



CITY OF BEAVERTON
Planning Division
Community Development Department
Tel: 503-526-2420
www.beavertonoregon.gov

MEMORANDUM

City of Beaverton

Community Development Department

To: Interested Parties
From: City of Beaverton Planning Division
Date: May 31, 2023
Subject: *Notice of Decision for LU22023-00280 SW Bible Canopy (DR22023-00178)*

Please find attached the Notice of Decision for **LU22023-00280 SW Bible Canopy (DR22023-00178)**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for LU22023-00280 and DR22023-00178 is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- The case file number designated by the City.
- The name and signature of each appellant.
- Reference to the written evidence provided to the decision-making authority by the appellant that is contrary to the decision.
- If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision-making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- The appeal fee of \$250.00, as established by resolution of the City Council.

The appeal closing date for DR22023-00178 is 4:30 p.m., June 12, 2023.

The complete case file including findings, conclusions, and conditions of approval, if any, are available for review. The case file may be reviewed by contacting the project planner, Brett Cannon at bcannon@beavertonoregon.gov or at <https://apps2.beavertonoregon.gov/DevelopmentProjects/>

NOTE: The City of Beaverton Community Development Department customer service center is now open to the public Monday through Thursday from 8:30am – 4:30pm.

Accessibility information: This information can be made available in large print or audio tape upon request. Assistive listening devices, sign language interpreters, or qualified bilingual interpreters can be made available at any public meeting or program with 72 hours advance notice. To request these services, please contact Brett Cannon at 711-503-350-4038 or bcannon@beavertonoregon.gov.

STAFF REPORT

Report date: May 31, 2023

Application/project name: SW Bible Canopy

Application Numbers: LU22023-00280 DR22023-00178

Proposal: The applicant, SW Bible Church, requests Design Review Two approval to construct a 14-foot tall, 5,000 square foot canopy cover for an outdoor play area and demolish an existing asphalt basketball court.

Proposal location: 14065 SW Weir Road, specifically identified as Tax Lot 01000 on Washington County Assessor's Map 1S129DD.

Applicant: Harper Houf Peterson Righellis, LLC.



Recommendation: Approval LU22023-00180, DR22023-00178, subject to conditions of approval.

Contact information:

City staff representative: Brett Cannon, Associate Planner
503-350-4038
bcannon@BeavertonOregon.gov

Applicant: Harper Houf Peterson Righellis Inc.
Attn: Thuy Cao
205 SE Spokane Street, Suite 200
Portland, OR 97202

Property owners: Southwest Bible Church
14605 SW Weir Road
Beaverton, OR 97007

Existing conditions

Zoning: Residential Mixed B (RMB)

Site conditions: Existing religious institution facility and significant natural resource area.

Site Size: Approximately 23.82 acres.

Location: 14605 SW Weir Road.

Neighborhood Association Committees: Sexton Mountain

Table 1: Surrounding uses

Direction	Zoning	Uses
North	Residential Mixed A & B (RMA and RMB)	Attached Dwellings and Multi Family
South	Residential Mixed B (RMB)	Single Detached Dwellings
East:	Residential Mixed B & C (RMB and RMC)	Single Detached Dwelling and Attached Dwellings
West:	Residential Mixed B (RMB)	Single Detached Dwellings

Application information

Table 2: Application summaries

Application	Application type	Proposal summary	Approval criteria location
DR222023-00178	Design Review Two	Construct a 14-foot tall, 5,000 square foot canopy-cover for an outdoor play area and demolish an existing asphalt basketball court.	Development Code Section 40.20.15.2.C

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
DR22023-00178	April 4, 2023	April 4, 2023	August 2, 2023	April 4, 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

No public comments were received related to these applications.

