

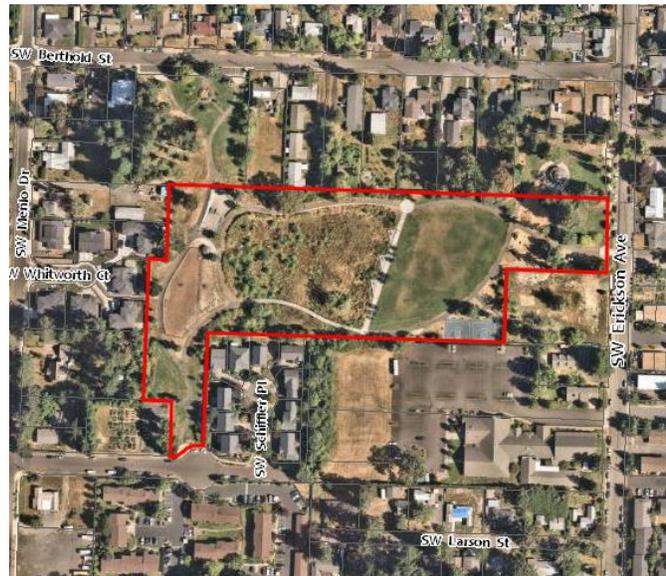
STAFF REPORT

Report Date: January 25, 2023

Application Name: Schiffler Park Restroom

Application Numbers: CU2022-0009 / DR2022-0115 / PD2022-0004

Proposal: The applicant, Tualatin Hills Park & Recreation District, requests Major Modification of a Conditional Use approval for an increase in gross floor area associated with the existing public park to add a restroom facility. The applicant also requests Design Review Three approval for the restroom structure and associated site improvements as the applicant has chosen to address Design Guidelines related to building design and lighting. The applicant also requests Parking Determination approval to establish the minimum required vehicular and bicycle parking spaces associated with the additional floor area for the restroom facility in the existing public park.



Proposal Location: The site is located at 5495 SW Erickson Avenue, specifically identified as Tax Lot 05100 on Washington County Tax Assessor's Map 1S116DC.

Applicant: Tualatin Hills Park and Recreation District

Recommendation: APPROVAL of Schiffler Park Restroom CU2022-0009 / DR2022-0115 / PD2022-0004, subject to conditions identified at the end of this report.

Hearing Information: 6:30 p.m. February 1, 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:

City Staff Representative: Brittany Gada, Associate Planner
971-724-0517
bgada@beavertonoregon.gov

Applicant/Property Owner: Tualatin Hills Park and Recreation District
Attn: Matt Kilmartin
6220 SW 112th Avenue, Suite 100
Beaverton, OR 97008

Applicant Representative: 3J Consulting
Attn: Sam Huck
9600 SW Nimbus Ave, Suite 100
Beaverton, OR 97008

Existing Conditions

Zoning: Residential Mixed C (RMC)

Site Conditions: The site is currently developed as a public park with associated amenities including paved pathways, basketball courts, gazebos, and other accessory structures.

Site Size: 7.3 acres

Location: West of the intersection of SW Erickson Avenue and SW 10th Street

Neighborhood Association Committee: Central Beaverton NAC

Table 1: Surrounding Uses

Direction	Zoning	Uses
North	RMC	Detached Dwellings, Public Park
South	Residential Mixed B (RMB) and RMC	Public Park, Place of Worship, Detached Dwellings, Multi-dwellings
East:	RMB and RMC	Detached Dwellings, Public Park
West:	RMC	Detached Dwellings, Public Park/Community Garden

Application Information

Table 2: Application Summaries

Application	Application Type	Proposal Summary	Approval Criteria Location
CU2022-0009	Major Modification of a Conditional Use	Addition of new gross floor area for the construction of a restroom facility in an existing public park in a residential zone	Development Code Sections 40.03.1 and 40.15.15.4
DR2022-0115	Design Review Three	New structure for a restroom facility and associated site improvements with Design Guidelines addressed for building design and lighting	Development Code Sections 40.03.1 and 40.20.15.3
PD2022-0004	Parking Determination	Public parks are not a listed land use in Section 60.30 Off-Street Parking and applicant proposes no on-site vehicle or bicycle parking for the new restroom facility	Development Code Section 40.55.15.1

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
CU2022-0009	Sept. 6, 2022	Dec. 14, 2022	Apr. 13, 2023	Dec. 14, 2023
DR2022-0115	Sept. 6, 2022	Dec. 14, 2022	Apr. 13, 2023	Dec. 14, 2023
PD2022-0004	Sept. 6, 2022	Dec. 14, 2022	Apr. 13, 2023	Dec. 14, 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.

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Exhibits

Exhibit 1.	Materials submitted by Staff
Exhibit 1.1	Zoning Map (page 5 of this report)
Exhibit 1.2	Vicinity Map (page 6 of this report)
Exhibit 2.	Public Comment
Exhibit 2.1	Comments from Jeff Otis, dated Dec. 29, 2022, voicing support for the restroom facility if adequate maintenance and surveillance are ensured
Exhibit 3.	Materials submitted by the Applicant
Exhibit 3.1	Application Forms
Exhibit 3.2	Narrative
Exhibit 3.3	Land Use Plans
Exhibit 3.4	Building Elevations
Exhibit 3.5	Materials Board
Exhibit 3.6	City of Beaverton SPL
Exhibit 3.7	Clean Water Services SPL
Exhibit 3.8	TVF&R SPL
Exhibit 3.9	Parking Determination Study
Exhibit 3.10	Pre-Application Notes
Exhibit 3.11	Neighborhood Meeting Package

