



Washington County
 Department of Land Use & Transportation
 Current Planning Services
 155 N First Ave., Suite 350-13
 Hillsboro, OR 97124

NOTICE OF DECISION & STAFF REPORT

CASEFILE NUMBERS:

DR2015-0081 / LD2015-0017 (City)
15-287-D/PLA (Washington County reference)

APPLICANT:

Nike, Inc.
Monty Moore
One Bowerman Drive
Beaverton, Oregon 97005

APPLICANT'S REPRESENTATIVE:

WH Pacific, Inc.
Attn: Kevin Apperson
9755 SW Barnes Road
Beaverton, Oregon 97225

OWNER:

Nike, Inc.
Monty Moore
One Bowerman Drive
Beaverton, Oregon 97005

LOCATION: South side of SW Walker Road at
SW Koll Parkway

PROCEDURE TYPE: 2 (II)

NAC: Five Oaks/Triple Creek **CPO:** 1

LAND USE DISTRICT:

Office Industrial - Nike Campus (OI - NC)

PROPERTY DESCRIPTION:

ASSESSOR MAP: 1S1 5AC; 5AD; 5DB
LOT#'S: 300 – 600; 6800; 100 – 200

SITE SIZE: +/-14.92 acres

ADDRESS: To be determined

PROPOSED DEVELOPMENT ACTION: Design Review Two for the construction of a 1,941-space parking structure and Replat Two to consolidate six lots.

November 13, 2015

DECISION:

Approval

Approval with Conditions

Denial

Signature:


 Andrew Singelakis, Director of Land Use & Transportation

Date

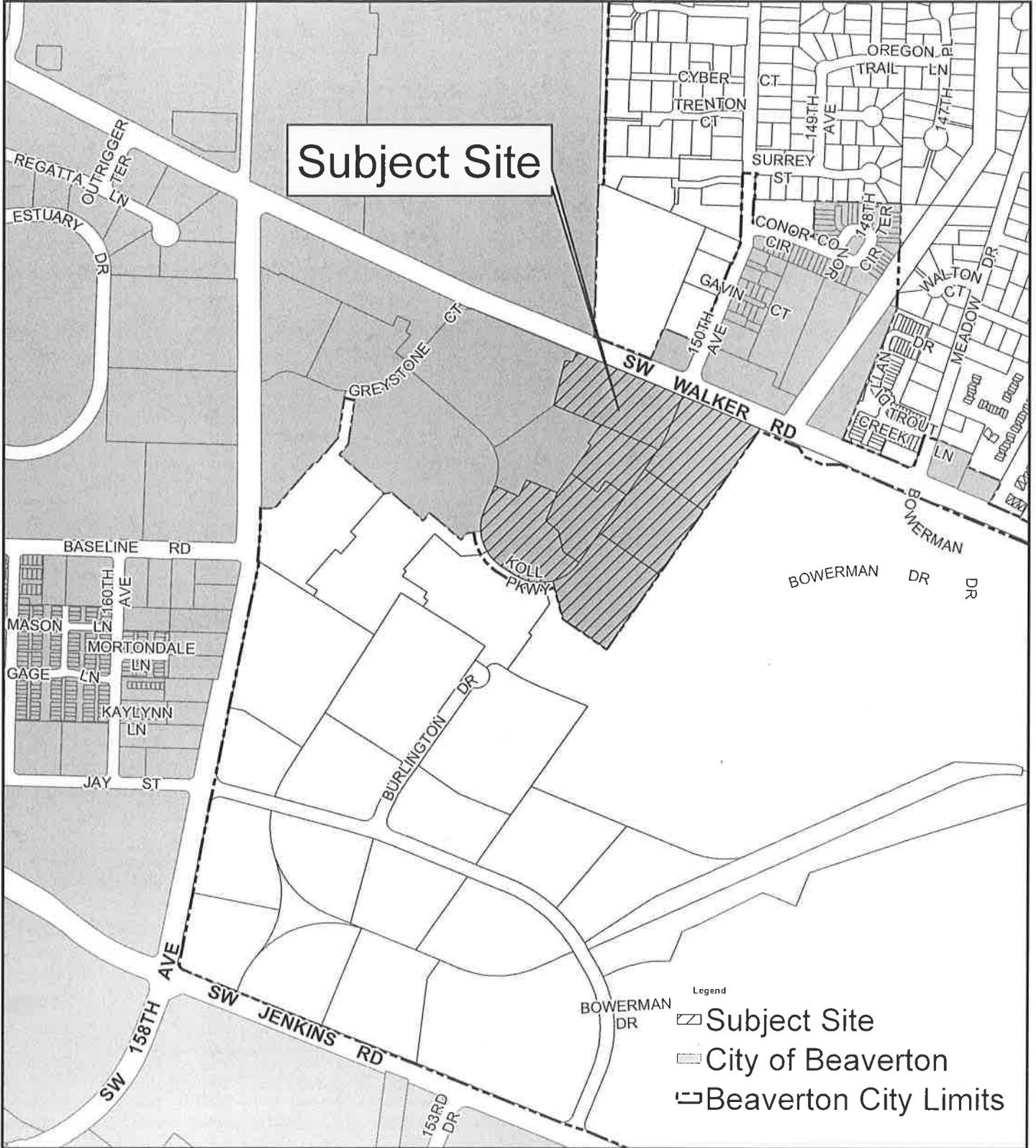
11.13.15

Staff Planner: Wayne Hayson, 503-846-3867

Attachments

- A. -- Vicinity Map
- B. -- CONDITIONS OF APPROVAL**
- C. -- Staff Report
- D. -- Appeal Information

VICINITY MAP



Nike Parking Structure
DR2015-0081 / LD2015-0017

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

07/28/2015

Tax Lot #'s
 See Notice

Application #
 See Notice



Attachment B

CONDITIONS OF APPROVAL

I. PRIOR TO COMMENCING ANY ON-SITE IMPROVEMENTS, INCLUDING GRADING, EXCAVATION AND/OR FILL ACTIVITIES THE APPLICANT SHALL:

- A. Obtain a Grading Permit (and Site Utility Permit, if required) from the Washington County Building Services Section (503-846-3470).**
- B. Obtain a Right-of-Way Permit from the Washington County Operations Division for construction access to the site if access is required from Walker Road (or any other County Road). A Right-of-Way-Permit for construction access may be consolidated with a Right-of-Way Permit required under Condition II.B. below, as determined by the Operations Division.**
- C. Obtain a City of Beaverton (City) Site Development Permit for any work affecting City-owned sanitary sewer or storm drainage facilities, other utility modifications or improvements within the City limits, and for any work within City street rights-of-way.**

NOTE: Refer to August 28, 2015 comment letter from City Site Development Manager Jim Duggan for additional information on City Site Development Permit process and requirements.

- D. Obtain a Clean Water Services (the District) Site Development Permit for erosion control, sensitive area disturbance or enhancement, and any storm water or sanitary sewer connections or improvements outside the City limits.**

NOTE: Refer to September 17, 2015 comment letter from Jackie Humphreys, Clean Water Services, for additional information on Clean Water Services Site Development Permit process and requirements.

