



## STAFF REPORT

DATE: June 4, 2014

TO: Interested Parties

FROM: Leigh Crabtree, Associate Planner

APPLICATIONS: **Menlo Lane 7-Lot Subdivision**  
Land Division (LD2013-0013), Tree Plan (TP2013-0011)

LOCATION: 5570 and 5590 SW Menlo Drive  
east side of SW Menlo Dr. between SW Berthold St. and SW Bonnie Brae St.  
Washington Assessor's Map 1S1 16DC, Tax Lots 01900 and 02000  
Central Beaverton Neighborhood Association Committee

ZONING: Urban Standard Density Residential (R7)

SUMMARY: The applicant requests approval for a seven lot subdivision in the R7 zoning district. The proposal includes a new public street with cul-de-sac serving five of the proposed lots and a public pedestrian and bicycle accessway from the end of the cul-de-sac to the western boundary of Schiffler Park. The applicant also requests approval of for a Tree Plan Two application for removal of 18 Community Trees.

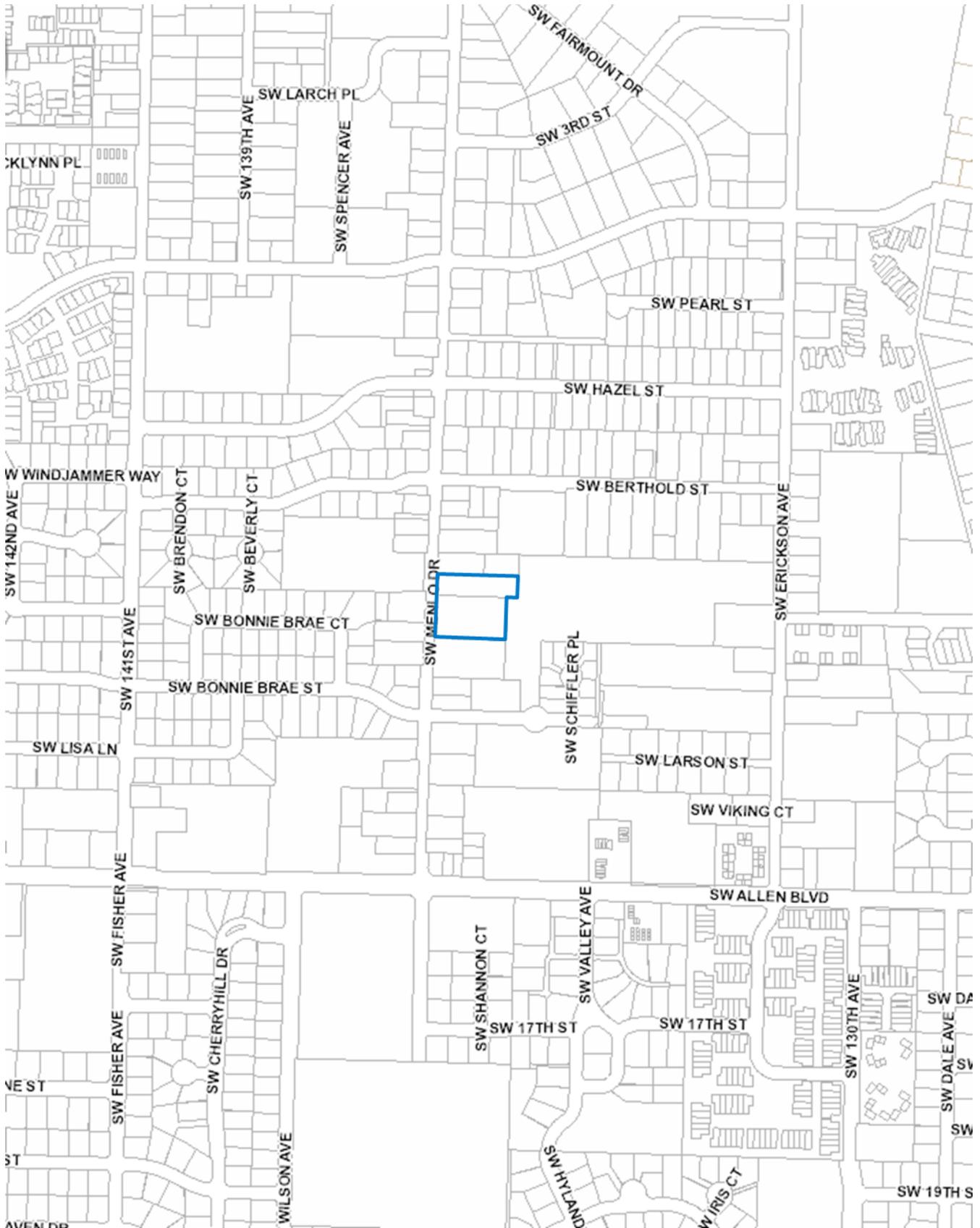
APPLICANT: Bella Terra Homes  
Attention: Chris McGehee  
PO Box 25571,  
Portland, OR 97298

APPLICANT REPRESENTATIVE: SFA Design Group  
Attention: Ben Altman  
9202 SW Washington Square Road, Suite 505  
Portland, OR. 97223

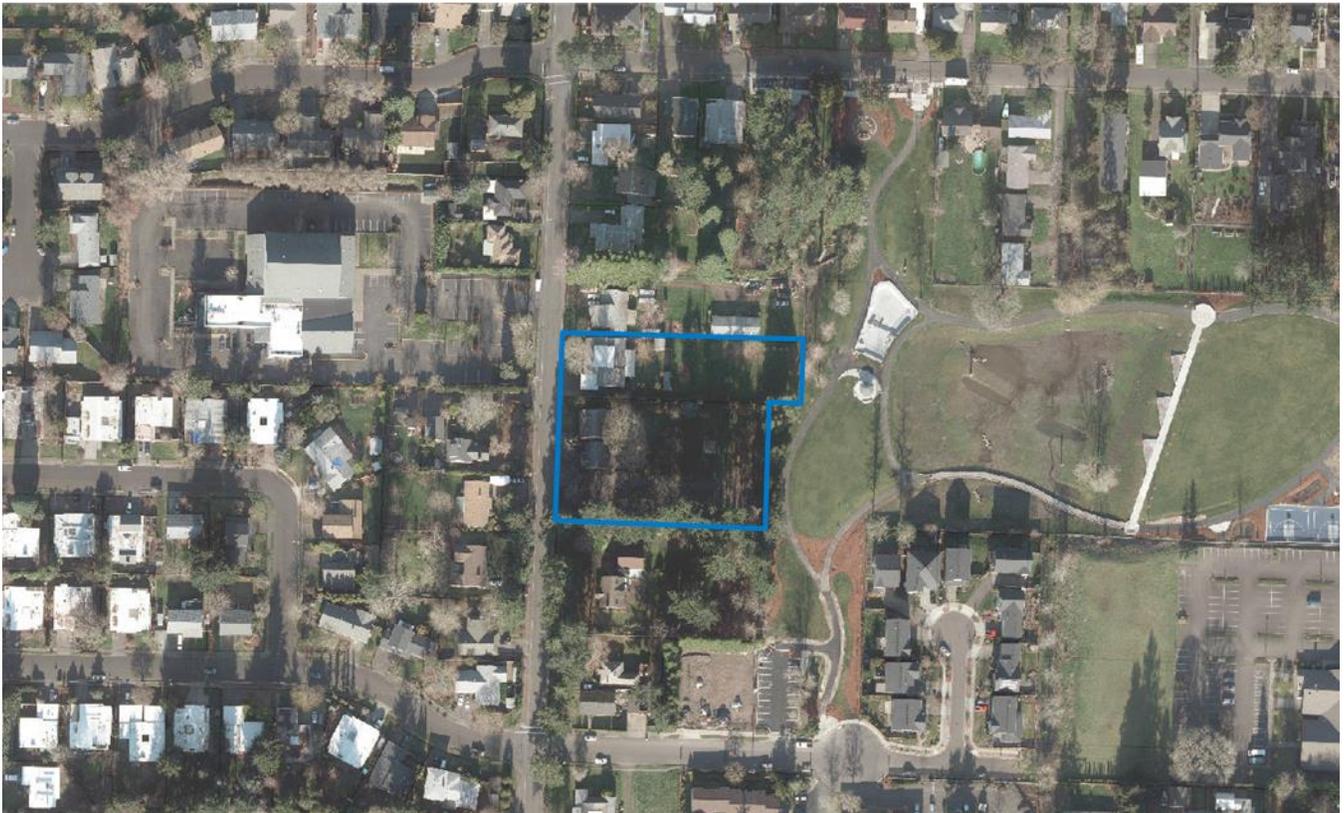
RECOMMENDATION: **LD2013-0013 (Menlo Lane 7-Lot Subdivision):**  
**Approval** subject to conditions identified at the end of this report.

