewalk Design Modification, and Tree Plan Two to be processed concurrently with this Major Adjustment application. No additional applications or documents are needed at this time. Staff recommends a general condition requiring approval of the associated applications.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of ADJ2022-0005, subject to the applicable conditions identified in Attachment J.

Attachment C: NEW CONDITIONAL USE CU2022-0012

ANALYSIS AND FINDINGS FOR NEW CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CU2022-0012**, subject to the applicable conditions identified in Attachment J.

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

Section 40.15.05 Purpose:

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district but because of their size, operation, or other characteristics require review on a case-by-case basis. These uses are subject to the regulations in this Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional Uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.15.15.5.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on New Conditional Use Applications. The Planning Commission will determine whether the application as presented, meets the New Conditional Use approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for New Conditional Use.

To approve a New Conditional Use application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.15.15.5.C.1

The proposal satisfies the threshold requirements for a Conditional Use application.

FINDING:

The applicant's proposal is for an educational institution, which is a conditional use in the RMC zone. No prior conditional use approval for the proposed use is in effect on the subject site. Accordingly, staff finds the proposal is subject to a New Conditional Use review by meeting Threshold 1 which reads:

- 1. The proposed use is Conditionally permitted in the underlying zoning district and a prior Conditional Use approval for the proposed use is not already in effect.*

In April 1989, the Washington County Hearings Officer approved a Special Use Approval request for Raleigh Hills Elementary School (Washington County Case File No. 88-634-SU/M). This approval was issued prior to the subject site being annexed into the City of Beaverton. The applicant states:

The District intends the current New Conditional Use, if approved, to be a stand-alone approval for construction and operation of the school going forward. As such, this application replaces [Case File No. 88-634-SU/M] and all conditions thereto as well as any other prior school approvals.

The applicant's statement that the current New Conditional Use application replaces Case File No. 88-634-SU/M and its associated conditions of approval is incorrect. Instead, as detailed in Attachment D of this staff report, staff finds all conditions from Case File No. 88-634-SU/M have been satisfied or are no longer applicable, except for one outstanding condition of approval regarding the consolidation of vehicle access points. The applicant requests to remove this outstanding condition of approval and this request requires a Modification of a Decision pursuant to Chapter 50.95. The Modification of a Decision is further detailed in Attachment D of this staff report.

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

Section 40.15.15.5.C.2

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

FINDING:

The applicant paid the required fee for this New Conditional Use application.

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

Section 40.15.15.5.C.3

The proposal will comply with the applicable policies of the Comprehensive Plan.

FINDING:

The applicant identified the following applicable Comprehensive Plan Policies, but states that there are no conflicts with any of the policies identified.

Goal 3.1.1 Encourage development and land use patterns that support a variety of transportation options.

Policy 3.1.1.a Emphasize pedestrian convenience and safety in all developments and transportation facilities.

Policy 3.1.1.c Ensure that new development is designed to provide safe, comfortable and direct pedestrian and bicycle connections for all, regardless of ability or age, to and through the development, including to reach nearby points of interest.

The school's design emphasizes convenience and safety for pedestrians and bicyclists. All on-site pedestrian walkways are designed to provide safe and efficient internal circulation throughout the school site and provide connections to building entrances, athletic fields, play areas, common areas, vehicle and bicycle parking areas, and trash and recycling areas. The walkways will also connect to new 6-foot-wide public sidewalks on SW Scholls Ferry Road in a safe, efficient, and direct manner. Additionally, the applicant will construct a 6-foot-wide bicycle lane as part of the frontage improvements for SW Scholls Ferry Road. Staff finds the proposal complies with these policies.

Goal 3.8.1 Complete and livable neighborhoods.

Policy 3.8.1.g Ensure integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available.

The applicant's site plan (Sheet L2.0) shows the school's on-site pedestrian walkways will connect to the public sidewalk on SW Scholls Ferry Road and surrounding neighborhood in a safe and convenient manner. One public sidewalk connection will be provided directly adjacent to the western parking lot and two public sidewalk connections will be provided near the primary eastern building entrance. The applicant will also construct frontage improvements on SW Scholls Ferry Road to provide safe walkway and bikeway routes from the surrounding residential neighborhood to the school site. These improvements include a new 6-foot-wide sidewalk and 6-foot-wide bicycle lane. Staff finds the proposal complies with this policy.

Goal 3.8.2 Lower Density Neighborhoods: Provide residential neighborhoods that emphasize housing variety and integrate parks, schools, and other community institutions.

The subject site is zoned RMC and is surrounded by City of Beaverton and Washington County residential zones with a mix of single-detached dwellings and multi-dwellings. A school has existed on this site since 1927, and the use is well integrated into the community due to its close proximity to surrounding residential homes and access from SW Scholls Ferry Road. The applicant proposes to utilize the same location for the new Raleigh Hills Elementary School building to ensure the school remains integrated into the community. Staff finds the proposal complies with this policy.

Goal 5.7.1: Cooperate with the Beaverton School District in its efforts to provide the best possible educational facilities and services to Beaverton residents.

Policy 5.7.1.a: The City shall encourage the School District to provide facilities that will adequately accommodate growth while recognizing the limited supply of buildable land in the city for such facilities.

Policy 5.7.1.b: Schools should locate within or adjacent to residential districts for the convenience of those the facilities serve. However, public and private school proposals should be assessed for compatibility in order to assure that the stated purposes of the residential districts are not unnecessarily eroded.

Policy 5.7.1.c: The City shall encourage the District to provide for schools throughout the City in locations that are easily accessible to those they are intended to serve.

The applicant proposes to demolish the existing Raleigh Hills Elementary School building and replace it with a larger building that will increase the school's permanent capacity from 539 students to 770 students. The project is designed to adequately accommodate student population growth and will not impact the City's supply of buildable land because the applicant proposes to utilize the existing location for the new school building.

The subject site has been utilized as a school since 1927 and is compatible with the surrounding residential neighborhood. Raleigh Hills Elementary School is conveniently located and easily accessible due to its close proximity to adjacent residential homes and direct frontage on SW Scholls Ferry Road. The applicant also proposes to construct frontage improvements on SW Scholls Ferry Road, including a 6-foot-sidewalk and 6-foot bicycle lane, which will further contribute to the school's accessibility for the population it is intended to serve. Staff finds the proposal complies with these policies.

Goal 8.4.1: Create and protect a healthy acoustical environment within the City.

Policy 8.4.1.a: Noise impacts shall be considered during development review processes.

The subject site has been used for a school since 1927; the existing school is compatible with the surrounding residential neighborhood and has operated with minimal impact on livability and appropriate use and development of adjacent residential homes. The applicant will utilize the same location for the new Raleigh Hills Elementary School building and proposes the following design features to minimize noise impacts to neighboring properties:

- The new school building will be more centralized on campus and located farther away from adjacent residential homes to the east and west.
- Landscape buffering and screening will be provided along property lines that abut neighboring residential homes and will include sight-obscuring fencing, trees, shrubs, and live ground cover. Landscape buffering and screening is further discussed in Attachment E of this staff report.
- Noise from building mechanical systems will be mitigated by placing mechanical units in wells on the gabled portions of the roof and behind parapets on the flat portions of the roof.
- There will be no change to the operations or functional characteristics of the existing outdoor athletic fields in the northwest part of the campus. The athletic fields will continue to be used by the school during weekday hours and by THPRD on weeknights and weekends for youth sports activities, as detailed in the technical memorandum prepared by DKS Associates (dated April 7, 2023). Because there will be no intensification of use for the athletic fields, no additional noise impacts are anticipated.

Accordingly, staff finds noise mitigation was carefully considered as part of the development's design.

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

Section 40.15.15.5.C.4

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

FINDING:

The applicant's site plan (Sheet L2.0) demonstrates the site's size, dimensions, configuration, and topography can reasonably accommodate the new school building, two parking lots with adequate space for bus and vehicle circulation, on-site pedestrian walkways, bicycle parking areas, play areas, common areas, while preserving the existing athletic fields, which are important community amenities, on the northwest portion of the site. The school's campus is designed to incorporate all proposed improvements and internal circulation systems on site, reduce traffic and congestion on SW Scholls Ferry Road during student drop-off/pick-up times, and work with the significant grade changes between the north and south sides of the property, while meeting all required setbacks, landscaping and screening, and other Design Guidelines. Further analysis of Design Guidelines is addressed in Attachment E of this staff report.

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

Section 40.15.15.5.C.5

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

FINDING:

The subject site has been used for a school since 1927; the existing school is compatible with the surrounding residential neighborhood and has operated with minimal impact on livability and appropriate use and development of adjacent residential homes. The applicant will utilize the same location for the new Raleigh Hills Elementary School building and proposes the following design features to minimize impacts to neighboring properties:

- The new school building will be more centralized on campus and located farther away from adjacent residential homes to the east and west.
- Landscape buffering and screening will be provided along property lines that abut neighboring residential homes and will include sight-obscuring fencing, trees, shrubs, and live ground cover. Landscape buffering and screening is further discussed in Attachment E of this staff report.
- The campus will include two new parking lots that will be large enough to provide safe and efficient circulation areas for vehicles and school buses, adequate on-site stacking space, and parking for parents and school staff. These improvements

will reduce traffic and congestion on SW Scholls Ferry Road during student drop-off/pick-up times.