II. PRIOR TO FINAL APPROVAL (WITHIN TWO YEARS):

- A. Submit to Washington County Building Services Section (503-846-3470):**
 - 1. A Grading Permit application in compliance with the grading submittal package checklist, and include sections and heights of all proposed retaining walls.
 - 2. A Site Utility Permit application (if required).
- B. Submit to Washington County Operations Division (503-846-7623):**
 - 1. Right-of-way Permit Application Form.
 - 2. **\$800.00 Administration Deposit.**

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these

services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. PLEASE NOTE: Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. Three (3) sets of complete engineering plans for all work proposed within County right-of-way, including, but not limited to:
 - a. Construction access to the property, if access is proposed from a County road.
 - b. Any sidewalk construction, repair, or improvement to public facilities located within County rights-of-way.
 - b. Any utility work within County rights-of-way.

NOTE: This permit requirement may be waived by the Director of Land Use & Transportation upon a determination that no construction access or other work is proposed in County rights-of-way.

C. Submit to City of Beaverton Site Development Division (503-526-3724):

1. Required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist.
2. Copy of Final Plat for review.
3. Quitclaim deeds and legal descriptions ready for recording prior to the final plat but after approval by the City Engineer for legal description of the area encumbered, approval by City Attorney as to form, and authorizing signature by the Mayor.

NOTE: Refer to August 28, 2015 comment letter from City Site Development Manager Jim Duggan for additional information on City Site Development Permit process and requirements.

D. Submit to Clean Water Services (503-681-3600):

1. Required plans, application form fee, and other items needed for a complete site development permit application in accordance with CWS standards.

NOTE: Refer to September 17, 2015 comment letter from Jackie Humphreys, Clean Water Services, for additional information on Clean Water Services Site Development Permit process and requirements.

E. Submit complete Final Plat review package to the Washington County Surveyor's Office (503-846-8723).

F. Submit to Washington County Current Planning Services Project Planner (Wayne Hayson, 503-846-8761):

1. Final Approval form (Type I procedure; two copies).

NOTE: The Final Approval application shall include evidence that all Conditions of Approval have been met.

2. Final Approval fee.
3. A final plan set for all onsite improvements.
4. Evidence of compliance with applicable provisions of Tualatin Valley Fire & Rescue letter dated August 28, 2015.

III. PRIOR TO THE ISSUANCE OF A BUILDING PERMIT THE APPLICANT SHALL:

- A. Obtain Final Approval.**
- B. Pay Metro Construction Excise Tax, Beaverton School District Construction Excise Tax, and Tualatin Hills Park and Recreation District System Development Charge, if applicable.**

NOTE: The Transportation Development Tax will not be assessed with this proposed development since the proposal will result in a net reduction in occupiable building area.

- C. Submit with the building plans to Washington County Building Services (503-846-3470):**
 1. Final site, building, elevation, lighting, and landscaping plans consistent with those stamped "Final Approval" and located within the Current Planning casefile.
- D. Record with Washington County all quitclaim deeds and legal descriptions pursuant to Condition II.C.3 above. Quitclaim deeds shall be recorded prior to the final plat, but after approval by the City Engineer for legal description of the area encumbered, approval by City Attorney as to form, and authorizing signature by the Mayor.**

IV. PRIOR TO BUILDING OCCUPANCY AND/OR FINAL BUILDING INSPECTION:

- A.** Obtain Occupancy Permits, consistent with the conditions listed above.
- B.** The Final Plat shall be recorded with Washington County, with a copy of the recorded plat provided to the City of Beaverton.
- C.** Any easements in addition to those shown on the final plat shall be recorded with Washington County, with copies of the recorded easements provided to the City of Beaverton for any easement(s) located within City limits.
- D.** Install all required bicycle racks and pedestrian amenities.
- E.** Plant all required landscaping.
- F.** Complete construction of the parking area.
- G.** Finalized Grading and Site Utility permits from Washington County Building Services Section.
- H.** Finalized Right-of-Way Permits from Washington County Operations Division for any access and/or improvements to County Road(s) consistent with Condition II.B.

- I. All stormwater and sanitary sewer facilities and improvements required by the City of Beaverton shall be completed and approved by the City.
- J. All facilities and improvements required by Clean Water Services shall be completed and approved by the District.

V. ADDITIONAL CONDITIONS:

- A. This development shall be constructed in accordance with the conditions of this decision, the approved final plans and the applicable standards of the City of Beaverton Development Code.
- B. All conditions of approval shall be binding upon all heirs, successors and assigns.
- C. Transferability of this Development Permit shall be in accordance with the City of Beaverton Development Code.
- D. This approval shall automatically expire two years from the date of this approval, unless development has commenced, an application for an extension is filed, or this approval is revoked or invalidated (Section 50.90.1.B.).
- E. Adequate sight distance shall be continuously maintained by the property owner(s). This may require the property owner(s) to periodically remove obstructing vegetation from the road right-of-way (and on site).
- F. All landscaping shall be continually maintained, including irrigation, weeding, pruning and replacement, in a substantially similar manner as shown in the approved landscaping plans, unless a modification is approved.

Attachment C STAFF REPORT

I. APPLICABLE STANDARDS

- A. City of Beaverton Development Code
 - a. Chapter 20 – Land Uses
 - b. Chapter 40 – Applications
 - c. Chapter 60 – Special Requirements

II. AFFECTED JURISDICTIONS

Sewer:	City of Beaverton
Streets:	Washington County Dept. of Land Use & Transportation and City of Beaverton
Drainage:	City of Beaverton/Clean Water Services
Water Quality and Quantity:	City of Beaverton/Clean Water Services
Erosion Control:	City of Beaverton/Clean Water Services
Water:	Tualatin Valley Water District
Fire Protection:	Tualatin Valley Fire & Rescue
Police Protection:	City of Beaverton
Transit:	Tri-Met
Parks:	Tualatin Hills Park and Recreation District

III. FINDINGS

A. **Background Information:**

The subject property is in the City of Beaverton. This application was processed by Washington County pursuant to an Intergovernmental Coordinating Agreement between the two agencies, dated August 22, 2014.

The project site (Tax Lots 300, 400, 500 & 600 on Tax Map 1S1 5 AC; Tax Lot 6800 on Tax Map 1S1 5 AD; and Tax Lots 100 & 200 on Tax Map 1S1 5 DB) encompasses 14.92 acres and is situated on the south side of Walker Road at Koll Parkway (a private street).

The lots identified above lie within two previously approved plats. The applicant is requesting approval of a Replat Two to consolidate six of the lots, with a portion of Tax Lot 600 to remain as a separate lot.

The applicant is also requesting approval of a Design Review Two for approval for Garage C, an approximate 705,000 square foot, 1,941-space parking structure. (NOTE: The initial application materials indicated an approx. 837,042 square foot, 2,320-space parking structure, but the applicant subsequently reduced the size of the proposed structure by eliminating one level of underground parking). The proposal includes: the demolition and removal of two existing office/tech buildings and associated site improvements; development of the new parking structure; access to the proposed parking structure; a pedestrian bridge spanning the vehicular access; and drainage, utility and landscaping improvements throughout the site. Four existing office/tech buildings will remain on the site.

Relevant Code sections have been addressed in this report. Code sections that are not relevant to the application are not addressed in this report.

As of the writing of this report, no comments have been received in response to the public notice.

B. City of Beaverton Development Code:

1. CHAPTER 20 LAND USES

20.15 EMPLOYMENT/INDUSTRIAL LAND USE DISTRICTS

20.15.10 Purpose

2. Office Industrial – Nike Campus (OI–NC)

The Office Industrial – Nike Campus District is intended to provide consistent and predictable zoning with Washington County zoning for the Nike World Headquarters Campus located in an area south of Walker Road, West of Murray Boulevard, north of Jenkins Road and east of 158th Avenue. [ORD 4649; Feb 2015]

STAFF: Based on the City of Beaverton Zoning Map, the proposed development lies entirely within an area that is zoned Office Industrial – Nike Campus (OI–NC).