Exhibit 1.1 Zoning Map

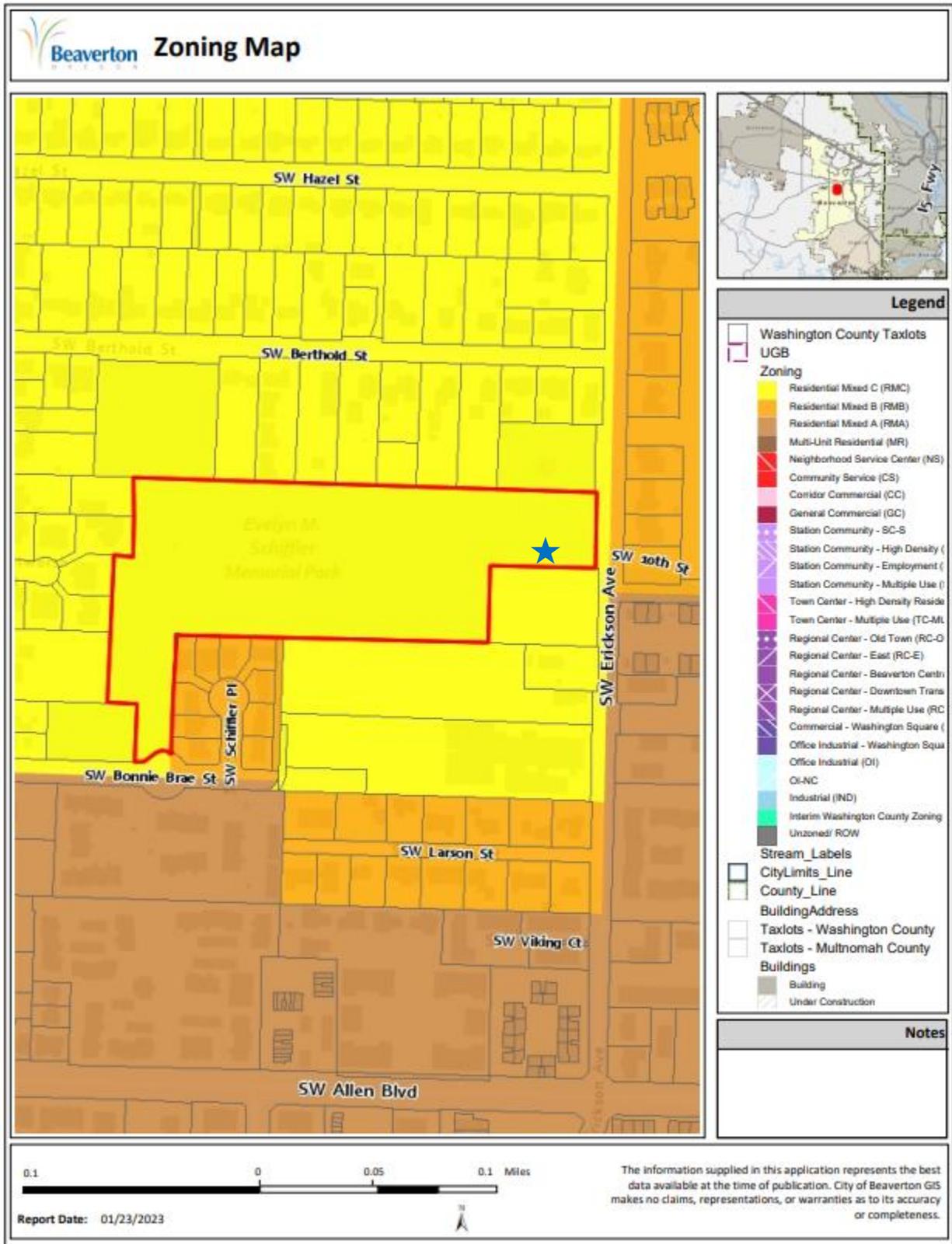
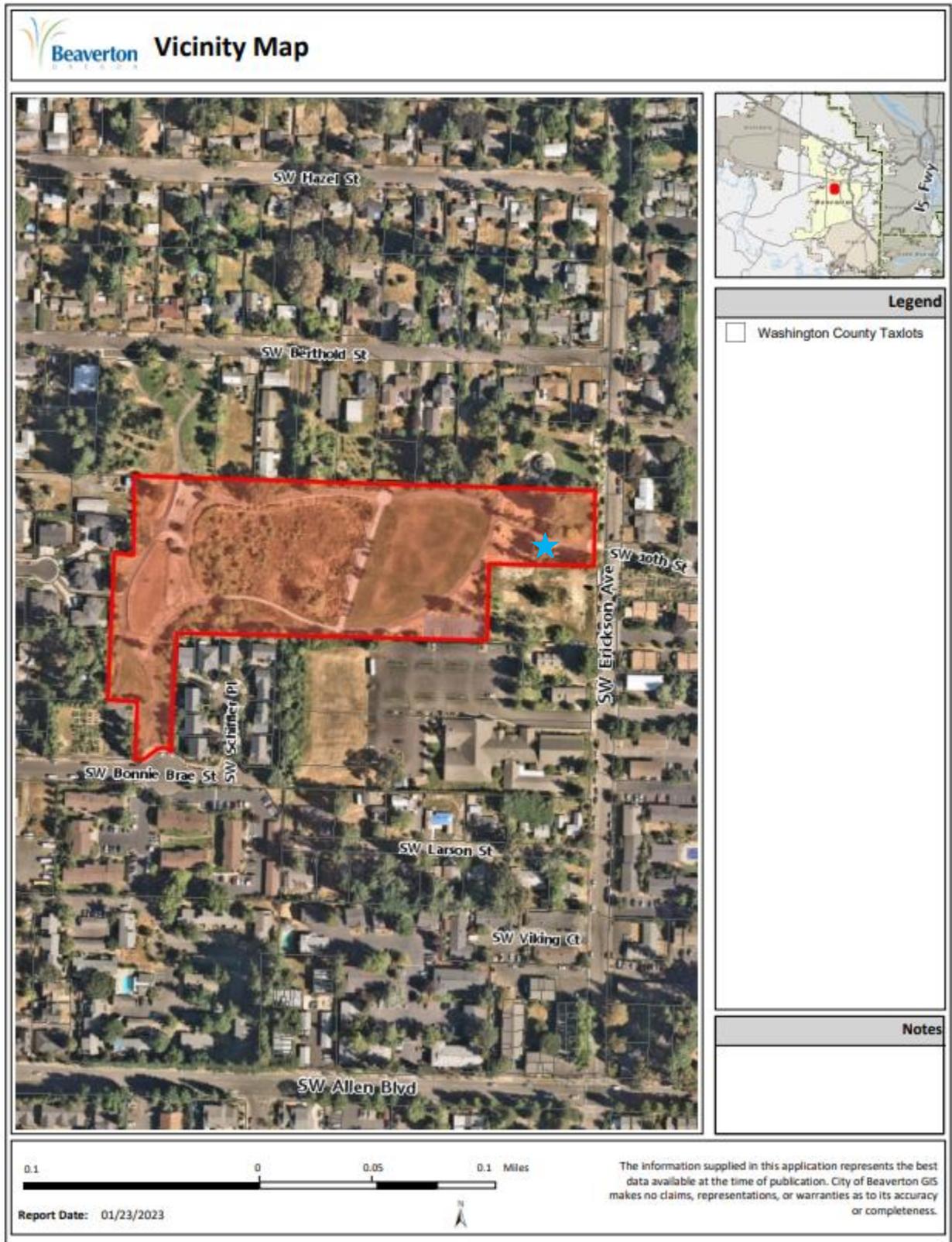


