



Staff Report

HEARING DATE: September 28, 2016

STAFF REPORT DATE: September 21, 2016

TO: Planning Commission

FROM: Sandra L. Freund, AICP, Planning Manager

PROPOSAL: TVF&R Station 65 Rezoning from Urban Medium Density (R2) to Community Service (CS).
ZMA2016-0001

LOCATION: The subject property is located at 8661 SW Canyon Drive, on the northeast corner of SW Canyon Lane and SW Canyon Drive, just west of SW Canyon Road.
Tax Lot 1700 of Washington County Tax Assessor's Map 1S111AD.

SUMMARY: The applicant, Lindquist Development Company, Inc., requests approval to change the zoning of the subject parcel (previously Tualatin Valley Fire & Rescue (TVF&R) station #65) and adjacent portions of right-of-way, from Urban Medium Density (R2) to Community Service (CS). The subject property is approximately 0.56 acres.

APPLICANT: Lindquist Development Company, Inc.
Attn: Stuart Lindquist
PO Box 42135
Portland, OR 97242

APPLICANT'S REPRESENTATIVE: Canterbury Commercial, LLC
Dale Bernards
PO Box 25487
Portland, OR 97298

PROPERTY OWNER: Lindquist Development Company, Inc.
Dale Bernards
PO Box 42135
Portland, OR 97242

RECOMMENDATION: Staff recommends the Planning Commission forward a recommendation to the City Council to adopt an ordinance applying the *Community Service (CS)* zoning designation to the subject parcel and adjacent portions of right-of-way effective 30 days after adoption of the proposed ordinance.

Key Application Dates

Application	Submittal Date	Application Deemed Complete	Final Written Decision Date	240-Day*
ZMA2016-0001	July 14, 2016	August 10, 2016	December 8, 2016	April 7, 2017

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

Existing Conditions Table

Zoning	Urban Medium Density (R2)	
Current Development	TVF&F Fire Station #65 – Decommissioned and sold	
Site Size & Location	The site is located at 8661 SW Canyon Drive The site is approximately 0.56 acres.	
NAC	West Slope NAC	
Surrounding Uses	Zoning: <u>North:</u> R2 <u>South:</u> CS <u>East:</u> CS <u>West:</u> Community Business District (CBD) Unincorporated Washington County	Uses: <u>North:</u> Multi-Family Residential <u>South:</u> Commercial <u>East:</u> Commercial <u>West:</u> Commercial – Unincorporated Washington County

Zoning Designations defined:

20.05.10. Purpose.

1. R2 Residential Urban Medium Density District (2,000)

The R2 District is intended to establish medium density residential developments where a minimum land area of 2,000 square feet is available for each dwelling unit. [ORD 4584; June 2012]

1. Community Service (CS)

The CS District is intended to provide for a variety of business types compatible with and of similar scale to commercial activities found principally along the City’s major streets.

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

Page No.

Attachment A: ZMA2016-0001 Zoning Map Amendment

ZMA-1-ZMA-6

Exhibits

Exhibit 1. Materials submitted by Staff

- Exhibit 1.1 Vicinity Map (page SR-4 of this report)
- Exhibit 1.2 Aerial Map (page SR-5 of this report)
- Exhibit 1.3 Comprehensive Plan and Zoning District Matrix
- Exhibit 1.4 Chapter 20, *Land Uses Table*