20.15.15 Site Development Standards

STAFF: The proposed parking structure complies with the Site Development Standards, which are intended to direct development so that it is consistent with the corresponding zoning district criteria. There are no minimum or maximum lot dimension, lot area, density/floor-area ratio, dimensional, or yard setback requirements in the Office Industrial – Nike Campus (OI–NC) zone.

The maximum permitted building height over approximately the northernmost 400 feet of the subject site (the portion of the site within 500 feet of residentially-designated properties north of Walker Road) is 80 feet; the maximum permitted building height for the remainder of the site is 110 feet. The proposed parking structure is approximately 53 feet in height.

It is assumed that the existing office buildings to remain on the site were constructed to the applicable standards that were in place at the time of their development; they also appear to conform to the OI-NC Site Development Standards.

20.15.20 Land Uses

STAFF: The existing office/industrial buildings are permitted in the OI–NC zone. The proposed parking structure is accessory to the office/industrial use of the Nike Campus and is therefore allowed.

20.15.25 Use Restrictions

STAFF: There are no Use Restrictions applicable to the proposed parking structure.

20.15.30 Supplemental Development Requirements

In addition to the site development requirements listed in Section 20.15.15., development in Industrial zoning districts shall be subject to the following supplemental development requirements:

- 1. Off-Street Parking and Loading. In addition to the provisions of Section 60.25 (Off-Street Loading) and Section 60.30 (Off-Street Parking), the following shall apply to all development in Industrial zoning districts.**

- A. No parking shall be allowed in the first 20 feet of the front yard setback. Parking shall be permitted within side or rear yard setbacks; provided, however, when the side yard and/or rear yards abut a residentially developed property or developable property in a Residential zoning district there shall be no parking with the first 20 feet of the setback.**

STAFF: As identified in the site plan, no new parking or loading is proposed within 20 feet of the front property line (Walker Road frontage) of the new consolidated parcel. The nearest edge of the proposed parking structure is more than 200 feet from Walker Road.

3. Required Conditions. The following is required for development within the Office Industrial and Industrial zoning districts:

- A. All business, service, repair, processing, storage or merchandise display shall be conducted within an enclosed building unless screened by a sight obscuring fence or wall, excluding outdoor seating.**

STAFF: The applicant's plans indicate the proposal will comply with this standard. The listed activities will be conducted within existing buildings. All new activities will be fully contained within the consolidated property boundaries and screened from view from Walker Road by the construction of a berm and a combination retaining wall and landscaping.

- C. All materials, including waste, shall be stored and all grounds shall be maintained in a manner which will not attract or aid the propagation of insects of rodents or create health or fire hazards. All areas for storage of waste shall be fully screened.**

STAFF: The existing office buildings that will remain have their own dedicated waste disposal facilities and receive regular waste/recycling service. Grounds maintenance is currently contracted with a private maintenance company. Because of the use characteristics of a parking structure, little material waste is generated. However, the proposed parking structure will utilize a combination of campus maintenance and local service providers to provide waste/recycling service.

4. Performance Standards.

- A. Vibration. No vibration other than that caused by highway vehicles, trains and aircraft shall be permitted which is discernible without instruments at the property line of the proposed use.**
- B. Odors. The emission of odorous gasses or matter as to be readily detectable at any point beyond the property line is prohibited.**
- C. Heat and Glare. Except for exterior lighting, operations producing heat and glare shall be conducted entirely within an enclosed building.**
- D. Administration and Enforcement. Prior to the City taking any action on a Type 1, Type 2, or Type 3 application or the issuance of an occupancy permit, information sufficient to determine the degree of compliance with the standards in this subsection shall be furnished by the applicant. Such requests may include continuous records of operations, for periodic checks to assure maintenance of standards of for special surveys.**

STAFF: Aside from temporary vibration during the construction period, no impact from vibration is anticipated as result of the proposed parking structure. No impacts from odorous gasses or matter, or heat or glare are anticipated from the proposed parking structure. Given the nature of the request, it is not anticipated that post-construction monitoring will be necessary to verify compliance with the performance standards described above.

2. CHAPTER 40 APPLICATIONS

40.03 FACILITIES REVIEW COMMITTEE

Consistent with Section 10.95.4. (Facilities Review Committee) of this Code, the Facilities Review Committee shall review the following Type 2 and Type 3 land use applications: ... Design Review Two ... and Replats ... In making a recommendation on an application to the decision making authority, the Facilities Review Committee shall base its recommendation on a determination of whether the application satisfies all the following technical criteria. The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B., and all the following criteria have been met, as applicable: [ORD 4265; October 2003][ORD 4404; October 2006] [ORD 4487; August 2008]

STAFF: The Design Review Two and Replat Two are subject to this section.

1. All Conditional Use, Design Review Two, Design Review Three, and applicable Land Division applications:

A. All critical facilities and services [public water, public sanitary sewer, storm water drainage, treatment, and detention, transportation, and fire protection] 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.

STAFF: Information provided by the applicant and applicable service providers indicates that all critical facilities have been, or will be improved to have adequate capacity to serve the proposed development at the time of its completion. Service provider letters have been obtained for all critical services.

B. Essential facilities and services [schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way] related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy...

STAFF: Information provided by the applicant and applicable service providers indicates that all essential facilities have been, or will be improved to have adequate capacity to serve the proposed development at the time of its completion. Service provider letters have been obtained for applicable essential services.

C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses)...

STAFF: The proposed development is consistent with all applicable provisions of Chapter 20. Refer to findings for Chapter 20 in this Staff Report.

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

STAFF: The proposed development is consistent with all applicable provisions of Chapter 60. Refer to findings for Chapter 60 in this Staff Report.

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

STAFF: No "common" facilities or areas proposed. All existing and proposed on-site improvements will be privately owned and will be maintained by the owner.

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

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

STAFF: The information submitted by the applicant indicates that safe and efficient on-site vehicular and pedestrian circulation patterns will be provided, as well as safe and efficient connections to the surrounding circulation systems.

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

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

STAFF: The information submitted by the applicant indicates that structures and public facilities serving the development site are or will be designed in accordance with adopted City codes and standards, as well as provide adequate fire protection, and adequate protection from crime, accident, and hazardous conditions.

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

STAFF: The information submitted by the applicant indicates that grading and contouring of the site will accommodate the proposed use and mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

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

STAFF: The information submitted by the applicant indicates that access and facilities for the physically handicapped will be incorporated into the proposed site and building design.

- L. The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code. [ORD 4265; October 2003]**

STAFF: The application included all required submittal materials.

- 2. Public Transportation Facility Improvements or Modifications, including Street Vacations.**

STAFF: The proposed application does not include any of the above application types.

40.20 DESIGN REVIEW

40.20.10 Applicability

- 1. The scope of Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures and other development are located. [ORD 4584; June 2012]**
- 2. Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three applications and unless exempted by Section 40.20.10.3 (Design Review) approval shall be required for the following: [ORD 4584; June 2012]**

- C. All uses listed as Permitted and Conditional Uses in all Commercial, Industrial, and Multiple Use zoning Districts.**

STAFF: The development proposal meets the threshold for Design Review because it is a 'Permitted' use within the Office Industrial – Nike Campus District.

