



MEMORANDUM

City of Beaverton

Community Development Department

To: Interested Parties

From: City of Beaverton Planning Division

Date: December 4, 2015

cc: LD2015-0014, TP2015-0009, FS2015-0008

Subject: ***Notice of Decision for Laurelwood 3-Lot Preliminary Partition***

Please find attached the notice of decision for LD2015-0014, TP2015-0009 and FS2015-0008 (***Laurelwood 3-Lot Preliminary Partition***). Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for LD2015-0014, TP2015-0009 and FS2015-0008 - Laurelwood 3-Lot Preliminary Partition 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 LD2015-0014, TP2015-0009 and FS2015-0008 (Laurelwood 3-Lot Preliminary Partition) is 4:00 p.m., Wednesday December 16, 2015.

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 4:00 p.m., Monday through Friday, except holidays. For more information about the case file, please contact Jason T., Assistant Planner, at (503) 350-4038.



NOTICE OF DECISION

DECISION DATE: Friday, December 4, 2015

TO: All Interested Parties

FROM: Jason T., Assistant Planner

PROPOSAL: **LD2015-0014, TP2015-0009 and FS2015-0008 (Laurelwood 3-Lot Preliminary Partition).**

LOCATION: The property is located at 4300 SW Laurelwood Avenue. Tax lot 10001 of Washington County's Tax Assessors tax map 1S113BA. The total site is approximately 0.82 acres in size.

SUMMARY: Preliminary Partition approval to divide a property of approximately 0.82 of an acre in size, into three individual lots of approximately 7,700, 8,500 and 12,400 square feet respectively. The applicant proposes remove eight (8) non-exempt significant trees from Significant Grove NX-15. The proposal to remove trees from the subject property requires Tree Plan Two approval. The applicant also proposes to reduce the rear setback of all three lots and the front setback of lots one and three, which requires Flexible Setback approval.

APPLICANT-PROPERTY OWNER: Summit Development Group, LLC
Attn: Sean Foushee
PO Box 1606
Lake Oswego, OR 97035

APPLICANT: Cardno
Attn: Sou Souvanny
5415 SW Westgate Dr. Suite 100
Portland, OR 97221

APPLICABLE CRITERIA: Facilities Review Section: 40.03,
Preliminary Partition Section: 40.45.15.4.C
Tree Plan Two Section: 40.90.15.2.C
Flexible Setback for a Proposed Residential Land Division
Section: 40.30.15.30.C

RECOMMENDATIONS:

APPROVAL of LD2015-0014 (Laurelwood 3-Lot Preliminary Partition) subject to Conditions identified at the end of this report.

APPROVAL of TP2015-0009 (Laurelwood 3-Lot Preliminary Partition) subject to Conditions identified at the end of this report.

APPROVAL of FS2015-0008 (Laurelwood 3-Lot Preliminary Partition) subject to Conditions identified at the end of this report.

VICINITY MAP

Exhibit 1



BACKGROUND FACTS

Key Application Dates

| <u>Application</u> | <u>Submittal Date</u> | <u>Deemed Complete</u> | <u>Final Written Decision Date</u> | <u>240-Day*</u> |
|--------------------|-----------------------|------------------------|------------------------------------|-----------------|
| LD2015-0014 | June 26, 2015 | October 21, 2015 | December 4, 2015 | June 17, 2016 |
| TP2015-0009 | June 26, 2015 | October 21, 2015 | December 4, 2015 | June 17, 2016 |
| FS2015-0008 | June 26, 2015 | October 21, 2015 | December 4, 2015 | June 17, 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 | R7 (Urban Standard Density) | |
| Current Development | This property is currently undeveloped. | |
| Site Size | Approximately .82 Acres | |
| NAC | West Slope | |
| Surrounding Uses | <u>Zoning:</u> North: R7 South: R7 East: Washington County West: R7 | <u>Uses:</u> North: Parking Lot South: Single Family East: Single Family West: Single Family |

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Exhibit 1. Vicinity/Zoning Map

Exhibit 2. Agency Comments

- 2.1** Conditions of approval dated September 14, 2015 from Jeremy Foster, Fire Marshal for Tualatin Valley Fire and Rescue have been incorporated within the conditions of approval at the end of this report.
- 2.2** Conditions of approval dated November 4, 2015 from Naomi Vogel, Associate Planner for Washington County Department of Land Use and Transportation, are attached at the end of this report.