- The eastern school driveway will be aligned with SW Montclair Drive as a new four-way signalized intersection, which will allow for safer and more efficient vehicular access to the school and the residential neighborhood south of the school.

Accordingly, staff finds the proposal has been designed to be reasonably compatible with the surrounding residential neighborhood and will have minimal impact on livability and appropriate use and development of adjacent properties.

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

Section 40.15.15.5.C.6

The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.

FINDING:

This criterion does not apply because the applicant does not propose a residential use and the site is not located in the floodway fringe.

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

Section 40.15.15.5.C.7

For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code.

FINDING:

This criterion does not apply because the site is not designated Interim Washington County.

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

Section 40.15.15.5.C.8

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

FINDING:

The applicant submitted applications for a Major Adjustment, New Conditional Use, Design Review Three, Replat One, Legal Lot Determination, Sidewalk Design Modification, and Tree Plan Two to be processed concurrently with this New Conditional Use application. No additional applications or documents are needed at this time. Staff recommends a general condition requiring approval of the associated applications.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of CU2022-0012, subject to the applicable conditions identified in Attachment J.

Attachment D: MODIFICATION OF A DECISION – NEW CONDITIONAL USE CU2023-0005

ANALYSIS AND FINDINGS FOR MODIFICATION OF A DECISION – NEW CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CU2023-0005**, subject to the applicable conditions identified in Attachment J.

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

Section 40.15.05 Purpose:

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district but because of their size, operation, or other characteristics require review on a case-by-case basis. These uses are subject to the regulations in this Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional Uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.15.15.5.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on New Conditional Use Applications. The Planning Commission will determine whether the application as presented, meets the New Conditional Use approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for New Conditional Use.

To approve a New Conditional Use application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.15.15.5.C.1

The proposal satisfies the threshold requirements for a Conditional Use application.

FINDING:

In April 1989, the Washington County Hearings Officer approved a Special Use Approval request for Raleigh Hills Elementary School (Washington County Case File No. 88-634-SU/M). This approval was issued prior to the subject site being annexed into the City of Beaverton. The applicant requests to modify this 1989 decision to remove a condition of approval, which states:

The school's existing access points shall be consolidated, including consolidation with adjacent properties, when the site and/or adjacent properties redevelop, or when there is a project to improve this section of SW Scholls Ferry Road, whichever occurs first. The property owner shall provide the adjacent property owners with a reciprocal access/maintenance easement if access is shared with adjacent properties.

A Modification of a Decision is subject to the standards in Chapter 50.95, and Section 50.95.7 states:

The process type for an application to modify a decision shall be based upon the thresholds for the appropriate application listed in CHAPTER 40. In all cases, regardless of the thresholds listed in CHAPTER 40, when a proposed modification involves a condition of approval, that condition of approval can be modified or removed only by the same decision making authority that issued the original decision and through the same procedure that was followed to establish the condition to be modified.

Because Chapter 40 does not include a Special Use Approval application type, this Modification of a Decision is being processed through a New Conditional Use as the most comparable application type. Additionally, because the City of Beaverton does not have a Hearings Officer, this application will be reviewed by Planning Commission and will be processed through a Type 3 Procedure, as the most comparable decision-making authority and procedure.

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

Section 40.15.15.5.C.2

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

FINDING:

The applicant paid the required fee for this New Conditional Use application.

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

Section 40.15.15.5.C.3

The proposal will comply with the applicable policies of the Comprehensive Plan.

FINDING:

Staff refers to the findings in Attachment C, approval criterion 40.15.15.5.C.3 to demonstrate the project's compliance with Comprehensive Plan policies.

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

Section 40.15.15.5.C.4

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

FINDING:

The applicant requests to modify Case File No. 88-634-SU/M to remove a condition of approval, which states:

The school's existing access points shall be consolidated, including consolidation with adjacent properties, when the site and/or adjacent properties redevelop, or when there is a project to improve this section of SW Scholls Ferry Road, whichever occurs first. The property owner shall provide the adjacent property owners with a reciprocal access/maintenance easement if access is shared with adjacent properties.

There are two existing single-detached dwelling properties located directly northeast of the school site (5149 and 5145 SW Scholls Ferry Road, specifically identified as Tax Lots 00300 and 00301 on Washington County Tax Assessor's Map 1S113CA). The two homes are currently accessed from SW Scholls Ferry Road by utilizing the school's existing eastern driveway, driving northeast through the school's eastern parking lot, and continuing on a private gravel driveway that is located on the school's property. The above-

referenced condition of approval would require the applicant to provide a consolidated access that would serve the school site and the two residential homes upon the school's redevelopment. However, the applicant requests to remove this condition of approval and proposes an alternative design that would allow the two homes to have a separate residential driveway located along the school's easternmost property line, as shown on the applicant's site plan (Sheet L2.0).

Staff finds the applicant's proposal to provide a separate access for the two residential homes will improve operations and safety at the subject site because it will eliminate potential conflicts between school traffic (from school buses, parent vehicles, or staff vehicles) and the residents of Tax Lots 00300 and 00301. The separate residential driveway will provide Tax Lots 00300 and 00301 with direct access to SW Scholls Ferry Road, so the residents will not be forced to wait in a vehicle queue in the school's parking lot during busy student drop-off/pick-up times to access their homes. Accordingly, the separate residential driveway will allow the residents of Tax Lots 00300 and 00301 to travel to and from their homes more efficiently.

The applicant's site plan (Sheet L2.0) demonstrates the site's size, dimensions, configuration, and topography can reasonably accommodate the new residential driveway, along with all the proposed improvements on the school site (the new school building, two parking lots with adequate space for bus and vehicle circulation, on-site pedestrian walkways, bicycle parking areas, play areas, and common areas). The school's campus is designed to incorporate all proposed improvements and internal circulation systems on site, reduce traffic and congestion on SW Scholls Ferry Road during student drop-off/pick-up times, and work with the significant grade changes between the north and south sides of the property, while meeting all required setbacks, landscaping and screening, and other Design Guidelines. Further analysis of Design Guidelines is addressed in Attachment E of this staff report.

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

Section 40.15.15.5.C.5

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

FINDING:

The applicant's proposal to provide a separate residential driveway for Tax Lots 00300 and 00301 along the school's easternmost property line will increase compatibility between the school use and the adjacent homes and will improve livability for the neighboring residents. Staff finds the applicant's proposal to provide a separate access for the two residential homes will improve operations and safety at the subject site because it will eliminate potential conflicts between school traffic (from school buses, parent

vehicles, or staff vehicles) and the residents of Tax Lots 00300 and 00301. The separate residential driveway will provide Tax Lots 00300 and 00301 with direct access to SW Scholls Ferry Road, so the residents will not be forced to wait in a vehicle queue in the school's parking lot during busy student drop-off/pick-up times to access their homes. Accordingly, the separate residential driveway will allow the residents of Tax Lots 00300 and 00301 to travel to and from their homes more efficiently.

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

Section 40.15.15.5.C.6

The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.

FINDING:

This criterion does not apply because the applicant does not propose a residential use and the site is not located in the floodway fringe.

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

Section 40.15.15.5.C.7

For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code.

FINDING:

This criterion does not apply because the site is not designated Interim Washington County.

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

Section 40.15.15.5.C.8

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

FINDING:

The applicant submitted applications for a Major Adjustment, New Conditional Use, Design Review Three, Replat One, Legal Lot Determination, Sidewalk Design Modification, and Tree Plan Two to be processed concurrently with this New Conditional

Use application. No additional applications or documents are needed at this time. Staff recommends a general condition requiring approval of the associated applications.

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

Section 50.95 Modification of a Decision

In April 1989, the Washington County Hearings Officer approved a Special Use Approval request for Raleigh Hills Elementary School (Washington County Case File No. 88-634-SU/M). This approval was issued prior to the subject site being annexed into the City of Beaverton. The applicant requests approval for a Modification of a Decision to modify the 1989 decision and remove a condition of approval from Case File No. 88-634-SU/M. Accordingly, Section 50.95 of the Beaverton Development Code applies to the applicant's request.

Planning Commission Standards for Approval:

Section 50.95.7 states the process type for an application to modify a decision shall be based upon the thresholds for the appropriate application listed in CHAPTER 40. In all cases, regardless of the thresholds listed in CHAPTER 40, when a proposed modification involves a condition of approval, that condition of approval can be modified or removed only by the same decision making authority that issued the original decision and through the same procedure that was followed to establish the condition to be modified. Modification or removal of a condition of approval shall only be granted if the decision making authority determines any one of the following:

Section 50.95.7.A

The applicant or owner has demonstrated that a mistake of law or fact occurred, and that the mistake was substantial enough to warrant modification or removal of the condition to correct the mistake.

FINDING:

In April 1989, the Washington County Hearings Officer approved a Special Use Approval request for Raleigh Hills Elementary School (Washington County Case File No. 88-634-SU/M). This approval was issued prior to the subject site being annexed into the City of Beaverton. Staff reviewed the conditions of approval from Case File No. 88-634-SU/M and determined that, aside from one outstanding condition, all conditions have either been satisfied through a Washington County Type 1 land use approval in 1990 or are no longer applicable. The one outstanding condition of approval states:

The school's existing access points shall be consolidated, including consolidation with adjacent properties, when the site and/or adjacent properties redevelop, or when there is a project to improve this section of SW Scholls Ferry Road,

whichever occurs first. The property owner shall provide the adjacent property owners with a reciprocal access/maintenance easement if access is shared with adjacent properties.