Exhibit 1.1 Vicinity Map

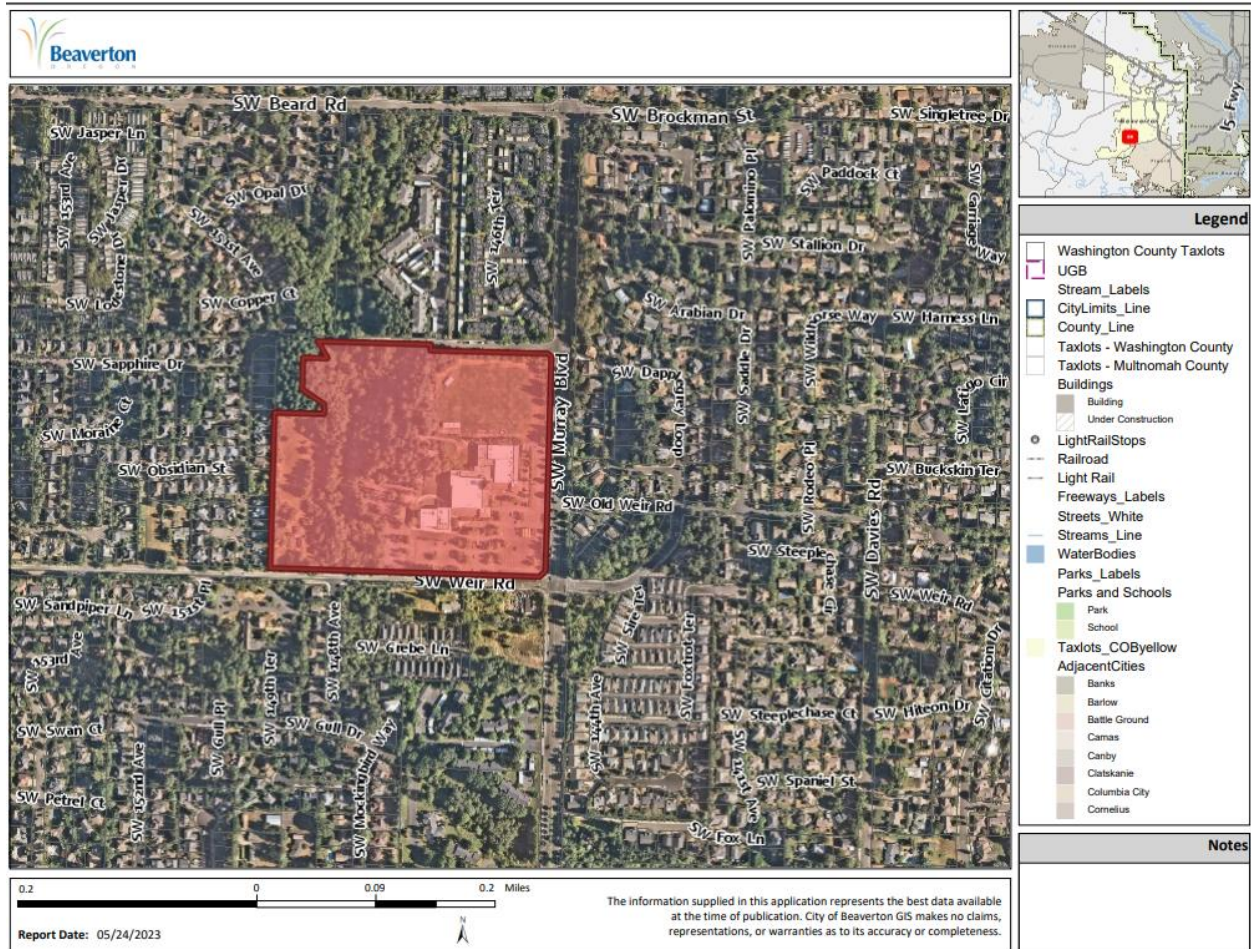


Exhibit 1.2 Zoning Map

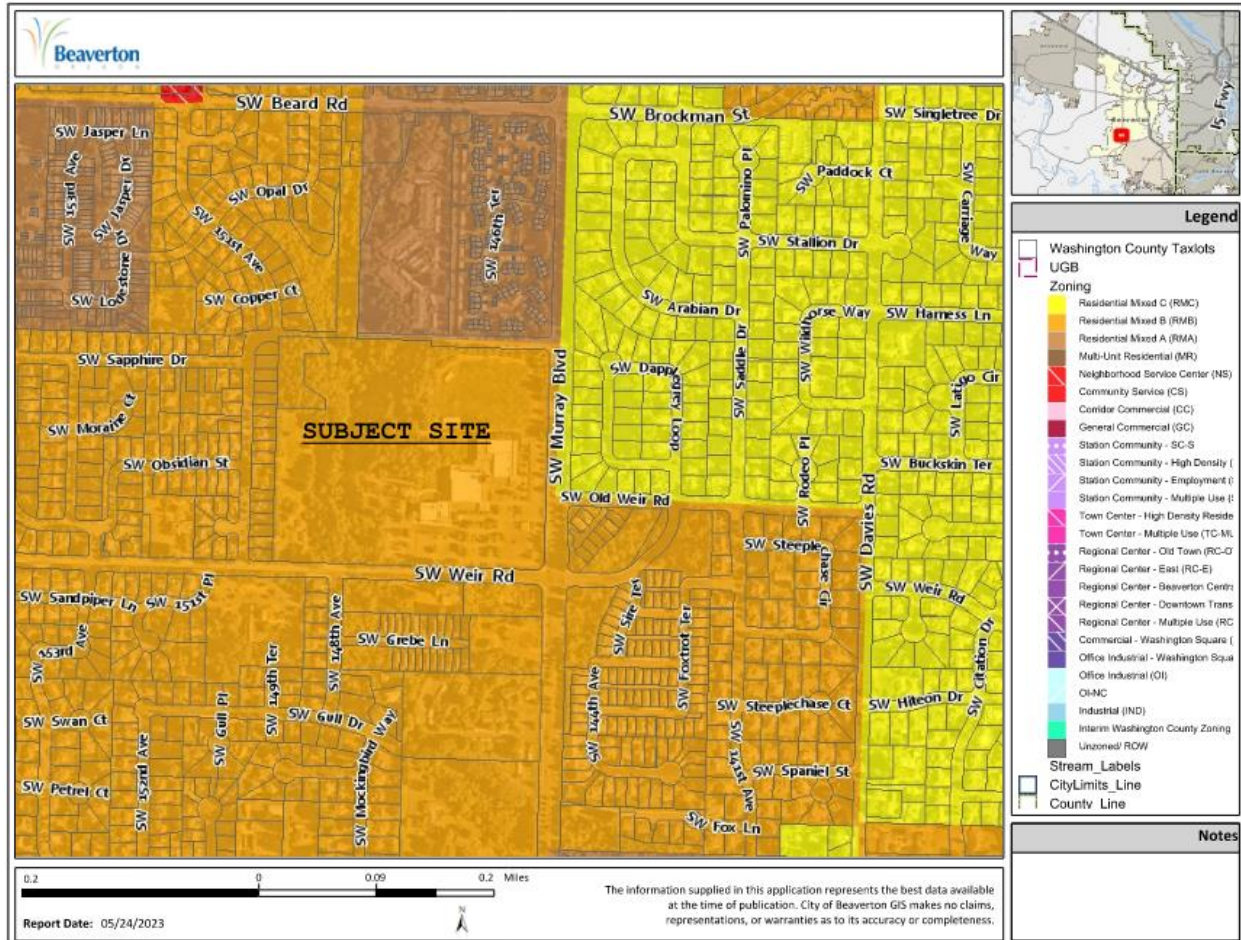


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Exhibits

Exhibit 1. Materials submitted by Staff

Exhibit 1.1 Vicinity Map (Page 6 of this report)

Exhibit 1.2 Zoning Map (Page 7 of this report)

Exhibit 2. Public Comment

No Public Comment Received

Exhibit 3. Materials submitted by the Applicant

Exhibit 3.1 Application Package

Attachment A: FACILITIES REVIEW REPORT

FACILITIES REVIEW COMMITTEE

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: SW Bible Canopy

Proposal: The applicant, SW Bible Church, requests Design Review Two approval to construct a 14-foot tall, 5,000 square foot canopy cover for an outdoor play area and demolish an existing asphalt basketball court.

