



Staff Report

DATE: October 3, 2016

TO: Interested Parties

FROM: Jana Fox, Associate Planner JCF

PROPOSAL: **Timberland Area 3, 3-Lot Partition
LD2016-0018**

LOCATION: The site is bounded by SW Barnes Road, NW 118th Avenue, NW Cedar Falls Drive, and NW 117th Loop. Lot 300 of Washington County Assessor's Map 1N134CD.

SUMMARY: The applicant requests Preliminary Partition approval to create three (3) lots from one (1) existing lot. The subject site is a part of the Timberland PUD area. No physical development is proposed concurrently with the partition.

APPLICANT/
PROPERTY
OWNERS: Timberland Hotel Group LLC
Attn: Dean Kirkland
2300 East 3rd Loop, Suite 100
Vancouver, WA 98661

APPLICANT'S
REPRESENTATIVE: Standridge Design, Inc
Attn: Laura Standridge
113 West 7th Street, Suite 200
Vancouver, WA 98660

RECOMMENDATION: **APPROVAL of Timberland Area 3, 3-Lot Partition LD2016-0018**

BACKGROUND FACTS

Key Application Dates

| Application | Submittal Date | Application Deemed Complete | Day 120 |
|-------------|----------------|-----------------------------|-------------------|
| LD2016-0018 | August 5, 2016 | August 26, 2016 | December 24, 2016 |

Existing Conditions Table

| | | |
|---------------------------------|---|---|
| Zoning | Town Center-Multiple Use (TC-MU) | |
| Current Development | Vacant | |
| Site Size & Location | The subject site is bounded by SW Barnes Road, NW 118th Avenue, NW Cedar Falls Drive, and NW 117th Loop NW Lot 300 of Washington County Assessor's Map 1N134CD and is approximately 2.91 acres. | |
| NAC | Central Beaverton | |
| Surrounding Uses | Zoning: <u>North:</u> TC-MU/TC-HDR <u>South:</u> TC-HDR/SC-HDR <u>East:</u> TC-MU <u>West:</u> TC-MU | Uses: <u>North:</u> Senior Living <u>South:</u> Vacant <u>East:</u> Attached Single Family <u>West:</u> Commercial |

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

| | <u>Page No.</u> |
|--|-----------------|
| <u>Attachment A</u> : Facilities Review Committee Technical Review and Recommendation Report | FR1 – FR7 |
| <u>Attachment B</u> : LD2016-0018 <i>Preliminary Partition</i> | LD1-LD4 |
| <u>Attachment F</u> : <i>Conditions of Approval</i> | COA1 |

Exhibits

- Exhibit 1. Public Comment**
No Comments Received

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Timberland Commercial Area 3, 3-Lot Partition
LD2016-0018**

Section 40.03 Facilities Review Committee:

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

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

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

- **All twelve (12) criteria are applicable to the submitted Land Division (Preliminary Partition) application as submitted.**
- A. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.***

Chapter 90 of the Development Code defines "critical facilities" to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

Public Water

Water service will be provided to the site by Tualatin Valley Water District. The site is surrounded by water lines, with water lines along NW 118th Avenue, NW Cedar Falls Drive, and NW 117th Loop. Each parcel can be served from the existing water lines. Adequate capacity exists to serve the proposed development.

Public Sanitary Sewer

Sanitary sewer service will be provided by the City of Beaverton. Parcel 1 can be served by the existing 8 inch sanitary sewer line in NW Cedar Falls Drive. Parcels 2 and 3 can be served by the existing 8 inch sanitary sewer line in NW 117th Loop. Adequate capacity exists to serve the proposed development.

Stormwater

There is an existing public detention facility at the SE corner of the Timberland development which was designed to serve the site. The site is surrounded by storm lines, with a 12 inch line in SW 118th Avenue, a 24 inch line in SW Cedar Falls Drive and a 12 inch line in NW 117th loop. Each parcel can be served from the existing storm lines. Adequate capacity exists to serve the proposed development. Adequate capacity exists to serve the proposed development.