**TP2013-0011 (Menlo Lane 7-Lot Subdivision):**  
**Approval** subject to conditions identified at the end of this report.

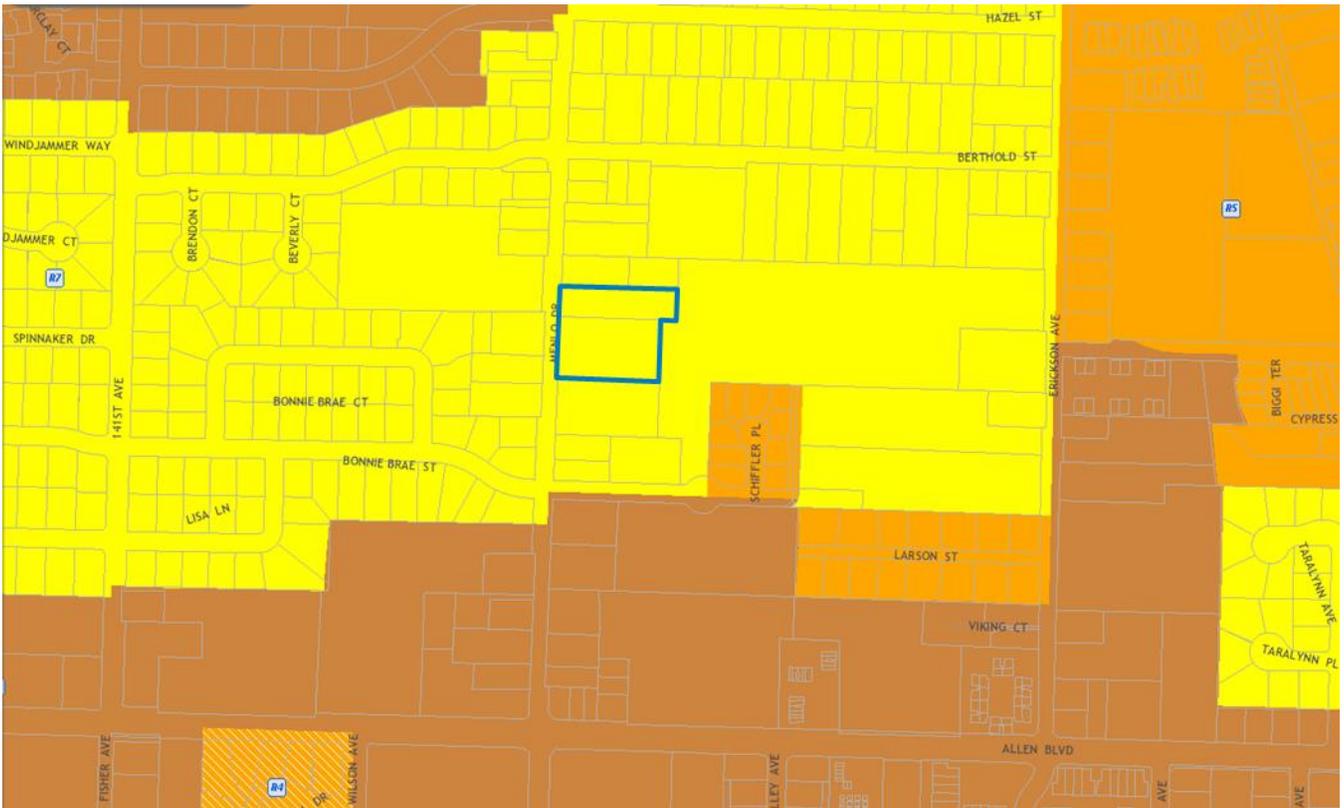
# Vicinity Map



### Aerial Map



### Zoning Map – R7



## BACKGROUND FACTS

### Key Application Dates

Application	Submittal Date	Deemed Complete	Day 120
LD2013-0013	December 3, 2013	April 18, 2014	December 14, 2014
TP2013-0011	December 3, 2013	April 18, 2014	December 14, 2014

### Existing Conditions Table

<b>Zoning</b>	Urban Standard Density Residential (R7)	
<b>Current Development</b>	Two single-family dwellings	
<b>Site Size &amp; Location</b>	5570 and 5590 SW Menlo Drive east side of SW Menlo Drive between SW Berthold Street and SW Bonnie Brae Street Washington Assessor's Map 1S1 16DC, Tax Lots 01900 and 02000	
<b>NAC</b>	Central Beaverton Neighborhood Association Committee	
<b>Surrounding Uses</b>	<u>Zoning:</u> North: R7 South: R7 East: R7 West: R7	<u>Uses:</u> North: Single-Family Residential South: Single-Family Residential East: Single-Family Residential West: Single-Family Residential

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**FACILITIES REVIEW COMMITTEE  
TECHNICAL REVIEW AND RECOMMENDATIONS  
Menlo Lane 7-Lot Subdivision  
LD2013-0013, TP2013-0011**

The applicant submitted a complete application on April 18, 2014. The Facilities Review Committee conducted technical review of the on April 21, 2014 application package for the Facilities Review Meeting on May 21, 2014. The facts and findings below are based upon the most recent version of each form of documentation provided by the applicant as of April 18, 2014.

**Section 40.03 Facilities Review Committee:**

The Facilities Review Committee has conducted a technical review of the application in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. The decision-making authority will determine whether the application, as presented, meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

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

- **All eleven (11) criteria of Section 40.03.1 are applicable to the submitted Land Division (Preliminary Subdivision) application as submitted.**
- **Facilities Review criteria do not apply to the Tree Plan Two application.**

**40.03.1**

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

Critical facilities and services, as defined by Chapter 90 of the Development Code, include public water, public sanitary sewer, storm water drainage, treatment, and detention, transportation, and fire protection.

Public water

Water service is provided by the City of Beaverton in this area of the City. The proposal includes a proposed connection to an existing 12-inch water line in the SW Menlo Drive right-of-way along the subject site's frontage. The available water service has sufficient capacity to serve the proposed development.

Public sanitary sewer

Sanitary sewer service is provided by the City of Beaverton in this area of the City. Development of the subject site involves extension of a sanitary sewer line connecting to an existing 10-inch sewer line in the SW Menlo Drive right-of-way along the subject site's frontage. The available sanitary sewer service has sufficient capacity to serve the proposed development.