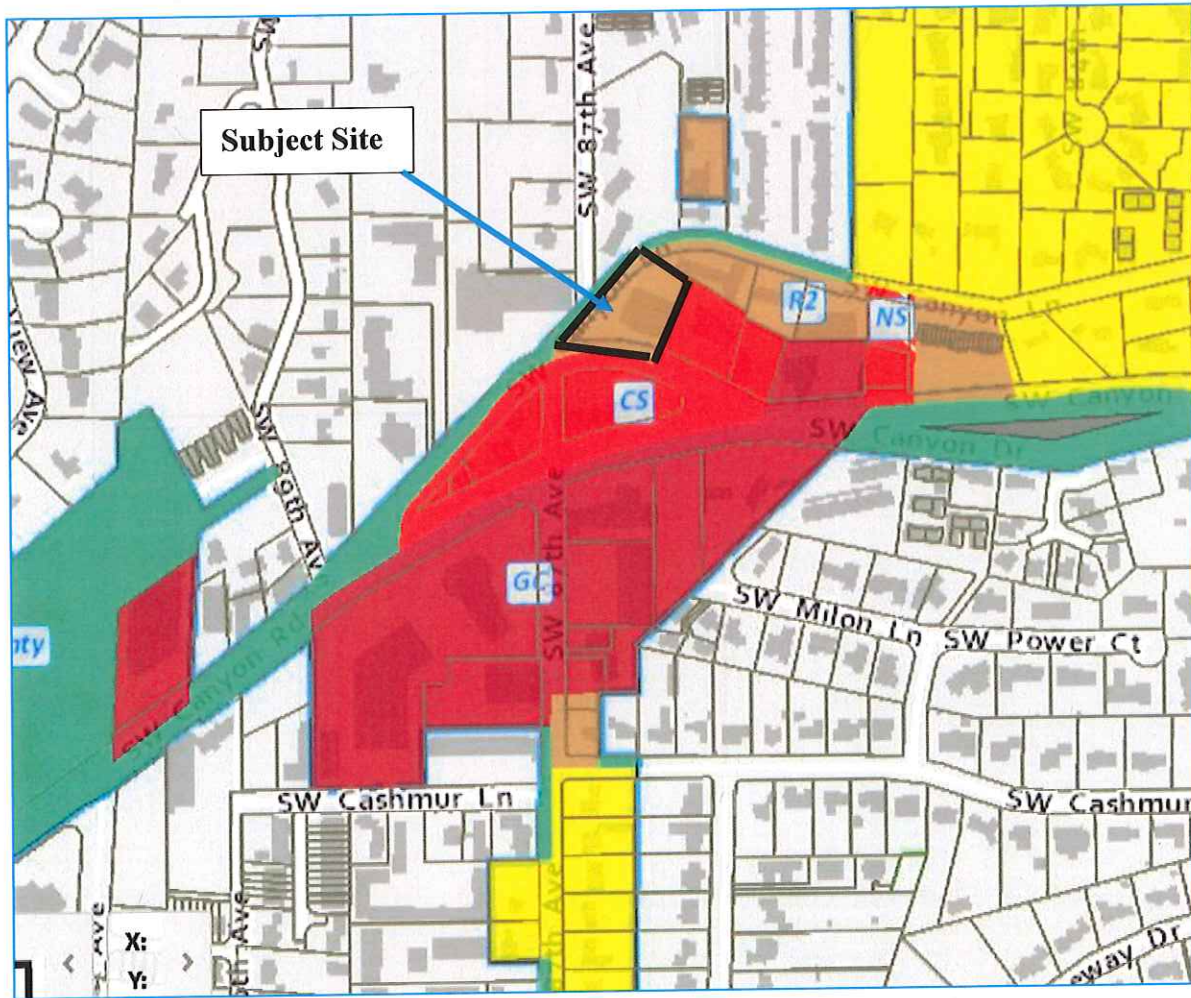
Exhibit 2. Materials submitted by the Applicant

- Exhibit 2.1 Traffic Impact Study

Exhibit 3. Public Testimony Received

- Exhibit 3.1 Email received from Terry Lawler, resident of West Slope, received September 20, 2016.

Vicinity & Zoning Map



8661 SW Canyon Drive
ZMA2016-0001

Aerial Map



8661 SW Canyon Drive
ZMA2016-0001

BACKGROUND FACTS*

The subject property is on SW Canyon Drive where it intersects with SW Canyon Lane, both streets are classified as Neighborhood Routes, both of which connect to SW Canyon Road, a major, four-lane Arterial with heavy traffic. In 1997 the property was annexed into the City from Washington County. The TVF&R fire station on the property was active at the time of annexation, and the property was zoned "Institutional" by Washington County, which reflected the fire station use. Exhibit "B" of the Urban Planning Area Agreement (UPAA) between the County and the City states that property newly annexed by the City should be..."zoned to the most restrictive abutting zone." The City has no zoning comparable to "Institutional." The City zoned the property Urban Medium Density (R2) because it abuts residential zoning to the north, and residential zoning is viewed to be more restrictive than commercial zoning. The proposal to change the zoning to Community Service (CS) Commercial, is compatible with that of the adjacent properties to the east and south, which also face SW Canyon Rd.

On March 20, 2014 TVF&R sold the property to Lindquist Development Company, Inc. Prior to the property sale, there were three Pre-Application conferences related to the site held in 2012, 2013 and 2014. No land use applications resulted from the Pre-Application conferences. In 2009 TVF&R applied to demolish the existing building and re-build a new fire station. That application was later withdrawn. This zoning map amendment is the only application presently pending for the property.