The applicant requests to remove this outstanding condition of approval and this request requires a Modification of a Decision pursuant to Chapter 50.95. The Modification of a Decision is addressed through the findings in this section of the staff report.

This criterion is not applicable because the applicant does not claim that a mistake of law or fact occurred with Case File No. 88-634-SU/M.

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

Section 50.95.7.B

The condition could not be implemented for reasons beyond the control of the applicant and the modification will not require a significant modification of the original decision.

FINDING:

The applicant proposes to modify Case File No. 88-634-SU/M by removing the condition of approval that is referenced above under approval criterion A. There are two existing single-detached dwelling properties located directly northeast of the school site (5149 and 5145 SW Scholls Ferry Road, specifically identified as Tax Lots 00300 and 00301 on Washington County Tax Assessor's Map 1S113CA). The two homes are currently accessed from SW Scholls Ferry Road by utilizing the school's existing eastern driveway, driving northeast through the school's eastern parking lot, and continuing on a private gravel driveway that is located on the school's property. The above-referenced condition of approval would require the applicant to provide a consolidated access that would serve the school site and the two residential homes upon the school's redevelopment.

The applicant states the condition to consolidate the school's existing access points with adjacent properties' access points cannot be implemented because it will create vehicle safety issues at the school site. The applicant states:

A single access point would need to bring all buses, staff vehicles, and family vehicles onto the site. This would require a substantially larger parking lot, which would remove ancillary assets of the school site such as the field and play areas. The District has found from experience that separating bus service from family parking is essential to operate efficiently and safely at school sites.

[Case File No. 88-634-SU/M] did not provide for a future design of the site, rather it provided direction to consolidate existing access points. As a result, the impact to the original decision is negligible since the purpose of the original decision was fulfilled in 1990. No significant modification of [Case File No. 88-634-SU/M] is

needed; it is proposed to be replaced by the New Conditional Use, which – upon approval – would be the operative land use permit for the school.

As detailed under approval criterion C below, the applicant proposes an alternative access design that would allow the two homes to have a separate residential driveway located along the school’s easternmost property line, as shown on the applicant’s site plan (Sheet L2.0). While staff agrees with the applicant’s assessment that providing a separate residential driveway to serve Tax Lots 00300 and 00301 results in a safer design (as further detailed under approval criteria C and D below), staff does not agree with the applicant’s statement that the New Conditional Use application for an Educational Institution in the RMC zone (CU2022-0012) replaces Case File No. 88-634-SU/M and its associated conditions of approval. Instead, staff finds all conditions from Case File No. 88-634-SU/M have either been satisfied or are no longer applicable, except for the one outstanding condition regarding consolidated access. The applicant requests to remove this condition of approval, and this request is being processed as a Modification of a Decision pursuant to Chapter 50.95.

Staff finds the applicant has not adequately demonstrated that this approval criterion is met. However, Section 50.95.7 allows the decision-making authority to approve a modification or removal of a condition of approval if any one of the applicable approval criteria in this section (A, B, C, or D) is met. Accordingly, because the applicant has adequately demonstrated that approval criteria C and D are met (as detailed in the findings below), staff finds the applicant’s Modification of a Decision request is approvable and that approval criterion B is not applicable.

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

Section 50.95.7.C

The circumstances have changed to the extent that the condition is no longer needed or warranted.

FINDING:

The applicant states circumstances have changed at Raleigh Hills Elementary School since the condition of approval from Case File No. 88-634-SU/M was originally approved. In particular, the school requires a larger building and redeveloped campus to accommodate increased student enrollment (the current school has a permanent capacity for 539 students and 67 staff members, and the new school will have a permanent capacity for 770 students and 77 staff members). The increased student population has important design implications for vehicle and pedestrian circulation and safety. As shown on the applicant’s site plan (Sheet L2.0), the new school campus will include two parking lots that must be large enough to provide safe and efficient circulation for vehicles and school buses, adequate on-site stacking space to relieve vehicle congestion on SW Scholls Ferry Road during student drop-off/pick-up times, and parking for parents and school staff. The school’s access points will be redesigned to combine the two existing western driveways

into a single, full access driveway, and reorient the eastern driveway to align with SW Montclair Drive as a new four-way signalized intersection. This alternative design improves operations and safety by aligning the eastern access with SW Montclair Drive and consolidating cross-street access into a single intersection.

As an alternative to providing a consolidated access to serve the school campus and Tax Lots 00300 and 00301, the applicant proposes to provide a separate residential driveway along the school's easternmost property line to serve Tax Lots 00300 and 00301. Providing a separate driveway for the residential homes is a safer alternative to a consolidated access, as it will eliminate potential conflicts between school traffic and the residents of Tax Lots 00300 and 00301.

Accordingly, staff agrees with the applicant's assessment that circumstances have changed at the school site since the condition of approval from Case File No. 88-634-SU/M was originally approved. The school's increased student enrollment needs have created important vehicle and pedestrian circulation concerns that must be addressed through an alternative access design, in which providing a separate residential driveway for Tax Lots 00300 and 00301 is a safer alternative than a consolidated access. Therefore, the original condition of approval is no longer needed or warranted.

Staff notes that the applicant states the condition of approval from Case File No. 88-634-SU/M is no longer needed or warranted because the site has been annexed into the City of Beaverton and is no longer subject to Washington County regulations. Staff does not agree with this statement. Instead, staff finds all conditions from Case File No. 88-634-SU/M have either been satisfied or are no longer applicable, except for the one outstanding condition regarding consolidated access. The applicant requests to remove this condition of approval, and this request is being processed as a Modification of a Decision pursuant to Chapter 50.95.

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

Section 50.95.7.D

A new or modified condition would better accomplish the purpose of the original condition.

FINDING:

The condition of approval referenced under approval criterion A would require the applicant to provide a consolidated access that would serve the school site and the two adjacent residential homes (Tax Lots 00300 and 00301) upon the school's redevelopment. However, the applicant requests to remove this condition of approval and proposes an alternative design that would allow the two homes to have a separate residential driveway located along the school's easternmost property line, as shown on the applicant's site plan (Sheet L2.0).

Staff finds the applicant's proposal to provide a separate access for the two residential homes will improve operations and safety at the subject site because it will eliminate potential conflicts between school traffic (from school buses, parent vehicles, or staff vehicles) and the residents of Tax Lots 00300 and 00301. The separate residential driveway will provide Tax Lots 00300 and 00301 with direct access to SW Scholls Ferry Road, so the residents will not be forced to wait in a vehicle queue in the school's parking lot during busy student drop-off/pick-up times to access their homes. Accordingly, the separate residential driveway allows the residents of Tax Lots 00300 and 00301 to travel to and from their homes more efficiently, and better accomplishes the vehicular safety goals of the original condition from Case File No. 88-634-SU/M.

Staff notes the applicant requests the Planning Commission find the condition regarding consolidated access from Case File No. 88-634-SU/M is no longer necessary or applicable to Raleigh Hills Elementary School:

The applicant requests that the Planning Commission's decision recognize that [Case File No. 88-634-SU/M] is fully extinguished in all respects because: (a) circumstances have changed due to the approval of a new Conditional Use under the City of Beaverton's current development code; and (b) [Case File No. 88-634-SU/M] is no longer needed or warranted, nor is there any need or warrant for the City to be imposing conditions based on the 1988 Washington County Community Development Code.

Staff does not agree with the applicant's above statements and does not recommend the Planning Commission take the applicant's requested actions. Instead, staff finds all conditions from Case File No. 88-634-SU/M have either been satisfied or are no longer applicable, except for the one outstanding condition regarding consolidated access. The applicant requests to remove this condition of approval, and this request is being processed as a Modification of a Decision pursuant to Chapter 50.95.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of CU2023-0005, subject to the applicable conditions identified in Attachment J.

Attachment E: DESIGN REVIEW THREE DR2022-0155

ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR2022-0155**, subject to the applicable conditions identified in Attachment J.

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: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the 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 Commission as they evaluate and render decisions on Design Review Three Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type Three 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:

The applicant proposes new construction of more than 30,000 gross square feet of nonresidential floor area in a residential zone, which satisfies Design Review Three Threshold 2.

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

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 applicant paid the required fee for this Design Review Three application.

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

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:

This criterion applies because the proposal meets Design Review Three Threshold 2 for new construction of more than 30,000 gross square feet of nonresidential floor area in a residential zone. As detailed in the Design Review Guidelines Analysis section of this staff report, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

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

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 prevent the full implementation of the applicable guideline; or
- c. The location of the existing structure to be modified is more than 300 feet from a public street.

FINDING:

This criterion does not apply because the proposal is for new construction.

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

Section 40.20.15.3.C.5

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

FINDING:

This criterion does not apply because the applicant is not proposing a Design Review Build-out Concept Plan (DRBCP).

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

Section 40.20.15.3.C.6

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:

This criterion does not apply because the proposal meets Design Review Three Threshold 2 and does not meet Thresholds 8 or 9.

Conclusion: Therefore, staff finds the 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 Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).

FINDING:

This criterion does not apply because the proposal meets Design Review Three Threshold 2 and does not meet Thresholds 8 or 9.