- 4. Design review approval through one of the procedures noted in Section 40.20.15 will be required for all new development where applicable. The applicable design standards or guidelines will serve as approval criteria depending on the procedure. Existing developments, and proposed additions, demolition and redevelopments associated with them will be treated according to the following principles:**

- A. Development constructed or approved prior to December 15, 2004 is not subject to Design Review standards and guidelines, and is considered fully conforming to the approvals issued at the time the development was approved by the City. Existing developments constructed prior to December 15, 2004, are not considered nonconforming if they do not meet design standards... [ORD 4531; April 2010]**
- B. Proposed new free-standing building(s) within an existing development will be subject to all applicable design standards.**

- C. Proposed redevelopment of existing structures and project site area is subject to all applicable design standards or guidelines to the extent where redevelopment of existing building or site area is proposed. Only that portion of existing building or site area that is proposed for redevelopment is subject to design review or guidelines as determined applicable. [ORD 4531; April 2010]**

STAFF: All existing structures to remain predate December 15, 2004. As noted above, only the proposed parking structure and improvements associated with its construction are subject to Design Review.

40.20.15 Application

2. Design Review Two

- A. Threshold. An application for Design Review Two shall be required when an application is subject to applicable design standards and one or more of the following thresholds describe the proposal.**
- 7. Any change in excess of 15 percent of the square footage of on-site landscaping or pedestrian circulation area with the exception for an increase in landscape art of up to 25 percent [ORD 4397; August 2006]**
 - 8. Any new or change to existing on-site vehicular parking, maneuvering, and circulation area which adds paving or parking spaces.**
 - 10. New construction of non-habitable buildings in commercial, industrial, multiple use zones, or for approved Conditional Uses in residential zones, larger than 1,000 square feet in gross building area. [ORD 4584; June 2012]**

STAFF: As identified above, and as mentioned previously in Chapter 40.20.10 the development proposal is subject to Design Review Two approval.

- B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Design Review Two. The decision making authority is the Director.**

STAFF: The application is being processed through the Type 2 procedure.

- C. Approval Criteria. [ORD 4365; October 2005] In order to approve a Design Review Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:**

- 1. The proposal satisfies the threshold requirements for a Design Review Two application**
- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.**
- 3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1. of the Development Code.**

4. **The proposal is consistent with all applicable provisions of Sections 60.05.15. through 60.05.30. (Design Standards).**
5. **For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the proposed additions or modifications are moving towards compliance with specific Design Standards if any of the following conditions exist...**
6. **Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.**

STAFF: As noted above, the application satisfies the threshold requirements for a Design Review Two application. The application, including applicable fees, has been submitted in accordance with this section. Approval Criteria 4 and 5, regard compliance with applicable Design Standards provisions of Chapter 60, which are addressed later in this report. Applications and documents related to this request will be submitted to the City and/or County in the proper sequence.

D. Submission Requirements. An application for a Design Review Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Two application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

STAFF: As noted above, the application has been submitted in accordance with this section.

E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Design Review Two application to ensure compliance with the approval criteria

STAFF: Conditions of approval are included in this decision.

40.45 LAND DIVISION AND RECONFIGURATION [ORD 4487; August 2008]

40.45.10 Applicability

The provisions of this Section apply to all subdivisions, partitions, developments involving the dedication of public right-of-way, and the reconfiguration of existing property lines. Code requirements for the vacation of public rights-of-way are in Section 40.75. (Street Vacations).

40.45.15 Application

There are nine (9) types of applications under this Section as follows: Property Line Adjustments; Replat One; Replat Two; Preliminary Partition; Preliminary Subdivision; Preliminary Fee Ownership Partition; Preliminary Fee Ownership Subdivision, Final Land Division; and Expedited Land Division. [ORD 4854; June 2102]

3. Replat Two [ORD 4487; August 2008] [ORD 4584; June 2012]

A. Threshold. An application for Replat Two shall be required when any of the following thresholds apply:

3. The reconfiguration of lots, parcels, or tracts affecting more than one (1) recorded plat, or where the perimeter boundary of a recorded plat would change as a result of the proposed reconfiguration. [ORD 4498; January 2009]

B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Replat Two. The decision making authority is the Director.

STAFF: The applicant has requested review and approval of a Replat Two for the consolidation of existing platted lots and reconfiguration of existing property lines. The proposal meets the threshold requirements for a Replat Two because public easements will be modified and the reconfiguration of lots involves more than one plat. It is being processed through the Type 2 procedure.

C. Approval Criteria. In order to approve a Replat Two application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.

1. The application satisfies the threshold requirements for a Replat Two.

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

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

STAFF: As noted under A above, the application satisfies the requirements for a Replat Two. Required fees have been submitted. The proposed Replat Two does not conflict with any existing approvals.

4. Oversized lots or parcels (“oversized lots”) [greater than twice the required minimum lot size allowed by the subject zoning district] resulting from the Replat...

STAFF: The proposed Replat Two will not result in the creation of any oversized lots. There is no minimum or maximum lot dimension or area in the OI-NC district.

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

STAFF: With the proposed consolidation and subsequent redevelopment, pedestrian, utility and vehicular access the subject property will be maintained. The existing private roadway (Koll Parkway) will be modified. The westerly access will terminate in a new cul-de-sac immediately south of the proposed parking structure, and the easterly access will provide pedestrian and vehicular access to the north end of the new parking structure. Similarly,

existing utilities will be re-routed. Existing easements will be vacated and new easements will be provided where necessary.

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

STAFF: The proposal does not create a lot with more than one zoning designation. The resultant consolidated lot will be entirely within the OI-NC district.

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

STAFF: Applications and documents related to this request will be submitted to the City and/or County in the proper sequence.

D. Submission Requirements.

- 1. An application for a Replat Two shall be made by the owner(s) of the subject property or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director... The Replat Two application shall be accompanied by the information required by the application form, and the information required by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.**
- 2. The Director may consider and act upon a request to develop a Replat Two in phases...**

STAFF: The application has been submitted in accordance with these requirements. No phasing is proposed.

E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Replat Two application to ensure compliance with the approval criteria.

STAFF: Conditions of approval are included in this decision.

3. CHAPTER 60 SPECIAL REQUIREMENTS

**60.05 DESIGN REVIEW DESIGN PRINCIPLES, STANDARDS AND GUIDELINES
[ORD 4332; January 2005]**

60.05.05 Purpose

The following design principles, standards, and guidelines shall be met by new development and redevelopment where applicable, throughout the City. [ORD 4584; June 2102]

60.05.15 Building Design and Orientation Standards.

1. Building articulation and variety.

- B. Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the street-facing elevation(s) and the elevation(s) containing a primary building entrance or multiple tenant**

entrances devoted to permanent architectural features designed to provide articulation and variety... The percentage of the total square footage of elevation area is: [ORD 4584; June 2012]

3. Fifteen (15) percent in Industrial zones. [ORD 4462; January 2008]

C. The maximum spacing between permanent architectural features shall be no more than:

2. Sixty (60) feet in Industrial zones.

STAFF: These criteria are not applicable. As noted in the application materials, including the Site Area Exhibit (Sheet EX02 in Section A) and line-of-sight and perspective drawings (Appendix 11), the only new development, Garage 'C', will be located more than 200 feet from the nearest public street, SW Walker Road. In addition, Garage 'C' will also be largely screened from public view from Walker Road by a pedestrian bridge, berms, site retaining walls, and extensive landscaping.

2. Roof forms.

A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.