Storm water drainage, treatment, and detention

Storm water service is provided by the City of Beaverton in this area of the City. The applicant proposes a connection of the on-site storm water system the via a manhole connection to a 12-inch line in the SW Menlo Drive right-of-way along approximately one-third of the subject site's northerly frontage. The applicant has submitted a preliminary drainage report, included in the application materials. The available storm water drainage service has sufficient capacity to serve the proposed development.

To ensure appropriate design and construction of critical facilities including but not limited to utility connections, access to manholes and structures, maintenance requirements, and associated construction and utility phasing plans, the Committee recommends conditions of approval through the Land Division application.

#### Transportation

The application does not include a Traffic Impact Analysis (TIA). Based estimates for land use code 210 Single Family Residential found in *Trip Generation Manual 9th edition*, five new single family homes will generate approximately 48 vehicle trips per day on average, below the TIA threshold (200 trips) of the *Beaverton Development Code (BDC)*. The additional trips generated from the development are considered nominal. Because the proposal does not exceed the TIA threshold, it is reasonable to infer based on the established threshold that development, which generates less than 200 trips per day does not have a significant effect on intersection operations. Therefore, the transportation system is found to have adequate capacity to serve the proposed development at the time of completion, and staff finds that the proposal meets the criterion for approval.

#### Fire protection

Fire protection services are provided by Tualatin Valley Fire & Rescue (TVF&R) in this area of the City. Preliminary comments and conditions of approval have been received from TVF&R. TVF&R will also review the plans prior to site development or building permit issuance for continuity with the initial proposal and other relative fire safety related issues. Conditions of approval submitted by TVF&R are included herein. Staff also cites the findings for Criterion H hereto regarding fire prevention.

With the recommended conditions of approval, the Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities. Therefore, this proposal will provide required critical facilities, meeting this criterion for approval.

#### FINDING:

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

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

Essential facilities and services, as defined by Chapter 90 of the Development Code, include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

#### Schools

Beaverton School District has been provided application materials for review and has concerns relative to school capacity for this proposal. Using the district's student generation factors, 7 new homes should generate about 2 elementary students, 1 middle school student, and 1 high school student.

#### Parks

The site is located within the Tualatin Hills Park and Recreation District (THPRD) service boundary. The future development will have access to THPRD services.

THPRD's Schiffler Park abuts the subject site to the east. In order to provide adequate community access, the proposal includes a pedestrian and bicycle accessway between Lots 3 and 4 connecting the end of the cul-de-sac with the western property line of Schiffler Park. The applicant, THPRD, and city staff have coordinated on the accessway. THPRD has requested that removable bollards be placed at the western end of the accessway, as follows, "The removable bollard needs to be placed in the middle of the bike/pedestrian path, most likely somewhere near the end of cul-de-sac to prevent vehicles from leaving the cul-de-sac and driving down the path and having direct access into Schiffler Park." A condition of approval has been included in order to address the THPRD's request.

#### Transit Improvements

Tri-Met has submitted no comments or recommendations to the Facilities Review Committee. The Menlo Lane 7-Lot Subdivision is served by TriMet's No. 88 bus, which runs along SW Allen Boulevard, and No. 52 bus, which runs along SW Farmington Road. The No. 88-Hart/198th runs between the Beaverton Transit Center and the Willow Creek/185<sup>th</sup> Transit Center. The No. 52-Farmington/185th runs between the Beaverton Transit Center and PCC Rock Creek. The site is currently served by Transit located within a walking distance of 1,000 feet from the project site at SW Menlo Drive/SW Allen Boulevard. The scope of the proposal does not warrant additional transit improvements.

#### Police protection

The site will be served by the Beaverton Police Department for public safety. The Police Department did not provide comments or recommendations to the Facilities Review Committee.

#### On-site pedestrian and bicycle facilities in the public right-of-way

The proposal includes half-street right-of-way improvements along Menlo Drive and development of a new street with cul-de-sac interior to the subject site. Both facilities include sidewalks. Neither facility includes bicycle lanes as SW Menlo Drive is Neighborhood Route and proposed Street "A" is a Local Street and bicycle lanes are not required on either. As noted under the Parks section, above, an accessway will provide a pedestrian and bicycle connection from Menlo Drive, over Street "A", and into Schiffler Park.

With the recommended conditions of approval, this proposal will provide required essential facilities, thereby meeting this criterion for approval.

#### FINDING:

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

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

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the R7 zone as applicable to the above mentioned criteria. As demonstrated in the chart and conditioned, the development proposal meets the site development standards of the R7 zone.

#### FINDING:

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

- 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.*

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, in response to the above mentioned criteria. Staff will provide findings for the applicable Land Division criteria within the applicable sections of the staff report.

#### Habitat-Friendly and Low Impact Development Practices (Section 60.12)

Although the site does not contain any designated Habitat Benefit Areas, it is eligible to participate in the Low Impact Development programs. These programs are voluntary and the applicant has not requested to use any of the potentially allowed credits. However, in order to satisfy the requirements for stormwater quality and quantity, the applicant is proposing to implement CWS LIDA swales in the right-of-way and CWS LIDA flow through planters on Lots 1 through 6.

#### Off-Street Parking Requirements (Section 60.30)

The proposal is for development of seven single-family detached dwelling units, which is an allowed use in the R7 zoning district. The required motor vehicle parking ratio for detached dwellings is 1.0 parking space per unit. The applicant states that, "Each of the proposed 7 lots has sufficient land area to accommodate homes, with garages. ...with additional off-street parking available in the driveway." Therefore, the proposal satisfies the minimum parking requirement. Off-street parking is reviewed at the time of site development review.

#### Transportation Facilities (Section 60.55)

The proposal includes dedication of additional right-of way on SW Menlo Drive to satisfy the required half street width from centerline and to provide half street improvements. The proposal also includes development of a new Local Street with cul-de-sac. The applicant has also proposed a pedestrian and bicycle accessway between the cul-de-sac and Schiffler Park.

#### Traffic Impact Analysis

Please see Section A.

#### Traffic Management Plan

The application does not include a Traffic Management Plan. The BDC requires a Traffic Management Plan where development will add 20 or more trips in any hour on a residential street (classified as a Local or Neighborhood Route). The proposal is expected to generate less than 20 trips in any hour therefore no Traffic Management Plan is required.

#### Street width and design

- SW Menlo Drive. This street is classified as a Neighborhood Route. The street frontage is currently unimproved and has an approximate existing half-street right of way dimension of approximately 20 feet. The proposal shows typical frontage improvements per EDM Standard Drawing No. 102. The proposal shows right of way dedication of 10 feet as measured from the street centerline. No street trees are proposed.

With the exception of street trees (see conditions), the frontage improvements (planter, sidewalk, and curb) and dedication of 10 feet of right of way meet the Neighborhood Route (NR1) cross-section design shown on EDM Standard Drawing No. 102 (30 feet ROW width from centerline).

- Street “A” (proposed). This is a new street, which will be classified as Local. The proposal shows typical frontage improvements and right of way dimensions per EDM Standard Drawings No.103 (L3) and No. 110. No street trees are proposed.

With the exception of street trees (*see conditions*), the frontage improvements (planter, sidewalk, and curb) and dedication of 44 feet of right of way (full street width) meet the Local Street cross-section design shown on EDM Standard Drawing No. 103 (L3).

#### Street, Bicycle, and Pedestrian Connections.

The proposal includes improvements to SW Menlo Drive, a new Local Street with cul-de-sac, and pedestrian and bicycle accessway from the cul-de-sac to Evelyn Schiffler Memorial Park to the east.

The BDC requires that street, bicycle and pedestrian connections extend to the parcel under development (BDC 60.55.25.4), unless other development on adjacent lands physically preclude a connection now and in the future considering the potential for redevelopment (BDC 60.55.25.14.B). The adjacent park is considered developed and no future street connection is identified in the Beaverton Comprehensive Plan.