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

Section 40.20.15.3.C.8

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

FINDING:

The applicant submitted applications for a Major Adjustment, New Conditional Uses, Replat One, Legal Lot Determination, Sidewalk Design Modification, and Tree Plan Two to be processed concurrently with this Design Review Three application. No additional applications or documents are needed at this time. Staff recommends a general condition requiring approval of the associated applications.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of DR2022-0155, subject to the applicable conditions identified in Attachment J.

Design Review Guidelines Analysis

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

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. (Standards 60.05.15.1.A and B)**

FINDING:

The applicant proposes to construct a new 97,000-square-foot building for Raleigh Hills Elementary School. The applicant's elevation drawing (Sheet A4.1) shows the new school building will include variations in height, roof pitch, architectural features, and building materials on all elevations. The building will have both a gabled and flat roofline. Architectural features include awnings/overhangs, exterior stair screens, offsetting walls, and windows that are finished with different types of glazing. Exterior building materials include a mix of brick, flat metal and fiber cement panels, and concrete. Accordingly, staff finds all building elevations are varied and articulated to provide visual interest to pedestrians.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant states vertical design elements such as standing seam metal panels, tall windows, and gabled roofs are utilized to balance horizontal features on the school's building elevations. The primary building entrance (on the eastern elevation) is also emphasized with a prominent front porch located under a concrete overhang and large windows for added visual interest. Accordingly, staff finds the building design is vertically balanced.

Conclusion: Therefore, staff finds 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:

The applicant states the school building includes the following design features to create a comfortable pedestrian scale: a large amount of windows and glazing on the ground floor that are oriented to pedestrians; gabled-roof buildings that designed to break up the scale of the school and appear similar to residential houses; a primary building entrance that includes a prominent front porch with built-in seating; and a building shape that is oriented around courtyards. Accordingly, staff finds the building is designed to promote and enhance a comfortable pedestrian scale and orientation.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The building will include variations in height, roof pitch, architectural features, and building materials on all elevations. Architectural features include awnings/overhangs, exterior stair screens, offsetting walls, and windows that are finished with different types of glazing. Exterior building materials include a mix of brick, flat metal and fiber cement panels, and concrete. Accordingly, staff finds all building elevations are varied and articulated to provide visual interest.

Conclusion: Therefore, staff finds 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 emphasized. (Standards 60.05.15.2.A and B)**

FINDING:

The school building will have both a gabled and flat roofline. The gabled roofs have significant pitches that vary in slope (ranging from 5/12 to 11/12) to provide visual interest for pedestrians. The primary building entrance (on the eastern elevation) is a major focal

point, and it is emphasized with an extended canopy with flat roofline that contrasts with the surrounding gabled roofs.

Conclusion: Therefore, staff finds the proposal meets the guideline.

B. Flat roofs should include a roofline that provides visual interest such as cornice treatments. (Standard 60.05.15.2.C)

FINDING:

The school building will have both a gabled and flat roofline. Metal panels and parapets will be utilized to provide variety and detail to the building's flat roofs. The flat roof along the southern edge of the gymnasium, which faces the street, will be articulated with a cornice parapet that is offset from the building façade to provide additional visual interest.

Conclusion: Therefore, staff finds 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)

FINDING:

The primary building entrance (on the eastern elevation) is emphasized with a prominent front porch located under a concrete overhang that provides weather protection for pedestrians.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The primary building entrance is both attractive and functional. It is emphasized with concrete pillars and a large concrete overhang, fiber cement and metal panels, and large glass windows. The area surrounding the entrance, located under the overhang, functions as a "front porch," and includes seating and bicycle parking, so it is both inviting and functional for students and visitors.

Conclusion: Therefore, staff finds 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. (Standards 60.05.15.4.A and B)**

FINDING:

The applicant proposes to utilize brick, fiber cement panels, flat metal panels, metal panels with a wood look finish, and windows that are finished with different types of glazing for exterior building materials. Exterior stairs will be partially screened with aluminum slats that will have a wood look finish. All materials convey an impression of permanence and durability.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- B. Where masonry is used, decorative patterns (other than running bond pattern) should be provided, especially at entrances, building corners and at the pedestrian level. These decorative patterns may include multi-colored masonry units, such as brick, tile, stone, or cast stone, in a layered or geometric pattern, or multi-colored ceramic tile bands used in conjunction with materials such as concrete. This guideline does not apply to development in Industrial zones, where masonry is used for exterior finishes. (Standards 60.05.15.4.B and C)**

FINDING:

The applicant proposes to use multiple colors of brick, including warm grey and a red brick blend, as exterior finish materials. The placement of contrasting brick colors along the building façades will provide a decorative pattern with a warm grey base and red brick blend above. The applicant will provide additional texture and detailing by protruding alternating rows of brick, as shown on the submitted elevation drawing (Sheet A4.1).

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The southern building elevation faces SW Scholls Ferry Road and the applicant's elevation drawing (Sheet A4.1B) demonstrates that all roof-mounted equipment will be screened from view from the public street by the building's gabled roofs and parapets. The applicant also proposes an approximately 1,500-square-foot service yard located at the southwest corner of the new school building. Ground-mounted equipment will be located in this service yard and screened from view behind CMU walls.

Conclusion: Therefore, staff finds the proposal meets the guideline.

60.05.40 Circulation and Parking Design Guidelines.

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

FINDING:

The applicant's internal circulation system is designed to connect to the abutting street system in a direct and efficient manner. The applicant's site plans (Sheets L2.0 to L2.5) show that all on-site pedestrian walkways are designed to provide safe and efficient internal circulation throughout the school site and provide connections to building entrances, athletic fields, play areas, common areas, vehicle and bicycle parking areas, and trash and recycling areas. The walkways will also connect to new 6-foot-wide public sidewalks that will be constructed on SW Scholls Ferry Road.

Vehicular access will be provided to the school by combining the two existing western driveways into a single, full access driveway, and reorienting the eastern driveway to align with SW Montclair Drive as a new four-way signalized intersection.

The applicant's TIA describes how safe and efficient internal vehicular circulation will be provided for the two on-site parking lots. The western parking lot will be utilized by school buses and staff member vehicles. Except for the 12 parking spaces located directly south of the proposed garden area (Sheet L2.3), the western parking lot will have one-way counterclockwise circulation, which will allow for the efficient movement of school buses and passenger vehicles. The TIA states a maximum of 10 school buses at a time will utilize this western parking lot and there is adequate room to accommodate these school buses, with over 700 feet of vehicle storage provided. The western driveway will also include separate right and left turn lanes exiting the site to improve vehicle flow and enhance on-site bus and vehicle stacking opportunities. The eastern parking lot will be utilized by parent vehicles and will also have one-way counterclockwise circulation to allow for

efficient movement. The eastern parking lot can also accommodate on-site stacking for over 30 vehicles, which will further enhance safety during student drop-off/pick-up times.

Conclusion: Therefore, staff finds 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)

FINDING:

The applicant proposes an approximately 1,500-square-foot service yard located at the southwest corner of the new school building. On-site service, storage, and similar activities will be located in this service yard and will be screened from view behind CMU walls.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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:

As required under Chapter 60.25 Off-Street Loading Requirements, the applicant will provide one Type B loading space in the western parking lot (Sheet L2.1). The loading space will be located more than 70 feet away from the SW Scholls Ferry Road right of way and the applicant will install landscaping at the front of the campus to help screen the space from view from the public street.

Conclusion: Therefore, staff finds 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 applicant's site plans (Sheets L2.0 to L2.5) show that all on-site pedestrian walkways are designed to provide safe and efficient internal circulation throughout the school site and provide connections to building entrances, athletic fields, play areas, common areas, vehicle and bicycle parking areas, and trash and recycling areas.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) show pedestrian walkways will provide connections from all on-site facilities (building entrances, athletic fields, play areas, common areas, vehicle and bicycle parking areas, and trash and recycling areas) to the public sidewalk on SW Scholls Ferry Road. One public sidewalk connection will be provided directly adjacent to the western parking lot and two public sidewalk connections will be provided near the primary eastern building entrance.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) show pedestrian walkways will provide connections from building entrances to the public sidewalk on SW Scholls Ferry Road. One public sidewalk connection will be provided directly adjacent to the western parking lot and two public sidewalk connections will be provided near the primary eastern building entrance.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) show pedestrian walkways will be evenly spaced throughout the two parking lots and separated from vehicles with curbs or wheel stops. Walkways that cross drive aisles will be paved with material that contrasts with the primary parking lot paving material, so they are easily identifiable to pedestrians and drivers.

Conclusion: Therefore, staff finds 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 applicant will provide a new 6-foot-wide public sidewalk on SW Scholls Ferry Road, as well as an extensive internal pedestrian pathway system. Staff finds the pedestrian system is adequate.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) show that all on-site pedestrian pathways are designed for safe and efficient pedestrian movement. Additionally, the applicant states all on-site walkways will be paved with concrete, which is a hard durable surface.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) and landscaping plans (Sheets L6.0 to L6.5) show that landscaping will be provided between the SW Scholls Ferry Road frontage and all surface parking areas. The landscaping will include a mixture of trees, lawn, and various plantings that will screen the parking areas and prevent glare from vehicle headlights into the right of way.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) and landscaping plans (Sheets L6.0 to L6.5) show that landscape islands and perimeter landscaping will be provided for both parking lots. Parking lot landscaping will include trees with a mixture of ferns and shrubs to provide shade over portions of the parking lot and break up large stretches of pavement.

