



Beaverton
O R E G O N

MEMORANDUM

City of Beaverton

Community Development Department

To: Interested Parties

From: City of Beaverton Planning Division

Date: June 13, 2016

cc: LD2015-0020, TP2015-0012, SDM2016-0001, SDM2016-0002

Subject: **Notice of Decision for Lombard 11 Lot Preliminary Subdivision**

Please find attached the notice of decision for LD2015-0020, TP2015-0012, SDM2016-0001, SDM2016-0002 **Lombard 11 Lot Preliminary Subdivision**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for LD2015-0020, TP2015-0012, SDM2016-0001, SDM2016-0002 Lombard 11 Lot Preliminary Subdivision is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

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

The appeal closing date for LD2015-0020, TP2015-0012, SDM2016-0001, and SDM2016-0002 (Lombard 11 Lot Preliminary Subdivision) is 4:30 p.m., Monday June 27, 2016.

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed at the Beaverton Planning Division, Community Development Department, 4th Floor, Beaverton Building City Hall; 12725 SW Millikan Way between 7:30 a.m. and 4:30 p.m., Monday through Friday, except holidays. For more information about the case file, please contact Steve Regner, Associate Planner, at (503) 526-2675.



Staff Report

DATE: June 13, 2016

TO: Interested Parties

FROM: Steve Regner, Associate Planner

PROPOSAL: **Lombard 11 Lot Subdivision
LD2015-0020 / TP2015-0012 / SDM2016-0001 / SDM2016-0002**

LOCATION: The subject site is located at 6705 SW Lombard Avenue, west of the intersection of SW Lombard Avenue and SW Baker Street, Tax Lot 200 on Washington County Tax Assessor's Map 1S122BC.

SUMMARY: The applicant requests Preliminary Subdivision, Tree Plan Type 2, and two (2) Sidewalk Design Modifications for a proposed residential eleven lot subdivision. The applicant requests Tree Plan Two approval to remove five Significant Grove Trees trees, a Sidewalk Design Modification to construct storm drain swales in the planter strip along the Baker Street Extension, and a less than standard right of way widths for the Baker Street Extension and Lombard Avenue.

APPLICANT: Mark Dane Planning
Mark Dane
12725 SW Glenhaven Street
Portland, OR 97225

PROPERTY OWNERS: PTR Homes
Tom Spitznagel
PO Box 25058
Portland, OR 97298

RECOMMENDATION: **APPROVAL of Lombard 11-Lot Subdivision LD2015-0020 / TP2015-0012 / SDM2016-0001 / SDM2016-0002**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Application Deemed Complete	Day 120	Day 240*
LD2015-0020	August 24, 2015	February 19, 2016	June 18, 2016	October 16, 2016
TP2015-0012	August 24, 2015	February 19, 2016	June 18, 2016	October 16, 2016
SDM2016-0001	January 14, 2016	February 19, 2016	June 18, 2016	October 16, 2016
SDM2016-0002	January 14, 2016	February 19, 2016	June 18, 2016	October 16, 2016

Existing Conditions Table

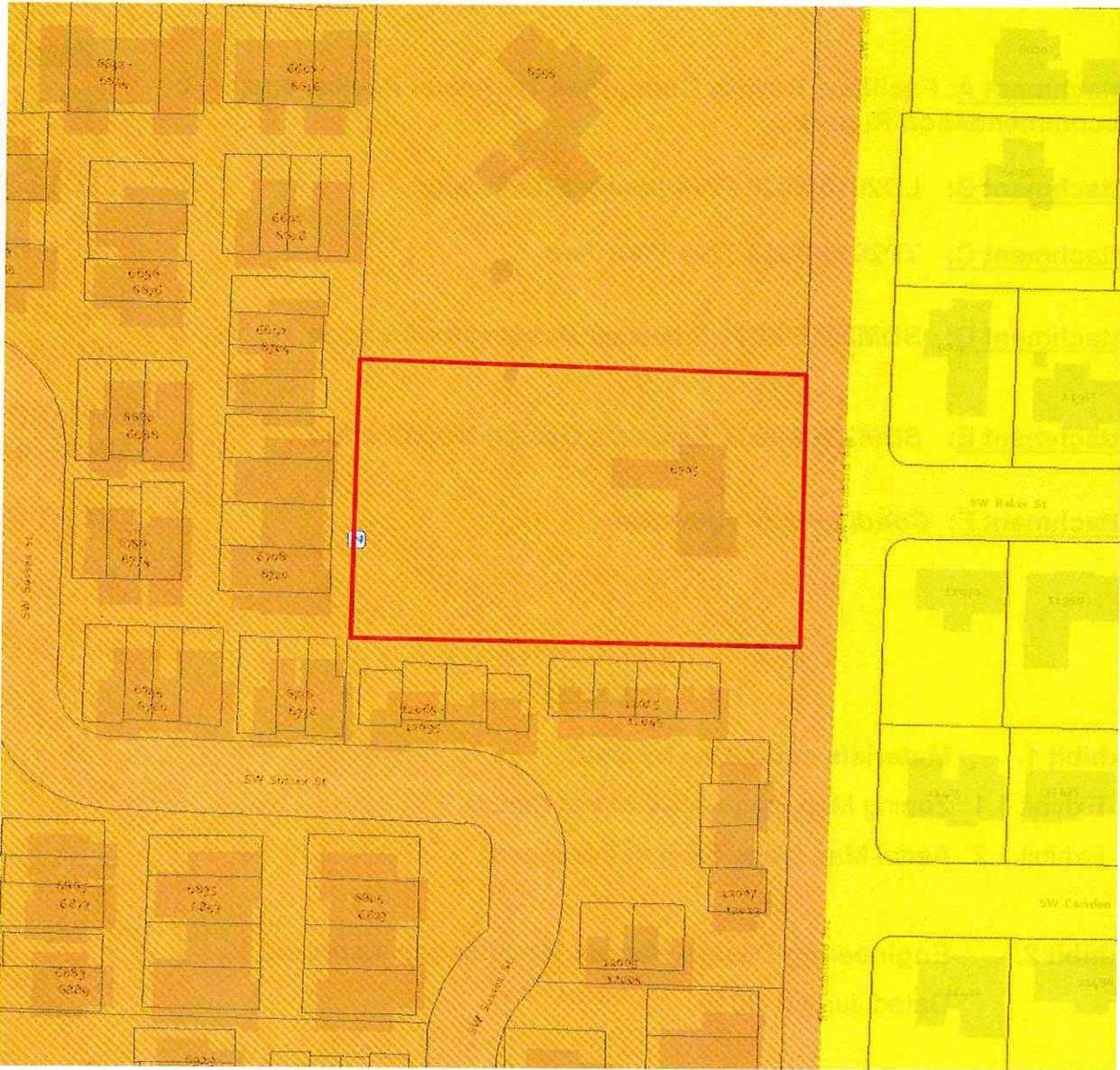
Zoning	R4 Residential Urban Medium Density District (R4)	
Current Development	One Single Family Home	
Site Size & Location	The subject site is located at 6705 SW Lombard Avenue, west of the intersection of SW Lombard Avenue and SW Baker Street, and is approximately 1.32 acres.	
NAC	Vose	
Surrounding Uses	Zoning: <u>North:</u> R4 <u>South:</u> R4 <u>East:</u> R7 <u>West:</u> R4	Uses: <u>North:</u> Single Family Housing <u>South:</u> Multifamily Housing <u>East:</u> Multifamily Housing <u>West:</u> Single Family Housing

