

Staff Report

HEARING DATE: April 15, 2015

TO: Interested Parties

FROM: Jana Fox, Associate Planner

PROPOSAL: **1st & Angel Mixed Use
CU2014-0009 / DR2014-0146 / LD2014-0013 / SDM2015-0005**

LOCATION: The site is bounded by SW 1st Street, SW Angel Street, SW Main Avenue, and SW Farmington Road. Tax Lots 1300, 1400, 1500, 1600, 1700, and 1800 on Washington County Tax Assessor's Map 1S116AD.

SUMMARY: The applicant, Rembold Properties, requests approval for a New Conditional Use, Design Review Three, Replat One for Lot Consolidation, and a Sidewalk Design Modification by the Planning Commission for a mixed-use project. The proposed development will include 87 residential units, including 9 Live/Work units, and approximately 2,300 square feet of commercial space. Live/Work units are a conditional use in the RC-OT zoning district. The applicant has applied for a Sidewalk Design Modification for a reduction of ultimate sidewalk width to nine feet along SW Farmington Road.

APPLICANT: Rembold Properties
Kali Bader
1022 SW Salmon St, Suite 450
Portland, OR 97205

APPLICANT REPRESENTATIVE: Angelo Planning Group
Frank Angelo
921 SW Washington Street, Suite 468
Portland, OR 97205

PROPERTY OWNERS: City of Beaverton
Mayor Denny Doyle
PO Box 4755
Beaverton, OR 97076-4755

DECISION: **APPROVAL of CU2014-0009 / DR2014-0146 / LD2014-0013 / SDM2015-0005 (1st & Angel Mixed Use).**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Application Deemed Complete	Final Written Decision Date	240-Day*
CU2014-0009	December 24, 2014	March 4, 2015	July 2, 2015	October 30, 2015
DR2014-0146	December 24, 2014	March 4, 2015	July 2, 2015	October 30, 2015
LD2014-0013	December 24, 2014	March 4, 2015	July 2, 2015	October 30, 2015
SDM2015-0005	March 4, 2015	March 4, 2015	July 2, 2015	October 30, 2015

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

Existing Conditions Table

Zoning	Regional Center-Old Town (RC-OT)	
Current Development	Vacant	
Site Size & Location	The subject site is bounded by SW 1 st Street, SW Angel Avenue, SW Farmington Road, and SW Main Avenue. The site is approximately 0.9 acres.	
NAC	Central Beaverton	
Surrounding Uses	Zoning: <u>North:</u> RC-OT <u>South:</u> RC-OT <u>East:</u> RC-OT <u>West:</u> RC-OT	Uses: <u>North:</u> Farmington Road & RR Tracks <u>South:</u> Commercial <u>East:</u> Commercial <u>West:</u> Commercial

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<u>Attachment B:</u> CU2014-0009 <i>New Conditional Use</i>	CU1-CU4
<u>Attachment C:</u> DR2014-0146 <i>Design Review Three</i>	DR1-DR13
<u>Attachment D:</u> LD2014-0013 <i>Replat for Lot Consolidation</i>	LD1-LD4
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<u>Attachment F:</u> <i>Conditions of Approval</i>	COA1-COA7