Exhibit 1.2 Vicinity Map



Attachment A: FACILITIES REVIEW COMMITTEE

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Schiffler Park Restroom

Proposal: The applicant, Tualatin Hills Park & Recreation District, requests Major Modification of a Conditional Use approval for an increase in gross floor area associated with the existing public park to add a restroom facility. The applicant also requests Design Review Three approval for the restroom structure and associated site improvements as the applicant has chosen to address Design Guidelines related to building design and lighting. The applicant also requests Parking Determination approval to establish the minimum required vehicular and bicycle parking spaces associated with the additional floor area for the restroom facility in the existing public park.

Recommendation: APPROVE CU2022-0009 / DR2022-0115 / PD2022-0004

Outstanding Technical Issues: None

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 Major Modification of a Conditional Use (CU2022-0009) and Design Review Three (DR2022-0115) applications as submitted.
- Facilities Review Committee criteria do not apply to the submitted Parking Determination (PD2022-0004) application.

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 located in the City of Beaverton water service area. The applicant’s site plan (Sheet C200) shows the new restroom facility will connect to an existing private water line on the subject property on the east side of the restroom. The existing water line connects to the public water main located in SW Erickson Avenue right of way. City staff reviewed the proposal and issued a Water Service Provider Letter (SPL) which states there will be adequate capacity to service the proposed development. Therefore, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

Non-Potable Water: There is no non-potable water network in the 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. There is an existing 12-inch public sewer main located in the right of way of SW Erickson Avenue. The applicant proposes the installation of a new 4” sanitary sewer pipe to connect the restroom facility to the existing public sewer main. Based on the applicant’s submitted site plan and utility information from city maps, the Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed restroom facility.

Stormwater Drainage, Treatment, and Retention: The subject property is currently served by private stormwater infrastructure owned by the applicant which connects to City of Beaverton stormwater facilities to the north and south of Schiffler Park. The proposed restroom facility and associated pathways involve approximately 1,053 square feet of new or modified impervious area which will require a Site Development Permit. As a part of the Site Development process, the applicant will be required to submit a stormwater report prepared by a licensed engineer. Hydromodification will be required for the new or modified impervious area, either through the construction of stormwater management infrastructure or the payment of a fee-in-lieu which will be determined during the Site Development Permit process. By meeting the conditions of approval to obtain a Site Development Permit for this project, the Committee finds that there will be adequate stormwater drainage, treatment, or retention to serve the proposed development on the existing park site.

Transportation: The applicant proposes a new restroom facility and associated site improvements including a new pathway to serve the restroom in an existing public park. The applicant provided trip generation information to confirm that the existing Schiffler Park generates 95 average weekday trips which will not increase with the addition of a new restroom facility. The existing park is served by SW Erickson Avenue, SW Bonnie Brae Street, and SW Berthold Street with vehicular access to an existing off-street parking

lot from SW Bonnie Brae Street. Since the proposed restroom will have no additional impact on the existing transportation network serving the park, the Committee finds that adequate transportation facilities are provided to the site to serve the proposed development.

Fire Protection: Fire protection will continue to be provided by Tualatin Valley Fire and Rescue (TVF&R). TVF&R staff reviewed the proposed development and determined that a Service Provider Permit is not required for the scope of work. Therefore, the Committee finds that existing fire protection service is adequate to serve the proposed development.

For these reasons, the Committee finds that critical facilities and services related to the proposed development are available with adequate capacity to serve the 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: The proposed development is within the boundaries of the Beaverton School District. No new dwelling units are proposed as part of the development. Therefore, the Committee finds that the proposal will not affect the existing school capacity.

Transit Improvements: The closest transit facilities near the existing park are located approximately 1,000 feet south of the site on SW Allen Boulevard. The proposed addition of a restroom facility does not affect the demand for transit services for the park. Therefore, the Committee finds there is adequate transit service to serve the proposed development.

Police Protection: The City of Beaverton Police Department provides police services to the existing public park. 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 will continue to be provided to the subject site.

Pedestrian and Bicycle Facilities: The proposed scope of work does not include improvements to pedestrian or bicycle facilities in the public right of way. However, the applicant proposes the construction of new pedestrian pathways within the park to serve the new restroom facility. Pathways are proposed to meet Americans with Disabilities Act (ADA) requirements and demonstrate that a minimum five-foot paved width will be provided to connect the restroom to the park's existing internal pedestrian network. Schiffler Park currently provides four bicycle parking spaces, and no new on-site bicycle facilities are proposed. Please see Parking Determination findings for more information on bicycle parking requirements. The Committee finds that the existing pedestrian and bicycle facilities in the park in addition to the proposed pathways around the restroom will be adequate to serve the 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), 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 located in the Residential Mixed C (RMC) zoning district. 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 20.05.15 Residential Site Development Standards and 20.05.20 Residential Land Uses. As demonstrated in the table, this proposal complies with all applicable standards in Chapter 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). Staff will provide findings for the Design Review Three and the Parking Determination requests within the applicable sections of the staff report.

Section 60.30 Off-Street Parking: The applicant requests a Parking Determination to evaluate the required vehicle and bicycle parking for the new restroom facility in the existing public park since the land use categories in Tables 60.30.10.5.A and 60.30.10.5.B do not include public parks. The existing park provides 20 off-street vehicular parking spaces and four bicycle parking spaces. No new vehicular or bicycle parking spaces are proposed to accompany the addition of the new restroom. The approval criteria of BDC 40.55 for the Parking Determination application will be addressed in the applicable section of the staff report. Facilities Review Committee criteria do not apply to the Parking Determination request.