STAFF: While not anticipated to be directly visible from Walker Road or any other street, the sloping roofs of the parking structure's elevation facing Walker Road will have an approximate 6.5/12 pitch.

3. Primary building entrances.

A. Primary entrances which are the main point(s) of entry where the majority of building users will enter and leave shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.

STAFF: Pedestrian entries to each level of the parking structure are by stairways or elevators and are protected from the weather as required.

4. Exterior building materials.

B. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones (except detached residential uses fronting streets, common greens and shared courts), a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. The remaining elevation area for all applicable uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment. [ORD 4542; June 2010] [ORD 4576; January 2012] [ORD 4584; June 2012]

This standard shall also apply to all uses in the Industrial zones, except for buildings containing manufacturing, fabricating, processing, packing, storage and wholesale and distribution facilities as a principal use of the site where this standard shall apply only to the primary elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space. [ORD 4531; April 2010]

STAFF: While the proposed parking structure will be largely screened from public view, its elevations will not have any exposed concrete. The exterior materials consist of solid and perforated painted metal panels.

5. Roof mounted equipment.

STAFF: No roof mounted equipment subject to these standards is proposed.

60.05.20 Circulation and Parking Design Standards.

1. Connections to the public street system.

A. Pedestrian, bicycle and motor vehicle connections shall be provided between the on-site circulation system and adjacent existing and planned streets as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation element [ORD 4531; April 2010].

STAFF: The proposed development provides connections between the new and existing structures on the site and the perimeter sidewalk system through existing walkways and proposed additional linkages.

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

A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. [ORD 4531; April 2010]

STAFF: In addition to the distance and screening previously noted in this report, Garage 'C' does not include loading areas, waste facilities or similar improvements. The proposed pad mounted electrical transformer is not visible from a public street.

3. Pedestrian circulation.

A. Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist: ...

B. A reasonably direct walkway connection is required between primary entrances which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.

- C. A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of frontage or for every eight aisles of vehicle parking if parking is located between the building and the street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.**

STAFF: Pedestrian connections are provided that link to adjacent existing pedestrian facilities to the extent practicable as required by Code. A walkway connection will be provided between Garage 'C' and the main vehicular entry from Walker Road, consistent with prior development on the Nike campus. Internal pedestrian walkways will also connect the proposed garage with existing buildings nearby.

- D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in parking lot design.**

STAFF: Although no additional surface parking is proposed, new pedestrian connections will be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping trees and lighting as required by Code.

- E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided, and shall be composed of a different paving material than the primary on-site paving material.**

STAFF: Proposed pedestrian connections crossing driveways or vehicular access aisles will be composed of a different paving material than the primary on-site paving material.

- F. Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance and shall be paved with scored concrete or modular paving material. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standard shall apply. [ORD 4531; April 2010]**

STAFF: Pedestrian walkways will have a minimum five foot width and be constructed of scored concrete.

4. Street frontages and parking areas.

- A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards...**

STAFF: This criterion is not applicable; no new surface parking areas are proposed near a public street with this development.

5. Parking Area Landscaping.

- A. Landscaped planter islands shall be required according to the following:**

- 4. All uses in Employment/Industrial zones, one for every twelve (12) contiguous parking spaces. [ORD 4584; June 2012]**

STAFF: No new surface parking areas are proposed. Small areas of several existing surface parking lots will be modified, primarily to eliminate existing parking spaces and reconfigure existing driving aisles slightly. Each of these areas affects fewer than 12 parking spaces, so they do not trigger this requirement.

9. Ground floor uses in parking structures.

A. Parking structures located on Major Pedestrian Routes shall incorporate one or more active retail or commercial uses other than parking at ground level along the entire portion of the structure fronting onto such routes. Compliance to this standard is not required when a semi-subterranean parking structure is proposed, provided that the height of such structures, or portions thereof, is not greater than three and one-half (3 ½) feet above the elevation of the adjoining walkway or sidewalk.

STAFF: Walker Road is not a Major Pedestrian Route. This criterion is not applicable.

60.05.25 Landscape, Open Space and Natural Areas Design Standards.

5. Minimum Landscape requirements for non-residential developments and Mixed Use Development. [ORD 4542; May 2010] [ORD 4584; June 2102]

A. A minimum portion of the total gross area shall be landscaped:

- 1. Conditional Uses in Residential districts, and all uses in Commercial and Industrial districts, fifteen (15) percent;**
- 3. Environmentally sensitive areas shall be counted towards the minimum landscape requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum landscape requirement.**

STAFF: The landscaped portion of the subject site is 25.7 percent of the gross site area.

B. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:

- 1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.**
- 2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.**
- 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.**

STAFF: The required landscape area on the subject site is 93,155 square feet. Prior to final approval, a more detailed landscape plan will be provided to confirm compliance with these standards.

8. Retaining walls. Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials or any combination of the foregoing and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least five (5) feet is required, landscaped to the B-3 High Screen Buffer standards.

9. Fences and walls.

A. Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock or brick, or other durable materials.

STAFF: The applicant is proposing to construct stone retaining walls that will comply with these standards.

11. Integrate water quality, quantity, or both facilities. Non-vaulted surface storm water detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.

STAFF: The water quality facility will be vaulted.

12. Natural Areas. Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, shall preserve and maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by any other City or CWS requirements [ORD 4531; April 2010].

STAFF: As part of the proposed development, the applicant is proposing to enhance the on-site portion of a vegetated corridor associated with off-site wetlands immediately east of the subject property in accordance with Clean Water Services standards. There are no other Natural Areas identified on the site.

60.05.30 Lighting Design Standards

1. Adequate on-site lighting and minimal glare on adjoining properties. [ORD 4584; June 2012]

A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.

B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.

C. Lighting shall be provided in pedestrian plazas, if any developed.

- D. Lighting shall be provided at building entrances.
- E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.

2. Pedestrian-scale on-site lighting

A. Pole mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:

1. Fifteen (15) feet in height for on-site pedestrian paths of travel.

3. Thirty (30) feet in height for on-site vehicular circulation areas in non-residential zoning districts.

7. The poles and bases for pole mounted luminaires shall be finished of painted a non-reflective color.

B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standard.

C. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of forty-eight (48) inches.

STAFF:

New on-site lighting is proposed to improve the appearance, safety and security of the Campus at night in accordance with these provisions. The new lighting will be energy efficient, shielded to prevent glare or off-site visibility of the luminaire light source or lens, and integrated into the landscape design. The applicant has provided a lighting plan indicating that lighting will be provided in proposed vehicle and pedestrian circulation areas, in the plaza between the two halves of the parking structure and at building entrances. Prior to final approval, a more detailed lighting plan will be provided to confirm compliance with these standards and Table 60.05-1: Technical Lighting Standards.

60.15 LAND DIVISION STANDARDS. [ORD 4224; August 2002] [ORD 4487; August 2008]

60.15.05. Purpose. It is the purpose of this section to establish uniform design and development standards and requirements for all land division applications in Section 40.45. of this Code.

60.15.10. Grading Standards.

- 1. Applicability. The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.**

STAFF:

Grading is proposed in conjunction with this application.

3. **On-site surface contouring.** When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:

STAFF: The proposed development is not within or abutting any residentially zoned property. This criterion is not applicable.

4. **Significant Trees and Groves.** Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:

STAFF: There are no significant trees/groves on the development site. This criterion is not applicable.