Conclusion: Therefore, staff finds 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)**

FINDING:

Vehicular access will be provided to the school by combining the two existing western driveways into a single, full access driveway, and reorienting the eastern driveway to align with SW Montclair Drive as a new four-way signalized intersection. As shown on the applicant's site plans (Sheets L2.0 to L2.5), both driveways are clearly identified with curbs, sidewalks, landscaping, and directional arrows that differentiate the access points from parking lot drive aisles.

Conclusion: Therefore, staff finds 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:

As shown on the applicant's landscaping plans (Sheets L6.0 to L6.5), landscape islands and parking lot landscaping will be provided for both parking lots, which break up large stretches of pavement and minimize the visual impact of the parking areas. All parking lot landscaping will include trees with a mixture of ferns and shrubs to provide additional visual interest to the site.

Conclusion: Therefore, staff finds the proposal meets the guideline.

60.05.45 Landscape, Open Space and Natural Areas Design Guidelines.

2. Minimum landscaping in Residential zones.

- A. Landscape treatments utilizing plants, hard-surface materials, or both should be provided in the setback between a street and a building. The treatment should enhance architectural elements of the building and contribute to a safe, interesting streetscape. (Standard 60.05.25.4)**

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) and landscaping plans (Sheets L6.0 to L6.5) show that landscaping will be provided in the front yard setback area, between the new school building and the SW Scholls Ferry Road right of way. The landscaping will include an interesting mix of trees, shrubs, and lawn to soften the edges of the development from the view of the public street and contribute to a safe, interesting streetscape.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- B. Landscaping should soften the edges of buildings and parking areas, add aesthetic interest, and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.4)**

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) and landscaping plans (Sheets L6.0 to L6.5) show the school site will be landscaped with an interesting variety of trees, shrubs, and lawn. Landscaping will be installed between the new school building and the public right of way, along building edges, in parking areas, and throughout the site to soften the edges of the development and increase the overall attractiveness of the development and its surroundings.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) and landscaping plans (Sheets L6.0 to L6.5) show the school site will be landscaped with an interesting variety of trees, shrubs, and lawn. Landscaping will be installed between the new school building and the public right of way, along building edges, in parking areas, and throughout the site to soften the edges of the development and increase the overall attractiveness of the development and its surroundings.

Conclusion: Therefore, staff finds 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 applicant's site plans (Sheets L2.0 to L2.5) show that two common areas designed for pedestrian traffic will be provided. The "Learning Courtyard" and "Community Courtyard" are located on the east side of campus and will be designed with a combination of landscaping and decorative concrete.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's planting schedule (Sheet L6.0A) shows plantings will consist of a mix of native, native analogues, and non-native ornamentals. The applicant states selected vegetation will be suited and adaptive to the local site climatic conditions.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's site plans (Sheets L2.0 to L2.5) and landscaping plans (Sheets L6.0 to L6.5) show that existing mature trees will be preserved along the school site's boundaries. Tree preservation is further addressed in Attachment I of this staff report.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant's planting schedule (Sheet L6.0A) shows the school site will be landscaped with a diversity of groundcover, shrubs, and trees.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

Retaining walls are proposed along the southern building façade, adjacent to SW Scholls Ferry Road (Sheet L2.1). The retaining walls are longer than 50 feet in length but due to the slope of the site, they will not be visible from the public street. The applicant also proposes a retaining wall that is longer than 50 feet in length along the eastern edge of the eastern parking lot. Sheet L2.2 shows this eastern retaining wall will be screened by parking lot landscaping.

Conclusion: Therefore, staff finds the proposal meets the guideline.

7. Fences and walls.

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

FINDING:

The applicant proposes to install 6-foot-tall black vinyl-coated chainlink fencing with sight-obscuring slats along the boundaries of the site. The applicant also proposes chainlink fencing or ornamental metal fencing with gates at the entrance to the “Learning Courtyard,” at the eastern entrance to the athletic fields, and other locations on campus. Staff finds both the chainlink and metal fencing will be constructed of attractive, durable materials.

Conclusion: Therefore, staff finds the proposal meets the guideline.

B. Fences and walls constructed in front yards adjacent to public streets should provide the opportunity to view into the setback from the street unless high traffic volumes or other conflicts warrant greater security and protection. (Standard 60.05.25.9.E)

FINDING:

The proposed 6-foot-tall chainlink fencing will extend to the southeast and southwest corners of the site (Sheets L2.1 to L2.2). Although the fencing is located in the front yard setback area, it is not located along the front property line and will not obstruct any views into the school campus.

Conclusion: Therefore, staff finds the proposal meets the guideline.

8. Changes to existing on-site surface contours at residential property lines. The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.10)

FINDING:

The applicant’s preliminary grading plans (Sheets C3.0 to C3.5 and Sheets L4.0 to L4.5) demonstrate how the site complies with the on-site surface contouring standards in BDC 60.15.10.3 for sites within or abutting any residentially zoned property. Accordingly, staff finds the project will be graded to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight.

Conclusion: Therefore, staff finds 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:

BDC Table 60.05-2, Footnote 7 requires nonresidential uses in residential zones to provide B3 buffers along property lines abutting residential uses in residential zones, and BDC Table 60.05-2, Footnote 5 allows the B3 buffer to match the width of minimum required setbacks. As detailed in BDC 60.05.25.13.D, a B3 buffer consists of a 6-foot-tall sight-obscuring fence or wall, one tree for every 30 lineal feet, evergreen shrubs, and live ground cover. The subject site is required to provide buffers along its north, east, and west property lines, where it abuts existing residential homes.

The applicant is not proposing to modify existing athletic fields in the northwest portion of the site (the school's rear property line is in the northern portion of these athletic fields) and states the area is already screened from neighboring properties with existing chainlink fencing and mature trees. Staff finds these existing features already provide a high degree of visual screening in the northwest part of the campus and no additional screening is required in this area.

BDC Table 60.05-2, Footnotes 5 and 7 require 5-foot-wide B3 buffers alongside property lines. The applicant's site plans (Sheets L2.0 to L2.5) show that minimum 5-foot-wide buffers will be provided along the side property lines, and these buffers will include 6-foot-tall black vinyl-coated chainlink fencing with sight-obscuring slats, one tree approximately every 30 lineal feet, evergreen shrubs ranging from 4 feet to 6 feet in height, and live ground cover. The side buffer located along the eastern edge of the eastern parking lot is located approximately 10 feet away from the easternmost property line to accommodate a separate residential driveway for the two neighboring properties to the northeast (5149 and 5145 SW Scholls Ferry Road, specifically identified as Tax Lots 00300 and 00301 on Washington County Tax Assessor's Map 1S113CA). This residential driveway is further discussed in Attachments A and D of this staff report.

Staff finds the applicant has provided adequate screening and horizontal separation between the school site and abutting residential homes.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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 is for an educational institution in a residential zone and requires a New Conditional Use application. As detailed in Section A of this Design Guideline, the applicant proposes buffers along applicable side property lines abutting existing residential homes that meet the minimum width requirement and are landscaped to the required B3 standard. There are existing buffers around the athletic fields that already provide a high degree of visual screening and these buffers will not be impacted by this proposal. Staff finds the applicant has provided adequate screening and horizontal separation between the school site and abutting residential homes.

Conclusion: Therefore, staff finds the proposal meets the guideline.

- 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 detailed under Section A of this Design Guideline, the proposed landscape buffers will include one tree approximately every 30 lineal feet, evergreen shrubs ranging from 4 feet to 6 feet in height, and live ground cover. The proposed plantings will adequately screen any potential conflict areas and will complement the overall visual character of the school site and surrounding residential neighborhood.

Conclusion: Therefore, staff finds the proposal meets the guideline.

60.05.50 Lighting Design Guidelines.

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

FINDING:

The applicant's photometric plan (Sheet ES1.2) shows lighting will be utilized to maximize safety, with pole-mounted lighting, wall-mounted lighting, and illuminated bollards evenly distributed throughout the school site. The applicant's design ensures all building entrances, pedestrian walkways, vehicle and bicycle parking areas, and on-site service areas are adequately lit.

Conclusion: Therefore, staff finds the proposal meets the 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 applicant's photometric plan (Sheet ES1.2) and lighting cut sheets show that pole-mounted lighting fixtures will be of a consistent type throughout the school site and will comply with the height restrictions in Table 60.05-1. The applicant's narrative states that wall-mounted lighting fixtures will be incorporated into the architectural design of the building and comply with the height restrictions in Table 60.05-1. Overall, staff finds on-site lighting has been designed for a pedestrian scale.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The applicant states interior lighting has been designed to minimize glare and will only be viewed as ambient lighting from the outside. Direct and indirect glare impacts will be minimized for exterior lighting by using shields and strategically positioning the lighting. Additionally, the applicant's photometric plan (Sheet ES1.2) demonstrates compliance with the Technical Lighting Standards in Table 60.05-1 because lighting does not exceed 0.5 footcandles at property lines.

Conclusion: Therefore, staff finds the proposal meets the guideline.

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

FINDING:

The Technical Lighting Standards in Table 60.05-1 require a minimum internal illumination of 0.7 footcandles for lighting that has a total cutoff of light at an angle less than 90 degrees in residential zones, and the applicant's photometric plan (Sheet ES1.2) demonstrates the site complies with this minimum illumination requirement.