However, an accessway (e.g., bike and pedestrian path) is required to connect to neighborhood parks (BDC 60.55.25.9.A.3), where full street connections are not possible (BDC 60.55.25.9). The proposal includes an accessway between Lots “3” and “4” that extends from Street “A” (proposed) to the western boundary of Evelyn Schiffler Memorial Park. As accessways are intended for both bicycle and pedestrian traffic, the design of the accessway should follow EDM Standard Drawing No. 700, Typical Shared-Use Path (*see conditions*).

#### Access

The proposal includes two driveway approaches located on SW Menlo Drive – one for Lot “7” and one for Lot “1”. The driveway approach on Lot “7” is approximately 28 feet wide and located approximately 30 feet from the Street “A” (proposed)/SW Menlo Drive intersection. The driveway approach on Lot “1” is approximately 20 feet wide and located approximately 60 feet from the Street “A” (proposed)/SW Menlo Drive intersection.

For Neighborhood Routes, the EDM requires a minimum distance of 50feet between the face of curb of the intersecting street and nearside edge of a driveway. The plan does not meet this standard for Lot “7”; however, the City Engineer is reviewing a proposed design modification per EDM 145. The proposed driveway width dimensions for Lots “1” and “7” are within the minimum/maximum range shown on EDM Standard Drawing No. 211, Standard Residential Driveway.

The proposal meets the criteria set forth in Beaverton Development Code Section 60.55., as conditioned.

#### Trees and Vegetation Requirements (Section 60.60)

There are no Protected Trees on the site. A number of trees existing on the subject site and will be removed to accommodate construction, 18 of the trees proposed for removal are Community Trees, no mitigation is required.

A Significant Grove (G-59) is present east of the subject site within Shiffler Park. The proposal includes tree protection fencing to protect off-site trees from impacts associated with development of the proposed subdivision. Tree protection will be further reviewed with a Site Development Permit application.

Utility Undergrounding (Section 60.65)

All of the utilities required to be placed underground will be placed underground to comply with the standards. To meet the requirements of Section 60.65, staff recommends a standard condition of approval requiring that utility lines are placed underground.

**FINDING:**

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

- 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.*

The applicant states that, "The applicant will provide adequate means to ensure continued periodic maintenance and necessary normal replacement of all private common facilities related to this development."

Staff finds that the design of the subdivision does not include any private common facilities and areas. As conditioned, easements shall be recorded for public access over the proposed accessway and the City shall assume maintenance of the facilities within the proposed accessway.

With the recommended conditions of approval, this proposal will be able to be maintained, thereby meeting this criterion for approval.

**FINDING:**

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

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

The land division proposal includes a new local street connection to SW Menlo Drive. The new local street, SW Menlo Lane, meets all dimensional standards of the EDM Standard Drawings to ensure safe and efficient vehicle and pedestrian circulation. The proposed pedestrian circulation system connects all parts of the development in a safe, efficient, and direct manner.

Additionally, the applicant has included an accessway for pedestrian and bicycle connections through the subject site to Schiffler Park. THPRD has requested a condition of approval for placement of removable bollards at the western end of the accessway to limit motor vehicle access to service and maintenance vehicles only. The requested condition will provide for pedestrian and bicyclist safety within the accessway with regard to motor vehicle conflict.

Staff also refers to the findings under Criterion D.

No safety or circulation issues have been identified. With the recommended conditions of approval, this proposal will conform, thereby meeting this criterion for approval.

**FINDING:**

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

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

The land division proposal includes dedication and half street improvements along SW Menlo Drive, a new Local Street, "A" Street, and a public accessway. The Menlo Drive improvements and "A" Street improvements meet all dimensional standards of the EDM Standard Drawings. As conditioned the proposed accessway is required to meet the standards of EDM Standard Drawing 700. Future connection of the accessway to the path network within Schiffler Park will be provided by THPRD. No safety or circulation issues have been identified.

The proposed vehicular and pedestrian circulation system connects to the surrounding circulation system in a safe, efficient, and direct manner. Staff cites the findings under criterion D and the conditions of approval to ensure safe and efficient circulation systems.

**FINDING:**

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

- H. *Structures and public facilities and services 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.*

Preliminary conditions of approval have been received from Tualatin Valley Fire and Rescue District (TVF&R). Specific details regarding structure sprinkler systems, parking limitations, right-of-way design loads, fire flow, and hydrant placement will be reviewed for flow calculations and hydrant locations during site development and building permit stages.

The Committee concludes that, subject to meeting the conditions of approval the site can be designed in accordance with City codes and standards and provide adequate fire protection.

**FINDING:**

**Therefore, the Committee finds that by satisfying the conditions of approval, the proposal meets this approval criterion.**

- 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.*

The applicant has not included public street lights in the proposal. A condition of approval has been included to address street lighting along SW Menlo Drive and within an easement behind the sidewalk of proposed "A" Street. By meeting the City of Beaverton's Engineering Design Manual design standards for street lights, the Committee finds that the street illumination system will provide adequate protection from crime and accident.

The committee recommends a number of conditions pertaining to streets, as explained under criterion D.

The Committee finds that review of the construction documents at the site development permit and building permits stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development. The conditions of approval stated at the end of this document, provide requirements of the applicant to obtain a Site Development Permit and a Building Permit.

With the recommended conditions of approval, the site can be designed in accordance with City codes and standards and provide adequate protection, thereby meeting this criterion for approval.

**FINDING:**

**Therefore, the Committee finds that by satisfying the conditions of approval, the proposal meets this approval criterion.**

- 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.*

The applicant's response to J states that, "AS reflected in the Preliminary Grading Plan, grading and contouring of the site has been designed to accommodate the proposed 7 lots. The perimeter grading is designed to maintain existing grades at the abutting property lines. The lots are to be graded so water runs off to the streets or the on-site storm line, to mitigate for adverse effect(s) on neighboring properties and adjacent public rights-of-way."

Section 60.15.10 outlines Grading Standards for Land Divisions and is addressed in the Code Conformance table at the end of this report.

The applicant must show compliance with Site Development erosion control measure at the time of Site Development permit issuance.

With the recommended conditions of approval, grading and contouring of the site can be designed to accommodate the proposed use and mitigate adverse, thereby meeting this criterion for approval.

**FINDING:**

**Therefore, the Committee finds that by satisfying the conditions of approval, the proposal meets this approval criterion.**

- 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.*

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals.

The Committee finds that as proposed, the street sidewalks and walkways internal to the development appear to meet applicable accessibility requirements and through the site development and building permitting reviews will be thoroughly evaluated.

Therefore, the Committee finds that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and would thereby be in conformance with Development Code Section 60.55.65 and the criterion will be met.

**FINDING:**

**Therefore, the Committee finds that by satisfying the conditions of approval, the proposal meets this approval criterion.**

- L. *The proposal contains all required submittal materials as specified in Section 50.25.1 of the Development Code.*

The applicant submitted the applications on December 3, 2013 and submitted complete materials on April 18, 2014. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

FINDING:

**Therefore, the Committee finds that the proposal meets this approval criterion.**

**RECOMMENDATION**

The Facilities Review Committee finds that the proposal will comply with all technical criteria in Section 40.03. Many technical criteria will be satisfied through the imposition of conditions of approval.