60.15.15. Final Plat Standards.

1. **Easements and rights-of-way.** Refer to Chapter 9.05 of the Beaverton Municipal Code and Chapter 1, Section 120 of the *Beaverton Engineering Design Manual*. [ORD 4584; June 2012]

STAFF: Necessary easements will be reflected on the Final Plat.

2. **Building lines.** The Director may approve special setbacks based upon the consideration for safety, topography, geology, solar access or other such reasons. If special building setback lines are to be established in the land division that are greater than required by this Code, they shall be shown on the final land division and included in the deed restriction.

STAFF: No special setbacks are requested. This criterion is not applicable.

3. **Dedications.** Infrastructure or public improvements such as public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, sanitary sewer, storm water system, water system, traffic control devices, parks, open space, and other public rights-of-way required as needed to serve the development, shall be installed at the expense of the developer and dedicated or otherwise conveyed to the City or the appropriate jurisdiction for maintenance. Dedication of any land for park or open space purposes must be approved by the jurisdiction to which the park or open space is being dedicated prior to Final Land Division approval.

STAFF: Appropriate dedications will be made on the Final Plat or by separate document as required.

5. **Monuments and bench marks.** The developer shall establish and designate monuments and bench marks on the Final Plat.

STAFF: This requirement will be addressed with the Final Plat.

6. **Street trees.** Prior to City approval of the Final Plat, street trees shall be planted along street frontages in accordance with the following:

- B. For all other land divisions, trees shall be planted in accordance with an approved street tree plan.

- C. Trees shall be planted in accordance with the City's Tree Planting and Maintenance Policy.

STAFF: The applicant and County are coordinating regarding future safety and capacity improvements to Walker Road. Street trees will be addressed in conjunction with the road improvements.

60.30 OFF-STREET PARKING

60.30.05 Off-street Parking requirements. Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered or maintained in accordance with the requirements of Sections 60.30.05 to 60.30.20.

- 1. Availability.** Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.
- 2. Vehicle Parking.** Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.
- 3. Bicycle Parking.** [ORD 3965; November 1996] Bicycle parking shall be required for all multi-family residential developments of four units or more, all retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual. [ORD 4397; August 2006] [ORD 4107; May 2000]

STAFF: As indicated in the application materials, no new development is proposed that requires parking to be provided. However, vehicle and bicycle parking, located primarily within a new parking structure, is proposed to serve the four existing office/industrial buildings that will remain on site, as well providing additional parking capacity for other existing and approved buildings on the Nike campus.

60.30.10 Number of Required Parking Spaces. Except as otherwise provided under Section 60.30.10.11., off-street vehicle, bicycle or both parking spaces shall be provided as follows.

- 1. Parking Calculation.** Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.
- 2. Parking Categories**
 - A. Vehicle Categories** Contained in the table at Section 60.30.10.5 are vehicle parking ratios for minimum required parking spaces and maximum permitted number of vehicle parking spaces to be provided for each land use [ORD 4471; February 2008] [ORD 4584; June 2102]
 - 2. Parking Zone A.** Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located

within one-quarter mile walking distance of bus transit stops that have 20 minute peak hour transit service or one-half mile walking distance of light rail station platforms that have 20 minute peak hour transit service.

B. Bicycle Categories The required minimum of short term and long term bicycle parking spaces for each land use is listed in Section 60.30.10.5.

5. Parking Tables. The following tables list the required minimum and maximum vehicle and bicycle parking requirements for listed land use types. [ORD 4584; June 2012]

A. PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES

Land Use Category	Required Parking Spaces		Maximum Permitted Parking Spaces	
	Multiple Use Zones	All Other Zones	Zone A	Zone B
Offices, Administrative Facilities	2.7	2.7	3.4	4.1

B. PARKING RATIO REQUIREMENTS FOR BICYCLES

Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
Offices, Administrative Facilities	2 spaces or 1 space per 8,000 sq. ft. of floor area	2 spaces or 1 space per 8,000 sq. ft. of floor area

STAFF:

As noted above, the applicant proposes to remove two existing office/industrial buildings and retain four existing office/industrial buildings on the site, which total 93,178 square feet.

Per the above standards, a minimum of 253 parking spaces are required for the four remaining office/industrial buildings (2.7 spaces x 93,718 TSFGFA), and a maximum of 319 spaces are permitted (3.4 spaces x 93,718 TSFGFA). A total of 286 surface parking spaces are proposed, which falls within the minimum and maximum allowed. In addition, an additional 1,941 parking spaces are proposed within a new parking structure. These additional spaces are permissible per Section 60.30.10.7. as noted below.

12 short term and 12 long term bicycle parking spaces are required, based on 93,718 square feet of gross floor area for the four buildings to be retained on the site. The proposed parking structure will provide 80 covered bicycle parking spaces, exceeding the minimum requirement.

7. Exceeding Parking Ratios. More parking spaces for motor vehicle and bicycle parking may be required as a condition of a Conditional Use. Variation from the specified minimum or maximum number of required motor vehicle and bicycle parking spaces may be approved by the City subject to Section 40.10.15.2. (Major Adjustment) of this Code. However, if surplus parking is located in a parking structure, the parking ratios may be exceeded without requiring an approval of a Major Adjustment for parking.

Any surplus parking may be designed to any of the City standards for off-street parking lot design. The Facilities Review Committee may recommend approval of parallel parking spaces or other non-standard designs for surplus parking in any zone. [ORD 4224; August 2002] [ORD 4498; January 2009] [ORD 4659; June 2015]

STAFF: As noted above, the vehicle parking spaces in the proposed parking structure will exceed the maximum parking ratio for the four office/industrial buildings that will remain on the subject property. This provision provides an exception to the maximum parking ratio when surplus parking is located in a parking structure, as is proposed here.

10. Location of Vehicle Parking.

- A. All parking spaces provided shall be on the same lot upon which the use requiring the parking is located. Upon demonstration by the applicant that the required parking cannot be provided on the same lot upon which the use is located, the Director may permit the required parking spaces to be located on any lot within 200 feet of the lot upon which the use requiring the parking is located [ORD 4107; May 2000] [ORD 2442; August 2002] [ORD 4462; January 2008].**
- B. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley.**

STAFF: All required parking spaces for the four office/industrial buildings that will remain on the subject site will be provided on site. All proposed parking spaces will be located internal to the site and will not require backing movements or other maneuvering within a street or right-of-way.

11. Reductions and Exceptions. [ORD 3358; March 1984] Reductions and exceptions to the required vehicle and bicycle parking standards as listed in Sections 60.30.10.5. and 60.30.10.6. may be granted in the following specific cases: [ORD 4471; February 2008] [ORD 4584; June 2012]...

STAFF: No parking reductions or exceptions are proposed. This criterion is not applicable.

12. Compact Cars. Compact car parking spaces may be allowed as follows:

- B. For uses other than residential uses, twenty percent (20%) of the required vehicle parking spaces for long term or designated employee parking lots may be compact spaces... [ORD 4224; August 2002]**

STAFF: No compact parking spaces are proposed. This criterion is not applicable.

13. Carpool and Vanpool Parking Requirements. [ORD 3965; November 1996].

- A. In industrial, institution, and office developments, including government offices with 50 or more employee parking spaces, at least three percent of the employee parking spaces shall be designated for carpool and/or vanpool parking. For the purposes of this section, carpool is defined as two or more persons per car, and vanpool is defined as five or more persons per van. The carpool/vanpool spaces shall be clearly marked and signed for reserved carpool and/or vanpool parking. The reserved carpool/vanpool parking time may be specified so that the reserved spaces may be used for general parking if the reserved spaces are not occupied after a specific period of time, which shall be posted on the sign.**

B. Location. Designated carpool/vanpool spaces shall be the closest employee motor vehicle parking spaces to the building entrance normally used by employees, except for the motor vehicle parking spaces designated for persons with disabilities, which shall be the closest to the building entrance. [ORD 4107; May 2000] [ORD 4302, June 2004]

STAFF: Three percent of the spaces in the proposed parking structure will be identified as vanpool/carpool spaces. The required carpool/vanpool spaces will be located on the main level closest to the buildings they serve.