***This Background provides an accessible explanation of the application(s) under consideration. It is not a substantive part of the staff report. It does not contain proposed findings in response to the criteria and it does not evaluate evidence.**

**ZMA2015-0004
ANALYSIS AND FINDINGS FOR
ZONING MAP AMENDMENT**

Section 40.97.15.1.C Approval Criteria

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

- 1. *The proposal satisfies the threshold requirements for a Quasi-Judicial Zoning Map Amendment application.***

The threshold identified in Section 40.97.15.1 of the Development Code states the following:

- 1. The change of zoning designation for a specific property or limited number of specific properties.*

The applicant requests that the property at 8661 SW Canyon Drive (Map and Tax Lot 1S111AD01700) be rezoned from R2 (Urban Medium Density) to CS (Community Service) to allow for conversion of the fire station to a commercial use on the subject site.

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

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

The applicant has paid the required fee for a Zoning Map Amendment.

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

- 3. *The proposal conforms with applicable policies of the City's Comprehensive Plan.***

Staff has identified the following Comprehensive Plan criteria as applicable to the proposed Zoning Map Amendment:

Chapter 3 (Land Use Element)

3.10.1 Goal: An attractive mix of commercial and higher density residential uses along major roads through the City that invites pedestrian activity where appropriate.

- a) *Regulate new development in Corridors to provide a mix of commercial and residential uses with pedestrian amenities.*

The subject site is designated *Corridor in the Comprehensive Plan*. The subject site is adjacent to established commercial uses to the south, east and west, and multifamily residential uses immediately to the north. As redevelopment occurs in the future, required improvements along property frontages, including but not limited to, sidewalks and landscaping will help to improve the pedestrian environment within the immediate area.

- c) *Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.*

The City's Comprehensive Plan provides the overall planning perspective for the City. Integrating state and regional mandates, the plan provides land use patterns that are further implemented through zoning. The Matrix prescribes the relationship between the Comprehensive Plan land use designations and zoning districts. Compliance with the Comprehensive Plan is achieved through development application approval consistent with the regulations of the Development Code.

The proposed Community Service (CS) zone for the subject site is in compliance with the *Corridor* Comprehensive Plan designation as listed within subsection 3.14 Comprehensive Plan and Zoning District Matrix (Exhibit 1.3).

- e) *Commercial facilities shall be allocated in a reasonable amount and in a planned relationship to the people they will service.*

The developed properties in the immediate area of the intersection of SW Canyon Drive and SW Canyon Lane are established commercial uses; including properties adjacent to the subject site and across SW Canyon Lane within unincorporated Washington County. The commercial uses on all three sides of the subject site are uses serving the immediate neighborhood. Those current commercial uses include, but are not limited to: Animal Care (major & minor), Eating and Drinking Establishment, Offices, Retail Trade, Marijuana Dispensary, Service Business / Professional Services, and Automotive Service, Minor. The Community Service zone is intended to provide a variety of business types compatible with and of similar scale to commercial activities found along the City's major streets. The subject site's proximity to SW Canyon Road is consistent with the intent of the CS zoning district and the adjacent commercial uses. The commercial uses are in compliance with the *Corridor* comprehensive plan designation, and able to serve neighborhoods within a 2-3 mile radius.

Statewide Planning Goal 10: *Housing*

To provide housing needs for citizens of the state.

Goal 10 requires that local jurisdictions inventory the supply of buildable land and develop plans "...in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries." In March 2016, the city updated the Housing Element of the City's Comprehensive Plan. As part of that process, the city commissioned a buildable lands analysis and found that the City of Beaverton is showing a large deficit in its capacity for detached single-family and medium density attached units in its 20 year land supply.

Chapter 4 (Housing Element)

Section 4.1 *Housing Supply* identifies the City's current housing supply and the current housing needs of its residents. Per the 2015 Housing Strategies Report, there is an unmet demand for additional residential units at a range of price points and housing types. And, based on the Buildable Lands Inventory (BLI), the city has a housing capacity of approximately 10,400 new housing units through 2035, which includes multi-family and detached single family units. Currently there is a large surplus of land available for multi-family residential, however a large deficit of vacant land zoned for detached single family and medium density attached units.

Goal 4.1.1: Provide an adequate supply of housing to meet future demand.

- a) *Use available land within the city efficiently, encouraging new residential development to take advantage of allowed maximum densities where appropriate.*

Per Chapter 20, *Land Uses* of the Beaverton Development Code, the proposed zoning of Community Service (CS) permits residential development within the zone. Both Attached and Detached dwellings are allowed to be built on the subject site whether zoned R2 or CS (Figure 1).