**CODE CONFORMANCE ANALYSIS**  
**Chapter 20 Land Use and Site Development Requirements**  
**Urban Standard Density (R7) Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20 (Urban Standard Density R5)			
Use - Permitted	Detached Dwellings	Detached Dwellings	<b>Yes</b>
Development Code Section 20.05.15 (Urban Standard Density R5)			
Minimum Land Area	7,000 square feet	7,000 square feet or greater	<b>Yes</b>
Minimum Lot Dimensions Width Depth	65 feet interior 70 feet corner 90 feet interior 80 feet corner	75 feet or greater interior 80 feet or greater corner 92 feet or greater interior 93 feet or greater corner	<b>Yes</b>
Minimum Yard Setbacks Front Side Rear Garage Garage Door to Rear Min. Between Buildings	17 feet 5 feet 25 feet 20 feet 24 feet 6 feet	All minimum setbacks are provided with the exception of the existing house on the northerly lot. The northerly house is proposed for retention and its northern side yard setback of 4.8 feet is an existing condition, which cannot be remedied without significant disturbance to the existing structure. Staff find that 2.4 inches is negligible given that it is an existing condition.	<b>Yes</b>
Building Height Maximum	35 feet	Building height will be verified at building permit phase.	<b>N/A</b>
Development Code Section 20.25.05 – Density Calculations			
Minimum Residential Density	Minimum Density: 7 lots Maximum Density: 9 lots	The applicant proposes 7 lots.	<b>Yes</b>

# CODE CONFORMANCE ANALYSIS

## Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review is not applicable to single family dwellings.	N/A
Development Code Section 60.07			
Drive-Up window facilities	Requirements for drive-up, drive-through and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	No mapped floodplains are located within the subject site.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly Development Practices are proposed. Low Impact Development techniques are proposed in the form of flow-through planters and swales to satisfy CWS requirements for stormwater quantity and quality utilizing CWS's LIDA options. The applicant has not proposed use of the LID to satisfy Section 60.12	N/A
Development Code Section 60.15 - Land Division Standards			
Grading Standards - Development Code Section 60.15.10.1 and 2			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review.	The proposal is subject to the grading standards contained herein.	Yes
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	The applicant states that, "The proposed preliminary grading plan includes street widening, storm detention facilities and on-site grading adjacent to an existing public street. All of these grading activities are exempt from the grading standards."	Yes
On-site surface contouring - Development Code Section 60.15.10.3			
60.15.10.3.A 0-5 Feet From Property Line	Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that, "There is no grading proposed along the perimeter of the site, so grades within 5 feet of the property line and the adjacent properties will be unchanged."	Yes
60.15.10.3.B 5-10 Feet From Property Line	Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property.	Proposed grading between five and 10 feet of the parent parcel property lines includes ties into existing grades and changes of less than four feet.	Yes

60.15.10.3.C 10-15 Feet From Property Line	Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that, "The Grading Plan maintains slopes with less than 6 feet differential within 10-15 feet of the perimeter property lines."	<b>Yes</b>
60.15.10.3.D 15-20 Feet From Property Line	Maximum eight (8) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that, "The Grading Plan does not result in any slopes with 8 or more feet of differential to the perimeter property lines."	<b>Yes</b>
60.15.10.3.E 20-25 Feet From Property Line	Maximum ten (10) foot slope differential from the existing or finished slope of the abutting property.	The applicant states that, "The Grading Plan does not result in any slopes with 8 or more feet of differential to the perimeter property lines."	<b>Yes</b>
60.15.10.3.F Pre-development slope	Where a pre-development slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, the slope after grading shall not exceed the pre-development slope	The applicant states that, "No existing slopes exceed the standards within this Section."	<b>Yes</b>
60.15.10.3.G	The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. ...	The applicant has provided plans and responses regarding on-site grading of the parent parcel in relation to abutting properties.	<b>Yes</b>
<b>Significant Trees and Groves - Development Code Section 60.15.10.4</b>			
60.15.10.4.	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:		
60.15.10.4.A 0-10 Feet From a Trunk	No change in pre-development ground elevation	The subject site does not contain trees designated as Significant Trees or Trees within a Significant Grove. Abutting the east side of the subject site is Significant Grove G-59. The applicant states that, "The Grading Plan (Sheet 3) shows that no site grading will occur within 25 feet of the drip lines of trees within Grove 59. The site grading will maintain the existing grades at the property lines, and the standard rear yard setback will further protect the trees from impact from site development activities.	<b>Yes</b>
60.15.10.4.B 0-25 Feet From a Trunk	Maximum 10% slope gradient difference from the pre-development ground elevation		<b>Yes</b>
60.15.10.4.C City Arborist may recommend	...additional setbacks and/or other tree protection measures to protect the public health, safety and welfare.		<b>Yes</b>
<b>Development Code Section 60.25 - Off Street Loading</b>			
Loading Facilities	No loading facilities are required for this use.	No loading facilities are proposed	<b>N/A</b>
<b>Development Code Section 60.30 - Off-Street Parking</b>			
Off-street Motor vehicle parking Parking Zone A	<u>Detached Dwellings</u> 1 space per unit= 5 spaces min No Maximum for Detached Dwellings	<u>Detached Dwellings</u> Each dwelling will have at minimum one parking space.	<b>Yes</b>
Required Bicycle Park	No bicycle parking is		

	required for detached dwellings.		
Compact Spaces	Required residential parking must be provided at standard sizes.	No compact spaces are proposed.	N/A
<b>Development Code Section 60.45 – Solar Access</b>			
60.45.10.3. Design Standard. At least 80 percent of the lots in a development subject to this ordinance shall comply with one or more of the options in this section.		The subject proposal involves development of seven (7) lots, 80 percent of which is six (6) lots. The applicant proposes a combination of compliance (Lots 1, 2, & 6), exemptions (Lot 3), and adjustments (Lots 4 & 5) for a total of six lots. Therefore, the proposal satisfies the 80 percent compliance requirement.	<b>Yes</b>
	A. Basic Requirement (see Figure 9). A lot complies with this Section if it: 1. Has a north-south dimension of 90 feet or more; and 2. Has a front lot line that is oriented within 30 degrees of a true east-west axis.	<u>LOTS 1, 2, &amp; 6</u> The applicant states that, “3 of the lots (1, 2, & 6) comply.”	<b>Yes</b>
	B. Protected Solar Building Line Option (see Figure 10). In the alternative, a lot complies with this Section if a solar building line is used to protect solar access as follows: 1. A protected solar building line for the lot to the north is designated on the plat, or documents recorded with the plat; and 2. The protected solar building line for the lot to the north is oriented within 30 degrees of a true east-west axis; and 3. There is at least 70 feet between the protected solar building line on the lot to the north and the middle of the north-south dimension of the lot to the south, measured along a line perpendicular to the protected solar building line; and 4. There is at least 45 feet between the protected solar building line and the northern edge of the buildable area of the lot, or habitable structures are situated so that at least 80	<u>LOT 7</u> The applicant states that, “For Lot 7, Street A is situated south of the lot. With this orientation the right-of-way provides sufficient separation from the lot to the south, such that the new street side yard setback for Lot 7 is 70 feet north of the front yard setback for Lot 1. Therefore, this street-side yard setback qualifies and will function consistent with a Protected Solar Building Line, but without the need to show it on the plat.”  The existing house on Lot 7 is proposed to remain. The existing northern side setback is 4.8 feet. Given the existing conditions, Lot 7 will not comply with this provision, as it will not be redeveloped to protect the abutting property to the north.  Since the remaining six lots, or 80 percent of the proposed lots, will comply, it is not necessary for Lot 7 to comply in order for the proposal to satisfy the Solar Access requirements of 60.45.10.3. Therefore, staff find that this section is not applicable to satisfying	<b>N/A</b>