Recommendation: APPROVE LU22023-00180 SW Bible Canopy, DR22023-00178

Section 40.03 Facilities Review Committee:

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

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

- All twelve (12) criteria are applicable to the Design Review Two (DR22023-00178) applications as submitted.

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 public water; public sanitary sewer; stormwater drainage, treatment, and retention; transportation; and fire protection.

Potable Water: City of Beaverton water service is available to the site. There is an existing 12-inch water main located in SW Weir Road and SW Murray Boulevard. The site is served by two 8-inch lateral connections that serve the existing structures on site. Additionally,

the proposed canopy does not require water service. Therefore, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

Non-Potable Water: There isn't a non-potable water network in the area of development. Therefore, the proposal is exempt from connecting to a non-potable water network.

Sanitary Sewer: City of Beaverton sanitary sewer service is available to the site, and there is an existing 8-inch sewer main located in SW Weir Road and SW Murray Boulevard. The site is served by an 8-inch lateral from SW Weir Road. Additionally, the proposed canopy will not require sanitary sewer service. Based on the applicant's narrative and preliminary utility plans, the Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

Stormwater Drainage, Treatment, and Retention: City of Beaverton stormwater service is available to the site. The applicant submitted a preliminary stormwater management report dated March 8, 2023. The report states that runoff from the proposed canopy will be directed west through the grass sports field into Summer Creek. Prior to entering into Summer Creek, the drainage from the proposed canopy will be captured and filtered via a Vegetated Filler Strip. The applicant states the proposed stormwater system design will meet Clean Water Services Design Hydromodification water quality, detention and construction standards, and that stormwater service is adequate to serve the proposed development. Based on the applicant's materials, 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 along SW Weir Road, SW Murray Boulevard, and SW Sapphire Drive. The SW Weir Road and SW Murray Boulevard frontages are improved with 5-foot sidewalks for pedestrians to access the site. SW Murray Boulevard has a buffered bike lane abutting the site and SW Weir Road has a non-buffered bike lane abutting the site. The frontage along SW Sapphire Road is unimproved and used as vehicular parking. Pedestrian access to the site via SW Sapphire Drive is viable via a curb-tight 5-foot sidewalk on the north side of SW Sapphire to a crossing at SW Murray Boulevard directly to the sidewalk frontage along SW Murray Boulevard.

No changes to vehicular access to the site are proposed. The existing three access points via SW Weir Road will continue to serve the site. Per Beaverton Development Code (BDC) Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is not required because the proposed development will not generate 300 vehicles or more per day in average weekday trips. Based on the applicant's materials, the Committee finds that adequate transportation facilities serve the site.

Fire Protection: Fire protection will be provided by TVF&R. TVF&R staff issued a Service Provider Permit (TVF&R Permit Number 2023-0053) for the applicant's proposal, and the

agency 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.

For these reasons, the Committee finds that all critical facilities and services have adequate capacity to serve the proposed development.

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

Section 40.03.1.B

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

FINDING:

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

Schools: The applicant proposes a canopy cover for an existing grass sports field. No residential dwellings are proposed with the application, therefore, an increase in students in the Beaverton School District is not expected. The Committee finds BSD has adequate capacity to serve the proposed development.

Transit Improvements: There are 2 TriMet bus stops located within 200 feet of the subject site at both on SW Murray Boulevard, which provides access to the 62 bus line. The bus line connects to the Millikan Way MAX Station stop, which is located approximately 0.8 miles from the site. The MAX Light Rail can be used to connect to the Beaverton Transit Center and the WES Commuter Rail. Accordingly, the Committee finds there is adequate transit service to serve the proposed development.

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

Pedestrian and Bicycle Facilities: The proposed canopy structure will not impact the existing on-site pedestrian and bicycle facilities. The existing pedestrian paths will provide adequate pedestrian access to the proposed canopy and grass field area. With the

proposed improvements, the Committee finds there are adequate pedestrian and bicycle facilities to serve the proposed development.