Access

The subject site has access to NW Cedar Falls Drive and NW 117th Loop, all parcels can take access from the public street system. Future development of the site may necessitate reciprocal access agreements, however those will be evaluated at the time of development. ROW dedication to allow full sidewalk width along NW 117th Loop is required at the time of partition. Minimum sidewalk width is 10 feet in addition to the curb and a 6 inch monumentation gap at the back of sidewalk. This dedication should occur on the final plat.

As no development is proposed, no new trips are associated with this partition application and therefore a TIA (Traffic Impact Analysis) is not required at this time. Future development of the subject site may require a TIA.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R has no comments or conditions on the proposal.

The Committee finds that the proposed development will provide the required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion for approval.

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

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

Chapter 90 of the Development Code defines "essential facilities" to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant's plans and materials were forwarded to City Transportation staff and City Police Department.

The applicant does not propose additional dwelling units at this time so the application was not forwarded to the Beaverton School District.

The site will be served by the Tualatin Hills Park and Recreation District (THPRD).

Dedication of additional right-of-way along NW 117th Loop is required to provide the necessary width for the ultimate planned facilities. The applicant will need to show the dedication at the time of final land division application.

The City of Beaverton Police will serve the development site.

Transit

Tri-Met will serve the development site. The site is most directly served by the Blue Lines 50 and 62. The number 50 bus runs along NW Cornell Road north of the Timberland Development and the number 62 bus runs along NW Barnes Road south of the development.

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

- C. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject proposal.***

Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Town Center-Multiple Use (TC-MU) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the TC-MU zone.

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

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

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

The applicant is not required to provide a Transportation Impact Analysis (TIA) as the proposed partition will not generate additional trips. No new transportation facilities or parking facilities are proposed with this application. Dedication of right of way to meet ultimate widths of NW Cedar Falls Drive is required.

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

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

The applicant states that the proposal will create three lots. Street frontage and utility provisions will be addressed at the time of future development. The property owner will remain responsible for the maintenance of all on-site facilities until such time as the created lots are developed. At this time no private common facilities are proposed.

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

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

The applicant does not propose any vehicular or pedestrian facilities within the boundaries of the development. Future development of the site will have to address this criterion.

FINDING: Therefore, the Committee finds that the criterion is not applicable.

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

The application does not propose modifications to existing vehicular and pedestrian circulation patterns. Subsequent development of the site will have to address this criterion.

FINDING: Therefore, the Committee finds that the criterion is not applicable.

- 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.**

The applicant does not proposed any structures or new public facilities. Future development of the site will be required to comply with this criterion.

FINDING: Therefore, the Committee finds that the criterion is not applicable.

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

The applicant does not proposed any structures or new public facilities. Future development of the site will be required to comply with this criterion.

FINDING: Therefore, the Committee finds that the criterion is not applicable.

- 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 is proposed with this partition.

FINDING: Therefore, the Committee 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 will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA) with future development. No physical changes are proposed with this partition application.

FINDING: Therefore, the Committee finds that the criterion is not applicable.

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

The applicant submitted the land use applications on August 5, 2016 and was deemed complete on August 26, 2016. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements, as identified in Section 50.25.1 are contained within this proposal.

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

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Town Center-Multiple Use (TC-MU) Zoning District