	percent of their south-facing wall will not be shaded by structures or non-exempt vegetation.	60.45.10.3.	
	<p>C. Performance Option.</p> <p>In the alternative, a lot complies with this Section if:</p> <p>1. Habitable structures built on that lot will have their long axis oriented within 30 degrees of a true east-west axis and at least 80% of their ground floor south wall protected from shade by structures and non-exempt trees; or</p> <p>2. Habitable structures built on that lot will have at least 32% of their glazing and 500 square feet of their roof area which faces within 30 degrees of south and is protected from shade by structures and non-exempt trees.</p>	<p><u>LOTS 3, 4, 5, &amp; 7</u></p> <p>The applicant states that, “As an alternative to the protected solar building line, the applicant (builder) could utilize the Performance option to meet compliance. For four lots 3, 4, 5 &amp; 7.”</p> <p>As the proposal includes six lots, or 80 percent of the proposed lots, that will comply, it is not necessary to apply the Performance Option to Lots 3, 4, 5, and 7 in order for the proposal to satisfy the Solar Access requirements of 60.45.10.3. Therefore, staff find that this section is not applicable to satisfying 60.45.10.3.</p>	<b>N/A</b>
<p>60.45.10.4</p> <p>Exemptions from Design Standard.</p> <p>A development is exempt from this Section if the Director finds the applicant has shown that one or more of the following conditions apply to the site. A development is partially exempt from this Section to the extent the Director finds the applicant has shown that one or more of the following conditions apply to a corresponding portion of the site. If a partial exemption is granted for a given development, the remainder of the development shall comply with this Section.</p>	<p>B. Off-Site Shade.</p> <p>The site, or a portion of the site for which the exemption is sought, is within the shadow pattern of off-site features, such as but not limited to structures, topography, or non-exempt vegetation, which will remain after development occurs on the site from which the shade is originating.</p> <p>3. Shade from off-site vegetation is assumed to remain after development of the site if: the trees that cause it are situated in a required setback; or they are part of a developed area, public park, or legally reserved open space; or they are in or separated from the developable remainder of a parcel by an undevelopable area or feature; or they are part of landscaping required pursuant to local law.</p>	<p><u>LOT 3</u></p> <p>The applicant states that, “Lot 3 is shaded from off-site trees, which are more than 30 feet tall and 6 inch caliper, and are within the required side yard setback of the adjacent to the south. Therefore this lot qualifies for an Exemption.”</p>	<b>Yes</b>
<p>60.45.10.5.</p> <p>Adjustments to Design Standard.</p> <p>The Director shall reduce the percentage of lots that must comply with this</p>	<p>A. Density and Cost.</p> <p>3. Existing road patterns must be continued through the site or must terminate on-site to comply with applicable road standards</p>	<p><u>LOTS 4 &amp; 5</u></p> <p>The applicant states that, “SW Menlo Drive is aligned north/south. The proposed access to this development will be provided via a</p>	<b>Yes</b>

Section to the minimum extent necessary if it finds the applicant has shown one or more of the following site characteristics apply.	or public road plans in a way that prevents given streets or lots in the development from being oriented for solar access. 4. An existing public easement or right-of-way prevents given streets or lots in the development from being oriented for solar access.	proposed [east/west] cul-de-sac street. With this road configuration Lots 4 & 5 will front the end of the cul-de-sac resulting in their front lot lines being oriented to the west, thereby not allowing for good solar orientation. If these lots were removed, it would result in a density below the minimum required for this development. Therefore these lots qualify for an Adjustment.”	
<b>Development Code Section 60.55 - Transportation</b>			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	<b>Yes- with COA</b>
<b>Development Code Section 60.60 - Trees &amp; Vegetation</b>			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	The applicant has requested approval of a Tree Plan Two application for the removal of community trees from the subject site.	<b>See TP Findings</b>
<b>Development Code Section 60.65 - Utility Undergrounding</b>			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant states that, “All utilities serving the 7 lots will be placed underground consistent with the provisions of this section.” To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy.	<b>Yes- with COA</b>

**RECOMMENDATION**

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority **APPROVE** the **Menlo Lane 7-Lot Subdivision (LD2013-0013 and TP2013-0011)**, and adopt the conditions of approval identified in Attachment F.

**ANALYSIS AND FINDINGS  
FOR LAND DIVISION - PRELIMINARY SUBDIVISION  
LD2013-0013**

**Section 40.45.05 Land Division Applications; Purpose**

*The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.*

**Section 40.45.15.4.C Approval Criteria**

*In order to approve a Preliminary Subdivision 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 application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47, further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C have been met.*

The applicant proposes a seven (7) lot subdivision from two (2) parent parcels, meeting threshold 1 for a Preliminary Subdivision.

1. *The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.*

The parent parcels are not subject to a Legal Lot Determination.

**FINDING:**

**Therefore, staff find that the proposal meets the 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 application fee for a Preliminary Subdivision application.

**FINDING:**

**Therefore, staff find that the proposal meets the criterion for approval.**

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

No land use approvals are active for the subject site and therefore the proposal does not conflict with any previous land use approvals.

**FINDING:**

**Therefore, staff find that the proposal meets the criterion for approval.**

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

The proposal does not include any oversized lots. Therefore, this criterion is not applicable.

**FINDING:**

**Therefore, staff find that the criterion for approval does not apply.**

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

The applicant does not propose phasing of the development.

**FINDING:**

**Therefore, staff find that the criterion for approval does not apply.**

6. *Applications that apply the lot area averaging standards of Section 20.05.15.D shall demonstrate that the resulting land division facilitates the following:*

The proposal does not apply the lot area averaging standards of Section 20.05.15.D.

**FINDING:**

**Therefore, staff find that the criterion for approval does not apply.**

7. *Applications that apply the lot area averaging standards of Section 20.05.15.D do not require further Adjustments or Variance for the Land Division.*

The proposal does not apply the lot area averaging standards of Section 20.05.15.D.

**FINDING:**

**Therefore, staff find that the criterion for approval does not apply.**

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

All lots created by the proposal will have the Urban Standard Density (R7) zoning designation.

**FINDING:**

**Therefore, staff find that the proposal meets the criterion for approval.**

9. *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 this Preliminary Subdivision application with an associated Tree Plan 2 application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review.

**FINDING:**

**Therefore, staff find that the proposal meets the criterion for approval.**

**Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **LD2013-0013 (Menlo Lane 7 Subdivision)** subject to the applicable conditions identified in Attachment F.

## ANALYSIS AND FINDINGS FOR TREE PLAN TWO TP2013-0011

### **Section 40.90.05 Tree Plan Applications; Purpose**

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

### **Section 40.90.15.2.C Approval Criteria**

*In order to approve a Tree Plan 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 Tree Plan Two application.*

The applicant has inventoried 19 trees that meet the definition of a Community Tree which total approximately 386 inches DBH. Of the 19 Community Trees, one is dead, one is proposed for preservation, and 18 are proposed for removal (as depicted in Exhibit A attached to this report). The 18 Community Trees proposed for removal total approximately 330 inches DBH. The result is removal of 86 percent of the number of Community Trees on the site, which meets threshold one for a Tree Plan Two application. All trees off site are proposed to be retained and protected.

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

The subject site abuts Significant Grove Number G-59, which is located east of the site within the boundaries of Schiffler Park. Trees within G-59 are to be preserved and protected with development of the subject site.

**Therefore, staff find that the proposal meets the 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 Tree Plan Two application.

**Therefore, staff find that the proposal meets the criterion for approval.**

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

Proposed removal of trees from the subject site is not necessary to observe good forestry practices. The trees are proposed for removal to accommodate the development of the site and the associated grading and construction.