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

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

Section 40.03.1.C

Approval Criterion: *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) 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).*

FINDING:

The site is zoned Residential Mixed B (RMB). The Committee refers to Chapter 20 land use and site development requirements table at the end of this report, which evaluates the project as it relates to applicable code requirements of Section 20.05.15 and 20.05.20. As demonstrated in the table, the development proposal is consistent with all applicable provisions of Chapter 20.05.15 and 20.05.20 (*Residential Land Use Districts*).

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

Section 40.03.1.D

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

FINDING:

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 (Special Requirements).

Section 60.55 Transportation Facilities: As stated in the findings for approval criterion 40.03.1.A, Per Beaverton Development Code (BDC) Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is not required because the proposed development will not generate 300 vehicles or more per day in average weekday trips.

As stated in the findings for approval criteria 40.03.1.A and 40.03.1.B, the site's existing frontages provide access for pedestrians via 5-foot sidewalks and bike lanes in SW Murray and SW Weir Boulevard.

Section 60.55.25. Street and Bicycle Pedestrian Connection Requirements: The applicant states the proposed canopy will not impact the existing on-site vehicles, bicycle or pedestrian connections. The proposed canopy will be accessed via an existing pedestrian path that provides access to the grass sports field.

Section 60.60 Trees and Vegetation Requirements: The proposed canopy will be located approximately 35-feet from Significant Natural Resource Area (SNRA) 80, as identified in Volume III (Tree Plan Inventory) of the city's Comprehensive Plan. To ensure no construction activities impact the adjacent SNRA, staff proposes a condition of approval that tree protection fencing be installed and inspected prior to any construction activities.

Section 60.65 Utility Undergrounding: The applicant acknowledges the requirement to underground public and private utilities. Staff proposes a condition of approval that the applicant provide plans for the placement of underground utility lines if any are impacted with the proposed development.

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

Section 40.03.1.E

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

FINDING:

The applicant, SW Bible Canopy, 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 proposes a canopy to cover an existing grass field. The existing pedestrian path that accesses the portion of the grass field will provide sufficient on-site pedestrian circulation. No other changes to on-site vehicular or pedestrian circulation systems are proposed.

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

Section 40.03.1.G

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

FINDING:

The applicant proposes a canopy to cover an existing grass field. The existing pedestrian path that accesses the portion of the grass field will provide sufficient on-site pedestrian circulation. No other changes to on-site vehicular or pedestrian circulation systems are proposed. The existing pedestrian paths connect to both SW Murray Boulevard and SW Weir Road and will not be impacted by the proposed canopy structure. The existing three vehicle access points along SW Weir Road will continue to serve the site and not be impacted by the proposed canopy.

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

Section 40.03.1.H

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

FINDING:

Fire protection will be provided by TVF&R. TVF&R staff issued a Service Provider Permit (TVF&R Permit Number 2023-0053) for the applicant's proposal, and the agency will verify that their requirements are met prior to Building Permit Issuance. The Committee finds that adequate fire protection service can be provided to the site to serve the proposed development.

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

Section 40.03.1.I

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

FINDING:

The applicant states that all 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 documentation 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:

As stated in the findings for approval criterion 40.03.1.A, the applicant's proposed stormwater system will be designed so runoff is treated, detained, and discharged to the public storm system, via Summer Creek.

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

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 the proposal complies with all requirements of Beaverton's Engineering Design Manual, and all on-site pedestrian routes will meet Americans with Disabilities Act (ADA) standards and facilitate efficient pedestrian travel. The existing pedestrian path which access the grass field and proposed canopy is ADA accessible.

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code, and other standards as required by the ADA. The Committee finds that review of the proposed plans at the Building Permit stage 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 the Design Review Two application on April 4, 2023. The applications included all required submittal materials as specified in BDC Section 50.25.1.