| CODE STANDARD | CODE REQUIREMENT | PROJECT PROPOSAL | MEETS CODE? |
|--|------------------|---|-------------|
| Development Code Section 20.20.20 (TC-MU) | | | |
| Use | No Uses Proposed | No Uses Proposed | N/A |
| Development Code Section 20.20.15 (TC-MU) | | | |
| Minimum Lot Area | none | 48,983 sq. ft. Parcel 1 18,370 sq. ft. Parcel 2 58,287 sq. ft. Parcel 3 | Yes |
| Minimum Corner Lot Dimensions | | | N/A |
| Width | none | n/a | |
| Depth | none | n/a | |
| Yard Setbacks | | | |
| Front | Max 20' | No structures are proposed at this time. | N/A |
| Side | none | | |
| Rear | none | | |
| Maximum Building Height | 60 feet | No structures are proposed at this time. | 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 development is proposed with the partition application. | N/A |
| Development Code Section 60.12 | | | |
| Habitat Friendly and Low Impact Development Practices | Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques. | No Habitat Friendly or Low Impact Development techniques proposed. | N/A |
| Development Code Section 60.15 – Land Division Standards | | | |
| Land Division Standards | Standards pertaining to Land Divisions | A Land Division-Preliminary Partition application has been applied for. | See LD Findings |
| Development Code Section 60.30 – Off-Street Parking | | | |
| Off-street motor vehicle parking Parking Zone A Required Bicycle Parking | Parking standards for development. | No development is proposed with the partition application. | N/A |
| Development Code Section 60.55 - Transportation | | | |
| Transportation Facilities | Regulations pertaining to the construction or reconstruction of transportation facilities. | Refer to Facilities Review Committee findings herein. | Yes-with COA |
| Development Code Section 60.60 | | | |
| Trees & Vegetation | Regulations pertaining to the removal and preservation of trees. | No trees are proposed to be removed with this partition application. | N/A |
| Development Code Section 60.65 | | | |
| Utility Undergrounding | All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground. | No development is proposed with the partition application. | N/A |

**LD2016-0018
ANALYSIS AND FINDINGS FOR
PRELIMINARY PARTITION**

Section 40.45.05 Land Division Applications; Purpose

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

Section 40.45.15.4.C Approval Criteria

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

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

The applicant proposes to divide one parcel into three parcels, and no Legal Lot Determination is pending for either parcel, meeting the threshold for a Preliminary Partition below.

- 1. *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.***

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

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

The applicant has paid the required application fee for a Preliminary Partition application.

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

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

The subject site is part of the Timberland (Tuefel) PUD. The PUD approval does not preclude or conflict with the partitioning of the subject site. Minimum residential densities have been met within the PUD area.

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

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

There is no minimum parcel size in the TC-MU zoning district, therefore no oversized lots can be created.

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

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:***

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

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

Lot averaging is not proposed with this development.

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

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

Lot averaging is not proposed with this development.

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

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

The proposal only includes lots zoned TC-MU (Town Center-Multiple Use). No proposed lot will have more than one zoning designation.

Therefore, staff find that 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.***

The applicant has submitted all documents for this stage of City approvals.

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

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2016-0018 (Timberland Area 3, 3-Lot Partition)**, subject to the applicable conditions identified in Attachment C.

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. | No grading is proposed with this land division application. | N/A |
| 60.15.10.2.A-C Exemptions | Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way. | No grading is proposed with this land division application. | N/A |
| 60.15.10.3.A 0-5 Feet From Property Line | Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property. | No grading is proposed with this land division application. | N/A |
| 60.15.10.3.B 5-10 Feet From Property Line | Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property. | No grading is proposed with this land division application. | N/A |
| 60.15.10.3.C 10-15 Feet From Property Line | Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property. | No grading is proposed with this land division application. | N/A |
| 60.15.10.3.D 15-20 Feet From Property Line | Maximum eight (8) foot slope differential from the existing or finished slope of the abutting property. | No grading is proposed with this land division application. | N/A |
| 60.15.10.3.E 20-25 Feet From Property Line | Maximum ten (10) foot slope differential from the existing or finished slope of the abutting property. | No grading is proposed with this land division application. | N/A |
| 60.15.10.3.F Pre-development slope | Where a pre-development slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, the slope after grading shall not exceed the pre-development slope | No grading is proposed with this land division application. | N/A |
| Significant Trees and Groves | | | |
| 60.15.10.4 Significant Trees and Groves | Standards for grading within 25 feet of significant trees or groves. | No grading is proposed with this land division application. | N/A |

CONDITIONS OF APPROVAL**A. Prior to approval of the Final Plat, the applicant shall:**

1. Have verified to the satisfaction of the City Engineer that the location and width of proposed rights of way and easements are adequate per the overall development plan; that each parcel and tract has proper access provisions; and that each parcel and tract has adequate public utility service provision/availability per adopted City standards and requirements. (Site Development Div./JJD)
2. Submit plans that show the dedication of sufficient right-of-way (ROW) along NW 117th Loop to provide for an additional 5 feet to allow for sufficient sidewalk construction. (Transportation/KR)
3. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/JF)