Conclusion: Therefore, staff finds the proposal meets the guideline.

Attachment F: REPLAT ONE LD2022-0020

ANALYSIS AND FINDINGS FOR REPLAT ONE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **LD2022-0020**, subject to the applicable conditions identified in Attachment J.

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

Section 40.45.05 Purpose:

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of the boundaries of land within the City of Beaverton. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.45.15.2.C of the Development Code provides standards to govern the decisions of the decision-making authority as they evaluate and render decisions on Replat One Applications. The decision-making authority will determine whether the application as presented, meets the Replat One approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Replat One.

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

Section 40.45.15.2.C.1

The application satisfies the threshold requirements for a Replat One.

FINDING:

The applicant requests a Replat One to create a plat for the subject lot (5225 SW Scholls Ferry Road, specifically identified as Tax Lot 00400 on Washington County Tax Assessor's Map 1S113CA) because it is not part of a previously recorded plat. No new lots or parcels are proposed. The following threshold is met:

- 2. The creation of a plat for land that has never been part of a previously recorded plat where no new lots or parcels are proposed.*

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

Section 40.45.15.2.C.2

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

FINDING:

The applicant paid the required fee for this Replat One application.

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

Section 40.45.15.2.C.3

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

FINDING:

The subject site was annexed into the City of Beaverton in 2012. Staff also identified a Type 1 Design Review Compliance Letter approval from 2015 to construct two classrooms under an existing covered play area (DR2015-0046). Staff finds the proposed Replat One does not conflict with any existing City approval.

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

Section 40.45.15.2.C.4

The application is consistent with applicable requirements of CHAPTER 20 and CHAPTER 60, 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.

FINDING:

Staff refers to the Chapter 20 Use and Site Development Requirements table in Attachment A of this staff report, which evaluates the project as it relates to the applicable code requirements of Section 20.05 Residential Land Use Districts. As demonstrated in the table, this proposal complies with all applicable standards in Section 20.05 Residential Land Use Districts, except for maximum building height. The applicant requests modification of the maximum building height through a Major Adjustment application, which is addressed in Attachment B of this staff report. Additionally, the applicant has applied for a New Conditional Use for an educational institution in the RMC zone. This New Conditional Use request is addressed in Attachment C of this staff report.

Staff also refers to the Code Conformance Analysis chart in Attachment A of this staff report, which evaluates the proposal as it relates to the applicable code requirements of Chapter 60 (Special Requirements). Findings for the applicant's Design Review Three request are provided in Attachment E of this staff report.

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

Section 40.45.15.2.C.5

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

FINDING:

An oversized lot is defined in Chapter 90 as:

Except in RMB, RMC, and RMA for lots where single-detached dwellings or middle housing are existing or proposed, a lot which is greater than twice the required minimum lot size allowed by the subject zoning district.

The subject site is zoned RMC and the applicant is not proposing to develop single-detached dwellings or middle housing. BDC Table 20.05.15 shows there is no minimum

land area requirement for the RMC zone. Accordingly, this oversized lot criterion does not apply to the subject site.

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

Section 40.45.15.2.C.6

If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.

FINDING:

This criterion does not apply because the applicant is not proposing a phasing plan.

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

Section 40.45.15.2.C.7

The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.

FINDING:

As detailed under approval criterion 40.03.1.A in Attachment A of this staff report, critical facilities and services, including pedestrian facilities, utility services, and vehicle access, are available and have adequate capacity to serve the proposed development.

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

Section 40.45.15.2.C.8

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

FINDING:

The subject lot has only one zoning designation (RMC).

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

Section 40.45.15.2.C.9

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

FINDING:

The applicant submitted applications for a Major Adjustment, New Conditional Uses, Design Review Three, Legal Lot Determination, Sidewalk Design Modification, and Tree Plan Two to be processed concurrently with this Replat One application. No additional applications or documents are needed at this time. Staff recommends a general condition requiring approval of the associated applications.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of LD2022-0020, subject to the applicable conditions identified in Attachment J.

Attachment G: LEGAL LOT DETERMINATION LLD2022-0008

ANALYSIS AND FINDINGS FOR LEGAL LOT DETERMINATION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **LLD2022-0008**, subject to the applicable conditions identified in Attachment J.

Section 40.47.05 Purpose:

The purpose of the Legal Lot Determination is to determine the legal status of lots and subdivisions that were created prior to the enactment of current subdivision regulations or prior to the City annexing a particular property. This section provides criteria for rendering decisions on the legal status of lots and subdivisions consistent with State Statute. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.47.15.1.C of the Development Code provides standards to govern the decisions of the decision-making authority as they evaluate and render decisions on Legal Lot Determination Applications. The decision-making authority will determine whether the application as presented, meets the Legal Lot Determination approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Legal Lot Determination.

To approve a Legal Lot 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 40.47.15.1.C.1

The application satisfies the threshold requirements for a Legal Lot Determination.

FINDING:

The Director has required the applicant to submit a Legal Lot Determination application prior to, or concurrently with, the applicant's proposals for a Major Adjustment, New Conditional Uses, Design Review Three, Replat One, Sidewalk Design Modification, and Tree Plan Two. The following threshold is met:

- 3. The Director requires a Legal Lot Determination be made as a prerequisite to, or concurrently with, the filing of a land use application.*

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

Section 40.47.15.1.C.2

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

FINDING:

The applicant paid the required fee for this Legal Lot Determination application.

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

Section 40.47.15.1.C.3

The unit of land conforms to the lot area and dimensional standards of CHAPTER 20 (Land Use) or Section 70.15 (Downtown Zoning and Streets) if the site is located within the Downtown Design District; except where a unit of land was created by sale prior to January 1, 2007 and was not lawfully established, the Director may deem the unit of land a Legal Lot upon finding:

- a. The unit of land could have complied with the applicable criteria for creation of a lawful parcel or lot in effect when the unit of land was sold; or
- b. The City, or County prior to annexation, approved a permit as defined in ORS 215.402 or 227.160(2) for the construction or placement of a dwelling or other structure on the unit of land after the sale, and such dwelling has all of the features listed in ORS 215.755(1)(a)-(e).

FINDING:

The subject lot (5225 SW Scholls Ferry Road, specifically identified as Tax Lot 00400 on Washington County Tax Assessor's Map 1S113CA) is zoned RMC and the applicant states a school has existed on the site since 1927. The RMC zone has no minimum land area requirement and has a minimum lot width requirement of 20 feet (BDC Table 20.05.15). The applicant's Replat Plan (Sheet RP1.0) shows the subject lot is 9.65 acres in size and exceeds the minimum lot width requirement. Accordingly, because the subject lot conforms to the lot area and dimensional standards in BDC Table 20.05.15, it may be deemed a Legal Lot.

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

Section 40.47.15.1.C.4

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

FINDING:

The applicant submitted this Legal Lot Determination application on November 23, 2022, and it was deemed complete on February 15, 2023. In review of the materials during the

application review process, staff finds that all applicable application submittal requirements identified in Section 50.25.1 are contained within this proposal.

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

Section 40.47.15.1.C.5

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

FINDING:

The applicant submitted applications for a Major Adjustment, New Conditional Uses, Design Review Three, Replat One, Sidewalk Design Modification, and Tree Plan Two to be processed concurrently with this Legal Lot Determination application. No additional applications or documents are needed at this time. Staff recommends a general condition requiring approval of the associated applications.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of LLD2022-0008, subject to the applicable conditions identified in Attachment J.

Attachment H: SIDEWALK DESIGN MODIFICATION SDM2023-0001

ANALYSIS AND FINDINGS FOR SIDEWALK DESIGN MODIFICATION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **SDM2023-0001**, subject to the applicable conditions identified in Attachment J.

Section 40.58.05 Purpose:

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.58.15.C of the Development Code provides standards to govern the decisions of the decision-making authority as they evaluate and render decisions on Sidewalk Design Modification Applications. The decision-making authority will determine whether the application as presented, meets the Sidewalk Design Modification approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Sidewalk Design Modification.

To approve a Sidewalk Design Modification 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 40.58.15.C.1

The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.

FINDING:

The subject site has public street frontage on SW Scholls Ferry Road, which is an arterial street under Washington County's jurisdiction. Although the right of way is under the County's jurisdiction, the public sidewalk and planter strip abutting the site are subject to City of Beaverton standards. The Beaverton Engineering Design Manual requires a 7.5-foot-wide planter strip for arterials and the applicant requests to reduce this width to 4 feet. Staff finds this request satisfies Threshold 1, which states:

1. *The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.*

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

Section 40.58.15.C.2

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

FINDING:

The applicant paid the required fee for this Sidewalk Design Modification application.

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

Section 40.58.15.C.3

One or more of the following criteria are satisfied:

- a. That there exist local topographic conditions, which would result in any of the following:
 - i. A sidewalk that is located above or below the top surface of a finished curb.
 - ii. A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.
- b. That there exist local physical conditions such as:
 - i. An existing structure prevents the construction of a standard sidewalk.
 - ii. An existing utility device prevents the construction of a standard sidewalk.
 - iii. Rock outcroppings prevent the construction of a standard sidewalk without blasting.
- c. That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.
- d. That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.