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

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements Residential Mixed B (RMB) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.15.20			
Religious Institution	Conditional Use	The applicant, SW Bible Church, requests Design Review Two approval to construct a 5,000 square foot canopy cover for an outdoor play area and demolish an existing asphalt basketball court	YES CUP1995 -0025
Development Code Section 20.15.15			
Parcel Area	Minimum: 1,300-7,000 sq.ft. Maximum: None	23.82 Acres	YES
Minimum Lot Dimensions	Width: 20 feet Depth: None	Approximately 1,144 feet Approximately 917 feet	YES
Yard Setbacks	<u>Front</u> : 10 feet <u>Side</u> : 5 feet <u>Rear</u> : 15 feet	626 feet 365 feet 276 feet	YES
Maximum Building Height	35 feet	14 feet	YES

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	The applicant proposes a new canopy and demolition of an existing basketball court.	Yes, see staff report 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 within a floodplain.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	The proposal does not include a 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.	No Land Divisions are proposed.	N/A
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	Minimum: None	According to Table 60.25.15.5, no minimum number of loading spaces is required because the applicant doesn't propose any commercial space.	N/A

Development Code Section 60.30

Off-Street Motor Vehicle Parking	Minimum:541 Maximum:1,733	The minimum and maximum spaces were calculated using the existing seat occupancy of the religious institution of 2,166 seats. The project site was approved for the existing parking count of 554 spaces by CU2017-0014.	YES
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Development Code Section 60.30

Required Bicycle Parking	Short Term: 14 Long Term: 2	The project site was approved for the existing bicycle parking count by CU2017-0014. The findings for CU2017-0014 approved the church and school use to share the required bicycle parking. The site provides 14 short-term spaces and 2 long-term spaces.	YES
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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
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Development Code Section 60.35

Planned Unit Development	Development and design principles for Planned Unit Developments.	No Planned Unit Development is proposed.	N/A
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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
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Development Code Section 60.45

Solar Access Protection	Solar access requirements for subdivisions and single family homes.	No subdivisions or single family homes are proposed.	N/A
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Development Code Section 60.50

Accessory Uses and Structures	Requirements for accessory uses and structure. Setback- Minimum 3 Feet Height- 8-35 Feet, dependent upon location.	The proposed canopy is located within the main building setbacks for the site. Therefore, the maximum height allowed is 35-feet. The proposed structure is approximately 14 feet in height.	YES
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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
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Development Code Section 60.60

Trees and Vegetation	Regulations pertaining to tree removal and preservation.	No tree removal is proposed. The applicant will be required to provide tree protection fencing for SNRA 80 during construction of the proposed canopy due to its proximity to the boundary of the SNRA.	YES w/COA
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Development Code Section 60.65

Utility Undergrounding	Requirements for placing overhead utilities underground.	Refer to the Facilities Review Committee findings herein.	YES w/ COA
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Development Code Section 60.67

Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	No Significant Natural Resources areas will be impacted by the proposed canopy structure. The applicant will be required to provide tree protection fencing for SNRA 80 during construction of the proposed canopy due to its proximity to the boundary of the SNRA.	YES w/COA
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Development Code Section 60.70

Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A
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Attachment B: DESIGN REVIEW TWO DR22023-00178

ANALYSIS AND FINDINGS FOR DESIGN REVIEW TWO APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR22023-00178**, subject to the applicable conditions identified in Attachment C.

Section 40.03.1 Facilities Review Committee Approval Criteria:

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

FINDING:

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

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

Section 40.20.05 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.

Section 40.20.15.2.C Approval Criteria

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

Section 40.20.15.2.C.1

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

FINDING:

The applicant proposes to construct a 5,000 square foot canopy cover for an outdoor play area and demolish an existing asphalt basketball court. Threshold 10 for a Design Review 2 states “New construction of non-habitable buildings or construction of a permanent structure, not considered a building in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, which has a footprint greater than 1,000 square feet and up to 10,000 square feet in size and is a use permitted within the underlying zoning district.” Therefore, the application meets Threshold 10 for a Design Review Two application.

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

Section 40.20.15.2.C.2

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

FINDING:

The City of Beaverton received the appropriate fee for a Design Review Two application.

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

Section 40.20.15.2.C.3

Approval Criteria: 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 finds that the proposal meets the criterion.

Section 40.20.15.2.C.4

Approval Criteria: The proposal is consistent with all applicable provisions of Sections 60.05.15. through 60.05.30. (Design Standards).

