



STAFF REPORT

HEARING DATE: June 22, 2016

REPORT DATE: June 15, 2016

TO: Planning Commission

STAFF: Jana Fox, Associate Planner

PROPOSAL: **CU2016-0003 City Hall Reallocation of Floor Space**

LOCATION: 12725 SW Millikan Way
Tax Lot 8700 on Washington County Tax Assessor's Map
1S116AA

SUMMARY: The applicant, City of Beaverton, has submitted a Major Modification of a Conditional Use application to allocate an additional 21,533 square feet of Public Buildings, Services and Uses. The additional floor area is to accommodate additional staffing and space needs for City Hall. Public Buildings, Services and Uses are a Conditional Use in the RC-TO zoning district. A Conditional Use was approved in 2013 (CU2013-0006) for the existing City Hall function in the same building, this request is a modification to that Conditional Use Permit.

PROPERTY OWNER: City of Beaverton
12725 SW Millikan Way
Beaverton, OR 97005

APPLICANT: UrbanLens Planning LLC
Robin Scholetzky
2744 SW 34th Avenue
Portland, OR 97202

DECISION CRITERIA: Section 40.03 *Facilities Review* and Section 40.15.15.2.C *Major Modification of a Conditional Use*.

RECOMMENDATION: **Approval of CU2016-0003 – City Hall Reallocation of Floor Space**, subject to conditions identified at the end of this report.

Key Application Dates

Application	Submittal Date	Submittal Complete	Final Written Decision Date	240-Day*
CU2016-0003	April 20, 2016	May 2, 2016	August 29, 2016	December 28, 2016

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

Existing Conditions Table

Zoning	Regional Center-Transit Oriented (RC-TO)	
Current Development	No development is proposed with this application. An existing 5 story office building is existing, 3 floor are currently dedicated to City Hall.	
Site Size	Approximately 0.67 Acres	
NAC	Central Beaverton	
Surrounding Uses	<u>Zoning:</u> North: <i>RC-TO</i> South: <i>RC-TO</i> East: <i>RC-TO</i> West: <i>RC-TO</i>	<u>Uses:</u> North: Mixed Use (Residential over Retail/Service/Eating and Drinking) South: Retail, service, vacant East: Parking Garage West: Retail, service, vacant

**DESCRIPTION OF APPLICATION AND
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<u>Attachment B:</u> Conditional Use	CU1-CU3
<u>Attachment C:</u> Conditions of Approval	COA1

EXHIBITS

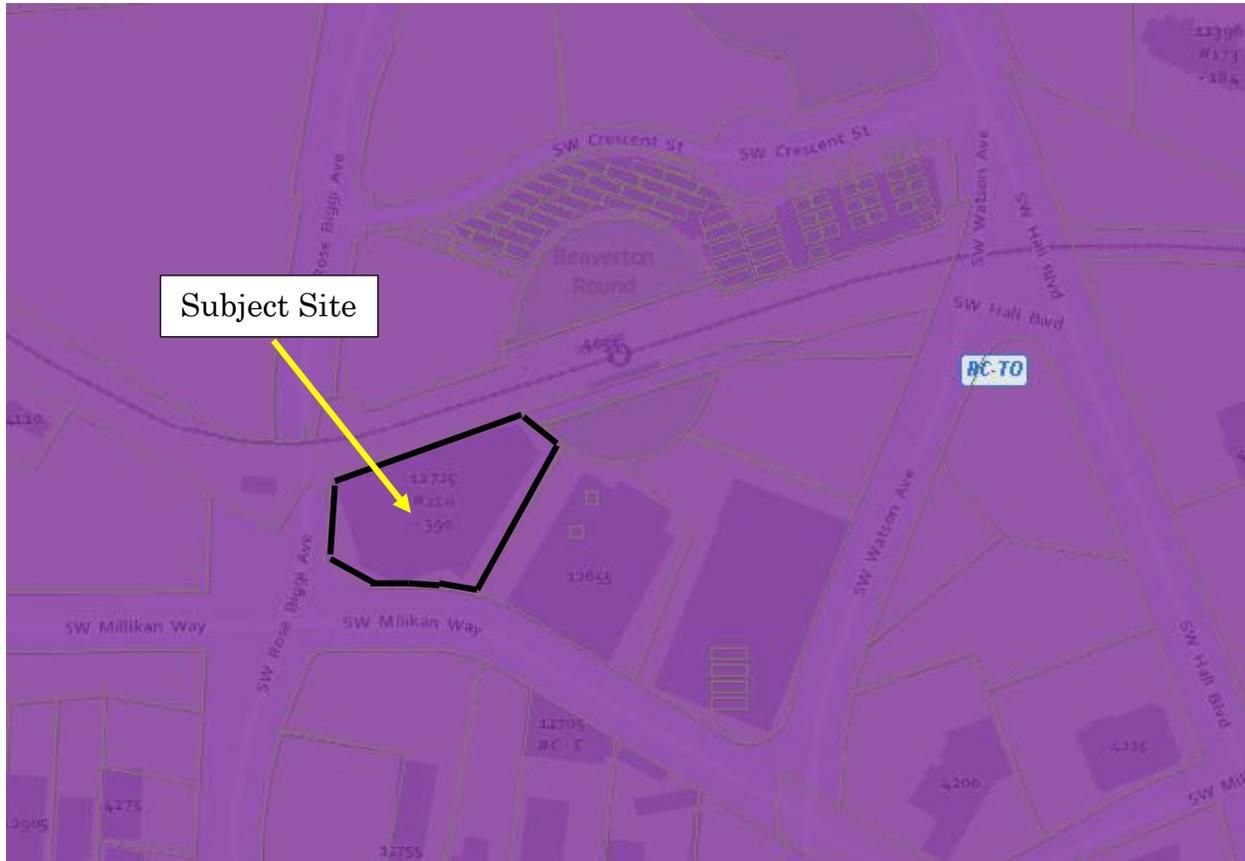
Exhibit 1.