Section 60.55 Transportation Facilities: Staff cites the response to Facilities Review Criterion A identifying that no change in the number of average weekday trips is anticipated due to the construction of a new restroom in the existing park. Therefore, a Traffic Impact Analysis was not required for this project. The project proposes new pedestrian pathways to connect the restroom facility to the existing pedestrian circulation network. The new pedestrian circulation areas meet development standards of BDC 60.55.25.10.B, including maintaining a minimum paved, unobstructed width of five feet that connect restroom building entrances to existing pathways. New and modified pedestrian paths are proposed to meet Americans with Disabilities Act (ADA) requirements. For these reasons, the Committee finds that adequate transportation facilities will be provided to serve the proposed development.

Section 60.67 Significant Natural Resources: An identified wetland exists on a portion of the subject property approximately 400 feet to the west of the proposed restroom. The Department of State Lands has been notified of the development in accordance with BDC 60.67.05.2. The applicant has submitted a Clean Water Services SPL which confirms that the proposed work will not significantly impact the existing sensitive areas on site. Additionally, the applicant is following all applicable Chapter 50 procedures, as required by BDC 60.67.05.1. Therefore, the proposal complies with the Significant Natural Resources requirements of BDC 60.67.

Conclusion: Therefore, the Committee finds that 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, Tualatin Hills Park and Recreation District, is a public agency and will retain ownership of the site and maintain it as a public park. Therefore, maintenance and replacement of private common facilities and areas does not apply to this project.

Conclusion: Therefore, the Committee finds that this criterion is not applicable to the proposal.

Section 40.03.1.F

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

FINDING:

Schiffler Park is served by an existing 20-space off-street parking lot which is accessed from SW Bonnie Brae Street to the south and west of the proposed restroom site. Twenty-one vehicular public parking spaces are also provided in the right of way for SW Berthold Street abutting the north side of the park. No new vehicular circulation areas are proposed. The applicant proposes new pedestrian pathways around the restroom to connect building entrances to the existing paved pedestrian circulation network serving the park. The new pathways comply with ADA requirements and connect to the existing network in a safe and efficient manner.

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:

No new or modified on-site vehicular circulation areas are proposed, so there will be no new connections to the surrounding vehicular circulation system. New on-site pedestrian

pathways are proposed to serve the restroom, but the proposed development does not provide new connections to the surrounding pedestrian circulation network. Therefore, the Committee finds that this approval criterion does not apply to the proposed development.

Conclusion: Therefore, the Committee finds that the approval criterion is not applicable.

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 continue to be provided by TVF&R, and TVF&R confirmed that a Service Provider Permit is not required for the proposed scope of work. The Committee finds that the restroom facility can be designed in accordance with City codes and standards, and TVF&R will provide adequate fire protection.

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 no changes are proposed to existing protection from hazardous conditions due to inadequate, substandard, or ill-designed development. The proposed restroom facility and associated site improvements will comply with adopted City codes and standards which will provide adequate protection from crime and accident. Additionally, Beaverton Police will continue to provide law enforcement services to the park. 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 that the proposed development includes a total grading area of 1,420 square feet which will not impact neighboring properties, the public right of way, surface drainage, water storage facilities, or the public storm drainage system. Of the graded area, approximately 1,053 square feet are new or modified impervious area which requires a Site Development Permit. The Site Development Permit review will ensure that grading and contouring activity for the development will meet applicable standards and that impacts are mitigated if any are identified through the permit review process. Therefore, the Committee recommends conditions of approval requiring the applicant to obtain a Site Development Permit. By meeting the conditions of approval, the proposed work complies with the on-site surface contouring standards for sites abutting residentially zoned properties (BDC 60.15.10.3) and will have no adverse effects on neighboring properties, rights of way, or other facilities.

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 new paved on-site pedestrian routes will meet ADA standards and facilitate efficient, continuous pedestrian access to the existing pedestrian network within the park. The public restroom facility will also be ADA compliant. 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 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 the Major Modification of a Conditional Use, Design Review Three, and Parking Determination on September 6, 2022, and all applications were deemed complete on December 14, 2022.

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			
Public Parks	Conditional Use	The applicant proposes an increase of gross floor area for a restroom facility in an existing public park in a residential zone. The public park was granted New Conditional Use approval for existing park renovations and expansion under case file CU2010-0012, so a Major Modification of a Conditional Use is required for the new restroom.	See CU Findings
Development Code Section 20.05.15			
Minimum Land Area	N/A	7.3 acres	YES
Minimum Lot Width	Width: 20 feet	Width: Approximately 162 feet	YES
Yard Setbacks	Front: 10 feet Side: 5 feet Rear: 15 feet	Front: 78.2 feet North Side: Approximately 130 feet South Side: 19.8 feet Rear: Approximately 880 feet	YES
Maximum Building Height	35 feet	11 feet 9 inches	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 restroom in an existing park in a residential zone. The applicant has chosen to address Design Guidelines related to building design and lighting. Therefore, a Design Review Three application 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 within a floodplain.	N/A
Development Code Section 60.11			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	The 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.	The applicant proposes on-site contouring within 25 feet of an abutting residentially zoned property, so these standards apply. Proposed finished grade has a 0.7-foot slope differential from existing grade where up to an 8-foot slope differential is permitted. The applicant's site plan (C200) demonstrates compliance with the applicable standards of Section 60.15.	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

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.25			
Off-Street Loading Requirements	Minimum: None	No loading space is proposed.	N/A
Development Code Section 60.30			
Off-Street Motor Vehicle Parking	Use not listed in Table 60.30.10.5.A	No new off-street parking is proposed.	See PD Findings
Development Code Section 60.30			
Required Bicycle Parking	Use not listed in Table 60.30.10.5.B	No new bicycle parking spaces are proposed.	See PD Findings
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.	No fences are proposed.	N/A
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
Development Code Section 60.60			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	No trees are proposed to be removed, and there are no trees affected that would require preservation based on the proposed scope of work.	N/A

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.65			
Utility Undergrounding	Requirements for placing overhead utilities underground.	The applicant states that all new utilities on the subject property will be placed underground. No overhead utilities are affected by the proposed development.	YES
Development Code Section 60.67			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	A significant wetland identified on the Local Wetland Inventory is located on the subject property. However, all proposed work is located approximately 400 feet from the wetland area. The CWS SPL confirms that the proposed development will not significantly impact existing sensitive areas.	YES
Development Code Section 60.70			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	N/A

Attachment B: MAJOR MODIFICATION OF A CONDITIONAL USE CU2022-0009

ANALYSIS AND FINDINGS FOR MAJOR MODIFICATION OF A CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CU2022-0009**, subject to the applicable conditions identified in Attachment E.