60.30.15. Off-Street Parking Lot Design. All off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawings and tables...

60.30.20. Off-Street Parking Lot Construction. Every parcel of land hereafter developed for use as a parking area shall conform to the requirements of the Engineering Design Manual and Standard Drawings. [ORD 3293; November 1982] [ORD 4302, June 2004] [ORD 4332; January 2005]

STAFF: No new surface parking areas are proposed. Where existing surface parking areas are modified, the applicant's submitted plans demonstrate the intent to conform to the parking lot design criteria. More detailed plans submitted prior to final approval will be reviewed to confirm conformance with these criteria.

60.55 TRANSPORTATION FACILITIES

60.55.10 General Provisions.

- 1. All transportation facilities shall be designed and improved in accordance with the standards of this Code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more governmental agencies, the City shall condition the development to obtain permits required by the other agencies.**
- 2. In order to protect the public from potentially adverse impacts of the proposal, to fulfill an identified need for public services related to the development, or both, development shall provide traffic capacity, traffic safety, and transportation improvements in rough proportion to the identified impacts of the development. [ORD 4103; May 2000]**
- 3. For applications that meet the threshold criteria of section 60.55.15. (Traffic Management Plan) or of section 60.55.20. (Traffic Impact Analysis), these analyses or limited elements thereof may be required.**
- 4. The decision-making authority may impose development conditions of approval per Section 10.65.1. of this code. Conditions of approval may be based on the Traffic Management Plan and Traffic Impact Analysis. Additional street, bicycle, and pedestrian connections may also be required per 60.55.25. (Street and Bicycle and Pedestrian Connection Requirements).**

STAFF: Because the occupiable building square footage on the site will be reduced with this proposal, the thresholds for a Traffic Management Plan or Traffic Impact Analysis are not met.

5. Dedication of right-of-way shall be determined by the decision-making authority.

STAFF: As noted above, the applicant and County are coordinating regarding future safety and capacity improvements to Walker Road, including any necessary dedication of right-of-way for the road improvements.

6. Traffic calming may be approved or required by the decision-making authority...

STAFF: No traffic calming measures are warranted with this application.

7. Intersection performance...

STAFF: As noted above, the proposal will reduce traffic volumes to the site and thereby reduce impacts on the adjacent streets and intersections. This criterion is not applicable.

60.55.25 Street and Bicycle and Pedestrian Connection Requirements

- 1. All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.**
- 2. The Comprehensive Plan Transportation Element Figures 6.1 through 6.23 and Tables 6.1 through 6.6 shall be used to identify ultimate right-of-way width and future potential street, bicycle, and pedestrian connections in order to provide adequate multi-modal access to land uses, improve area circulation, and reduce out-of-direction travel.**

STAFF: The current City Transportation Plan indicates a future north-south pedestrian and bicycle trail segment in the vicinity of the subject development. However, the recently updated County Transportation Plan, Regional Transportation Plan, and Regional Active Transportation Plan all indicate a trail alignment west and north of the Nike campus. The City Transportation Plan will be amended in the future to conform to the regional plans.

- 3. Where a future street or bicycle and pedestrian connection location is not identified in the Comprehensive Plan Transportation Element, where abutting properties are undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties, the applicant shall submit as part of a complete application, a future connections plan showing the potential arrangement of streets and bicycle and pedestrian connections that shall provide for the continuation or appropriate projection of these connections into surrounding areas.**

STAFF: The subject site is part of a large campus development with multiple internal vehicular, bicycle and pedestrian connections. If additional development occurs on the campus, additional internal connections will be evaluated.

- 5. Whenever existing streets and bicycle and pedestrian connections adjacent to or within a parcel of land are of inadequate width, additional right-of-way may be required by the decision-making authority.**

STAFF: As noted above, the applicant and County are coordinating regarding future safety and capacity improvements to Walker Road, including any necessary dedication of right-of-way for the road improvements.

5. **Where possible, bicycle and pedestrian connections shall converge with streets at traffic-controlled intersections for safe crossing.**
7. **Bicycle and pedestrian connections shall connect the on-site circulation system to existing or proposed streets, to adjacent bicycle and pedestrian connections, and to driveways open to the public that abut the property...**

STAFF: A bicycle and pedestrian connection will be provided from within the campus to Walker Road in the vicinity of the signalized Walker Road/Koll Parkway-150th Avenue intersection.

8. **To preserve the ability to provide transportation capacity, safety, and improvements, a special setback line may be established by the City for existing and future streets, street widths, and bicycle and pedestrian connections for which an alignment, improvement, or standard has been defined by the City. The special setback area shall be recorded on the plat.**

STAFF: No special setback is warranted. This criterion is not applicable.

9. **Accessways are one or more connections that provide bicycle and pedestrian passage between streets or a street and a destination. Accessways shall be provided as required by this code and where full street connections are not possible due to the conditions described in Section 60.55.25.13. [ORD 4397; August 2006]**

An accessway will not be required where the impacts from development, redevelopment, or both are low and do not provide reasonable justification for the estimated costs of such accessway.

STAFF: As noted above, the proposal will reduce traffic volumes to the site and thereby reduce impacts on the adjacent transportation system. This criterion is not applicable.

10. Pedestrian Circulation. [ORD 4487; August 2008]

- A. **Walkways are required between parts of a development where the public is invited or allowed to walk.**
- B. **A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.**
- C. **Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.**
- D. **Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.**

STAFF: The subject site is part of a large campus development with multiple internal pedestrian connections and connections to adjacent public streets at appropriate locations.

- E. Walkways shall be paved and shall maintain at least four feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.**
- F. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.**
- G. On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.**

STAFF: The applicant's submitted plans demonstrate the intent to conform to these criteria. More detailed plans submitted prior to final approval will be reviewed to confirm conformance with these criteria.

- 11. Pedestrian Connections at Major Transit Stops. Commercial and institution buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures:**

STAFF: The site is not Commercial or Institution use and no Major Transit Stops are located near the subject property. This criterion is not applicable.

- 12. Assessment, review, and mitigation measures (including best management practices adopted by local agencies) shall be completed for bicycle and pedestrian connections located within the following areas: wetlands, streams, areas noted as Significant Natural Resources Overlay Zones, Significant Wetlands and Wetlands of Special Protection, and Significant Riparian Corridors within Volume III of the Comprehensive Plan Statewide Planning Goal 5 Resource Inventory Documents and Significant Natural Resources Map, and areas identified in regional and/or intergovernmental resource protection programs.**

STAFF: No bicycle or pedestrian connections are proposed in any of the identified areas. This criterion is not applicable.

60.55.35. Access Standards. [ORD 4302; June 2004]

- 1. The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved**
- 3. Intersection Standards.**

A. Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers. [ORD 4462; January 2008]

B. Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.

C. Driveways.

- 1. Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections, and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.**
- 2. Shared Driveway Access. Whenever practical, access to Arterials and Collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement.**

Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area.

Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.