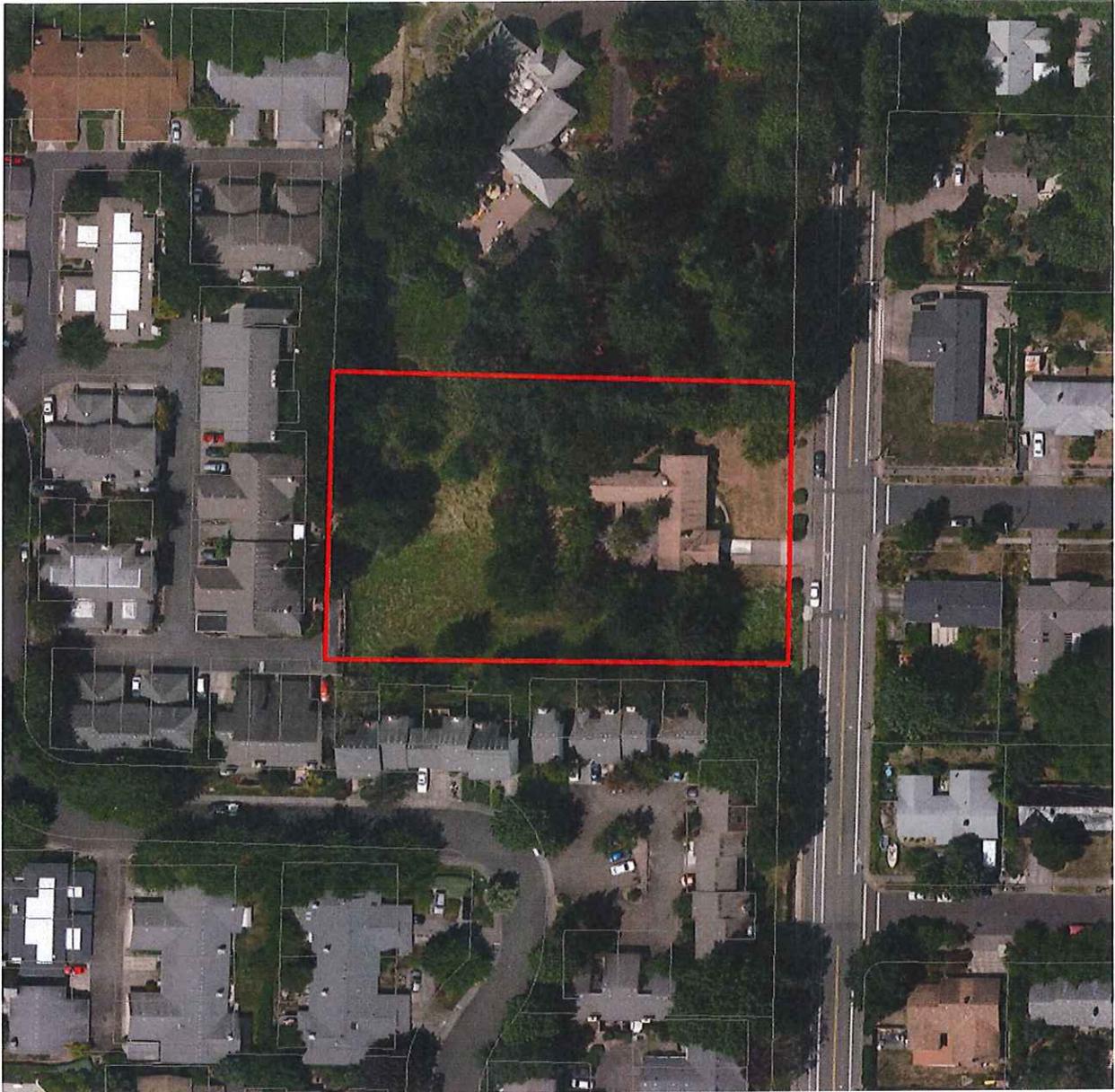
DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

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<u>Attachment B:</u> LD2015-0020 Preliminary Subdivision	LD1-LDXX
<u>Attachment C:</u> TP2015-0012 Tree Plan Two	TP1-TPXX
<u>Attachment D:</u> SDM2016-0001 Sidewalk Design Modification	BAKER SDM1- BAKER SDM3
<u>Attachment E:</u> SDM2016-0002 Sidewalk Design Modification	LOMBARD SDM1- LOMBARD SDM3
<u>Attachment F:</u> Conditions of Approval	COA1-COA6

Exhibits

- Exhibit 1. Materials submitted by Staff**
- Exhibit 1.1 Zoning Map (page SR-4 of this report)
 - Exhibit 1.2 Aerial Map (page SR-5 of this report)
- Exhibit 2. Engineering Design Manual Modification Approval**
Dated June 1, 2016
- Exhibit 2. Public Comment**
No Public Comment Received





**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
LOMBARD AVENUE 11-LOT SUBDIVISION
LD2015-0020 / TP2015-0012 /
SDM2016-0001 / SDM2016-0002**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

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

- **All twelve (12) criteria are applicable to the submitted Land Division application as submitted.**
- **Facilities Review criteria do not apply to the Flexible Setback, Tree Plan Type Two, and Sidewalk Design Modification applications.**

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

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water and public sanitary sewer facilities. The applicant has provided a Service Provider Letter (SPL) from Clean Water Services which shows compliance with stormwater requirements.

Water, Sanitary Sewer, and Stormwater

Water Service will be provided to the site by the City of Beaverton. The development proposes to connect to the existing 10-inch water line in SW Lombard Avenue. Adequate capacity exists to serve the proposed development.

Sanitary sewer service is provided by the City of Beaverton. The development proposes to connect to the existing 8-inch sanitary sewer line in SW Lombard Avenue, which terminates approximately 70 feet south of SW Baker. Adequate capacity exists to serve the proposed development.

Proposed stormwater drainage has been identified and described in the applicant's narrative and plans, including the drainage report prepared by NW Engineers. The applicant proposes to use incorporate drainage swales in the landscape planters. Connections are proposed to the existing stormwater line in SW Lombard Avenue, which terminates approximately 270 feet south of SW Baker. The applicant has provided a Clean Water Services Service Provider Letter (SPL) to show compliance with CWS standards. As such the applicant has shown that adequate stormwater facilities exist to serve the site.

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and detention, transportation and fire protection.

Transportation

The affected critical transportation facilities are the surrounding public streets, namely SW Lombard Ave. and SW Baker St. According to the Transportation System Plan in the Beaverton Comprehensive Plan, SW Lombard Ave. is classified as a Collector Street and SW Baker St. is classified as a Local Street. With the proposed development, the applicant is dedicating 6 feet of right-of-way along SW Lombard Ave. to bring the street up to the Collector Street standard. The applicant is also dedicating a 30-foot wide ROW for the extension of SW Baker (with 28 feet of paved area between the curbs, meeting the L2 Local Street standard for paved width.) The applicant has applied for Sidewalk Design Modification approvals and Engineering Design Modification approvals to accommodate the modified sidewalks, street trees, and planters within easements alongside the new SW Baker ROW.