Exhibit 3. Public Comments

- 3.1** Email from Douglas Lindgren residing at 7960 SW Laurel Street, Portland, OR 97225 received November 18, 2015. Mr. Lindgren's email expressed concern over the proposed lots fronting SW Laurel Street rather than fronting SW Laurelwood Avenue and concerns with the reduced yard setbacks and over the creation of two flag lots.
- 3.2** Email from Christopher and Robin Blair residing at 8070 SW Laurel Street, Portland, OR 97225 received November 18, 2015. Mr. and Mrs. Blair's email expressed concern over the proposed lot configuration and recommended providing a different plan to avoid the two flag lots, having all three lots fronting SW Laurelwood Avenue rather than fronting SW Laurel Street and eliminating the reduced yard setbacks for the three lots. The Blair's are also concerned about the potential of vehicles driving from SW Laurelwood Avenue through the vacant lot to the north of the proposed lot to connect to SW Laurel Street and the desire to maintain a pedestrian connection that the current owner of the lot to the north of the proposed site allows through their property.

- 3.3** Email from Jim and Carol Howell residing at 7935 SW Laurel Street, Portland, OR 97225 received November 18, 2015. Mr. and Mrs. Howell's email expressed concern over the proposed lots fronting SW Laurel Street rather than fronting SW Laurelwood Avenue and concern that the reduced yard setbacks proposed on all three lots would be out of character with the surrounding houses.
- 3.4** Email from Danielle Wissmiller residing at 8065 SW Laurel Street, Portland, OR 97225 received November 18, 2015. Ms. Wissmiller's email expressed concern that the reduced front yard setback for lot 3 would be too close to the street and out of character with the surrounding homes.
- 3.5** Email from Paul and Lisa Nourigat residing at 7900 SW Laurel Street, Portland, OR 97225 received November 18, 2015. Mr. and Mrs. Nourigat's email expressed concern that having all three lots front SW Laurel Street would bring too much traffic to the existing neighborhood and concern over the proposed reduced yard setbacks not being in character with the surrounding houses. The Nourigat's also expressed the desire to maintain a pedestrian connection that the current owner of the lot to the north of the proposed site allows through their property to connect SW Laurel Street to SW Laurelwood Avenue.

**Facilities Review Committee
Technical Review and Recommendations
LD2015-0014, TP2015-0009, FS2015-0008
Laurelwood 3-Lot Preliminary Partition**

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 Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the three (3) applications as identified below:

All twelve (12) criteria are applicable to the submitted applications LD2015-0014, TP2015-0009, FS2015-0008.

- 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.*

Facts and Findings:

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. Staff concurs with the applicant’s statement that the site currently has adequate capacity or can be improved to have the capacity for all critical facilities and services to available on site.

Transportation Finding:

The proposed development of three detached dwellings is expected to generate approximately 30 additional vehicle trips per day according to the Institute of Traffic Engineers (ITE) Trip Generation Estimates. The proposed level of new traffic is lower than the 200 vehicles trips or more per day threshold identified in Section 60.55.20 of the Development Code. Therefore, no Traffic Management Plan or Traffic Impact Analysis is required. The existing transportation network and the intersections near the site are expected to continue to function within accepted performance parameters.

Street Right-of-way dedication

The Beaverton Transportation System Plan classifies SW Laurelwood Avenue as a Neighborhood Route (NR1), which requires a right-of-way width of 60-feet per the Engineering Design Manual (EDM). According to the applicant’s plans, additional right-of-way dedication of 15-feet is to be provided along SW Laurelwood Avenue. The City Traffic Engineer confirms this amount of right-of-way dedication to be consistent with the Neighborhood Route standard. No additional right-of-way dedication is required along SW Laurel Street.

Sidewalk Widths

In addition to dedicating land to the SW Laurelwood Avenue right-of-way, the applicant’s plans show the construction of a half street improvement consistent with the NR1 half-street improvement standard. This standard consists of a 10-foot travel lane, a 7-foot parking lane,

a 7.5-foot planter strip with street trees, measured from the face of the curb and 5-foot sidewalk.

For SW Laurel Street, the city local street standard calls for 5-foot wide sidewalks and 6.5-foot-wide planter strips with street trees, measured to the face of the curb. The applicant's plans show construction of the required sidewalk along the frontage consistent with this standard.

As a condition of approval, the sidewalk work must be completed prior to occupancy (final inspection) of the new houses. The applicant is to provide plans showing standard sidewalk and planter strip construction along the SW Laurel Street. The plans shall also include temporary connections from the new segment of public sidewalk to the existing roadway surface at the property boundaries. If there is insufficient right-of-way width, the applicant may place some or all of the sidewalk and planter strip within a public sidewalk easement, with the approval of the City Engineer.

Lighting

The applicant shall provide plans for an LED street light along the SW Laurel Street frontage, with illumination levels to be evaluated per City Design Manual Option C requirements unless otherwise approved by the City Engineer.

Driveway Spacing, access and maintenance.