1.1	Zoning Map	SR-4
1.2	Aerial Photo	SR-5

Exhibit 2. Materials Submitted by Applicant

Exhibit 3. Public Comment Received

Zoning Map



City Hall Reallocation of Floor Space CU2016-0003

Aerial Map



**City Hall Reallocation of Floor Space
CU2016-0003**

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
City Hall Reallocation of Floor Space
(CU2016-0003)**

Section 40.03.1 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 are reviewed for all criteria that are applicable to the submitted application as identified below:

- **All twelve (12) criteria are applicable to the submitted Conditional Use (CU2016-0003) application.**
- 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.***

Chapter 90 of the Development Code defines "critical facilities" as services that include public water, public sanitary sewer, storm water drainage, treatment and detention, transportation and fire protection. In this case, no physical changes to the property are proposed.

In response to Criterion A, the applicant explains how City Hall will be a tenant of an existing building that was subject to earlier land use approval and building permits. Staff concurs with the applicant's statement. Additionally, staff notes that the applicant's proposal has been reviewed by the City Engineer. No concerns were identified with respect to the adequacy of water, sanitary sewer or other facilities necessary to serve the proposed use.

Staff also notes that the scope of this proposal is limited to a change of use associated with a building that has been designed for general office purposes. The change from general office use to public building for the second floor of the building will not affect the provision of critical facilities which already serve the subject site. No exterior building or site modifications are proposed.

The applicant has provided a memoranda from Jabra Khasho, City Transportation Engineer which shows an additional daily trip generation of 165 trips for the

proposed change of use. As the additional trips generated are less than 200 per day a Traffic Impact Analysis is not required for the proposal. The expected trips can be accommodated by the existing transportation system and have already been planned for with the growth assumptions incorporated into the City's long-range Transportation System Plan (TSP).

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

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way. In response to Criterion B, the applicant states that all essential facilities and services to the property are already available, as City Hall will be a tenant of the existing building and will use parking within an existing parking structure. The proposed change from a general office use to government services will not affect the provisions of essential services.

The Committee has reviewed the proposal and has found that the essential facilities and services to serve the site are adequate to accommodate the proposal as conditioned.

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

- 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).***

Staff cites the Code Conformance Analysis chart at the end of the Facilities Review Report, which evaluates the project as it relates to applicable code requirements of Chapter 20 for the Regional Center-Transit Oriented (RC-TO) zone, as applicable to the aforementioned criterion.

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

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, as applicable to the above mentioned criteria. Staff will provide findings for the applicable Design Review Standards (Code Section 60.05) within the Design Review section of the staff report.