**Therefore, staff find that the criterion for approval does not apply.**

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

Removal of trees from the subject site is proposed in order to accommodate physical development of the site, including the installation of the underground utilities, construction of road improvements, and development of lots. The most significant impact to on site trees, and the reason for the majority of tree removal, is grading. The amount of grading proposed is necessary in order to install storm and sanitary sewer services that rely on gravity to drain the pipes to Menlo Drive appropriately. The proposed development reasonably protects off site trees.

**Therefore, staff find that the proposal meets the criterion for approval.**

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

The proposal does not include removal of trees due to nuisance by virtue of damage to property or other improvements. Trees are being removed to facilitate development of the site.

**Therefore, staff find that the criterion for approval does not apply.**

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

The proposal is not a public capital improvement project. However, the proposal does include dedication and construction of public street improvements and utilities. As discussed under criterion 4, above, removal of trees is primarily associated with grading necessary for storm and sanitary sewer service installation.

The proposed public utility installation, street dedications and improvements, and other similar development needs are reasonable design alternatives for development of the subject site. Other alternatives have been reviewed, but would be more costly and less efficient.

**Therefore, staff find that the proposal meets the criterion for approval.**

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

Proposed removal of trees is necessary to eliminate conflicts with street and utility structures proposed to develop the site per other criteria within the Development Code and Engineering Design Manual.

**Therefore, staff find that the proposal meets the criterion for approval.**

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

The subject site does not contain a SNRA or Significant Grove. The proposal includes protection of trees within Significant Grove G-59 within Schiffler Park to the east of the subject site.

**Therefore, staff find that the criterion for approval does not apply.**

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

The subject site does not contain a SNRA or Significant Grove. The proposal includes protection of trees within Significant Grove G-59 within Schiffler Park to the east of the subject site.

**Therefore, staff find that the criterion for approval does not apply.**

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

Staff cites the Code Conformance Analysis chart at the end of the Tree Plan Staff Report, which evaluates the project as it relates to applicable code requirements of Sections 60.60 through 60.67, as applicable to the aforementioned criterion. As demonstrated on the chart, the proposal complies with all applicable provisions of Chapter 60.60 and 60.67.

**Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.**

11. *Grading and contouring of the 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.*

*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.*

The response to Development Code Section 40.03.1.J of Facilities Review report (Attachment A, above) is hereby cited and incorporated. The applicant's plans balance accommodating the proposed use and mitigating the adverse effects on neighboring properties.

**Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.**

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

The submitted tree plan proposal contained all applicable submittal requirements necessary to be deemed complete.

**Therefore, staff find that the proposal meets the criterion for approval.**

13. *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 this Tree Plan Two application with an associated Land Division application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review.

**Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.**

**Recommendation**

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2013-0011 (Menlo Lane 7-Lot Subdivision)** subject to the applicable conditions identified in Attachment D.

# CODE CONFORMANCE ANALYSIS

## Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS STANDARD?
<b>60.60.15 Pruning, Removal, and Preservation Standards</b>			
60.60.15.1.A-B Pruning Standards	A. It shall be unlawful for any person to remove or prune to remove a tree's canopy or disturb the root zone of any Protected Tree, except in accordance with the provisions of this Code. B. All pruning of Protected Trees shall be done in accordance with the standards set forth in this section and the City's adopted Tree Planting and Maintenance Policy, also known as Resolution 3391.	The applicant states that, "...the trees within the Significant Grove (G59) located in the adjacent park, have adequate protection of the tree canopies that overlap the rear yards of the two of the proposed new lots (Lots 3 & 4). Tree protection fencing will be installed along the outside of drip lines overlapping the western boundary."	<b>Yes, with conditions of approval, the standard is met</b>
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed does not include removal of Protected Trees.	<b>N/A</b>
60.60.15.2.B	Mitigation is required as set forth in 60.60.25	Mitigation is not required for Community Trees	<b>N/A</b>
60.60.15.2.C.1-8	Standards for SNRA & Significant Groves	No SNRA's or Significant Groves are identified on site. Development of the subject site is not expected to impact a SNRA or Significant Grove. Protection measures are proposed and conditioned as related to G59 to the east.	<b>N/A</b>
<b>60.60.20 Tree Protection Standards During Development</b>			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures may be used with City approval.	The applicant states that, "...appropriate tree protection fencing will be provided along the western boundary, and the site grading is designed to avoid any direct impact on these protected trees." Staff recommends a condition of approval that the applicant adhere to Section 60.60.20 unless modified in agreement with the City Arborist.	<b>Yes, with conditions of approval, the standard is met</b>
<b>60.60.25 Mitigation Requirements</b>			
60.60.25	Mitigation Standards: (60.60.25.2.B) if less than 50% of the total DBH is proposed for removal no mitigation is required.	No SNRA's or Significant Groves are identified on site. Mitigation is not required for removal of Community Trees.	<b>N/A</b>
<b>60.67 Significant Natural Resources</b>			
60.67.05. Local Wetland Inventory.	Prior to issuing a development permit, the Local Wetland Inventory map shall be reviewed to determine if the	The Significant Wetlands and Riparian Corridor map does not identify a SNRA or Significant Wetland on the	<b>N/A</b>

	site proposed for development is identified as the location of a significant wetland.	site.	
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.	The Significant Wetlands and Riparian Corridor map does not identify a Significant Riparian Corridor on the subject site.	<b>N/A</b>

**CONDITIONS OF APPROVAL****Menlo Lane 7-Lot Subdivision  
LD2013-0013, TP2013-0011****A. Prior to any site work commencing and issuance of the site development permit, the applicant shall:**

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./WKP)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./WKP)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./WKP)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./WKP)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./WKP)
6. Submit a geo-environmental report with the site development permit application for review and approval by the City Engineer. The report shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer. The site development plans shall show the heating oil tank clean up area location and the report shall document how the proposed construction can safely proceed and note any precautions needed. Reference Oregon Department of Environmental Quality Case File #34-12-1289. (Site Development Div./WKP)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./WKP)
8. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./WKP)
9. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to

the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./WKP)

10. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's paved area to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./WKP)
11. Submit a design for the grading surrounding, adjacent, and within the storm water quality facility designed by a civil engineer or structural engineer for the expected hydrological conditions of the pond/rain gardens. Some minor changes to the grading appear to be needed in order to provide an adequate containment of the pond/rain gardens. This may require other minor modifications to the proposed storm water management facilities as reflected within the land-use application submittal. This land-use approval shall provide for such minor surface modifications (examples: revised grading or addition of small retaining walls, structure relocation, and interior grade changes less than two vertical feet variance) in the proposed facility without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./WKP)
12. Submit a revised grading plan showing that each lot has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities and show a safe overflow route. (Site Development Div./WKP)
13. Submit to the City a certified impervious surface determination of the proposed project's new impervious area proposed for any common areas and common private driveways prepared by the applicant's engineer, architect, or surveyor. Any home demolition is credited at one equivalent surface unit (2640 square feet per existing lot with one or more single family homes). (Site Development Div./WKP)
14. Pay storm water system development charges (overall system conveyance and winter detention) for the new impervious area proposed for any common areas or private streets. (Site Development Div./WKP) (Site Development Div./WKP)
15. Provide plans for the placement of underground utility lines within the site to the existing home, and for services to the proposed new home site. No overhead services shall remain on the site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./WKP)
16. Provide plans for LED street lights along the site's public street frontages (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./WKP)
17. Provide plans showing street trees at appropriate spacing on all street frontages. (Site Development Div./WKP)
18. Provide plans showing pedestrian bicycle pathway with public easement meeting City specifications and connecting onsite sidewalk to Evelyn Schiffler Memorial Park. (Site Development Div./WKP)