Exhibits

Exhibit 1. Materials submitted by Staff

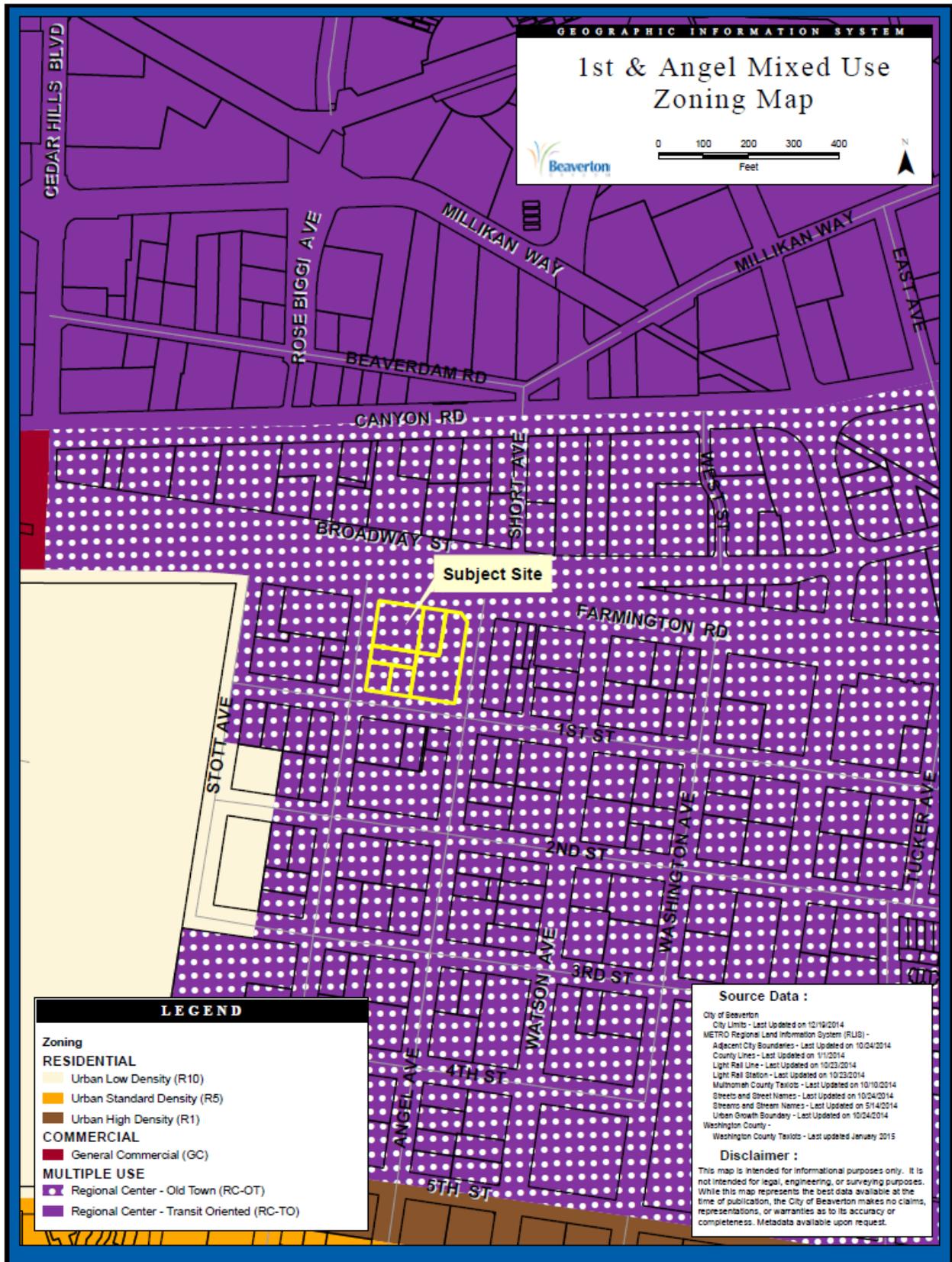
- Exhibit 1.1 Vicinity Map (page SR-4 of this report)
- Exhibit 1.2 Aerial Map (page SR-5 of this report)

Exhibit 2. Public Comment

- Exhibit 2.1 Letter from Jake Kraemer, received March 19, 2015
- Exhibit 2.2 Letter from Mary & Manford Hotchkiss, received April 2, 2015

Exhibit 3. Materials submitted by the Applicant

- Exhibit 3.1 Submittal Package including plans





**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
1st & Angel Mixed Use
CU2014-0009 / DR2014-0456 / LD2014-0013 / SDM2015-0005**

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 eleven (11) criteria are applicable to the submitted Conditional Use and Design Review Three applications as submitted.**
- **Facilities Review criteria do not apply to the Replat for Lot Consolidation Sidewalk Design Modification applications.**

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

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

Water Service will be provided to the site by the City of Beaverton. The development proposes to connect to the existing water line in SW 1st Street. Adequate water service capacity exists to serve the site.