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 40.15.15.4.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on Major Modification of a Conditional Use Applications. The Planning Commission will determine whether the application as presented, meets the Major Modification of a Conditional Use approval criteria. In this portion

of the report, staff evaluates the application in accordance with the criteria for Major Modification of a Conditional Use.

To approve a Major Modification of a 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 40.15.15.4.C.1

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

FINDING:

The applicant proposes a new 211 square foot restroom facility in an existing public park in a residential zoning district. The park was granted New Conditional Use approval in 2010 under application number CU2010-0012. The existing park does not have any enclosed structures, so there is no existing gross floor area within the park. Therefore, the proposed increase of 211 square feet of gross floor area for the restroom is more than a 10% increase of gross floor area of the site. This meets Threshold 1 of the Major Modification of a Conditional Use application which reads:

- 1. An increase in the gross floor area of an existing Conditional Use more than 10% or more than 1,000 gross square feet of floor area for all properties that are located in a Residential zoning district or within a distance of up to and including 50 feet of a Residential zoning district.*

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

Section 40.15.15.4.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 Major Modification of a Conditional Use application.

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

Section 40.15.15.4.C.3

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

FINDING:

The applicant identified the following Comprehensive Plan policies as applicable to this request:

Chapter 3 (Land Use Element)

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 proposed development includes the construction of a new restroom facility with new pathways to connect the building with the existing pedestrian pathway network of the public park. The applicant states that the proposed improvements will integrate into the existing pathways that connect the adjacent neighborhoods to the existing parks and schools in the area. Staff concurs that the existing connections to the surrounding neighborhood provide convenient and safe connections, and the proposed development will also ensure safe, convenient connections are available to serve users of the new restroom facility. For these reasons, staff finds that the proposal complies with this policy.

Policy 3.8.1.h: Use Crime Prevention through Environmental Design (design that provides opportunities for “eyes on the street” through street-facing windows and doors) to reduce graffiti, vandalism and other property crimes and to promote a feeling of safety for pedestrians.

The applicant states that the proposed restroom facility within the existing park incorporates the [Crime Prevention through Environmental Design] CPTED principal of Natural Surveillance, with the homes on SW Erickson Avenue facing the proposed location and other park amenities like the gazebo in close proximity. Additionally, the CPTED principal of Management will be ongoing through regular cleaning and maintenance performed by Tualatin Hills Parks and Recreation District staff. Staff concurs that the proposed restroom location, design, and planned maintenance procedures implement the principles of Crime Prevention through Environmental Design in a way that will reduce crime and promote safety for pedestrians in the park. Staff finds that the proposal complies with this policy.

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

Section 40.15.15.4.C.4

The existing use has been approved as a Conditional Use as governed by the regulations in place when the use was established and complies with the applicable conditions of the Conditional Use approval unless the applicant has received or is concurrently requesting one or more conditions be removed or modified as part of the current application.

FINDING:

The proposed Major Modification of a Conditional Use is to add a restroom facility to an existing public park that received Conditional Use approval in 2010 (casefile CU2010-0012). The existing park was developed in accordance with the conditions of the original Conditional Use approval and continues to operate in compliance with that approval. The applicant's proposal does not request to remove or modify any conditions of the original approval.

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

Section 40.15.15.4.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 proposed 211 square foot restroom building and associated pathways is located in an existing public park. As the restroom will support the activities of the existing park, staff finds that the location, size, and functional aspects of the proposal are reasonably compatible with the surrounding area. No impacts on livability or the appropriate use and development of nearby properties have been identified. The restroom structure is less than 12 feet tall at its peak and is designed with windows, doors, and a sloped roof which increases architectural compatibility and mitigates visual impacts for nearby residences. Additionally, THPRD will be responsible for ongoing maintenance of the facility which will ensure that surrounding residents will not be negatively impacted by the proposal.

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

Section 40.15.15.4.C.6

The proposal will not modify previously established conditions of approval for the prior Conditional Use consistent with Section 50.95.6. of the Development Code.

FINDING:

The applicant does not request to change any previously established conditions of approval associated with the Conditional Use approved for the existing park (casefile CU2010-0012).

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

Section 40.15.15.4.C.7

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 a Design Review Three application and a Parking Determination application to be processed concurrently with this Major Modification of a Conditional Use request. 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 CU2022-0009, subject to the applicable conditions identified in Attachment E.

Attachment C: DESIGN REVIEW THREE DR2022-0115

ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR2022-0115**, subject to the applicable conditions identified in Attachment E.

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 a new 211 square foot restroom facility and associated site improvements in an existing public park in a residential zone. Although the proposal meets Threshold 4 of the Design Review Compliance Letter application, the applicant has chosen to address Design Guidelines related to building design and lighting for this project. Therefore, the proposal meets Threshold 8 of the Design Review Three application which reads:

8. A project meeting the Design Review Compliance Letter thresholds which does not meet an applicable design standard(s).

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:

The subject proposal meets Threshold number 8 of the Design Review Three application; therefore, this criterion is not applicable.

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

Section 40.20.15.3.C.4

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

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or
- b. The location of existing structural improvements 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:

The proposal is to add a new standalone restroom facility to an existing public park. The restroom is not an addition to an existing building, nor is it a modification of an existing development.

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:

The applicant does not propose a Design Review Build-out Concept Plan (DRBCP); therefore, this criterion is not applicable.

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:

The subject request meets Threshold 8 of the Design Review Three application as the applicant has chosen to respond to a combination of Design Standards and Design Guidelines for the proposed restroom facility and associated site improvements. Staff cites the Design Standards Analysis table as well as the Design Guidelines Analysis at the end of this Design Review section, which evaluates the project as it relates to the applicable Design Review Standards and Guidelines found in Section 60.05.05 through 60.05.50 of the Development Code.

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

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:

The applicant has elected to address a combination of Design Standards and Design Guidelines.

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 Major Modification of a Conditional Use and Parking Determination applications to be processed concurrently with this Design Review Three request. 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 DR2022-0115, subject to the applicable conditions identified in Attachment E.