Finding:

The proposal is to construct a 5,000 square foot canopy cover for an outdoor play area and demolish an existing asphalt basketball court. Staff cites the findings in the Design Review Standard Analysis chart (Table 4) in this report which evaluates the project in response to applicable Code standards of Sections 60.05.15 through 60.05.30 (Design Standards). In part, the chart provides a summary response to design review standards determined to be applicable in the subject case. The applicant's plans and materials show compliance with these standards. Certain conditions of approval are proposed to ensure the plan is constructed consistent with these standards.

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

Section 40.20.15.2.C.5

Approval Criteria: For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Standards if any of the following conditions exist:

Finding:

The proposal is to construct a 5,000 square foot canopy cover for an outdoor play area and demolish an existing asphalt basketball court. Staff cites the Design Review Standard Analysis chart which evaluates the proposal's compliance with Design Review Standards. The applicant's plans and materials show compliance with these standards. Certain conditions of approval are proposed to ensure the plan is constructed consistent with these standards.

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

Section 40.20.15.2.C.6

Approval Criteria: For reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district, the reconstructed dwelling is no more than 500 sq. ft. larger in floor area than the original dwelling.

Finding:

The application does not propose reconstruction of a destroyed existing single-detached dwelling in a Multiple Use zoning district.

Conclusion: Therefore, staff finds that the proposal is not applicable.

Section 40.20.15.2.C.7

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

Finding:

The application does not propose grading subject to the standards outlined in Section 60.15.10 of the Development Code.

Conclusion: Therefore, staff finds that the proposal is not applicable.

Section 40.20.15.2.C.8

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

Finding:

The applicant has submitted all documents related to this request for Design Review Two approval. The application was deemed complete on April 4, 2023.

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

Table 4: Section 60.05 Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Design and Orientation		
60.05.15.1.B Buildings visible from and within 100 feet on an adjacent street...the street-facing elevation(s) and the elevation(s) containing a primary building entrance.	The proposal is to construct a 14-foot tall, 5,000 square foot canopy-cover for an outdoor play area and demolish an existing asphalt basketball court. The existing building has a primary entrance which faces SW Murray Boulevard. The permanent architectural features are not being reviewed with this proposal.	N/A
60.05.15.1.C.1 Maximum 40' spacing between permanent architectural features.	The proposal is to construct a 14-foot tall, 5,000 square foot canopy-cover for an outdoor play area and demolish an existing asphalt basketball court. The spacing between permanent architectural features are not being reviewed with the proposal.	N/A
Roof Forms		

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.15.2 Roof Forms	The proposed canopy has a roof pitch of 4/12.	YES
Primary Building Entrances		
60.05.15.3 Primary Building Entrances	No changes to the primary building entrance are proposed.	N/A
Exterior Building Materials		
60.05.15.4.C Foundations	The proposed canopy doesn't have any exterior walls.	N/A
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	No new rooftop equipment is proposed.	N/A
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.A-F Street frontage Multiple Use Zones	The proposal is located in a residential zone.	N/A
Building Scale along Major Pedestrian Routes		
60.05.15.7.A through C	The site is not located on a MPR.	N/A
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A-B Glazing and Weather Protection	The existing building is located in a residential zone	N/A
Compact Detached Housing Design		
60.05.15.9.A-K	Compact Detached Housing is not proposed.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The applicant demonstrates on the Site Plan how the existing pedestrian pathways connect to the pedestrian system on SW Murray Boulevard and to SW Weir Road. No changes to the vehicle or bicycle connection system are proposed.	YES
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A-E	No changes to the existing loading areas and solid waste facilities are proposed.	N/A
Pedestrian Circulation		