As conditions of approval, the applicant will submit plans showing dedication sufficient to provide 31 feet from the centerline of SW Lombard Ave. along the length of the property's frontage and dedication of the ROW and easements along the extension of SW Baker, as approved by the City Engineer. Because the extension of SW Baker St., if continued through the property to the north as anticipated, will not meet the City of Beaverton's street naming standards, the applicant shall designate the new portion of SW Baker St. as SW Baker Loop or SW Baker Circle on the Final Plat submitted to the City and to Washington County, as a condition of approval. Therefore, the proposal will meet the criterion of approval if the conditions of approval are met.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). Comments and conditions of approval have been received from TVF&R. Conditions of approval submitted by TVF&R are included herein. Staff also cites the findings for Criterion H hereto regarding fire prevention.

To ensure appropriate design and construction of the 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 standard conditions of approval.

The Committee finds that the applicant has provided sufficient evidence that critical facilities exist or can be made to exist to serve the site. Therefore, the committee finds that the proposal meets the criterion.

Therefore, the Committee finds that the proposal meets the criterion.

B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to 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 years of occupancy.

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

Parks

The site will be served by the Tualatin Hills Park and Recreation (THPRD) and will be required to pay any assessed SDC fees for parks with building permit issuance. Nearby parks include Wonderland Park, Ridgecrest Park, and Fanno Creek Greenway

Police

The City of Beaverton Police currently serve the site and will continue to serve the proposed development.

Pedestrian/Bicycle/Transit Facilities

The affected essential transportation facilities are the transit service and the pedestrian and bicycle facilities. The transit is provided by TriMet along SW Hall Blvd., approximately 1/4 mile to the west, and along SW Allen Blvd. and SW Lombard Ave., approximately 1/3 mile to the north. No changes to the transit services will occur as a result of this proposal. The applicant proposes to reconstruct the existing sidewalks along SW Lombard Ave. to comply with current standards (6 feet wide, instead of 5, and separated from the vehicular traffic by a planter strip with street trees.) The applicant also proposes sidewalks along the SW Baker extension. The applicant has applied for Sidewalk Design Modification approvals in order to deviate from the City's Local Street standards. The sidewalk along the north (and east) side of the SW Baker extension will be curb-tight and 6 feet wide. The sidewalk along the south (and west) side will be 5 feet wide and located behind a 7-foot wide LIDA (Low Impact Development Approach) water quality swale. Where the new segment of SW Lombard Ave. sidewalk will transition to the existing sidewalk, the applicant has proposed a curved transition design where there is little possibility of future redevelopment and an L-shaped transition where future development is likely to install a new sidewalk to meet current standards. Pedestrian access to lots 3 and 4 are not clearly shown on the applicant's plans. The private driveway is large enough to provide a 16 foot wide drive aisle and a 4 foot wide pedestrian walkway. The committee recommends a condition of approval requiring the private driveway to be constructed as a 20 foot wide

paved surface, with 4 feet differentiated to indicate the pedestrian walkway. By meeting the Conditions of Approval, the applicant will provide the required essential transportation services.

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

- C. *The proposal 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 proposal.***

Staff cites the Code Conformance Analysis chart on page FR-9, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the R4 Residential Urban Medium Density District (R4) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards.

Therefore, the Committee finds that the proposal meets the criterion.

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

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.

Section 60.15 Land Division Standards

Right-of-way dedications and improvements will occur, as conditioned above. Street trees are planted by the City for residential subdivisions, with the developer paying a fee of \$200 per tree, calculated at one tree required for each 30 feet of frontage. The total street tree fee will be determined during review of Site Development permits. As a condition of approval, the applicant shall pay this fee prior to approval of the Final Land Division application.

Section 60.30 Off-Street Parking

Regarding 60.30, the Development Code requires at least one off-street parking space per dwelling unit. The applicant proposes to construct the houses with two-car garages and two-car driveways, thereby meeting the parking requirement.

Section 60.55 Transportation Facilities

The development is not expected, based on industry standard trip generation rates, to

create more than 200 new trips per day. Therefore, the applicant was not required to provide a Traffic Impact Analysis. The surrounding public street system has adequate capacity to accommodate the expected traffic from this proposal. Likewise, the expected peak hour traffic is not expected to meet or exceed the 20 trips per day threshold for a Traffic Management Plan. The adjacent and nearby residential streets are not expected to see significant changes in intersection performance. As discussed in the other Facilities Review Approval Criteria responses, the proposal will provide adequate pedestrian, bicycle, and vehicular connections, if the conditions of approval are met. The proposal will provide adequate width and half-street improvements along SW Lombard Ave. to meet the applicable City standards. The applicant has received approval from the City Engineer for the design of the extension of SW Baker, as related to the street design. As a condition of approval, the applicant shall obtain approval of the Sidewalk Design Modification requests associated with the design and location of the project's sidewalks.

60.60 Trees and Vegetation Requirements

A portion of Significant Grove G-64 is located on the northern area of the subject site, comprised of Douglas Fir and Oregon White Oak. Eight Significant Grove trees, totaling 158 inches DBH are located on site; five of which are proposed for removal, totaling 96 inches DBH. Mitigation of Significant Grove trees is required for removal of greater than 50% DBH of the on-site grove, at a ratio of 2:1 inches. 50% of 158 inches is 79 inches. Therefore, the applicant must mitigate for 17" of Significant Grove tree. A 2:1 ratio requires the applicant to provide 8.5 inches of mitigation tree on site. The applicant proposes planting four 2 inch deciduous trees and eight 6 foot tall conifers in a separate tract between lots ten and 11.

The proposal also includes the removal of fourteen community trees. No mitigation is required for the removal of the community trees.

60.65 Utility Undergrounding

To meet the requirements of Section 60.65, staff recommends a standard condition of approval requiring that utility lines are placed underground.

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 ditches, 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's narrative states that a maintenance agreement will be in place for lots 3 and 4 to ensure adequate maintenance of the private drive and other facilities located within Tract A. All LIDA swales and sidewalks outside of the right of way will be located in a Public Utility Easement. The proposal, as represented does not present any barriers,

constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

Therefore, the Committee finds that the proposal meets the criterion.

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

The on-site circulation systems connect to the surrounding systems in a safe and efficient manner. As part of the Site Development Permit review process, the sidewalks and crosswalk ramps will be evaluated for compliance with ADA (Americans with Disabilities Act) access requirements. As noted elsewhere in this Facilities Review report, the proposal can meet the applicable requirements by constructing the development as proposed, and by meeting the applicable conditions of approval.

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 on-site circulation systems connect to the surrounding systems in a safe and efficient manner. As part of the Site Development Permit review process, the sidewalks and crosswalk ramps will be evaluated for compliance with ADA (Americans with Disabilities Act) access requirements. As noted elsewhere in this Facilities Review report, the proposal can meet the applicable requirements by constructing the development as proposed, and by meeting the applicable conditions of approval.

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

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.