Two lots will access SW Laurel Street by means of a common driveway and the third lot will also access SW Laurel Street with a separate driveway. The applicant shall provide an access, utility and maintenance agreement or a homeowner's association CC&R's to record an easement with Washington County for the section of the common driveway that connects through said lot to SW Laurel Street.

As a condition of approval, the applicant is to record with the final plat a joint-use and maintenance agreement or homeowner's association CC&R documentation for common driveways per Beaverton Engineering Design Manual Sections 210.12.K and L.

Fire Protection

Tualatin Valley Fire & Rescue (TVF&R) provides fire protection services for property in this area. TVF&R has reviewed the project and has provided technical advisory notes and requirements with regard to this proposal. These technical advisory notes are included within the conditions of approval.

Public water

Water service is provided by the West Slope Water District. Staff concurs with the applicant's statement, that the available service has sufficient capacity to serve the proposed development.

Public sanitary sewer

The City of Beaverton provides sanitary sewer service through sewer mains in the SW Laurel Street right-of-way. The applicant will have the public sanitary sewer main extended to lots one and two through a public utility easement within the proposed common access driveway. This is to be completed as part of the Site Development process. The available service has sufficient capacity to serve the proposed development.

Storm water drainage

The City of Beaverton provides storm water service through mains in the SW Laurelwood Avenue and from a main on SW Laurel Street. The applicant will have the public sanitary sewer main extended to lots one and two through a public utility easement within the proposed common access driveway, as part of the Site Development process.

Additionally, the applicant has shown a separate storm water tract to be constructed with the Site Development permit. As a condition of approval, the applicant shall submit a maintenance agreement or homeowners association CC&R's to be recorded with the final plat, stating that the proposed storm water tract is to be maintained in perpetuity, consistent with Clean Water Services standards. The purpose of the letter is to ensure that all future homeowners are made aware of the location and function of these critical facilities.

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

- B. *Essential facilities and services 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.*

Facts and Findings:

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. The applicant states that all essential facilities and services necessary to serve the proposed residential project are available, have adequate capacity, or can be improved to have capacity to serve the proposed project.

Utility Undergrounding (Section 60.65)

The applicant states that all existing utility poles exist along the west side of SW Laurelwood Avenue. The standard in 60.65 would require utility poles to be placed underground if found along the project site frontage. In this case, as utility poles are not located on the east side of SW Laurelwood, undergrounding is not necessary.

All new utility lines and pipes shall be underground to each parcel. In accordance with section 60.65 of the Development Code.

Transit improvements

This area is served by Tri-Met public transportation lines 61 and 55. Tri-Met has not provided comments addressing transit needs and potential future transit stops within the vicinity of the roadway project. There are several transit stops approximately less than a quarter mile from the project site on SW Laurelwood Avenue. The proposed improvements to the surrounding sidewalk system will improve the access to the nearby transit stops.

Police protection

The site will be served by the Beaverton Police Department for public safety. The City of Beaverton Police Department received a copy of the submittal and has not provided comments in regard to this proposal.

On-site pedestrian and bicycle facilities

As a condition of approval, the applicant shall construct new sidewalks and planter strips along the SW Laurelwood Avenue and SW Laurel Street frontages as stated above. The applicant shall provide a private concrete walkway with no curb, within and along the proposed length of the private driveway so as to allow pedestrian access directly to the public sidewalk on SW Laurel Street.

Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- 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 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).*

Facts and Findings:

The property is zoned Urban Standard Density (R-7). Standards of this zone require a minimum land area of 7,000 square feet per lot and requirements for minimum lot dimensions. All three lots will be a minimum of 7,000 square feet in size.

Lots two and three are proposed to have a rear yard setback of five feet which will be reduced from the standard 25-foot rear setback and are proposed to have a front setback of ten feet which will be reduced from the standard 17-foot front setback. The reduced front yard does not reduce the required driveway setback of 20-feet. Lot one is proposed to have a rear yard setback of five feet which will be reduced from the standard 25-foot rear setback. The reduced front yard setback for lot three is proposed to have a front setback of fifteen (15) feet which will be reduced two (2) feet from the standard 17-foot front setback. The reduced front yard does not reduce the required driveway setback of 20-feet.

The applicant states that due to the configuration of the lots and the fact that lots two and three are directly adjacent to a proposed conservation tract, reduced rear lot setbacks will have a minimal effect on the surrounding neighborhood. The applicant's flexible setback proposal is subject to separate approval criteria as shown in attachment D herein.

Therefore, staff finds that with satisfying the conditions of approval, the proposal meets the criterion for approval.

- 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 proposed development.*

Facts and Findings:

The following provisions in Chapter 60 were determined to be applicable.

Off-Street Parking Requirements (Section 60.30)

Within the R7 zone the off-street parking space requirement is one space per dwelling. The applicant's proposal meets the required number of off street parking spaces.