Figure 1

Chapter 20, *Land Uses*

Land Use		Residential 2,000 (R2)	Community Service (CS)
Residential			
Care	Care Facilities	P	P
Dwellings	Accessory Dwelling Units	P	P
	Attached	P	P
	Detached	P	P

P = Permitted

Staff therefore finds the proposed zoning amendment to CS will not negatively affect the potential for residential development on the subject site, nor remove residential land from the City's Buildable Lands Inventory.

By advancing the objectives contained in Goal 10 that require local jurisdictions inventory the buildable land, develop plans, and apply measures that ensure the provision of appropriate types and supplies of land to support needed housing, staff finds that the proposed amendment complies with Goal 10 of the Statewide Goals.

Therefore, staff finds that the proposal conforms with applicable policies of the City's Comprehensive Plan.

4. All critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation.

The subject site is located within an existing network of roadways, utilities and other critical facilities. The site is currently within the service area of the West Slope Water District. Adequate capacity existing to serve the current development. Future redevelopment demand will be determined at the time of future development, depending on the needs of said development and as reviewed by the West Slope Water District. Sanitary sewer service will be provided by the City of Beaverton through an existing 8 inch pipe in SW Canyon Lane and SW Canyon Drive. An existing 12 inch stormwater pipe is located in SW Canyon Drive and SW Canyon Lane.

The property has two street frontages, SW Canyon Drive and SW Canyon Lane, both of which are classified as Neighborhood Routes according to the City Functional Classification Plan Map, Figure 6.4 in Chapter 6 – Transportation Element.

Staff finds that all critical facilities and services are available to serve the subject site.

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

5. Essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation.

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The subject site is located within an existing network of roadways, utilities and other essential facilities. The site currently contains the 7,700 square foot TVF&R Fire Station #65, which was in operation from 1968 through 2014. In 2014 the property was sold and the station replaced by a new facility at a different location. The site will be served by the Beaverton Police Department, and is within the Tualatin Hills Park and Recreation District (THPRD) boundaries.

Tri-Met currently provides transit services along SW Canyon Road with bus line number 58 providing daily service in either direction on SW Canyon Road. There is an existing bus stop on SW Canyon Road within walking distance of the subject site.

At the time of future development, the site will be required to meet all land use regulations for commercially zoned property, in addition to all applicable Engineering Design Manual (EDM) standards.

Therefore, staff finds that the proposal conforms with applicable policies of the City's Comprehensive Plan.

6. The proposal is or can be made to be consistent with all applicable provisions of Chapter 20 (Land Uses).

The subject parcel (Map and Tax Lot 1S111AD01700) is proposed to be zoned from R2 to CS. Because no other land use applications for development were submitted with this application, the Zoning Map Amendment is not dependent upon other approvals, and can move forward through the planning process as a standalone application. Future development of said property will be reviewed for compliance with Chapter 20, *Land Uses* as established within the Beaverton Development Code, including potential site improvements which fall outside of basic tenant improvements to the interior of the structure.

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

7. The proposal shall include a Traffic Impact Analysis that meets the requirements of 60.55.20. The analysis shall demonstrate that development allowed under the proposed zoning can meet the requirements of 60.55.10.1, 60.55.10.2, 60.55.10.3, and 60.55.10.7. The analysis shall identify the traffic impacts from the range of uses allowed under the proposed zoning and demonstrate that these impacts can be reasonably mitigated at the time of development.

The applicant has provided a traffic impact study completed, June 2016 by SABA Consulting & Engineering Services. The roadways analyzed as part of the study are include SW Canyon Road, SW Canyon Lane, SW Canyon Drive, and SW 87th Avenue. Based on the Functional Classification Plan, Figure 6-4 of the Transportation Element, SW Canyon Road is classified as an Arterial. SW Canyon Drive, SW Canyon Lane, and SW 87th Avenue are all classified as Neighborhood Routes.