Design Standards Analysis
Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15.1.A Max length of attached residential buildings in residential zone	The proposed structure is not a residential building.	N/A
60.05.15.1.B Min 30% articulation	The applicant as elected to be evaluated under the corresponding Design Guideline.	SEE DESIGN GUIDELINE FINDINGS 60.05.35.1
60.05.15.1.C Max 40' between architectural features	The applicant as elected to be evaluated under the corresponding Design Guideline.	SEE DESIGN GUIDELINE FINDINGS 60.05.35.1
60.05.15.1.D Max 150 sq. ft. undifferentiated blank walls facing streets	The applicant as elected to be evaluated under the corresponding Design Guideline.	SEE DESIGN GUIDELINE FINDINGS 60.05.35.1
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12	The applicant as elected to be evaluated under the corresponding Design Guideline.	SEE DESIGN GUIDELINE FINDINGS 60.05.35.2
60.05.15.2.B Min roof eave = 12"	The proposal is not a residential use in a residential zone. Therefore, this standard is not applicable.	N/A
60.05.15.2.C Roof with less than 4:12 pitch need parapets	The applicant as elected to be evaluated under the corresponding Design Guideline.	SEE DESIGN GUIDELINE FINDINGS 60.05.35.2
60.05.15.2.D New structures in existing development be similar	The proposed restroom building has a sloped roof that has a similar roof form and materials compared to other structures within the existing park.	YES
60.05.15.2.E 4:12 roof standard is N/A to smaller feature roofs	Feature roofs are not proposed.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Primary Building Entrances		
<p>60.05.15.3 Weather protection for primary entrance</p>	<p>The applicant as elected to be evaluated under the corresponding Design Guideline.</p>	<p>SEE DESIGN GUIDELINE FINDINGS 60.05.35.3</p>
Exterior Building Materials		
<p>60.05.15.4.A Residential double wall construction</p>	<p>The proposal is not an attached residential use.</p>	<p>N/A</p>
<p>60.05.15.4.B Maximum 30% of primary elevation to be made of unfinished concrete block</p>	<p>The applicant proposes to use a combination of smooth-face and split-face Concrete Masonry Unit (CMU) block on all building elevations. The submitted building elevation plans demonstrate that smooth-face CMU block will not exceed 30% of building materials for each elevation, and remaining areas will be textured, split-face CMU block. Based on the submitted plans, building elevations propose the following percentages of smooth-face and split-face CMU block, demonstrating compliance with this standard:</p> <p>North:</p> <ul style="list-style-type: none"> • Smooth-Face: 15.5% • Split-Face: 84.5% <p>South:</p> <ul style="list-style-type: none"> • Smooth-Face: 15.5% • Split-Face: 84.5% <p>East:</p> <ul style="list-style-type: none"> • Smooth-Face: 18.5% • Split-Face: 81.5% <p>West:</p> <ul style="list-style-type: none"> • Smooth-Face: 24.1% • Split-Face: 75.9% 	<p>YES w/ COA</p>
<p>60.05.15.4.C Foundations</p>	<p>The restroom facility is proposed to be constructed entirely of CMU block. Seventy percent of the CMU blocks are proposed to be textured split-face blocks. Concrete block for foundation material does not extend more than three feet above finished grade level adjacent to the foundation wall.</p>	<p>YES</p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	No roof-mounted equipment is proposed.	N/A
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.A-F Street frontage in Commercial and Multiple Use zones	The proposed development is in a residential zone district.	N/A
Building Scale along Major Pedestrian Routes		
60.05.15.7.A through C 22' Height Minimum 60' Height Maximum	The site is not located on an MPR.	N/A
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A-B Glazing and Weather Protection	The proposed restroom facility is not a commercial or multiple use building.	N/A
Compact Detached Housing Design		
60.05.15.9.A-K	Compact Detached Housing is not proposed.	N/A
Ground Floor Elevations on Eligible Residential-Only Buildings		
60.05.15.10	An eligible residential-only building 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 proposed restroom facility is proposed to be connected to the existing pedestrian circulation network within the public park. No changes are proposed for bicycle or vehicle circulation. The proposed pathways are internal to the site, so no new connections to existing or planned streets are proposed.	N/A
Loading Areas, Solid Waste Facilities and Similar Improvements		
60.05.20.2.A-E Screening Requirements	There are no loading areas, solid waste facilities, or similar improvements that require screening.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	The proposed pedestrian pathways associated with the restroom facility will connect to the existing pedestrian circulation network in the park. The proposed pathways connect restroom building entrances with pedestrian destinations within the park and in the surrounding neighborhood. No new pedestrian connections are proposed to connect to the public street system abutting the site.	YES
60.05.20.3.B Direct walkway connection	The proposal provides direct walkway connections between both restroom entrances and the existing pedestrian network in the park. Existing pedestrian infrastructure connects the site to nearby pedestrian destinations.	YES
60.05.20.3.C Walkways every 300'	No new pedestrian walkways into the site are proposed. The existing park provides multiple walkways connecting to surrounding street frontages, and the restroom facility is proposed to connect to this existing network.	N/A
60.05.20.3.D Physical separation	No pedestrian connections through parking lots are proposed.	N/A
60.05.20.3.E Distinct paving	No pedestrian connections crossing drive aisles or driveways are proposed.	N/A
60.05.20.3.F 5' minimum width	Pedestrian walkways are a minimum of five feet and will be paved with concrete. Walkways meet ADA standards. Submitted plans do not specify if the pathways will be paved with scored concrete. Because of this, staff recommends a condition of approval that the applicant submit plan(s) demonstrating compliance with this standard prior to issuance of site development permit.	YES w/ COA
Street Frontages and Parking Areas		
60.05.20.4.A Perimeter Landscaping	No parking areas are proposed.	N/A
Parking Area Landscaping		
60.05.20.5.A-D Parking Area Landscaping	No parking areas are proposed.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
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-C Required sidewalk/internal pathway widths	The proposed development is 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-B Drive aisles to be designed as public streets, if applicable	No vehicle circulation areas are proposed.	N/A
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 Landscape Requirements for Non-Residential and Mixed Use Developments		
60.05.25.5.A Minimum Landscaped Area	Fifteen percent of the existing park site is required to be landscaped as it is a Conditional Use in a residential zone. The proposed restroom facility and associated pathways will occupy approximately 640 square feet of existing landscaped area. Since the majority of the 7.3-acre site is landscaped area, the park will continue to meet the minimum 15% landscaped area requirement with the construction of the restroom facility.	YES
60.05.25.5.B Minimum Planting Requirements	The proposal does not affect the existing planting materials of the park, and the existing site exceeds the minimum planting requirements for landscaped area.	N/A
60.05.25.5.C Hard Surface Pedestrian Plazas	No hard surface pedestrian plazas are proposed.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.25.5.D Foundation Area Planting	All building elevations include a 5-foot-wide pathway along the foundation of the structure which provides access for pedestrian users of the restroom facility. Therefore, this requirement does not apply to any elevation.	N/A
Common Greens		
60.05.25.6 Common Greens	No common greens are proposed.	N/A
Shared Courts for Compact Detached Housing		
60.05.25.7.A-B Shared Courts	No shared courts are proposed.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	No retaining walls are proposed.	N/A
Fences and Walls		
60.05.25.9.A-E Fencing Materials	No new fencing or walls are proposed.	N/A
Minimize Significant Changes to Existing On-Site Surface Contours at Residential Property Lines		
60.05.25.10.A Minimize grade changes	The proposal complies with the requirements of BDC 60.15.10.	YES
60.05.25.10.B Minimize grade changes	The proposal includes grading within 25 feet of the residential property line abutting the site to the south. No changes to existing slopes are proposed.	YES
Integrate Water Quality, Quantity, or Both Facilities		
60.05.25.11 Location of facilities	No water quality or quantity facilities are proposed.	N/A
Natural Areas		
60.05.25.12 No encroachment into buffer areas	A wetland identified by the Local Wetlands Inventory exists on the subject site approximately 400 feet from the proposed restroom location. Clean Water Services provided a Service Provider Letter confirming that all proposed work is outside of the wetland area and will not have a significant impact on the sensitive areas on site. Therefore, the proposal has demonstrated that natural resource features will be preserved and maintained by the development.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Landscape Buffering and Screening		
60.05.25.13 Landscape buffering between contrasting zoning districts	The proposed restroom is not adjacent to a residentially zone property that is occupied by a residential use. Therefore, landscape buffering standards are not applicable.	N/A