Preliminary comments and conditions of approval have been received from Tualatin Valley Fire and Rescue District (TVF&R). As the proposed designs includes a stub of SW Baker Street, no proper turnaround for fire apparatus is provided. Dead end roads longer than 150 feet with no turnarounds without a turnaround will require residential fire sprinklers for all lots that cannot be reached by the fire apparatus. The committee recommends a condition of approval requiring lots 1 through 5 to be serviced by residential fire sprinklers.

Specific details regarding 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.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the 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 hazardous conditions due to inadequate, substandard or ill-designed development.***

The applicant states that all proposed facilities have been designed in accordance with city codes. The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the 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 states that all grading and contouring has been designed in accordance with City codes and closely matches the contours of neighboring properties. Grading design will also direct storm drainage to LIDA swales in the landscape planters.

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

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

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

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

The applicant submitted the applications on August 24, 2015 and the application was deemed complete on February 19, 2016. 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.

Therefore, the Committee finds the proposal meets the criterion for approval.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
R4 Residential Urban Standard Density (R4) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20 (R5)			
Use- Permitted	Detached Dwellings	Detached Dwellings	Yes
Development Code Section 20.05.15 (R2)			
Minimum Lot Area	4,000 square feet	All Lots greater than 4,000 square feet	Yes
Minimum Lot Dimensions Width Depth	40' 80'	Varies Varies	Yes
Minimum Yard Setbacks Front Side Rear Garage	10' 5' 15' 20'	10' 5' 15' 20'	Yes
Maximum Building Height	35'	No Single Family Homes Elevations Provided	Yes w/COA

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.	No Design Review Proposed, Single Family Home Subdivision	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 or Low Impact Development techniques proposed.	N/A
Development Code Section 60.15 – Land Division Standards			
Land Division Standards	Standards pertaining to Land Divisions	Six Lot Subdivision	See LD Findings
Development Code Section 60.25 – Off Street Loading			
Loading Facilities	No loading facilities are required for this use.	No loading facilities are proposed	N/A
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking Parking Zone B	<u>Detached Dwellings</u> 1 space per unit	Driveway required for each unit	YES
Required Bicycle Parking	Not Required for Detached Dwellings	Not provided	N/A
Development Code Section 60.55 – Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes- with COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Proposes removing 5 significant grove trees, mitigated by a total of 12 trees planted in Tract A. Fourteen community trees are proposed to be removed. No mitigation is required for the removal of community trees.	Yes- with COA

Development Code Section 60.65

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 they are aware of the undergrounding requirements. To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy.	Yes- with COA
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**LD2015-0020
ANALYSIS AND FINDINGS FOR
PRELIMINARY SUBDIVISION**

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 40.45.15.5.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 to divide one lot into eleven lots and one tract, and no Legal Lot Determination is pending for either parcel, meeting the threshold for a Preliminary Subdivision below.

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

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.

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.***

The subject parcel is not part of any subdivision, and is not subject to any previous City approvals. The proposed application will not affect or modify any applicable current or previous land use approvals.

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

4. ***Oversized parcels (oversized lots) resulting from the Replat 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 lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.***

No oversized parcels are proposed with this development.

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 proposal does not request phasing with this development

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:***

a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,

b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed provides a standard street cross section with sidewalks.

The proposal does not utilize lot averaging.

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 Adjustment or Variance approvals for the Land Division.***

The proposal does not utilize lot averaging.

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

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

The proposal only includes lots zoned R4 Residential. No proposed lot will have more than one zoning designation.

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

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

The applicant has submitted this Preliminary Subdivision application, Tree Plan Two and two (2) Sidewalk Design Modification applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

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

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2015-0020 (Lombard 11 Lot Subdivision)**, subject to the applicable conditions identified in Attachment F.

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Grading Standards			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed.	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.	No exemptions are applicable.	N/A
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 subject site is relatively flat and grading is minimal.	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.	The subject site is relatively flat and grading is minimal.	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 subject site is relatively flat and grading is minimal.	Yes
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 subject site is relatively flat and grading is minimal.	Yes
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 subject site is relatively flat and grading is minimal.	Yes
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 does not propose to exceed these standards of pre-development slopes.	Yes
Significant Trees and Groves			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	No grading proposed within 25 feet of significant trees proposed for preservation.	N/A

**TP2015-00012
ANALYSIS AND FINDINGS FOR
TREE PLAN TWO**

Section 40.90.05 Tree Plan Applications; Purpose

Healthy trees and urban forest 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.

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 proposes to remove five (5) douglas fir trees from Significant Grove G64, which meets threshold three for a Tree Plan Two application.

- 3. Commercial, Residential, or Industrial zoning district: Removal of up to and including 75% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.*

The applicant also proposes to remove thirteen (13) community trees from the site, which is greater than 10% of the total trees on site, which meets threshold one for a Tree Plan Two application.

- 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.*

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

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

The applicant has paid the required fee for a Tree Plan Two application.

Therefore, staff find that the proposal meets this 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.***

The trees are not proposed for removal 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 this criterion for approval does not apply.

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

The applicant proposes to remove five (5) significant grove trees and thirteen (13) community trees to accommodate the extension of Baker Street, preliminary site grading, and other physical development activities to develop and serve eleven new single family homes. The applicant states that the design is the least impactful layout to the significant tree grove, noting that Tract A, reserved for tree preservation, is strategically located to preserve as many existing significant trees as possible.

Staff concur that the trees proposed to be removed are the minimum necessary to accommodate the proposed development.

Therefore, staff find that the proposal meets this 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.***

Property damage or other nuisances are not the reason the trees are being removed. Trees are being removed to facilitate development of the site.

Therefore, staff find that this 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 applicant's materials show that one significant tree, Tree 28 in the arborists report, will be removed due to the extension of Baker Street. Staff concurs that this tree is proposed for removal to facilitate development of a public facility, and that no reasonable alternative exists to preserve this tree.

Therefore, staff find that the proposal meets this 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.***

The removal of trees is not necessary to enhance the Significant Grove on-site. The trees are proposed for removal to accommodate new development where no reasonable alternative exists.

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

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.***

Significant Grove G64 is present on the subject property, as well as across the entirety of the adjacent north lot, lot 100. The significant grove trees proposed for preservation are located at the far north of the property, in Tract A, contiguous with the rest of the grove on lot 100. This area of preservation contiguous with the area of the grove to the north will ensure that the Significant Grove determination will not be reversed.

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

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 Significant Trees proposed for preservation are preserved in a cluster to minimize the effects of windthrow. Trees planted for mitigation will be planted in such a manner to promote grove stability by increasing the trees in the cluster.

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

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 applicable Development Code sections in the Development 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.***

This approval criterion is identical to Facilities Review approval criterion J. The response contained within the Facilities Review report (Attachment A, above) is hereby cited and incorporated. The applicant's plans balance accommodating the proposed use and minimizing the adverse effects on neighboring properties.

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

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

The applicant submitted the application on August 24, 2015 and was deemed complete on February 19, 2016. In the review of the materials during the application review, staff finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds that the proposal meets this 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 with a Preliminary Subdivision, and two (2) Sidewalk Design Modification applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2015-0012 (Lombard 11 Lot Subdivision)** subject to the applicable conditions identified in Attachment F.