FINDING:

The applicant's sidewalk sections drawing (Sheet SW-1) shows that, due to existing local topographic conditions, constructing a 7.5-foot-wide planter strip (as required by the EDM) would result in a public sidewalk that is located below the top surface of a finished curb. The applicant states providing the EDM-required planter strip width "would create significant grading complications to the site as the project is at maximum slopes allowable for the drive aisle across from Montclair Drive and there would be greater than the 5:1 allowable slope within the 8 foot public utility easement (PUE) on the school's frontage.

Maintaining – and not exceeding – grades as currently designed also has implications for other site-related elements such as fire access and retaining wall height (and not having to top them with guardrails).” Additionally, the applicant states, “If a 7.5 foot landscape strip was provided, the proposed sidewalk would cause the school driveway across from Montclair Drive to be greater than 15% slope from sidewalk to parking area, which would violate TVF&R’s maximum allowable slope for a fire access route.” Accordingly, staff finds the applicant’s request to reduce the planter strip width from 7.5 feet wide to 4 feet wide satisfies criterion 3.a.i, as outlined above.

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

Section 40.58.15.C.4

The proposal complies with provisions of Section 60.55.25 (Street and Bicycle and Pedestrian Connection Requirements) and 60.55.30 (Minimum Street Widths).

FINDING:

As detailed under approval criteria 40.03.1.A and 40.03.1.D in Attachment A of this staff report, the proposal complies with the provisions of Section 60.55.25 (Street and Bicycle and Pedestrian Connection Requirements). The subject site has public street frontage on SW Scholls Ferry Road, which is an arterial street under Washington County’s jurisdiction. Accordingly, the right of way is subject to County-required minimum widths for travel lanes, center turn lanes, and bicycle lanes, and the County’s conditions of approval have been incorporated into this decision to ensure compliance with these standards. Although the right of way is under the County’s jurisdiction, the public sidewalk and planter strip abutting the site are subject to City of Beaverton standards. The applicant will construct 6-foot-wide sidewalks (as required by the EDM) and has applied for this Sidewalk Design Modification application to reduce the planter strip width from the EDM-required 7.5 feet to 4 feet.

Staff notes that although the applicant’s sidewalk sections drawing (Sheet SW-1) and public street improvement drawings (Sheets C6.1 to C6.3) correctly show the planter strip as 4 feet wide, the applicant’s signing and striping plan (Sheet C6.14) erroneously shows the planter strip as only 3.5 feet wide. Accordingly, staff has included a condition of approval for the applicant to submit a revised signing and striping plan showing a 4-foot-wide planter strip prior to site development permit issuance.

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

Section 40.58.15.C.5

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

FINDING:

The applicant submitted applications for a Major Adjustment, New Conditional Uses, Design Review Three, Replat One, Legal Lot Determination, and Tree Plan Two to be processed concurrently with this Sidewalk Design Modification application. No additional applications or documents are needed at this time. Staff recommends a general condition requiring approval of the associated applications.

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

Section 40.58.15.C.6

The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.

FINDING:

Although the applicant requests to reduce the planter strip width, the applicant will still construct 6-foot-wide sidewalks, as required by the EDM; accordingly, staff finds the development will provide safe and efficient circulation on SW Scholls Ferry Road and in the site vicinity. The proposed sidewalks will meet the Americans with Disabilities Act (ADA) accessible grades and, as detailed under approval criteria 40.03.1.A and 40.03.1.G in Attachment A of this staff report, will improve public pedestrian access to the site. Washington County has also planned a Capital Project to improve sidewalks on SW Scholls Ferry Road that is anticipated to begin construction in Spring 2024. The applicant's proposal will tie into adjacent sidewalks constructed as part of the County's Capital Project to provide safe pedestrian connections throughout the neighborhood.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of SDM2023-0001, subject to the applicable conditions identified in Attachment J.

Attachment I: TREE PLAN TWO TP2022-0016

ANALYSIS AND FINDINGS FOR TREE PLAN TWO APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **TP2022-0016**, subject to the applicable conditions identified in Attachment J.

Section 40.20.05 Purpose:

The purpose of the Tree Plan application is to maintain healthy trees and urban forests that provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and SNRAs, and Community Trees thus helping to preserve and enhance the sustainability of the City's urban forest. This Section is carried out by the approval criteria listed herein and implements the SNRA, Significant Grove, Significant Individual Tree, and Historic Tree designations as noted or mapped in Comprehensive Plan Volume III.

Planning Commission Standards for Approval:

Section 40.90.15.2.C of the Development Code provides standards to govern the decisions of the decision-making authority as they evaluate and render decisions on Tree Plan Two Applications. The decision-making authority will determine whether the application as presented, meets the Tree Plan Two approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 2 Tree Plan.

To approve a Tree Plan Two application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

Section 40.90.15.2.C.1

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

FINDING:

The site does not contain any Landscape Trees or Protected Trees, as defined in BDC Chapter 90. Accordingly, all on-site trees are considered to be Community Trees, and the applicant requests to remove 35 Community Trees. Staff finds the proposal satisfies Threshold 1 for the Tree Plan Two application, which reads:

1. *Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1.*

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

Section 40.90.15.2.C.2

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

FINDING:

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

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

Section 40.90.15.2.C.3

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

FINDING:

This criterion is not applicable because the applicant does not state the tree removals are necessary to observe good forestry practices.

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

Section 40.90.15.2.C.4

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

FINDING:

The applicant states the tree removals are necessary to accommodate the new school building, two parking lots with adequate space for bus and vehicle circulation, on-site pedestrian walkways, bicycle parking areas, play areas, and common areas, and there is no reasonable alternative to removing the trees that would allow for the proposed development. Tree removals are also necessary to accommodate half-street improvements on SW Scholls Ferry Road, which will include a center turn lane, travel lane, 6-foot bicycle lane, gutter/curb, 6-foot sidewalk, and planter strip with street trees.

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

Section 40.90.15.2.C.5

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

FINDING:

This criterion is not applicable because the applicant does not state the tree removals are necessary to remove nuisance trees.

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

Section 40.90.15.2.C.6

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

FINDING:

The tree removals are necessary to accommodate half-street improvements on SW Scholls Ferry Road, which will include a center turn lane, travel lane, 6-foot bicycle lane, gutter/curb, 6-foot sidewalk, and planter strip with street trees.

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

Section 40.90.15.2.C.7

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

FINDING:

This criterion is not applicable because the applicant does not state the tree removals are necessary to enhance the health of a tree, grove, SNRA, or adjacent trees, or to eliminate conflicts with structures or vehicles.

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

Section 40.90.15.2.C.8

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

FINDING:

This criterion is not applicable because the site does not contain any SNRAs or Significant Groves.

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

Section 40.90.15.2.C.9

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

FINDING:

This criterion is not applicable because the site does not contain any SNRAs or Significant Groves.

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

Section 40.90.15.2.C.10

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

FINDING:

Community Trees are not subject to the removal, protection, or mitigation standards in BDC Section 60.60; however, the Committee recommends conditioning the applicant to install tree protection fencing prior to the start of construction because the applicant's tree planting plans (Sheets L6.0 to L6.5) show multiple mature trees will be preserved along the site's boundaries.

The standards in Section 60.67 Significant Natural Resources do not apply to the proposal because there are no Significant Natural Resources on the site.

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

Section 40.90.15.2.C.11

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

FINDING:

Staff cites the findings under approval criterion 40.03.1.J in Attachment A of this staff report for analysis regarding the applicant's preliminary grading plan, and concludes that no adverse effects on neighboring properties, the public right-of-way, or the public storm system are anticipated.

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

Section 40.90.15.2.C.12

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

FINDING:

Pursuant to Section 50.25.1, the application package includes all of the necessary submittal requirements.

Conclusion: Therefore, staff find the proposal meets the criterion for approval.

Section 40.90.15.2.C.13

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

FINDING:

The applicant submitted applications for a Major Adjustment, New Conditional Uses, Design Review Three, Replat One, Legal Lot Determination, and Sidewalk Design Modification to be processed concurrently with this Tree Plan Two application. No additional applications or documents are needed at this time. Staff recommends a general condition requiring approval of the associated applications.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of TP2022-0016, subject to the applicable conditions identified in Attachment J.