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 Lighting complies with the City's Technical Lighting Standards	The applicant as elected to be evaluated under the corresponding Design Guideline.	SEE DESIGN GUIDELINE FINDINGS 60.05.50
60.05.30.1.B Lighting provided for vehicle and pedestrian circulation	The applicant as elected to be evaluated under the corresponding Design Guideline.	SEE DESIGN GUIDELINE FINDINGS 60.05.50
60.05.30.1.C Lighting of Ped Plazas	Pedestrian plazas are not proposed.	N/A
60.05.30.1.D Lighting of building entrances	The applicant's lighting plan shows lighting at building entrances.	YES
60.05.30.1.E Canopy lighting recessed	Canopy lighting is not proposed.	N/A
Pedestrian-Scale On-Site Lighting		
60.05.30.2.A Pedestrian Lighting	Pole-mounted luminaries are not proposed.	N/A
60.05.30.2.B Non-Pole Mounted Lighting	One wall-mounted light fixture is proposed at the restroom facility entrance, but the proposed does not meet the City's Technical Lighting Standards. Therefore, the applicant as elected to be evaluated under the corresponding Design Guideline.	SEE DESIGN GUIDELINE FINDINGS 60.05.50
60.05.30.2.C Lighted Bollards	No bollards are proposed.	N/A

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 a new 211 square foot restroom building that is 11'9" tall at the peak. The structure is accessory in nature to the existing public park and is intended to serve pedestrian users of the park. The applicant states that the building features different roof levels on the front and rear, windows on the front of the structure, and a continuous linear component that provides articulation with the running bond pattern of masonry block. Staff finds that the incorporation of windows, doors, and a sloped roof in addition to the primary use of split-face textured CMU block provides adequate articulation and 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 proposed restroom structure measures 16'8" long by 12'8" wide; therefore, staff finds that the building elevations do not require significant balancing of vertical building elements. The proposed doors and windows of the structure provide adequate balance of vertical and horizontal building elements.

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 restroom structure is proposed to be sited off of an existing pedestrian pathway within the park with the primary entrances of the restroom facility oriented internal to the site. Staff finds that the size and height of the structure combined with the inclusion of doors and windows promotes a comfortable pedestrian scale for users.

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 proposed restroom structure has two elevations, the north and east, that are visible from and within 200 feet of SW Erickson Avenue. Existing vegetation blocks the south-facing elevation from view of SW Erickson Avenue. The east elevation faces Erickson and features a door, and the primary building material of all elevations is proposed to be textured split-face CMU block which provides additional articulation. Due to the relatively small height and footprint of the structure, staff finds that the proposed materials and door provide adequate articulation on those elevations visible from and within 200 feet of the adjacent street. No street-facing undifferentiated blank walls are proposed.

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.**

FINDING:

The applicant states that the proposed development will have a sloped roof of at least a 2/12 pitch and will have a visible standing seam roof pattern with a visible Glulam Rafter underneath, providing both distinction and variety and detail when viewed from the street. Staff concurs that the roof pattern and slope provide adequate distinction and variation considering the relatively small size of the structure and its functional purpose.

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

- B. Flat roofs should include a roofline that provides visual interest such as cornice treatments.**

FINDING:

The proposed roof of the restroom structure is not flat. Rather, it proposes a gently sloping 2/12 pitch. Staff finds that the proposed roofline provides adequate visual interest considering the functional purpose and size of the facility.

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 applicant states that the primary building entrances to the restroom stalls are recessed approximately 17 inches underneath the roofline which will protect pedestrians from the rain and sun. Due to the limited function of the building, staff finds that this provides adequate weather protection for users of the restroom facility.

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 proposed restroom structure is accessory to the existing public park, and it is intended to serve a solely functional purpose for park users. Given the limited use of the structure, the proposed primary entrances of the restroom facility adequately balance functional needs with attractive design elements including textured CMU block and a different material and finish for the doors.

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 states that the proposed wall-mounted lights on the side of the restroom facility maximizes safety by lighting the area directly in front of the primary building entrances to the restroom stalls. Since the restroom facility supports an existing public park that is only open between dawn and dusk, staff finds that the proposed lighting at the restroom entrance provide adequate lighting while maximizing safety.