Code Conformance Analysis
Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
60.60.15 Pruning, Removal, and Preservation Standards			
60.60.15.1A-B	Pruning Standards	The applicant does not proposal pruning.	N/A
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed tree removal complies with this section (see findings below).	YES w/COA
60.60.15.2.B	Removal of Landscape Trees and Significant Trees shall be required as set forth in 60.60.25	The proposed significant tree removal complies with this section (see findings below).	YES
60.60.15.2.C.1	Standards for SNRA & Significant Groves – Minimum Preservation	Minimum 25% of significant grove on site must be preserved; applicant is proposing to preserve 39% of significant grove on site.	YES
60.60.15.2.C.2	Standards for SNRA & Significant Groves – Cohesive Areas	Preserved significant grove located in single preservation tract adjacent to grove to the north.	YES
60.60.15.2.C.3	Standards for SNRA & Significant Groves – Native Understory	Native understory in the preservation tract shall be preserved'	YES w/COA
60.60.15.2.C.4-5	Standards for SNRA & Significant Groves – Preservation with DR Proposal	No Design Review Proposed	N/A
60.60.15.2.C.6	Standards for SNRA & Significant Groves – Preservation with LD Proposal	Applicant proposes preservation tract with Land Division for Tree Preservation	YES w/COA
60.60.15.2.C.7	Standards for SNRA & Significant Groves – Native vs. Non-Native	Applicant has designed project to prioritize native significant trees where possible preserve native trees	YES
60.60.15.2.C.8	Standards for SNRA & Significant Groves	Maintenance agreement or HOA CC&R's will be reviewed by Planning Department & City Attorney.	YES w/COA

60.60.20 Tree Protection Standards During Development			
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 will be required to meet Tree Protection Standards during construction.	YES w/ COA
60.60.25 Mitigation Requirements			
60.60.25.1.A-F	Standards for removal of Significant Trees	Staff recommends a condition of approval that the applicant adhere to Section 60.60.20 unless modified in agreement with the City Arborist.	YES w/ COA
60.60.25.2	Mitigation Standards for removal of Significant Trees.	The proposal includes removal of more than 50 percent of the DBH of Trees within Significant Grove No. 64. Therefore, mitigation is required. The applicant has proposed mitigation.	YES w/ COA
60.60.25.3	Additional standards for removal of trees within Significant Grove.	The proposal includes removal of coniferous trees. The planting plan includes coniferous trees that count towards mitigation of the trees proposed for removal. A condition of approval has been provided addressing the requirements of Section 60.60.25.3.B	YES w/ COA
60.60.25.4	2:1 On-Site Mitigation for Significant Groves	17" DBH above 50% removed. Therefore, 8.5" mitigation minimum required. Eight (8) 6 (six) foot tall coniferous trees and four (4) two (2) inch deciduous trees proposed.	N/A
60.60.25.9	Landscape Tree Mitigation	No landscape trees are located on-site	N/A
60.67 Significant Natural Resources			
60.67.05.1	Development activities in locations of possible significant natural resources and/or wetlands are subject to relevant procedures identified in Chapter 50.	No significant natural resources exist on site.	N/A

60.67.05.2	For sites identified in the Local Wetland Inventory notice of the proposed development shall be provided to DSL.	No significant natural resources exist on site.	N/A
60.67.10	Development activities in locations of Significant Riparian Corridors are subject to relevant procedures identified in Chapter 50.	No significant natural resources exist on site.	N/A

**SDM2016-0001
ANALYSIS AND FINDINGS FOR
SIDEWALK DESIGN MODIFICATION – SW LOMBARD AVENUE**

Section 40.58.05. Sidewalk Design Modification Application; Purpose

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Section 40.58.15.1.C. Approval Criteria

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

1. ***The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.***

Section 40.58.15.1.A.1 Threshold: *An application for Sidewalk Design Modification shall be required when the following threshold applies:*

1. The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.

The applicant requests to build sidewalks to City standards along Lombard, with the exception of two transitions to existing sidewalks, one at the north end of the development, and one at the south end of the development. The applicant proposes a gradual 'S' shape transition at the south end of the development, and a temporary 90 degree transition at the north end of the property.

Therefore, staff find 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 City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

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

3. **One or more of the following criteria are satisfied:**
- a. **That there exist local topographic conditions, which would result in any of the following:**
 - i. **A sidewalk that is located above or below the top surface of a finished curb.**
 - ii. **A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.**
 - b. **That there exist local physical conditions such as:**
 - i. **An existing structure prevents the construction of a standard sidewalk.**
 - ii. **An existing utility device prevents the construction of a standard sidewalk.**
 - iii. **Rock outcroppings prevent the construction of a standard sidewalk without blasting.**
 - c. **That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.**
 - d. **That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.**

The applicant states that there are existing sidewalks to the north and south, fronting on properties that the applicant does not control, which do not meet city standards. Transitions are required for the sidewalk on the subject property to match the sidewalks to the north and south.

The property to the south contains a multifamily development built to a density level consistent with the zone. As such, redevelopment of the property, and an opportunity for the sidewalk to be reconstructed to city standards, is unlikely to occur. Therefore staff finds that a gradual "S" curve transition at the south end of the subject property is appropriate to ensure safe pedestrian travel.

The property to the north is an approximately two acre site with one single family home. Future redevelopment of the site is likely, providing the opportunity for the sidewalk fronting on this property to be built to city standards. As such, a gradual 'S' curve is inappropriate, as it would encourage the sidewalk to the north to remain curb tight. Staff finds that a temporary 90 degree transition at the north end of the site is the appropriate method to ensure safe pedestrian travel while not inhibiting sidewalks to the north from being rebuilt to city standards.

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

4. *The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.*

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated in the narrative provided to this Section (Chap. 60). Staff refers to the Facilities Review findings for approval criterion C in reference to compliance with 60.55. The applicant must show compliance with the Conditions of Approval prior to issuance of a Site Development Permit for the proposed transportation facilities.

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

5. *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 Sidewalk Design Modification application and the associated Preliminary Subdivision, Tree Plan Two, and a second Sidewalk Design Modification application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

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

6. *The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.*

Staff cites the finding prepared herein in response to Criteria E and F of Facilities Review approval as adequate for supportive findings in response to Criterion No. 6 of SDM approval.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2016-0001 (Lombard 11 Lot Subdivision)** subject to the applicable conditions identified in Attachment F.

SDM2016-0002
ANALYSIS AND FINDINGS FOR
SIDEWALK DESIGN MODIFICATION – SW BAKER

Section 40.58.05. Sidewalk Design Modification Application; Purpose

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Section 40.58.15.1.C. Approval Criteria

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

1. ***The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.***

Section 40.58.15.1.A.1 Threshold: *An application for Sidewalk Design Modification shall be required when the following threshold applies:*

2. The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.

The applicant requests to build six foot wide curb tight sidewalks on the north/east side of SW Baker. Additionally, the applicant requests to build five foot wide sidewalks with an eight foot wide planter strip and LIDA swale to address stormwater quality treatment on the south/west side of SW Baker with no landscape strips. Finally, the applicant requests locating all sidewalks and LIDA swales in a public access easement as opposed to right-of-way.