Trees and Vegetation Requirements (Section 60.60)

The existing site is part of a significant tree grove. There are eight (8) Significant Trees greater than 10-inches in diameter proposed for removal from the site that are a part of grove NX1. The applicant's tree plan proposal, city case file TP2015-0009, has been submitted in conjunction with the land division application. New street trees will be planted to meet the applicable requirements. Staff refer to the submitted landscape plan for planting schedule.

Street Trees (Section 60.15.15.6)

Section 60.15.15.6 requires street trees along newly improved streets associated with residential developments. Both SW Laurelwood Avenue and SW Laurel Street are currently unimproved. Section 60.15.15.3.G of the Development Code requires, for detached dwellings, a fee be paid to the City for the installation and one year warranty of street trees. The Committee recommends a condition requiring this fee to be paid prior to approval of the final plat.

As a condition of approval, the applicant is to 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).

The applicant shall coordinate with the City Arborist, Pat Hoff (503.526.2237) and the City Engineer, Jim Duggan (503.526.2442) to determine the number, species, and location of street trees, if any, to be planted along the frontages of SW Laurelwood Avenue and SW Laurel Street.

Transit Facilities (Section 60.55.40)

The nearest bus stops, which serve one bus route (Numbers 55 and 61) are located less than one city block from the development, which is a reasonable distance to serve the development site. No new transit facilities are proposed or warranted.

Solar Access Protection (Section 60.45)

At least 80 percent of the lots in a development subject to this ordinance shall comply with one or more of the options in this section.

Therefore, staff finds that by satisfying the conditions of approval, 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: 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 periodic maintenance by the City or other public agency;*

Facts and Findings:

The applicant states that individual homeowners will provide continued periodic landscape maintenance of their individual properties and the common maintenance agreement or homeowner's association CC&R's will provide maintenance for the common tracts and the public storm drainage tract.

As a condition of approval, the applicant shall provide a written maintenance agreement document or homeowner's association CC&R's in regards to the ongoing maintenance of the common driveway, easements and tracts. Such agreement shall also be recorded with the final plat approved by the Washington County Surveyor's Office.

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. A standard condition of approval stating the property owner is responsible for their individual property's maintenance is included.

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

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

Facts and Findings:

The applicant states the proposed vehicular and pedestrian circulation has been designed to the minimum requirements and standards that facilitate safe, efficient, and direct travel. Staff concur with the applicant's statement.

The applicant has proposed on-site pedestrian walkways a minimum of 5-feet in width, which connect lots one and two to SW Laurel Street right-of-way. Lot three connects directly to SW Laurel Street.

Therefore, staff finds that by satisfying the conditions of approval, 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.*

Facts and Findings:

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

Staff concurs with the applicant's findings. Staff also refer to section F above for staff's findings in response to Criterion G.

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

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

Facts and Findings:

The applicant indicates that public facilities serving the site will meet City codes and standards that provide adequate fire protection and emergency vehicle access to each parcel. The applicant's plans have been reviewed by the TVF&R Fire Marshal and conditions of approval have been incorporated within this report.

Therefore, staff finds that by satisfying the conditions of approval, 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.*

Facts and Findings:

The conditions of approval stated at the end of this document, provide requirements of the applicant to obtain a Site Development and Building Permit through the City to ensure that structures and public facilities will be designed and built in according to the applicable codes and standards.

Therefore, staff finds that by satisfying the conditions of approval, 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.*

Facts and Findings:

The committee notes the proposed grading plan for the site appears relatively flat and minimal grading is anticipated. City Site Development Division staff has recommended conditions of approval to ensure that any proposed grading will comply with City standards.

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

- 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.*

Facts and Findings:

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

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

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

Facts and Findings:

The applicant has supplied all applicable submittal requirements, as specified in Section 50.25.1 of the Development Code.

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

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Urban Standard Density (R7) Zoning District

| CODE STANDARD | CODE REQUIREMENT | PROJECT PROPOSAL | MEETS CODE? |
|--|---|---|---|
| Development Code Section 20.05.20 | | | |
| Permitted Uses | Detached Residential | No development is proposed with this partition application, but Single Family Detached Residential lots are proposed. | Yes |
| Development Code Sections 20.05.15 | | | |
| Minimum Lot Area | 7,000 square feet | The applicant proposes three parcels with the following minimum lot sizes: Parcel 1: 7,700 square feet Parcel 2: 8,500 square feet Parcel 3: 12,400 square feet | Yes |
| Yard Setbacks Minimums: Front Side Rear Garage | 17-foot 5-foot 25-foot 20-foot | No structures are proposed, but reduced yard setbacks have been applied for through FS2015-0008. The existing structures is proposed to be demolished. See Flexible Setback Findings herein. | Yes with Approval of FS2015-0008 |
| Reduced Yard Setbacks Minimums: Front Side Rear Garage | 10-foot 5-foot 5-foot 20-foot | No structures are proposed, but parcels one (1) and two (2) have a proposed reduced rear yard setback of five feet and reduced front yard setback of ten feet. Parcel three (3) which directly fronts to SW Laurel Street will have a reduced rear yard setback of five (5) feet and a reduced front yard setback of 15 feet, which is a reduction of two (2) feet from the standard 17-foot front yard setback within the R7 zone. See Flexible Setback findings herein. | Yes with Approval of FS2015-0008 |
| Maximum Building Height | 35 feet | Not applicable, no structures are proposed. | N/A |