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 states that the lighting directly in front of the building entrances is at a pedestrian scale and will be mounted under 12 feet from grade. The applicant added that the proposed wall-mounted light fixtures are appropriate in size and placement for the architectural design features of the building. Staff concurs and finds that pedestrian scale lighting has been adequately incorporated into the design of the project.

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 proposed light fixtures are wall-mounted LED downlights affixed to the west elevation facing the interior of the park. Since the light sources are not visible from nearby residences and streets and are downcast fixtures, staff finds that the proposal adequately minimizes direct and indirect glare impacts.

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 applicant states the park will retain the current hours of operation and only be open during daylight hours. The proposed restroom facility will have the same hours of operation and be closed from dusk until dawn. The applicant added that THPRD finds that lighting causes disruptions in its parks and encourages nighttime activity when the park is closed. For these reasons, the applicant asserts that this presents a unique circumstance in which compliance with the City's Technical Lighting Standards is unnecessary. Staff concurs that providing lighting in compliance with the standards is excessive and unnecessary for a facility that is only open during daylight hours.

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

Attachment D: PARKING DETERMINATION PD2022-0004

ANALYSIS AND FINDINGS FOR PARKING DETERMINATION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **PD2022-0004**, subject to the applicable conditions identified in Attachment E.

Section 40.55.05 Purpose:

The purpose of a Parking Determination is to establish required number of parking spaces for uses which do not have a parking ratio requirement listed in the Development Code. The Parking Determination application is established for determining the required number of off-street parking spaces in advance of, or concurrent with, applying for approval of an application, development, permit, or other action. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.55.15.1.C of the Development Code provides standards to govern the decisions of the decision making authority as they evaluate and render decisions on Parking Determination Applications. The decision making authority will determine whether the application as presented, meets the Parking Determination approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Parking Determination.

To approve a Parking 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 40.55.15.1.C.1

The proposal satisfies the threshold requirements for a Parking Requirement Determination application.

FINDING:

The applicant requests a Parking Requirement Determination to address off-street parking requirement for an increase of gross floor area associated with a use that is not listed in the parking standards. The land use categories for the parking ratio requirements for motor vehicles and bicycles in Tables 60.30.10.5.A and B do not include public parks. The following threshold is met:

1. *A request that the Director establish, in writing, an off-street parking ratio or requirement for a use not listed or substantially similar to a use listed in Section 60.30. (Off-Street Parking) of this Code.*

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

Section 40.55.15.1.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 Parking Determination application.

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

Section 40.55.15.1.C.3

The determination is consistent with Title 4 of Metro's Regional Transportation Functional Plan.

FINDING:

The City's land use categories for parking ratio requirements for motor vehicles and bicycles in Tables 60.30.10.5.A and B do not include public parks; therefore, the applicant is requesting a Parking Requirement Determination which is consistent with Title 4 of the Metro Regional Transportation Functional Plan which require cities and counties to establish minimum and maximum parking ratios.

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

Section 40.55.15.1.C.4

The determination will not create adverse impacts, considering the total gross floor area, number of employees, potential customer volume, and the hours of operation of the use.

FINDING:

The applicant proposes to provide no new vehicular or bicycle parking to serve the new 211 square foot restroom facility. The existing park provides 20 off-street vehicular parking spaces and four bicycle parking spaces. The applicant submitted a parking study demonstrating that the addition of the restroom does not affect the anticipated vehicular or bicycle trips to the park. Staff concurs with the findings of the parking study that existing park facilities are adequate to support the proposed development. Staff did not identify any adverse impacts associated with the applicant's proposal to provide no new vehicular or bicycle parking to serve the restroom facility.

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

Section 40.55.15.1.C.5

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

FINDING:

The applicant submitted a complete application that included all applicable application materials.

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

Section 40.35.15.1.C.6

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 a New Conditional Use application and a Design Review Three application to be processed concurrently with this Parking Determination request. 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 PD2022-0004, subject to the applicable conditions identified in Attachment E.

Attachment E: RECOMMENDED CONDITIONS OF APPROVAL

Application: Schiffler Park Restroom

Recommendation: APPROVE CU2022-0009 / DR2022-0115 / PD2022-0004

Major Modification of a Conditional Use (CU2022-0009)

A. General Conditions, the applicant shall:

1. Ensure that the Design Review Three (DR2022-0115) and Parking Determination (PD2022-0004) applications have been approved and are consistent with the submitted plans. (Planning / BG)

Design Review Three (DR2022-0115)

A. General Conditions, the applicant shall:

1. Ensure that the New Conditional Use (CU2022-0009) and Parking Determination (PD2022-0004) applications have been approved and are consistent with the submitted plans. (Planning / BG)

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. / HJ)
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. / HJ)
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. / HJ)

5. 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)
6. 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. / HJ)
7. 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)
8. 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)
9. 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)
10. Any extra-capacity water, sanitary, and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to the development. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer or as permitted per sections 307 and 311 of Oregon Uniform Plumbing Code. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div. / HJ)
11. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). (Site Development Div. / HJ)
12. 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)

13. Pay any required storm water system development charges (storm water quality, quantity, hydromodification and overall system conveyance) for the new impervious area proposed. (Site Development Div. / HJ)
14. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed. 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 and individual lots/tracts. (Site Development Div. / HJ)
15. 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)
16. Submit plan(s) demonstrating that new pathways will be paved with scored concrete or a modular paving material in compliance with BDC 60.05.20.3.F. (Planning / BG)

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

17. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / HJ)
18. 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)

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

19. 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)
20. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / HJ)
21. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / HJ)

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

22. 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. / HJ)
23. Provide a post-construction cleaning, system maintenance, and any proprietary stormwater treatment system recharge/replacement servicing report per manufacturer's recommendations for any site proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer. Additional service report will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / HJ)
24. 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 any 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)
25. A 2-year Maintenance Security will be required at 25 percent of the cost to construct any City-owned and maintained public improvements, grading, and storm water management facilities. 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)

Parking Determination (PD2022-0004)

A. General Conditions, the applicant shall:

1. Ensure that the New Conditional Use (CU2022-0009) and Design Review Three (DR2022-0115) applications have been approved and are consistent with the submitted plans. (Planning / BG)