The traffic analysis data are based on reasonable worst case scenario potential commercial uses permitted within the proposed Community Service (CS) zone. According to data in the Institute of Transportation Engineers (ITE) manual, 9th Edition, the reasonable worst case development

scenario analyzed is Automobile Parts Sales (ITE Code 843), which indicated there would be approximately 464 total daily trips, with 17 AM Peak hour trips, and 45 PM Peak hour trips. Staff would consider the reasonable worst case scenario used by the applicant's traffic engineer to be similar to *Retail Trade* as identified in Chapter 20, *Land Uses* of the Beaverton Development Code. Staff, however, would consider a reasonable worst case scenario to be closer to restaurant uses, which would be categorized as *Eating and Drinking Establishment* with or without *Drive-up Window* (fast food restaurants) in the Development Code. The ITE indicates that fast food restaurants typically have 50% of their trips coming from drivers who are passing by a fast food restaurant, and therefore factors in a the 50% reduction of the trips generated from said use. A comparison between the two reasonable worst case scenarios could conclude similar trip generation with the 50% pass-by reduction taken into account, therefore nullifying the differences between the two scenarios.

Approximate daily trips for fast food is 716 trips versus approximately 62 trips for retail trade. Even though there would be a significant increase in daily trips under the fast food land use, it would be highly unlikely for this site due to the parking requirements of said use. Required parking would be 10 spaces per 1,000 square feet of building space versus 3.3 spaces per 1,000 square feet of retail space. This site does not lend itself to the higher fast food type uses due to the small size of the lot, thereby making the possibility of establishing this use on said site unlikely.

According to the submitted traffic impact study, the proposed rezone of the subject site does not have a measureable impact on the roadway network and studied intersections, nor have adverse impacts to the level of service, queuing or turning movements of the intersections under review. Lastly, because the proposed zoning is compatible with existing abutting and adjacent commercial uses, traffic flow for both present (2016) and future (2035) will not experience significant impacts on the adjacent transportation system. Staff concur that the proposed zone change will not "significantly affect" a transportation facility as defined by OAR 660-012-0060, and therefore meets Goal 12 of the Statewide Planning Goals, and the criterion of this finding.

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

8. ***As an alternative to 40.97.15.1.C.8, the applicant may provide evidence that the potential traffic impacts from development under the proposed zoning are no greater than potential impacts from development under existing zoning.***

The applicant has provided a Transportation Impact Analysis which shows that the minimal impacts associated with the CS zone can be accommodated by the existing transportation system. The applicant has addressed criterion 7.

Therefore, staff finds this criterion for approval is not applicable.

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

All submittal requirements identified in Section 50.25.1 of the Development Code are contained in the submittal package.

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

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

The applicant has submitted the required application materials for review of a Zoning Map Amendment application in the proper sequence. No other applications have been submitted with the proposed zone change.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **ZMA2016-0001 (8661 SW Canyon Drive)**.

COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX

<i>Comprehensive Plan Designation</i>	<i>Zoning District</i>
Downtown Regional Center	RC-E, RC-OT, RC-TO
Washington Square Regional Center	C-WS, OI-WS
Station Community	SC-HDR, SC-MU, SC-E1, SC-E3, SC-S ¹
Town Center	TC-HDR, TC-MU
Main Street ⁴	Neighborhood Service, R-1, R-2
Corridor	General Commercial, Community Service, Neighborhood Service, R1, R2, R4, Corridor Commercial
Employment Areas	Office Industrial
Industrial	Industrial, Office Industrial
Neighborhood Residential ⁴ (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R10 ²
Standard Density	R7, R5 ³
Medium Density	R4, R2
High Density	R1
Any of the plan designations cited above	Institutional

CHAPTER 20, LAND USES

Category and Specific Use		(R2)	(CS)
Land Use	Superscript Refers to Use Restriction		
Residential			
Care	Care Facilities	P	P
Dwellings	Accessory Dwelling Units	P	P
	Attached	P	P
	Detached	P	P
	Home Occupation	P	P
	Manufactured/Mobile Homes	P ¹	N
	Manufactured/Mobile Home Parks and Subdivisions	C	N
	Planned Unit Development	C	C
Commercial			
Animal	Animal Care, Major	N	C
	Animal Care, Minor	N	P
Care	Hospitals	C	C
	Medical Clinics	C	C
	Child Care Facilities	C	P
	Residential Care Facilities	C	C
Eating and Drinking Establishment	N	P	
Financial Institutions	N	P	
Live/Work Uses	N	P	
Office	N	P	
Parking as the Principal Use	N	N	
Retail Trade ⁵	N	P	
Service Business/Professional Services	N	P	
Lodging	Temporary Living Quarters	C ⁵	C
Storage	Self Storage Facilities	C	N
	Storage Yards	C	N
Marijuana	Marijuana Dispensary ⁷	N	P
	Retail Marijuana Sales ⁷	N	P
	Wholesale Marijuana Sales	N	N
	Marijuana Processing	N	N
Vehicles	Automotive Service, Major	N	C
	Automotive Service, Minor	N	P
	Bulk Fuel Dealerships	N	P
	Sales or Lease	N	N
	Rental	N	C
	Drive-Up Window Facilities	N	P
	Food Cart Pods	N	P
Civic			
Cemetery		C	N