Therefore, staff find 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 City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

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

3. **One or more of the following criteria are satisfied:**
- a. **That there exist local topographic conditions, which would result in any of the following:**
 - i. **A sidewalk that is located above or below the top surface of a finished curb.**
 - ii. **A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.**
 - b. **That there exist local physical conditions such as:**
 - i. **An existing structure prevents the construction of a standard sidewalk.**
 - ii. **An existing utility device prevents the construction of a standard sidewalk.**
 - iii. **Rock outcroppings prevent the construction of a standard sidewalk without blasting.**
 - c. **That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.**
 - d. **That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.**

South/West side of SW Baker

The applicant proposes to expand the required seven foot wide planter strip to eight feet, and repurpose the planter strip to function as a LIDA stormwater swale. Staff finds that this proposal goes above and beyond the requirements set forth by city standards.

North/East side of SW Baker

The applicant proposes six foot wide curb tight sidewalks in an effort to avoid further impacts to Grove G64, which covers the northern portion of the stie. The curb tight sidewalks will allow the sidewalk to be located further south, creating a large area for Significant Grove preservation as well as mitigation plantings in Tract A.

Therefore the proposal meets the criterion for approval.

4. **The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.**

The applicant states that the proposal complies with provisions of Section 60.55.25 as demonstrated in the narrative provided to this Section (Chap. 60). Staff refers to the Facilities Review findings for approval criterion C in reference to compliance with 60.55.

The applicant must show compliance with the Conditions of Approval prior to issuance of a Site Development Permit for the proposed transportation facilities.

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

5. ***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 Sidewalk Design Modification application and the associated Preliminary Subdivision, Tree Plan Two, and a second Sidewalk Design Modification application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

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

6. ***The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.***

Staff cites the finding prepared herein in response to Criteria E and F of Facilities Review approval as adequate for supportive findings in response to Criterion No. 6 of SDM approval.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2016-0002 (Lombard 11 Lot Subdivision)** subject to the applicable conditions identified in Attachment F.

CONDITIONS OF APPROVAL**A. Prior to 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./JJD)
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./JJD)
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./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, facility landscape planting, and common driveway construction 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./JJD)
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./JJD)
6. 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./JJD)
7. 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./JJD)
8. 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 Oregon DEQ and Clean Water Services. (Site Development Div./JJD)
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./JJD)

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./JJD)
11. Submit a design for the grading surrounding, adjacent, and within the storm water quality facilities designed by a civil engineer or structural engineer for the expected hydrological conditions of the rain gardens/planters. Some minor changes to the grading may be needed in order to provide an adequate containment of the rain gardens/planters. 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./JJD)
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. A minimum finish floor elevation shall be established for the future homes based on service provision needs and whichever of the following three is highest in elevation: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the LIDA planters; and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. It must also be shown that existing neighboring homes will not have any potential adverse drainage impact from the proposed site grading changes, utility construction, and LIDA planter overflow condition. (Site Development Div./JJD)
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. (Site Development Div./JJD)
14. Pay storm water system development charges (overall system conveyance and winter detention) for the new impervious area proposed for the common driveway. (Site Development Div./JJD) (Site Development Div./JJD)
15. Provide plans for the placement of underground utility lines within the site to the existing homes, and for services to the proposed new home sites. No overhead services shall remain to any lot. 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./JJD)
16. Provide plans for LED street lights along the site's public street frontages and the common driveway (Illumination levels to be evaluated per City Design Manual, Option

- C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./JJD)
17. 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./JJD)
 18. Submit plans that show dedication of sufficient right-of-way to provide 31 feet from the centerline of SW Lombard Ave. along the property's entire frontage. (Transportation/KR)
 19. Submit plans that show the construction of a 6-foot wide sidewalk, located behind a planter strip that is at least 7.5 feet wide along the west side of SW Lombard, except as approved through the City's Sidewalk Design Modification application process. (Transportation/KR)
 20. Submit plans that show dedication of 30 feet of right-of-way for the extension of SW Baker, as approved by the City Engineer through the Engineering Design Modification process. (Transportation/KR)
 21. Submit plans that show the construction of a 6-foot wide curb-tight sidewalk along the north (and east) side of the extension of SW Baker, approved through the City's Sidewalk Design Modification application process. (Transportation/KR)
 22. Submit plans that show the construction of a 5-foot wide sidewalk behind a LIDA swale that is at least 7 feet wide along the south (and west) side of the extension of SW Baker, approved through the City's Sidewalk Design Modification application process. (Transportation/KR)
 23. Submit plans that the private driveway to be constructed as a minimum 20 foot wide paved surface, with 4 feet differentiated, either by material or other method to indicate the pedestrian walkway. (Transportation/KR)
 24. Submit plans that demonstrate that 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 or facility. 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). Any lots that do not meet this standard shall be serviced by residential fire sprinklers. (TVF&R/JF)
 25. Submit plans that demonstrate that 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 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) (TVF&R/JF)
 26. Submit plans that demonstrate Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. Diagrams of approved turnarounds are shown below: (OFC 503.2.5 & D103.1) Any lots that do not meet this standard shall be serviced by residential fire sprinklers. (TVF&R/JF)
 27. The minimum available fire flow for one and two-family dwellings 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 OFC Appendix B. (OFC B105.2) (TVF&R/JF)

28. Submit plans showing tree fencing for all on-site trees to be preserved, and all off-site trees on or near the property line of the subject site. (Planning Division/SR)
29. Provide fencing 30 to 36 inches in height to screen headlight glare at the northern terminus of SW Baker. (Planning Division/SR)
30. The applicant shall 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 of orange tree fencing, erosion control fabric and wattle bags at a minimum distance of ten (10) feet around all trees that are part of the significant grove and are not proposed to be removed specifically identified as 31, 32, and 33 on the approved tree plan on file at city hall. (Planning Division/SR)
31. Ensure that all associated applications have been approved and are consistent with the submitted plans. (Planning Division/SR)

B. Prior to Building Permit Issuance, the applicant shall:

30. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
31. Have recorded the final plat with the County Surveyor and submitted a copy to the City. (Site Development Div./JJD)
32. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
33. Submit plans that reflect the minimum finish floor elevations determined and shown on the approved site development plans based on service provision needs and whichever of the following three is highest in elevation: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the LIDA planters; and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. (Site Development Div./JJD)
34. 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./JJD)
35. 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./JJD)

C. Prior to Approval of the Final Plat, the applicant shall:

36. 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./JJD)

37. 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./JJD)
38. 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./JJD)
39. The applicant shall submit a fee of \$200 for each street tree that the City Arborist and City Engineer require to be planted along the property's frontage(s). (Transportation/KR)
40. Prior to the approval of the Final Land Division (Final Plat), the applicant shall dedicate sufficient right-of-way along SW Lombard Ave. to provide at least 31 feet from centerline. (Transportation/KR)
41. Prior to the approval of the Final Land Division (Final Plat), the applicant shall dedicate at least 30 feet of right-of-way along the extension of SW Baker, as approved by the City Engineer. (Transportation/KR)
42. Prior to the approval of the Final Land Division (Final Plat), the applicant shall submit plans that show the extension of SW Baker labeled as either SW Baker Loop or SW Baker Circle in order to comply with the City's Street Naming Guidelines. (Transportation/KR)
43. Submit a maintenance agreement or homeowners association CC&R's to be recorded with the final plat, stating that the tree conservation tract is to be maintained in perpetuity. The maintenance agreement or homeowner's association document is to be reviewed by the City Attorney prior to recording with the final plat. Under the maintenance agreement option, applicant is to assign tract ownership to abutting lot owner(s). (Planning/SR)
44. Submit either a common maintenance agreement for the common driveway maintenance, easements and tracts or a homeowner's association CC&R language to be recorded with the final plat with the Washington County Recorder's Office, stating the ownership and clarifying the permitted uses and maintenance responsibilities of tract A and all easements. (Planning/SR)