19. Provide plans showing Finish Floor Elevations (FFE) of all new homes meet plumbing code requirements to have the FFE on all new homes 2' above the downstream manhole lid elevation. An additional manhole may need to be added to meet this requirement. (Site Development Div./WKP)
20. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings) at the intersection of any private, common driveway and a public street. (Site Development Div./WKP)
21. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the 2006 plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (For more information and to access the new format, see: <http://www.cleanwaterservices.org/PermitCenter/PermittingProcess/ErosionControl.aspx>) (Site Development Div./WKP)
22. Submit plans that show street trees along the SW Menlo Lane and SW Menlo Drive frontages per EDM Standard Drawing No. 103, Minimum Local Street Widths. (Transportation/LP)
23. Submit plans that show an easement, around the cul-de-sac bulb on SW Menlo Lane, for street trees and street lighting per EDM Standard Drawing No. 110, Minimum Cul-De-Sac Standards. (Transportation/LP)
24. Submit plans that show an accessway, which extends from SW Menlo Lane to the western boundary of Evelyn Schiffler Memorial Park, that meets the dimensional and easement requirements of EDM Standard Drawing 700, Typical Shared Use Path. (Transportation/LP)
25. Submit plans that show a removable bollard located in the middle of the bike/pedestrian path near the end of cul-de-sac. (THPRD/SG)
26. FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDING AND TURNAROUNDS: Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1) The 150 foot length is exceeded as proposed. Provide an approved fire sprinkler system in both houses on lots 4 & 5. This requirement needs to be clearly identified on the plans. (TVF&R/JF)
27. NO PARKING SIGNS: Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6) (TVF&R/JF)
28. SURFACE AND LOAD CAPACITIES: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 60,000 pounds live load (gross vehicle weight). You may need to provide documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1) (TVF&R/JF)

29. SINGLE FAMILY DWELLINGS - REQUIRED FIRE FLOW: The minimum available fire flow for single family dwellings and duplexes served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to IFC Appendix B. (OFC B105.2) Prior to issuance of a building permit, provide evidence of a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 PSI residual pressure. (TVF&R/JF)
30. FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES: Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1) One hydrant must be within 600 feet of all portions of any structure in the subdivision or a hydrant will be required within the subdivision. Clearly identify that the existing hydrants are within 600 feet or show the new hydrant within the subdivision on the plans. (TVF&R/JF)
31. FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD: Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway. (OFC C102.1) (TVF&R/JF)
32. REFLECTIVE HYDRANT MARKERS: Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (OFC 510.1) (TVF&R/JF)
33. PHYSICAL PROTECTION: Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6) (TVF&R/JF)
34. A demolition permit is required for the removal of the existing building(s). A plumbing permit is required for removal, abandonment and capping of a septic tank or sewer line. If a septic tank exists, it shall be pumped out and filled in with sand or gravel or completely removed. An inspection shall be obtained from the plumbing inspector after the tank is filled or removed. A copy of the receipt from the pumping company shall be provided. If the building is connected to the public sanitary sewer system, the building's sewer shall be capped off at the property line and inspected by the plumbing inspector. (BC 8.02.035, Section 105, OSSC; Section 722, OPSC) The removal of existing buildings on the property may provide credits towards some system development (SDC) fees such as water, sanitary sewer, impervious surface, and traffic. (Building/BR)
35. Resolve design and/or conflicts with refuse disposal/recycling hauler that would preclude adequate service of refuse and recycling containers for all units of the development. (Planning Division/LC)
36. Ensure that all associated applications, including Tree Plan have been approved and are consistent with the submitted plans. (Planning Division/LC)
37. The applicant must comply with the Pruning, Removal, and Preservation Standards of Section 60.60.15 of the Development Code, unless modified in agreement with the City Arborist. (Planning Division/LC)
38. The applicant must comply with the tree protection provisions of Section 60.60.20 of the Development Code, unless modified in agreement with the City Arborist. Plans showing

compliance with these standards, including placement or orange tree fencing shall be provided prior to Site Development Permit issuance. (Planning Division/LC)

**B. Prior to final plat approval, the applicant / developer shall:**

39. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./WKP)
40. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./WKP)
41. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./WKP)
42. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits for each parcel, ready for recording concurrently with the final plat at Washington County. (Site Development Div./WKP)
43. Demonstrate all lots meet ordinance standards for lot size, dimension and frontage. The final plat shall be fully dimensioned and indicate the square footage of each lot. (Planning Division/LC)
44. Provide an exhibit depicting all lots and their approved setbacks, whether standard or reduced. (Planning Division/LC)
45. Provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning Division/LC)
46. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/LC)
47. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/LC)
48. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/LC)
49. Identify all improvements within tracts and public rights-of-ways and specify the maintenance responsibilities of those improvements. (Planning Division/LC)

50. Provide a street name shown on the site development plans identical with those on the Final Plat, and street name signs shall not be installed prior to final plat approval. (Planning Division/LC)
51. If applicable, any proposed CC&R's for the development shall be reviewed and approved by the City of Beaverton. The CC&R's shall outline the maintenance responsibilities for the natural area tract and shall include provisions stating that the area is to be maintained in a natural state, any changes to the tract shall require the approval of the City of Beaverton. All Tracts shall be owned and maintained by the Home Owners Association. (Planning Division/LC)

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

52. Have recorded the final plat with Washington County and provided the City with the final recorded copy. Have met all conditions of approval for recording of the final plat. (Site Development Div./WKP)
53. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./WKP)
54. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, as determined at site development permit issuance. (Site Development Div./WKP)
55. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./WKP)

**D. Prior to final inspection of any building permit, the applicant shall:**

56. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./WKP)
57. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./WKP)
58. At the conclusion of the construction the applicant shall submit a report showing which Community Trees were kept, which were damaged or destroyed, and which were removed. (Planning Division/LC)

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

59. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./WKP)

60. Submit any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./WKP)
61. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment/replacement of the vegetation and restoration of full function within the private surface water management facility area, as determined by the City Engineer. If the plants are not well established or the facility not properly functioning (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./WKP)

Menlo Lane 7-Lot Subdivision									
Tree ID	Description	Inches DBH	Off-Site		Not Community		Community		
			Significant	Other	Fruit/Nut	< 10" DBH	Dead	Remove	Save
5116	Spruce	24							24
5158	Fir	40		40					
5162	DE	6				6			
5163	DE	6				6			
5166	DE	20							20
5200	DE	18							18
5201	Fir	28							28
5202	Fir	30		30					
5206	DE	10							10
5225	Maple	24							24
5279	Maple	24							24
5293	DE	12							12
5297	DE	12							12
5300	Fir	18							18
5314	Apple	18			18				
5315	Apple	24			24				
5316	Maple	20							20
5331	Fir	30							30
5332	Fir	14		14					
5333	Fir	36		36					
5335	Fir	14		14					
5336	Fir	24		24					
5337	Fir	20		20					
5339	Fir	28							28
5356	Apple	18			18				
5357	Fir	20							20
5358	Fir	18		18					
5359	Fir	12		12					
5360	Fir	24		24					
5368	Apple	12			12				
5370	Plum	10			10				
5372	Apple	14			14				
5382	Apple	12			12				
5384	Apple	24			24				
5385	Apple	24			24				
5386	Apple	12			12				
5413	Fir	24		24					
5414	Fir	36		36					
5417	Fir	28					28		
5421	DE	6		6					
5431	Pine	18	18						
5433	Pine	18	18						
5434	Pine	18	18						
5437	Pine	12	12						
5439	Pine	14	14						
5440	Pine	15	15						
5444	Pine	36	36						
6103	Maple	20							20
6104	Maple	18							18
6197	Maple	18							18
6202	Apple	8		8					
6205	Cedar	6				6			
6266	DE	14							14
Total	1009		131	306	168	18	28	330	28
				437		186			386
									1009