Attachment J: RECOMMENDED CONDITIONS OF APPROVAL

Application: Raleigh Hills Elementary School

Recommendation: APPROVE ADJ2022-0005 / CU2022-0012 / CU2023-0005 / DR2022-0155 / LD2022-0020 / LLD2022-0008 / SDM2023-0001 / TP2022-0016

Major Adjustment (ADJ2022-0005)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications CU2022-0012, CU2023-0005, DR2022-0155, LD2022-0020, LLD2022-0008, SDM2023-0001, and TP2022-0016 have been approved and are consistent with the submitted plans. (Planning / LS)

New Conditional Use (CU2022-0012)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications ADJ2022-0005, CU2023-0005, DR2022-0155, LD2022-0020, LLD2022-0008, SDM2023-0001, and TP2022-0016 have been approved and are consistent with the submitted plans. (Planning / LS)

New Conditional Use (CU2023-0005)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications ADJ2022-0005, CU2022-0012, DR2022-0155, LD2022-0020, LLD2022-0008, SDM2023-0001, and TP2022-0016 have been approved and are consistent with the submitted plans. (Planning / LS)

Design Review Three (DR2022-0155)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications ADJ2022-0005, CU2022-0012, CU2023-0005, LD2022-0020, LLD2022-0008, SDM2023-0001, and TP2022-0016 have been approved and are consistent with the submitted plans. (Planning / LS)
2. The applicant shall implement the communications strategies detailed in the Traffic Impact Analysis dated July 18, 2023 to ensure safe and efficient vehicle and pedestrian circulation during the peak morning and peak afternoon periods. (BDC 40.03.1) (Transportation / KM)

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

2. 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)
3. 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)
4. 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)
5. Have the applicant for the subject property guarantee all City-owned and maintained storm line improvements along SW Scholls Ferry Rd, grading, erosion control, 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)
6. 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)
7. Submit a geotechnical report with the site development permit application for review and approval. (Site Development Div. / SAS)
8. Submit a copy of issued permits or other approvals needed from the Raleigh Hills Water District for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div. / SAS)
9. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div. / SAS)

10. 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)
11. 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)
12. 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)
13. 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)
14. 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)
15. Provide plans showing a proprietary stormwater treatment system for treatment of the site's piped surface water runoff. Plans shall also show a trash capture water quality pre-treatment unit located directly upstream from any proprietary stormwater treatment system vaults or manholes. Plans shall also show a high flow bypass system to bypass surface water runoff high flows. (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 and modified 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 new buildings. No overhead services shall remain on the site. If existing utility poles along existing street frontages 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, including flow control and storm filter manholes, 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)
22. Submit detail sheet of proposed light poles including the poles' foundations located within the vision clearance triangle adjacent to both accesses to ensure compliance with the EDM Section 210.18 which requires poles to be less than 12-inches wide. (BDC 60.55.35, EDM 210.18) (Transportation / KM)
23. Submit a signage and striping plan for both the west and the east parking lots consistent with the applicant's Traffic Impact Analysis's (dated 7/18/23) discussion of expected site operations. (BDC 40.03.1, and 60.55.25 and 35) (Transportation / KM)
24. Obtain approval for a Design Exception Request to the 12-foot minimum residential driveway width in EDM Standard Residential Driveway Drawing 211. (Planning / LS)
25. Submit detail drawings showing all proposed bicycle parking racks will meet the bicycle parking facility design standards in EDM Section 340.4. (Planning / LS)
26. Submit a revised signing and striping plan (Sheet C6.14) showing the planter strip adjacent to SW Scholls Ferry Road is 4 feet wide. (Planning / LS)

27. Obtain a Washington County Facility Permit for construction of the following public improvements on SW Scholls Ferry Road, an arterial under the jurisdiction of the County. The applicant shall submit the following to Washington County Public Assurance Staff (503-846-3843) (Washington County / NV):

- a. Submit to Washington County Public Assurance Staff: A completed "Design Option" form (original copy), City's Notice of Decision (NOD) and County's Letter dated August 17, 2023.
- b. \$25,000.00 Administration Deposit.
- c. Electronic submittal of engineering plans, geotech/pavement report, engineer's estimate, preliminary sight distance certification and the "Engineer's Checklist" (Appendix 'E' of County Road Standards) for construction of the following public improvements:

Note: Improvements within the ROW may be required to be relocated or modified to permit the construction of public improvements. All public improvements and modifications shall meet current County and ADA standards. Public improvements that do not meet County standards shall submit a Design Exception to the County Engineer for approval.

- i. Construction of a signalized access on SW Scholls Ferry Road at the intersection of SW Scholls Ferry Road and SW Montclair Drive. The access shall include a traffic signal with associated equipment, ADA/pedestrian equipment and lane configurations with storage lengths/tapers per the TIA/AMP and County Engineering. Include turning templates.
- ii. Construction of the western access for buses, including a left turn lane on SW Scholls Ferry Road per the AMP/TIA. The left-turn lane shall include a minimum of 100 feet of storage plus taper per County engineering. The design shall include turning templates for buses and the largest truck using the driveway.
- iii. Construction of a half-street improvement to a County A-4 standard along the site's frontage of SW Scholls Ferry Road. The half-street improvement shall include an 11 foot travel lane, turn lane(s), 6 foot bike lane, gutter/curb, 6 foot sidewalk and 4 foot planter strip with street trees. The lane widths are subject to approval by the County Engineer. Coordination with the County's Capital Project is required.
- iv. Installation of continuous illumination and communication/signal conduit along the site's frontage of SW Scholls Ferry Road to County standards. All access, including the driveway for Tax Lots 300 and 301 shall be adequately illuminated per County standards.

- v. Preliminary certification of adequate sight distance for both school accesses to SW Scholls Ferry Road, including for construction access (if proposed).
- vi. Closure of all existing access from the subject tax lots to SW Scholls Ferry Road not approved with this land use. Note: Access to Tax Lots 300 and 301 shall be provided during construction.
- vii. Construction access and traffic circulation/control plan for access to SW Scholls Ferry Road. Note: include temporary access for Tax lots 300/301.
- viii. Construction of a TriMet, County and ADA compliant bus stop on SW Scholls Ferry Road.
- ix. Residential driveway to serve Tax Lots 300 and 301 per County standards. Provide preliminary sight distance analysis.

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

- 28. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / SAS)
- 29. 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 approval of the final plat, the applicant shall:

- 30. Have verified to the satisfaction of the City Engineer that the location and width of all existing and proposed rights of way and easements are adequate; that each parcel and tract has proper access provisions; and that each parcel and tract has adequate public utility service provision/availability per adopted City standards and requirements. (Site Development Div. / SAS)
- 31. Show granting of any required on-site easements on the plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div. / SAS)
- 32. Submit a copy of the final plat to the City for review prior to recording. (Planning Division / LS)

33. The following shall be shown on the plat and recorded with the Washington County Survey Division (503-846-8723) (Washington County / NV):
- a. Dedication of an 8-foot PUE along the frontage of SW Scholls Ferry Road.
 - b. Provision of a non-access restriction along the subject site's frontage of SW Scholls Ferry Road, except for approved accesses.
 - c. Dedication of adequate corner radius at the intersection of SW Scholls Ferry Road and eastern (parent) school access to accommodate the signal and associated equipment.

E. Prior to final inspection and final occupancy permit, the applicant shall:

34. 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)
35. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / SAS)
36. 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)
37. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / SAS)
38. 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)
39. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div. / SAS)
40. Submit certified sight distance analyses for both the west and the east driveways along SW Scholls Ferry Road. Certified sight distance shall include the stamp and signature of a civil or transportation engineer registered in the state of Oregon. (BDC 40.03.1, 60.55.35, and EDM 210.18) (Transportation / KM)
41. Pave the proposed residential driveway located along the easternmost property line, in compliance with EDM Section 210.21.N.2. (Planning / LS)
42. Provide an emergency access easement over the eastern parking lot and 5-foot pedestrian pathway that connects the eastern parking lot to the neighboring properties

at 5149 and 5145 SW Scholls Ferry Road (Tax Lots 00300 and 00301 on Washington County Tax Assessor's Map 1S113CA), in accordance with Sheet FS-1 of TVF&R's Service Provider Permit dated December 6, 2022. The easement shall ensure TVF&R has unobstructed access to 5149 and 5145 SW Scholls Ferry Road in the event of an emergency and shall be recorded with Washington County. (Planning / LS)

43. The road improvements required in condition 27 above shall be completed and approved by Washington County, including final sight distance certification for all access on Scholls Ferry Road. (Washington County / NV)
44. Submit for review and advisory comment the student drop-off and pick-up circulation plan, including on-site signage, for the east parking lot. (Washington County / NV)

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

45. Have completed the site development improvements and verify that the location and width of proposed rights of way and 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)
46. 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)
47. Provide a post-construction cleaning, system maintenance, and any proprietary stormwater treatment system recharge/replacement servicing report per manufacturer's recommendations for the site's proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer. (Site Development Div. / SAS)
48. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained stormwater infrastructure, 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 be released 2 years after project acceptance following the correction of any identified defects. (Site Development Div. / SAS)

Replat One (LD2022-0020)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications ADJ2022-0005, CU2022-0012, CU2023-0005, DR2022-0155, LLD2022-0008, SDM2023-0001, and TP2022-0016 have been approved and are consistent with the submitted plans. (Planning / LS)

Legal Lot Determination (LLD2022-0008)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications ADJ2022-0005, CU2022-0012, CU2023-0005, DR2022-0155, LD2022-0020, SDM2023-0001, and TP2022-0016 have been approved and are consistent with the submitted plans. (Planning / LS)

Sidewalk Design Modification (SDM2023-0001)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications ADJ2022-0005, CU2022-0012, CU2023-0005, DR2022-0155, LD2022-0020, LLD2022-0008, and TP2022-0016 have been approved and are consistent with the submitted plans. (Planning / LS)

Tree Plan Two (TP2022-0016)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications ADJ2022-0005, CU2022-0012, CU2023-0005, DR2022-0155, LD2022-0020, LLD2022-0008, and SDM2023-0001 have been approved and are consistent with the submitted plans. (Planning / LS)

B. Prior to the start of construction, the applicant shall:

2. Install tree protection fencing in compliance with BDC 60.60.20. Any alternatives to the standards in BDC 60.60.20 shall be approved by the City Arborist. (Planning / LS)