Analysis & Findings for Preliminary Partition Approval LD2015-0014 – Laurelwood 3-Lot Preliminary Partition

Section 40.45.15.5.C Approval Criteria.

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

1. *The application satisfies the threshold requirements for a Preliminary Partition.*

Facts and Findings:

Section 40.45.15.5.A *Threshold: An application for a Preliminary Partition shall be required when the following threshold applies:*

“The creation of up to and including three (3) new parcels from at least one (1) lot of record (parent parcel) in one (1) calendar year.”

The applicant proposes to divide one (1) legal lot into three (3) legal lots of record.

Therefore, staff finds 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.*

Facts and Findings:

The applicant submitted the required fee for a Preliminary Partition application.

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

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

Facts and Findings:

The proposed Preliminary Partition does not conflict with any prior approvals.

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

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

Facts and Findings:

Oversized lots are defined by the Beaverton Development Code as lots which are greater than twice the minimum lot size allowed by the subject zoning district. Approval of LD2015-0014 will bring the existing oversized parcel into conformance with the R7 lot standards.

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

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

Facts and Findings:

The applicant is not requesting lot averaging. The applicant has shown that all three proposed lots meet the minimum lot area of 7,000 square feet for the R7 zone.

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

- 6. 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.**

Facts and Findings:

The applicant is not requesting lot averaging. The applicant has shown that all three proposed lots meet the minimum lot area of 7,000 square feet for the R7 zone and Adjustment nor Variance applications are being sought.

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

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

Facts and Findings:

Approval of LD2015-0014 will result in all three parcels created by the proposal retaining the Urban Standard Density (R7) zoning designation.

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

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

Facts and Findings:

The applicant has submitted this Preliminary Partition application along with associated Tree Plan II and a Flexible Setback with Land Division applications. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals.

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

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL of LD2015-0014 (Laurelwood 3-Lot Preliminary Partition)** subject to the applicable conditions identified in Attachment E.

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 but do not supersede Section 60.05.25 Design Review. | The proposal is subject to the grading standards contained herein. | Yes |
| 60.15.10.3.A-E Grading Standards | Maximum of either (2), (4), (6), (8) or (10) foot slope differentials from the existing or finished slope of the abutting property. | The applicant states that the maximum grade differential for this increment does not exceed 2 feet. | Yes |
| Utility Undergrounding | | | |
| 60.65.15 Utility Undergrounding | All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground... | The applicant has proposed to underground all utilities. | Yes |

Analysis & Findings for Tree Plan Two Approval TP2015-0009 – Laurelwood 3-Lot Preliminary Partition

Section 40.90.05 Purpose:

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

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.***

Facts and Findings:

The applicant is proposing to remove approximately 62% or 127-inches of the total 205-inches of the non-exempt surveyed DBH within Significant Grove NX-15. Staff has reviewed the information submitted in the applicant's arborist report dated June 25, 2015 and finds that it is consistent with Threshold 3, which reads:

“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.”

Therefore, staff finds 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.***

Facts and Findings:

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

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

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

Facts and Findings:

The applicant's arborist states that approximately 59 trees (8 non-exempt and 51 exempt) located within Significant Grove NX-15 warrant removal due to either mortality issues, hazardous conditions or are invasive species and therefore removal of these trees are necessary to observe good forestry practices.

The city arborist has reviewed the proposed plans and concurs with the applicant's arborist report.

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

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

Facts and Findings:

The applicant states that the eight (8) proposed non-exempt trees are being removed to accommodate the proposed development and that there are no other reasonable alternatives. The applicant has proposed to create conservation tracts and completely surround those tracts with a split rail type of fencing to protect the remainder of healthy trees that are not necessary to remove for development.

The purpose of the split rail fencing is not to keep people or residents out of the area, rather to define the tracts and property lines. The applicant can leave gaps for access or construct gates within the fence as needed.

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

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

Facts and Findings:

Staff refer to findings in criterion #3 above to find in support of criterion #5

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

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.***

Facts and Findings:

Staff concurs with the applicant's statement that approximately 30 trees are proposed for removal primarily due to their proximity to the required public improvements along SW Laurelwood Avenue, SW Laurel Street and within the public storm tract.