As previously stated, the scope of this proposal is limited to a change of use associated with an existing building that has been designed for general office purposes. As previously stated, no exterior building or site modifications are proposed. Therefore, most standards as contained in Chapter 60 are not applicable to this proposal. In review of Chapter 60, staff found only one reference to the proposed use. This reference is found in Section 60.30.10.5.A (Off-Street Parking) which identifies a separate parking ratio standard for *Public Buildings and Structures*.

In response to the parking standard, the applicant correctly identifies the parking ratios for *Public Buildings and Structures* at 2.7 spaces per 1,000 square feet of gross floor area (minimum) and 3.4 spaces per 1,000 square feet of gross floor area (maximum). These ratios are the same for *Office, Administrative Facilities* under 60.30.10.5.A. As parking requirements are based on the gross square footage of the building and the minimum and maximum ratios, and as there will be no change to the size of the building, and as the ratios are the same, therefore, there is no change to the parking requirement for the building because of this proposal.

When City Hall moved to the current location, staff analyzed the available parking supply and the expected demand and found that the allocated spaces within the Parking Garage were sufficient to meet both the Development Code requirements and the expected demand. Staff has reviewed the utilization of the parking garage (tube counters have been in place since October 2015) and found that the garage continue to have adequate surplus parking.

The proposed expansion of City workspace into an area of existing office space is not expected to result in any increase in trips or an increase in the total number of employees working in the building because the expected increase in City employees is more than offset by the removal of potential employees in the area of the second floor that is the subject of this proposal.

Based on the evidence provided, staff conclude that the parking supply available at the Round is adequate for the proposed use and that no additional parking is required. Therefore, in response to Criterion D above, staff finds the proposal consistent with the applicable provisions of Chapter 60.

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

- 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.***

In response to Criterion E, the applicant explains how the City is obligated to provide continued maintenance and repair of the Beaverton Building to protect the health and safety of all users. In review of the proposal, the Committee finds that the proposal 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 the proposal meets the criterion for approval.

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

In response to Criterion F, the applicant notes that the subject building is part of a larger Planned Unit Development, in which vehicular and pedestrian circulation patterns were approved in earlier land use applications. Staff concurs and will add that no modifications are proposed to the street system where currently constructed or planned for construction.

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

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

In response to Criterion G, the applicant notes that the subject building is part of a larger Planned Unit Development, in which vehicular and pedestrian circulation patterns were approved in earlier land use applications. Staff concurs and will add that no modifications are proposed to the street system where currently constructed or planned for construction.

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

- 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.***

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). Tualatin Valley Fire & Rescue reviewed the proposal and has no comments or conditions of approval. The proposal will need to show compliance to the City's Building Code Standards prior to issuance of any building permits, which includes compliance with TVF&R standards. No physical development or changes are proposed with this application.

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

- 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.***

No modifications to existing structures or public facilities are proposed. Any tenant improvements will require building permits which are sufficient to protect from hazardous conditions.

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

- 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.***

No grading or contouring of the development is proposed as the proposal does not include any physical changes to the site or building.

Therefore, staff finds that the criterion is not applicable.

- 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 does not proposed physical changes are part of this proposal. The current building was designed to incorporate access and facilities for physically handicapped people. Any future modifications or tenant improvements will have to comply with applicable building codes which include ADA requirements.

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

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

The application was submitted on April 20, 2016. The application was deemed complete on May 2, 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, staff finds that the proposal meets the criterion for approval.

**Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Regional Center-Transit Oriented (RC-TO) District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.20.20 (Regional Center-Transit Oriented)			
Use- Conditional	Public Buildings, Services and Uses	City Hall	Yes, if approved
Development Code Section 20.20.15 (Regional Center-Transit Oriented)			
Minimum Lot Area	None	Not applicable, no new lots proposed	N/A
Minimum Lot Dimensions	None	Not applicable, no new lots proposed	N/A
Yard Setbacks Minimums:	None	Not applicable, no physical improvements proposed	N/A
Maximum Building Height	120 feet (without an adjustment or variance)	Not applicable, no exterior changes are proposed	N/A