D. Prior to Final Inspection of any building permit, the applicant shall:

34. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the new house frontage and any the existing house frontage. (Site Development Div./JJD)

35. 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./JJD)
36. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (Planning Div./SR)
37. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning Div./SR)

E. Prior to release of Performance Security, the applicant shall:

38. 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./JJD)
39. Submit, if needed, 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./JJD)
40. 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 areas, 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./JJD)



**Public Works
Engineering and Site Development**

June 1, 2016

Greg Thiel, PE
NW Engineers, LLC
3904 NW John Olsen Place
Hillsboro, OR 97124

SUBJECT: Engineering Design Modification Request for the 11 Lot Subdivision, 6705 SW Lombard Avenue (west side of Lombard Ave. across from Baker Street)

Dear Mr. Thiel:

Your application and request for Engineering Design Modifications (EDM) has been reviewed. The modification request includes:

1. Modification of the EDM for horizontal alignment of the curve on the extension of Baker Street

Your request was reviewed per EDM section 145 Design Modifications. While the request was for a reduced design speed, the design speed for this class of roadway is 25 mph. Therefore the modification is for a substandard horizontal alignment of the curve on Baker Street. In this case a 50 ft. curve radius vs. the standard 185 ft. radius. The reduced radius equates to a 15 mph curve. The request appears to meet the conditions of EDM Section 145.1.5 and in this case meeting the 25 mph design speed is not practical. The substandard curve radius, with mitigation, is not expected to be a safety issue for drivers.

The request is approved with conditions. As a condition of approval, to mitigate for the substandard curve radius, the curve shall be signed as a 90 degree curve and have the appropriate speed rider. Signage details will be worked out during the design and review phase of the project.

If you have questions or would like to discuss the response, I am available at 503-350-3656.

Sincerely,



Floyd Harrington, PE

City Engineer

Public Works

fharrington@beavertonoregon.gov

C: Mark Dane, Mark Dane Planning Inc.
Matt Clemens, NW Engineers, LLC, Senior Engineer
Jabra Khasho, City of Beaverton, Traffic Engineer
Wendy Prather, City of Beaverton, Site Development Lead Project Engineer
Steve Regner, City of Beaverton, Associate Planner

Enclosures (1) – Request for Design Modification

Requests for a Modification of the Engineering Design Manual and Standard Drawings

General Instructions

All requests for modifications of the Engineering Design Manual and Standard Drawings shall be made to the City's Public Works Department, to the attention of the City Engineer, in accordance with Section 145 of the Engineering Design Manual (the "Manual")

This form is to be used for the following types of requests:

- Requests for approval of proposed deviations from the Manual (including the Standard Drawings.)
- Requests for a change of the Manual's text. (Some changes may require City Council approval.)
- Requests for a change of a Standard Drawing (Some changes may require City Council approval.)

Unless specified otherwise, to request deviations from or changes to the Manual or you must submit a hard copy of your proposed changes with this completed form and to:

City Engineer
City of Beaverton
PO Box 4755
Beaverton OR 97076

You may also fax your request(s) for deviations or changes to the attention of the City Engineer at (503) 350-4052.

Also, you are requested to submit an electronic copy of your proposed deviations/changes to the City Engineer at publicworks@ci.beaverton.or.us as well.

Required Information

Please fill in the blanks below and submit this completed form with the attachments listed below:

Name: Greg Thiel, P.E. Date: 12/12/2015
Agency/Firm: NW Engineers Telephone Number: 503-601-4401
Project Name: Lombard 10-Lot Subdivision
Project Location: (Please give address, or
if no address is available, Tax Lot No. of
site property) 6705 SW Lombard Avenue
Please briefly describe your changes here: Request for a design speed of 15mph.

Has this project been assigned a City Planner? Yes No
If yes, who? Steve Regner

Attachments:

- Location Map for Project
- Detailed descriptions(s) of requested Design Modifications (including applicable City Standards within project) by reference, name and address of project and location within project
- Reason(s) for requested modification(s)
- For each desired deviation or modification, the site conditions that apply to each applicable criteria in Design Manual subsection 145.1.5
- A comparison between the City's standard and the desired deviation or modification regarding form, function, operation and maintenance
- Plan and profile drawings with dimensions showing the proposed deviation(s), and/or proposed revision(s) of Standard Drawing(s), as applicable
- Reference(s) to pertinent nationally recognized specifications or standards, if any, that support your request
- Other: _____

DETAILED INSTRUCTIONS

Form No. COB-ENG-01



NW Engineers, LLC
3904 NW John Olsen Place
Hillsboro, OR 97124
Phone (503) 601-4401
Fax (503) 601-4402
Email gregt@nw-eng.com
Website www.nw-eng.com

December 15, 2015

City Engineer
City of Beaverton
PO Box 4755
Beaverton, Oregon 97076

RE: Lombard 10-Lot Subdivision, 6705 SW Lombard Avenue

REQUEST FOR DESIGN EXCEPTION- Design speed less than 25 mph.

The following is a request for a special exception as per Design Manual Subsection 145.1.5.

A request is being made to modify the provisions of Section 210.5 of the City's Engineering Design Manual. We would like to propose a design speed of 15 mph on a local street.

Reason:

As the availability of large tracts of developable land is becoming scarce, more and more challenging infill projects are becoming a necessity. In an attempt to make the best use of the available land in this development we have a layout that meets most of the design provisions of the City, however we have one 90 degree curve that necessitates a design speed of less than 25mph.

Comparison:

The current City standard is for a 25 mph design speed on all local streets and neighborhood roads. We would like to lower the design speed on our interior street to 15 mph due to a tight corner inside the subdivision.

Documentation:

We believe that the City can support this revision for the following reasons:

1. The street in question is less than 300 feet in length. The corner that necessitates the 15 mph speed (curve #1) is less than 150 feet from the entrance to the subdivision. Most reasonable drivers will not be going much more than 15mph even if a higher speed is posted.

- 2. The configuration which makes this corner necessary is the best configuration for this site. It both maximizes the use of the available land for development and will work well for the property to the north of our site when the time comes that they will wish to develop their property.

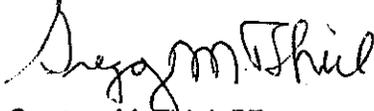
Public Safety:

Public safety will not be compromised by approving this revision because this is a neighborhood road with low driving speeds. While the corner in question will not be stop controlled, most reasonable drivers will naturally slow to 15mph or less to navigate it. We will only be improving safety by lowering the design speed and posted speed limit.