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

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

Facts and Findings:

Staff refer to findings in criterion #3 above to find in support of criterion #5.

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

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

Facts and Findings:

The applicant's proposal, which includes two conservation tracts as shown on the submitted plan set, will protect five (5) non-exempt trees within significant grove NX15. The applicant states that these tracts will be protected from future development, therefore retaining the Significant Grove NX-15 designation.

Staff concurs that the applicant's proposed removal of approximately 62% of the DBH of surveyed non-exempt trees within with Significant Grove NX-15, will not reverse the original determinations and as stated in the applicant's arborist report and removal of the trees will not negatively impact the overall health of the grove.

Therefore, staff finds that the proposal meets the 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.***

Facts and Findings:

The recommendations within the applicant's certified arborist report, states that the location of the remaining non-exempt trees minimizing the effects of windthrow. Additionally, the applicant accepts the City Arborist's recommendation to retain one additional tree within the proposed conservation tract A to reduce the effects of windthrow and minimize damage to the root system.

Therefore, staff finds that the proposal meets the 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.***

Facts and Findings:

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

Therefore, staff finds that 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.***

Facts and Findings:

The applicant's proposed grading plan is limited to the area outside the tree protection fencing that will surround the non-exempt trees being retained.

Additionally, that applicant states that existing grades will be maintained along the proposed boundaries of conservation tracts A and B and areas that abut neighboring properties.

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

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

Facts and Findings:

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 the criterion for approval.

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

Facts and Findings:

The applicant has submitted the required application materials for review of a Tree Plan Two application. The applicant has also submitted Preliminary Partition Land Division and Flexible Setback applications. These applications are being reviewed concurrently with this Tree Plan Two application.

The proposed tree removals require the approval of associated Preliminary Partition application.

Staff finds that the Tree Plan Two application, Preliminary Partition Land Division and Flexible Setback applications have been submitted in the proper sequence.

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

SUMMARY OF FINDINGS: For the reasons identified above, staff finds that the Tree Plan approval is supported within the approval criteria findings, noted above, for Section 40.90.15.2.C of the Development Code.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **TP2015-0009 – Laurelwood 3-Lot Preliminary Partition** subject to the applicable conditions identified in Attachment E.

Trees and Vegetation & Significant Natural Resources Standards Code Conformance Analysis

| 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 proposes to prune and remove ivy from significant trees being retained. | YES |
| 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 |
| 60.60.15.2.B-C | Standards for SNRA & Significant Groves | The applicant has provided additional mitigation than is required under this section. | YES |
| 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 | Mitigation Standards: Mitigation is not required for Community Trees. | The applicant has provided additional mitigation than is required under this section. | YES |
| 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 |
| 60.67.15.2 | 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 |

Analysis & Findings for Flexible Setback for a Proposed Residential Land Division FS2015-0008 – Laurelwood 3-Lot Preliminary Partition

Section 40.30.15.3.C Approval Criteria.

In order to approve a Flexible Setback for a Proposed Residential Land Division application, the decision making authority shall make findings based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.

- 1. *The proposal satisfies the threshold requirements for a Flexible Setback for a Proposed Residential Land Division application.***

Facts and Findings:

An application for Flexible Setback for a Proposed Residential Land Division shall be required when the following threshold applies:

“The property is located within a Residential zoning district and this application is accompanied by a land division application for the subject property.”

FS2015-0008 is subject to approval of LD2015-0014, a Preliminary Partition which proposes to create three (3) legal lots from one (1) legal lot of record in the Urban Standard Density (R7) residential zone.

Therefore, staff finds the proposal meets the criterion for approval with condition of approval.

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

Facts and Findings:

The applicant submitted the required fee for a Flexible Setback for a Proposed Residential Land Division application.

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

- 3. *The proposal is compatible with the surrounding area regarding topography, vegetation, building character, and site design. In determining compatibility, consideration shall be given to harmony in: scale, bulk, lot coverage, density, rooflines, and building materials.***

Facts and Findings:

No building permits have been applied for with this proposed land division. The applicant states that, the proposal is compatible within the surrounding area. Proposed building footprints appear to be comparable with the scales, bulk lot, coverage and density of the surrounding area. Examples of single-family dwellings submitted by the applicant are similar in building character as other single-family dwellings in the surrounding area and

are compatible in light of the considerations listed in the approval criteria. The reduced setback is compatible with the surrounding properties.

Lots one (1) and two (2) have a proposed reduced rear yard setback of five feet and reduced front yard setback of ten (10) feet.