Education	Educational Institutions	C	P
	Commercial Schools	N	P
Places of Worship		C	P/C^9
Public Buildings and Uses	Non-Profit Public Services in Public Buildings	N	C
	Public Buildings	C	C
	Public Sewer and Water and Utility Transmission Lines	P	C
	Public Sewer, Water Supply, Water Conservation and Flood Control Facilities other than Transmission Lines	C	C
Recreation	Public Parks, Parkways, Playgrounds, and Related Facilities	C	P
	Public Recreational Facilities	C	P
	Community Gardens	P	N
Social Organizations		N	P/C^9
Transit Centers		N	P
Utilities	Utility Substations and Related Facilities other than Transmission Lines	C	C
	Transmission Lines	N	P
Wireless Communication Facilities			
New WCF	Tower Construction	W3	W3
	Attachment to existing or new building or structure not using stealth design	W3	W3
	Replacement tower to provide collocation opportunity	W1	W1
	Attachment of a new WCF to buildings or structures and utilize stealth design	W1	W1
	Attachment of WCF to existing structures, tower or pole structures	W1	W1
Collocation	Installation of WCF in right of way	W2/W3	W2/W3
	New WCF on existing WCF tower	W1	W1
	New WCF inclusive of antennas on existing height standard	W2	W2
Antennas	Attachment of antennas to WCF tower or pole structures other than used for cellular phone service	W1	W1
Satellite Antennas and	DHSS antennas>1 m. in diameter	W2	W1

Direct to Home Satellite Service		
Up to 2 antennas >2 m. in diameter	N	W1
Up to 5 antennas >2 m. in diameter	N	W2
More than 5 antennas >2 m. in diameter	N	W3

Footnotes

- 1 P only in approved mobile/manufactured home parks and subdivisions
- 2 Limited to uses of Boarding, Rooming, and Lodging House
- 3 Detached and Attached Dwellings; only 50% of the contiguous area within any NS zone may be developed residentially
- 4 No freestanding office structure or group of office structures shall exceed a combined total of 15,000 square feet
- 5 No sales or outdoor storage of livestock are allowed with this use
- 6 Limited to hotels and extended stay hotels located on a lot or parcel adjoining U.S. Highway 26, Canyon Road, Tualatin Valley Highway or Oregon State Highway 217 (See Dev Code page LU-15 for details)
- 7 Subject to state and city hours of operation and distancing requirements (See Dev Code page LU-16 for details)
- 8 P only when abutting a Collector or higher street classification
- 9 If property is greater than 500 feet from an existing Residential use in a Residential zone the use is P. If property is within 500 feet from an existing Residential use in a residential zone the use requires C approval.

Staff Report

HEARING DATE: September 28, 2016

STAFF REPORT DATE: September 21, 2016

TO: Planning Commission

FROM: Sandra L. Freund, AICP, Planning Manager

PROPOSAL: TVF&R Station 65 Rezoning from Urban Medium Density (R2) to Community Service (CS).
ZMA2016-0001

LOCATION: The subject property is located at 8661 SW Canyon Drive, on the northeast corner of SW Canyon Lane and SW Canyon Drive, just west of SW Canyon Road.
Tax Lot 1700 of Washington County Tax Assessor's Map 1S111AD.

SUMMARY: The applicant, Lindquist Development Company, Inc., requests approval to change the zoning of the subject parcel (previously Tualatin Valley Fire & Rescue (TVF&R) station #65) and adjacent portions of right-of-way, from Urban Medium Density (R2) to Community Service (CS). The subject property is approximately 0.56 acres.

APPLICANT: Lindquist Development Company, Inc.
Attn: Stuart Lindquist
PO Box 42135
Portland, OR 97242

APPLICANT'S REPRESENTATIVE: Canterbury Commercial, LLC
Dale Bernards
PO Box 25487
Portland, OR 97298

PROPERTY OWNER: Lindquist Development Company, Inc.
Dale Bernards
PO Box 42135
Portland, OR 97242

RECOMMENDATION: Staff recommends the Planning Commission forward a recommendation to the City Council to adopt an ordinance applying the *Community Service (CS)* zoning designation to the subject parcel and adjacent portions of right-of-way effective 30 days after adoption of the proposed ordinance.