Performance:

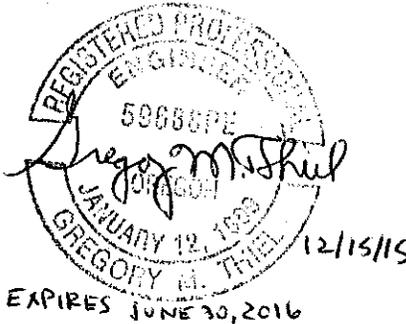
The design revision will meet the intent of the road standards while allowing the project to move forward.

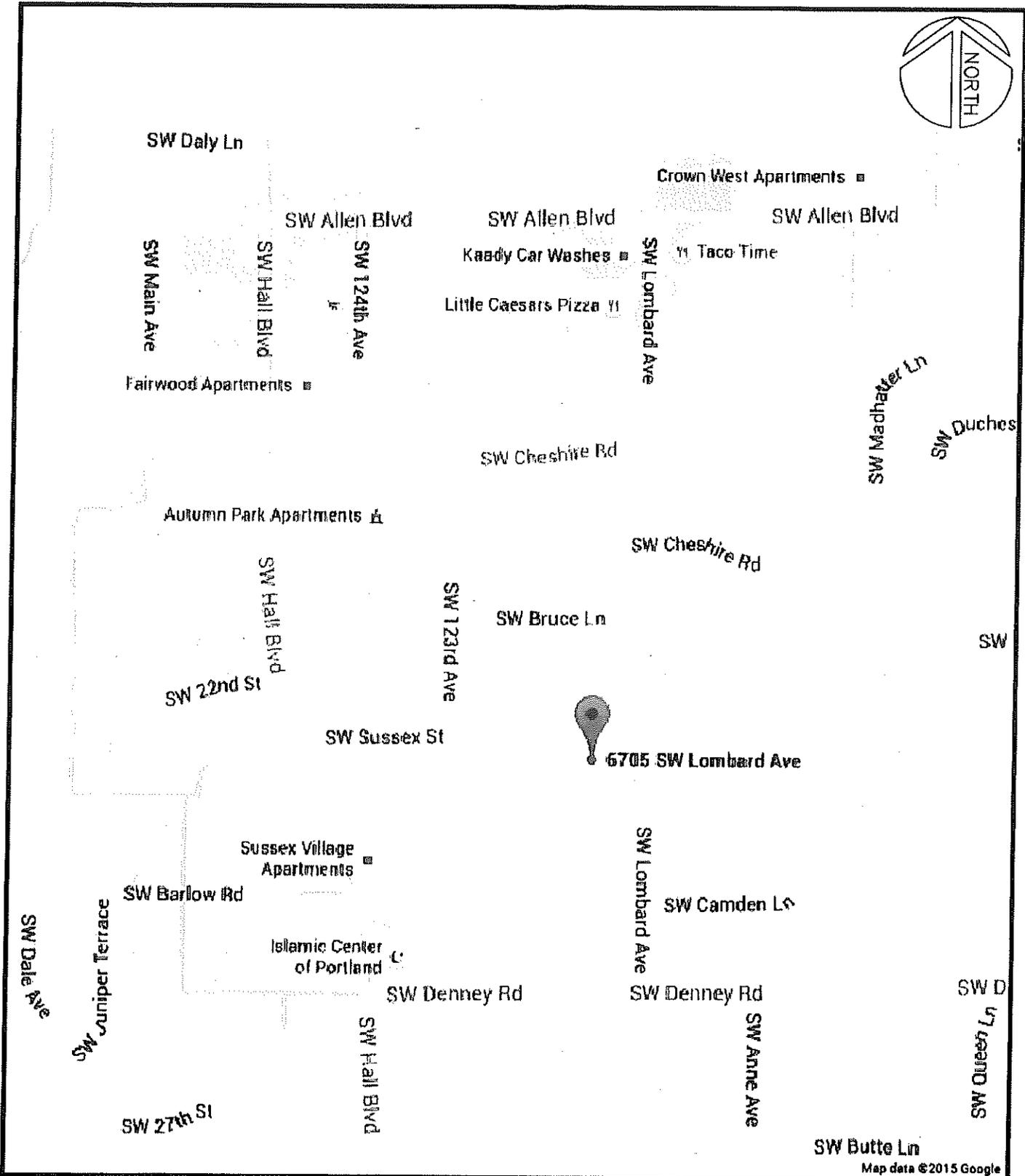
Sincerely,



Gregory M. Thiel, PE
Principal
NW Engineers, LLC

Encl.





Map data ©2015 Google

PREPARED FOR
PTR HOMES
P.O. BOX 25058
PORTLAND, OREGON 97298
503-380-5010

NW ENGINEERS
Engineering & Planning
3408 NW John Olsen Place
Hillsboro, OR 97124
503.603.4401 503.603.4402 - fax

DRAWING TITLE:
LOCATION MAP

JOB NO.:
N0376
DRAWING NO.:
1 of 1

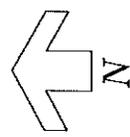
PROPOSED IMPROVEMENTS

- Some Symbols shown may not be used on map
- ⊙ PROPOSED TREE
 - ⊙ EXISTING TREE
 - ⊙ CATCH BASIN
 - ⊙ SANITARY SEWER CLEANOUT
 - ⊙ STORM SEWER MANHOLE
 - ⊙ SANITARY SEWER MANHOLE
 - ⊙ WATER VALVE
 - ⊙ WATER METER
 - ⊙ FIRE HYDRANT
 - ⊙ BOLLARD
 - ⊙ GAS VALVE
 - ⊙ GAS METER
 - ⊙ SIGN
 - ⊙ MAILBOX
 - ⊙ LIGHT POLE
 - ⊙ LIGHT POLE
 - ⊙ LIGHT POLE
 - ⊙ ELECTRIC METER
 - ⊙ UTILITY AND LIGHT POLE
 - ⊙ CITY MISC
 - ⊙ TRAFFIC SIGNAL POLE
 - ⊙ ELECTRICAL POWER PEDestal
 - ⊙ COMMUNICATIONS PEDestal
 - ⊙ COMMUNICATIONS MANHOLE
 - ⊙ OVERHEAD LINE
 - ⊙ FIRE LINE
 - ⊙ ELECTRICAL LINE
 - ⊙ COMMUNICATIONS LINE
 - ⊙ SANITARY SEWER LINE
 - ⊙ STORM SEWER LINE
 - ⊙ WATER LINE
 - ⊙ FENCELINE
 - ⊙ ELECTRIC RAMP
 - ⊙ UTILITY PIER
 - ⊙ ELECTRIC METER

APPLICANT
 PTR HOMES
 ATT: TOM SPITZNEGAL
 503-724-1332 OR 97015
 doctordofcortis@gmail.com

SURVEYOR
 JAY WILKINS & ASSOCIATES
 729 MCALPIN AVENUE
 OREGON CITY, OREGON 97045
 PHONE 503-650-0188

PLANNER
 MARK DANE PLANNING INC
 12725 SW GLENHAVEN STREET
 PORTLAND OR 97225
 mrdaneplanning@gmail.com



TAX LOT
 10600

①	Δ = 10531'10"
	R = 50.00'
	T = 65.78'
	L = 82.08'
②	Δ = 15000'08"
	R = 185.00'
	T = 25.18'
	L = 50.00'