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 exterior or site changes are proposed.	N/A
Development Code Section 60.25			
Off-Street Loading	Off-street loading requirements.	No loading changes are proposed.	N/A
Development Code Section 60.30			
Off-street motor vehicle parking	192 Required Parking Spaces	The City has an easement for 355 parking spaces in the parking structure.	Yes
Required Bicycle Parking Short Term Long Term	10 10	14 17	Yes
Development Code Section 60.40			
Sign Regulations	Requirements pertaining to the size and location of signs.	Signs are not proposed or approved through the Conditional Use process.	N/A
Development Code Section 60.55			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Proposed facilities are in conformance.	Yes

**ANALYSIS AND FINDINGS FOR
MAJOR MODIFICATION OF A CONDITIONAL USE APPROVAL
City Hall Reallocation of Floor Space
CU2016-0003**

Section 40.15.15.3.C. Approval Criteria:

In order to approve a New Conditional Use 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 Major Modification for a Conditional Use application.***

Development Code, Section 40.15.15.2.A, Threshold #2 states:

- 2. An increase in the gross floor area of an existing Conditional use by more than 25% or in excess of 3,000 gross square feet of floor area for all properties that are not located in a Residential zoning district and all located at a distance of more than 50 feet from a Residential zoning district.*

The applicant proposes to increase the floor area of the Beaverton Building dedicated to Public Buildings, Services and Uses by 21,533 square feet. The proposed additional square footage is equivalent to the second floor of the building. The previous conditional use approval for City Hall was approved in 2013, case number: CU2013-0006.

Therefore, staff find that the criterion is met.

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

The applicant paid the required fees for a Major Modification of a Conditional Use application.

Therefore, staff find that the criterion is met.

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

Staff cite the following comprehensive plan policy and associated findings as applicable to this criterion:

Goal 3.6.1 Regional Centers that develop in accordance with community vision and consistent with the 2040 Regional Growth Concept Map.

Policy a) Regulate new development in the Regional Center to ensure compact urban development and to maximize the public infrastructure investment in light rail.

The applicant proposes to expand the City Hall use of the subject site, which is directly adjacent to light rail and will further maximize use of light rail.

Therefore, staff find the criterion is met.

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

The applicant received conditional use approval for City Hall (Public Buildings, Services and Uses) to occupy three floors of the Beaverton Building through Conditional Use, case number CU2013-0006. CU2013-0006 required that 14 short term bike parking spaces be installed in accordance with the requirements of the Engineering Design Manual. The required bike parking has been installed and maintained. The previous approval also authorized 57,500 square feet of floor space, and any future increases require separate Conditional Use approval, for which the applicant has applied.

Staff concludes that the applicant is in compliance with previous Conditional Use approval CU2013-0006.

Therefore, staff find the criterion is met.

5. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate development of properties in the surrounding area of the subject site.*

In response to Criterion No. 5, the applicant states that the proposal is to allow existing office floor area from general office use to a civic office use. The current use of the 2nd floor of the Beaverton Building is office and therefore the change from one type of office use to another will have minimal impacts on the livability, use and development in the area. Additionally, the proposed change in use will have minimal impacts on parking and trip generation to the site. Staff find that the proposed Minor Modification of a Conditional Use is reasonably compatible with and will have minimal impact on surrounding properties.

Therefore, staff find that the criterion is met.

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

The proposal includes a modification to the square footage approved for City Hall uses, consistent with Major Modification of a Conditional Use threshold 2. The applicant does not proposed to modify previous conditions of approval, but rather add additional square footage dedicated to a Conditional Use.

Therefore, staff find that the criterion is met.

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

The applicant has submitted the required application materials for review of a Major Modification of a Conditional Use application. This review process is a required step to receive City approval for the development's proposal.

Therefore, staff find that the criterion is met.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **CU2016-0003 (City Hall Reallocation of Floor Space)** subject to the conditions of approval identified in Attachment C.

**RECOMMENDATION AND CONDITIONS OF APPROVAL
BY THE FACILITIES REVIEW COMMITTEE:**

CU2016-0003 Major Modification of a Conditional Use Application:

1. A Building Permit through the City will be required for interior modifications to the existing structure as determined by the City Building Official and as described under said permit. (BR/Building)
2. Conditional Use approval recognizes an additional 21,533 square feet of floor space of City Hall, with a permitted total of 79,033 square feet. Any additional increases in floor area will be subject to separate Conditional Use consideration, consistent with thresholds for modification as described in the City Development Code. (JF/Planning)