STAFF:

The only proposed point of connection to the public street system is at the existing signalized intersection of Walker Road and Koll Parkway-150th Avenue. This driveway provides access to multiple buildings within the Nike campus. Adequate sight distance exists at this intersection. The proposed development and future safety and capacity improvements on Walker Road will be designed in accordance with the applicable design criteria. These criteria are met.

60.55.40. Transit Facilities. [ORD 4302; June 2004] Transit routes and transit facilities shall be designed to support transit use through provision of transit improvements. These improvements shall include passenger landing pads, accessways to the transit stop location, or some combination thereof, as required by TriMet and the City, and may also include shelters or a pad for a shelter. In addition, when required by TriMet and the City, major industrial, institution, retail, and office developments shall provide either a transit stop on site or a pedestrian connection to a transit stop adjacent to the site.

STAFF:

An existing bus stop is located near the Walker Road/Koll Parkway-150th Avenue intersection. As noted above, the applicant and County are coordinating regarding future safety and capacity improvements to Walker Road. TriMet will be consulted as part of the project development process. Transit facilities will be designed according to the applicable criteria. A pedestrian access will be provided from Walker Road into the campus near the transit stop.

60.60 TREES AND VEGETATION [ORD 4224; August 2002] [ORD 4348; May 2005]

60.60.10 Types of Trees and Vegetation Regulated

Actions regarding trees and vegetation addressed by this section shall be performed in accordance with the regulations established herein and in section 40.90 of this Code. The City finds that the following types of trees and vegetation are worthy of special protection:

5. Landscape Trees

STAFF: Existing Landscape Trees are located within the proposed development and are subject to this section. No other protected trees were identified on the development site.

60.60.15 Pruning, Removal and Preservation Standards

2. Removal and Preservation Standards

- A. All removal of Protected Trees shall be done in accordance with the standards set forth in this section.**
- B. Removal of Landscape Trees and Protected Trees shall be mitigated, as set forth in section 60.60.25.**

STAFF: Landscape Trees are proposed for removal and relocation within the site as part of this development. See Findings for section 60.60.25.

60.60.20. Tree Protection Standards during Development.

- 1. Trees classified as Protected Trees under this Code shall be protected during development in compliance with the following:**
 - A. A construction fence must be placed around a tree or grove beyond the edge of the root zone. The fence shall be placed before physical development starts and remain in place until physical development is complete. The fence shall meet the following...**

STAFF: During construction, tree protection measures will be required and implemented in accordance with these criteria for trees that are to be retained.

60.60.25 Mitigation Requirements

- 9. The following standards apply to the replacement of a Landscape Tree:**
 - A. A replacement tree shall be a substantially similar species or a tree approved by the City considering site characteristics.**
 - B. If a replacement tree of the species of the tree removed or damaged is not reasonably available, the City may allow replacement with a different species.**
 - C. Replacement of a Landscape Tree shall be based on total linear DBH calculations at a one-to-one ratio depending upon the capacity of the site to accommodate replacement tree or unless otherwise specified through development review. Replacement of tree on a one-to-one basis shall be as follows:**
 - 1. Calculate the sum of the total linear DBH measurement of the tree to be removed.**

2. **The total linear DBH measurement of the tree to be removed shall be replaced with tree at least 1.5 caliper inches in diameter. The total caliper inches of the replacement tree shall be at least equal to the sum total of the linear DBH measurement of the removed tree.**

STAFF: Proposed replacement trees will be similar to those removed or will be appropriate to the site conditions. The applicant has provided a list of all trees to be removed and landscape plans identifying the post construction landscape. Some of the existing Landscape Trees to be removed are in areas slated for redevelopment and hence, will not be landscaped. However, in those areas of existing landscaping that will be impacted, replacement trees in the appropriate number and sizes will be provided.

60.65 UTILITY UNDERGROUNDING [ORD 4118; September 2000]

60.65.15 Regulations

All existing and proposed utility lines within and contiguous to the subject property, including but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those overhead utilities which are impacted by the proposed development and those utilities that are required to be installed as a result of the proposed development.

STAFF: There are no existing overhead utility lines on or in the immediate vicinity of the subject site that would be subject to the undergrounding requirement. The applicant has provided plans as required by Code indicating that all proposed utilities will be underground. These criteria are met. Necessary utility easements will be reflected on the final plat or dedicated by separate instrument as appropriate.

60.67 SIGNIFICANT NATURAL RESOURCES [ORD 4157; May 2001]

60.67.05 Local Wetland Inventory. Prior to issuing a development permit, the Local Wetland Inventory map shall be reviewed to determine if the site proposed for development is identified as the location of a significant wetland.

60.67.10. Significant Riparian Corridors. Prior to issuing a development permit, the list of Significant Riparian Corridors shall be reviewed to determine if the site proposed for development is identified as being listed corridor.

STAFF: An existing utility corridor is located immediately east of the subject property, in unincorporated Washington County. The Clean Water Services Site Assessment identified the presence of six "sensitive areas" that consist of wetland mitigation cells constructed along the utility corridor as part of the Nike North Campus expansion in the late 1990's. With the removal of existing surface parking along a portion of the subject site's eastern property line, some vegetated corridor enhancement will be required by Clean Water Services. These criteria are met.

IV. SUMMARY AND CONCLUSION:

The required findings have been made for all of the applicable Code sections. When implemented in accordance with the Conditions of Approval and the approved final plans, the project will be in compliance with the Community Development Code of the City of Beaverton. Therefore, the request for Design

Review Two for Garage 'C' and Replat Two to consolidate tax lots is hereby approved subject to the Conditions of Approval set forth in Attachment "B" of this report.



WASHINGTON COUNTY

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ATTACHMENT "D"
TYPE II

CASEFILE # 15-287-D/PLA

APPEAL INFORMATION

Attached is a copy of the Land Use and Transportation Department's Review Authority decision on this request for a Development Action.

Any person who is adversely affected or aggrieved, or who is entitled to written notice pursuant to ORS 215.416(11) may appeal the decision by filing a written appeal.

Failure to file a petition for review with the Department of Land Use and Transportation by 4:00 p.m. on the due date, with the fee specified in the Notice of Decision, shall be a jurisdictional defect.

The decision, including conditions of approval, may be appealed and a public hearing held by filing a signed petition for review (appeal) within twelve (12) calendar days of date written notice is provided (date mailed).

APPEAL PERIOD: 11/13/2015 (Date Mailed) to 4:00 p.m. on 11/25/2015 (Appeal Due Date)

This decision will be final if an appeal is not filed by the due date.

The complete file is available at the County Department of Land Use and Transportation for review.

A petition for review (appeal) must contain the following: 15-287-D/PLA.

1. The name and signature of each petitioner filing the petition for review (appeal). If a group consisting of more than one person is filing a single petition for review, one individual shall be designated as the group's representative for all contact with the Department. All Department communications regarding the petition, including correspondence, shall be with this representative;
2. A statement of the interest of each petitioner;
3. The date the Notice of Decision was sent as specified in the notice (date mailed);
4. The nature of the decision and the specific ground for appeal. For applications with multiple requests, specify the particular request(s) and/or specific conditions of approval being appealed;
5. A statement listing the number of pages of the petition and that all pages are present;
6. A statement setting forth the appeal fee as specified in the Notice of Decision; and
7. The appropriate appeal fee of \$250.⁰⁰

For further appeal information, contact the Appeal Secretary at the Washington County Department of Land Use and Transportation. Phone 503-846-8134.