Lot three (3) which directly fronts to SW Laurel Street will have a reduced rear yard setback of five (5) feet and a reduced front yard setback of fifteen (15) feet, which is a reduction of two (2) feet from the standard 17-foot front yard setback within the R7 zone.

Proposed reductions to standard setbacks of the R-7 zone are intended to accommodate single level dwellings. The applicant has provided illustrations of these dwellings along with the building footprint for each lot. In this case, because the applicant's Flexible Setback proposal is specific to a single level home plan, staff recommends a condition of approval stating that the flexible setback is limited to the house footprints shown on the approved plans. Additionally, the flexible setback approval will be limited to one story houses on all three proposed lots. Any future footprint modification or increase in house story, is show compliance with standard R7 setbacks or will require new flexible setback applications.

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

4. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more applications that already have been approved or are considered concurrently with the subject proposal.

Facts and Findings:

Staff cites the findings in the Code Conformance Analysis chart at the end of the report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban Standard Density (R7) zone, as applicable to the above mentioned criteria. This proposal is for three legal lots from one existing legal lot in the R7 zoning district.

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

5. The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both 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 proposal.

Facts and Findings:

Staff cites the code conformance chart in Attachment B of this report which evaluates compliance with Chapter 60 of the Development Code.

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

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

Facts and Findings:

The applicant has submitted all applicable application requirements for all land division applications related to this proposal.

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

Facts and Findings:

The applicant has submitted a Preliminary Partition, Tree Plan II applications for this project in conjunction with the proposed Flexible Setback application. Concurrent review of the applications satisfies this criterion.

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

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **FS2015-0008 (Laurelwood 3-Lot Preliminary Partition)** subject to the applicable conditions identified in Attachment E.

CONDITIONS OF APPROVAL
LD2015-0014, TP2015-0009, FS2015-0008
Laurelwood 3-Lot Preliminary Partition

1. FS2015-0008 and TP2015-00210 are subject to approval of LD2015-0014.
(Planning/JST)

TP2015-0009 - Tree Plan Two

2. Ensure that all associated applications, including Preliminary Partition, Tree Plan, and Flexible Setback Applications have been approved and are consistent with the submitted plans. (Planning Division/JST)
3. 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 5179, 5180, 5211, 5212 and 5213 on the approved tree plan on file at city hall. (Planning Division/JST) (Public Works/PH)
4. The applicant and their certified arborist are to manually trim branches and remove ivy up to the 20-feet in height, from all trees that are part of the significant grove and are not proposed to be removed specifically identified as 5179, 5180, 5211, 5212 and 5213 on the approved tree plan on file at city hall. (Public Works/PH)

Prior to any site work commencing, the applicant shall:

5. The applicant shall provide a tree protection plan consistent with condition #3 above, with the City Arborist and the Planner of record prior to any site work commencing.
(Planning Division/JST)

FS2015-0008 – Flexible Setback with Land Division

6. Flexible setback approval is limited to the exact house footprints shown on the approved plans. Additionally, the flexible setback approval will be limited to one story houses on all three proposed lots. Any future footprint modification or increase above one story, is to show compliance with R-7 zone standard setbacks or will require new flexible setback applications.

LD2015-0014 – Preliminary Partition

Prior to any site work commencing and issuance of the site development permit, the applicant shall:

7. Provide plans showing standard sidewalk and planter strip construction along the SW Laurel Street. The plans shall also include temporary connections from the new segment of public sidewalk to the existing roadway surface at the property boundaries. If there is insufficient right-of-way width, the applicant may place some or all of the sidewalk and planter strip within a public sidewalk easement, with the approval of the City Engineer. (Transportation/KR) (Planning/JT)
8. Provide plans that show the construction of half street improvement and dedication of right-of-way along SW Laurelwood Avenue sufficient to meet the City's Neighborhood Route (NR1) standards. The NR1 half-street improvement consists of a 10-foot travel lane, a 7-foot parking lane, a 7.5-foot planter strip, measured from the face of the curb and 5-foot sidewalk. (Transportation/KR)
9. Submit the required joint-use and maintenance agreement documentation for common driveways per Beaverton Engineering Design Manual Sections 210.12.K and .L.
10. 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)
11. 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)
12. 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)
13. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, Clean Water Services SPL (Service Provider Letter) required plantings and storm facility plantings, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)

14. 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)
15. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the Laurel Street right of way. (Site Development Div./JJD)
16. Submit a copy of issued permits or other approvals needed from the West Slope Water District for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div./JJD)
17. Submit a copy of issued permits, other approvals, or documentation as needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (for work within or affecting a jurisdictional wetland). (Site Development Div./JJD)
18. 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)
19. 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)
20. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (November 2015), demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2007-020 in regard to water quality treatment. However, it will need to be supplemented to include how the entire development proposal including the SLOPES V requirement for stormwater management. (Site Development Div./JJD)
21. Provide final grading plans with a detailed drainage analysis of the subject site 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, including the safe overflow conveyance from proposed constructed stormwater management facilities. On all plan sheets that show grading and elevations, the 100 year inundation level shall be identified. (Site Development Div./JJD)
22. 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. Any extra-capacity water and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to lots within the subdivision. 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. (Site Development Div./JJD)