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.20.3.A Link to adjacent facilities	The site currently has a pedestrian pathway linking SW Weir Road and SW Murray Boulevard with building entrances and parking areas. No changes are proposed to the existing pedestrian system.	YES
60.05.20.3.B Direct walkway connection	As seen on the Site Plan the existing pedestrian pathways accessing the primary building entrance connect directly to SW Murray Boulevard and SW Weir Road. Pedestrians can access the public bus stop on the corner of SW Weir Road and SW Murray Boulevard using the existing sidewalks and signaled crosswalk on SW Murray Boulevard.	YES
60.05.20.3.D Physical separation	No changes to pedestrian connections through parking lots are proposed.	N/A
60.05.20.3.E Distinct paving	No changes to pedestrian connections crossing driveways or vehicular access aisles are proposed.	N/A
60.05.20.3.F 5' minimum width	No changes to pedestrian walkways are a proposed.	N/A
Street Frontages and Parking Areas		
60.05.20.4.A.1-2	No changes to the street frontage or parking areas are proposed.	N/A
Parking and Landscaping		
60.05.20.5.A-D	No changes to the parking area landscaping are proposed.	N/A
Off-Street Parking Frontages in Multiple-Use Districts		
60.05.20.6.A 50% Max on MPR 1 65% Max on MPR 2	The site is not located in Multiple-Use District	N/A
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
60.05.20.7.A -B Required sidewalk/internal pathway widths	The proposal is located in a residential zone.	N/A
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
60.05.20.8.A Drive aisles to be designed	The existing drive aisles provide access to perpendicular parking spaces. No changes	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
as public streets, if applicable	to the parking area are proposed.	
Ground Floor uses in parking structures		
60.05.20.9 Parking Structures	No parking structures are proposed.	N/A

Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping		
60.05.25.1-4 Residential minimum landscaping.	The site is not a residential development.	N/A
Minimum Landscaping		
60.05.25.5.A-D Non-residential minimum landscaping.	No changes to the existing landscaping are proposed.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	The proposal does not include any retaining walls.	N/A
Fences and Walls		
60.05.25.9.A through E Materials	The proposal does not include any fences or walls.	N/A
Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10 Minimize grade changes	The proposal does not include any grading adjacent to abutting properties.	N/A
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	The proposal does not include any modifications to water quality or quantity facilities.	N/A
Natural Areas		
60.05.25.12 No encroachment into buffer areas.	Significant Natural Resource Area 80, as identified in Volume III of the Beaverton Comprehensive Plan is located on the western portion of the site. The area contains naturally wooded areas and Summer Creek. The proposed canopy is located approximately 30 feet from the edge of the natural area and no encroachment is proposed. To ensure protection of the trees at the edge of SNRA 80, staff proposes a condition of approval that the applicant install tree protection fencing prior to commencement of	YES W/ COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
construction activities.		

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A-E Lighting complies with the City's Technical Lighting Standards	No changes to the existing lighting are proposed.	N/A

Attachment C: Conditions of Approval

DR22023-00178

A. Prior to site development permit issuance, the applicant shall

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div. / HJ)
2. 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. / HJ)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions 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. / HJ)
4. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div. / HJ)
5. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. The City will forward applicant submittals to Clean Water Services for processing and approval. (Site Development Div. / HJ)
6. Provide an erosion control plan showing best management practices needed per Clean Water Services Standard Drawing #945. Make provisions for installation of all mandated erosion control measures prior to site disturbance of 500 square feet or more. These shall be maintained and replaced as necessary during the duration of the project to prevent sediment laden run-off from leaving the site. (Site Development

Div. / HJ)

7. 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. / HJ)
8. 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. (Site Development Div. / HJ)
9. 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. / HJ)
10. 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. / HJ)
11. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed. This worksheet shall be 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. Calculations shall also indicate the square footage of pre-existing impervious surface and the new impervious surface area created. (Site Development Div. / HJ)
12. 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. / HJ)

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

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

15. Tree protection fencing shall be installed prior to commencement of site work. The applicant shall contact staff to inspect protection fencing before site work begins. (Planning Division/BC)

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

16. 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. / HJ)
17. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / HJ)
18. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit 3.1," except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / BC)
19. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit 3.1," except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / BC)

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

20. Have completed the site development improvements. 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. / HJ)
21. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation as shown on the approved plan within the storm water management facility as determined by the City Engineer. If the plants are not well established (as determined by the City) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development Div. / HJ)

22. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security of the plant establishment and is released 2 years after project acceptance following the correction of any identified defects. (Site Development Div. / HJ)