23. Submit a revised grading plan showing that each lot or adjacent residential property 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. Additionally, a minimum finished floor elevation that is at least three feet higher than the maximum possible high water elevation shall be established for each new building lot and documented on the plans. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)
24. The plans shall show access for a maintenance vehicle within 6-feet from the front, or within 15-feet from the side of a vehicle to all storm control structures unless otherwise specifically approved by the City Engineer. A direct walking route to the structures/inlets/outlets in the pond area shall be no steeper than 4(horizontal) to 1 (vertical) slope. This direct route shall be a minimum of 6-feet wide and have a surface consisting of the equivalent of 3-inches of crushed rock (to allow walking access in winter) and vegetation shall allow easy access. This direct access route shall be delineated on the plans. (Site Development Div./JJD)
25. Submit to the City a certified impervious surface determination of the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site and individual lots/tracts. (Site Development Div./JJD)
26. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for any common areas or private streets. (Site Development Div./JJD) (Site Development Div./JJD)
27. Provide plans for location and design of LED street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development.

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) (Transportation/KR)

Prior to building permit issuance, the applicant shall:

28. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
29. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
30. Have substantially completed the site development improvements as determined by the City Engineer, including streetlights being fully functional. (Site Development Div./JJD)
31. 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)
32. 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)
33. Pay a storm water system development charge (overall system conveyance). (Site Development Div./JJD)

Prior to approval of the final plat, the applicant shall:

34. Submit a maintenance agreement or homeowners association CC&R's to be recorded with the final plat, stating that the tree conservation tracts are 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/JST)
35. Submit a revised site plan and design of a split rail fence surrounding conservation tracts A and B, the public storm tract C and along the west side of the portion of the common driveway that crosses over the access easement on the lot to the north of the subject lot, identified as, Broadmoor Lot Pts 18-19. The purpose of the split rail fence along the access easement described above is to discourage vehicles from driving across to connect to SW Laurel Street. (Planning/JST)

36. Submit either a common maintenance agreement or homeowner's association CC&R language to be reviewed by the City Attorney and recorded with the final plat with the Washington County Recorder's Office, clarifying:
- The maintenance, purpose and the parties that benefit from the common driveway, all easements, conservation tracts and required split rail fencing as described in condition #35 above.
 - Flexible setback approval is limited to the exact house footprints shown on the approved plans. Additionally, the flexible setback approval will be limited to one story houses on all three proposed lots. Any future footprint modification or increase above one story, is to show compliance with R-7 zone standard setbacks or will require new flexible setback applications, as stated in condition of approval #6 above.
37. The applicant shall coordinate with the City Arborist, Pat Hoff (503.526.2237) and the City Engineer, Jim Duggan (503.526.2442) to determine the number, species, and location of street trees, to be planted along the frontages of SW Laurelwood Avenue and SW Laurel Street. (Transportation / KR)
38. 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)
39. Following the sidewalk and driveway construction, if the City Arborist determines that any trees not approved for removal are determined not to survive, the applicant shall submit for the appropriate tree plan application that would have been required if the resulting total DBH removed had met the threshold for a different application. (Planning/JST)
40. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD)
41. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. All public storm water facility tracts shall be conveyed to the City of Beaverton by means of the plat. 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)

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

42. The applicant shall construct new sidewalks, planter strips and street lighting along the SW Laurelwood Avenue and SW Laurel Street frontages as shown on the approved plan. The sidewalk work shall be completed prior to occupancy (final inspection) of the new houses. (Planning/JST)
43. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./JJD)
44. 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)
45. Surface and Load Capacities: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 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) ***The portion of roadway that is fire department access must support these loads.***
46. Single Family Dwellings - Required Fire Flow: 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)
47. Fire Flow Water Availability: Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. (OFC Appendix B) ***Fire flow testing GPM is to be measured at 20 PSI.***
48. Fire Hydrants – One- And Two-Family Dwellings & Accessory Structures: Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1) ***If an existing hydrant(s) are not within 600 feet of all portions of the structures, an additional fire hydrant will be required.***

Prior to release of performance security, the applicant shall:

49. 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)
50. Submit any required on-site easements not already dedicated on the partition 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)
51. 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 of the treatment vegetation within the surface water quality facility, vegetated corridor, and the wetland mitigation areas, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer and City Public Works Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development Div./JJD)