Sanitary sewer service is provided by the City of Beaverton. The development proposes to connect to the existing sanitary line in SW Angel Avenue. Adequate capacity exists to serve the proposed development.

Proposed stormwater drainage has been identified and described in the applicant's narrative and plans, including the storm drainage report prepared by Cardno. The applicant proposes to use Stormtech Chambers in catch basins as underground detention. Connections are proposed to the stormwater line in SW Angel Avenue for the site. The applicant has provided a Clean Water Services Service Provider Letter (SPL) to

show compliance with CWS standards. As such the applicant has shown that adequate stormwater facilities exist to serve the site.

Transportation Facilities are required to have adequate capacity at or prior to completion of the proposed development. Based on the proposed 87 residential units (including the 9 live/work units) and the proposed 2,332 square feet of commercial space, the proposal required a Traffic Impact Analysis, which the applicant contracted with Kittelson & Associates, Inc. to perform. Based on the Kittelson TIA report dated November 26, 2014, the applicant met the requirement to conduct a TIA.

The TIA analysis of the existing conditions show that all of the affected intersections within the analysis area currently meet the City's minimum standards. In addition, all intersections are expected to meet minimum standards in 2015 when the development could potentially be completed and occupied without the proposed development's traffic impacts. Therefore the proposal satisfies the existing conditions analysis requirements.

Once the development's estimated 700 net new daily trips are added to the 2015 conditions, all of the studied intersections are forecast to continue to operate within applicable standards. Therefore, the proposal satisfies the buildout year analysis requirements. The TIA noted that on-street parking immediately adjacent to the site access should be prohibited to allow for safe visibility for drivers entering or exiting the site from SW Main Ave. Staff has proposed a condition of approval to address the Intersection Sight Distance requirement.

The TIA compared the expected traffic volumes from the proposed development to the growth assumed in the City's Transportation System Plan (TSP) for this particular part of the City. The analysis found that the proposed increase in traffic was accounted for within the growth assumptions built in to the transportation modelling. Therefore, the proposal satisfies the long-range forecast year analysis requirement.

With the redevelopment of the site, the applicant is proposing to dedicate 6.5 feet of right-of-way along the SW Farmington Rd. frontage, which will be sufficient to allow the City to construct the required eastbound bike lane at some future time when more than one block can be upgraded to meet the City's standards for an Arterial Street. The applicant is requesting approval of a Sidewalk Design Modification to allow the sidewalk of SW Farmington Rd. to be 9 feet wide, instead of the standard 10 feet wide once the future bike lane is installed. During the interim years, the site will have a sidewalk that is just over 14 feet in width, with at least a 5-foot-wide unobstructed area along the entire SW Farmington Rd. blockface. Street trees will be installed in their ultimate locations. Therefore, the proposal satisfies the requirement to improve the adjacent street frontages.

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). The applicant has made an Alternative Materials and Methods request to TVF&R, which has been approved. Comments and conditions of approval have been received from TVF&R. Conditions of approval submitted by TVF&R are included herein. Staff also cites the findings for Criterion H hereto regarding fire prevention.

To ensure appropriate design and construction of the critical facilities including but not limited to utility connections, access to manholes and structures, maintenance

requirements, and associated construction and utility phasing plans, the Committee recommends standard conditions of approval.

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

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

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

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

The site will be served by the Tualatin Hills Park and Recreation (THPRD) and will be required to pay any assessed SDC fees for parks with building permit issuance. Nearby parks include; Griffith Park, Fifth Street Park and City Park.

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

Pedestrian, Bicycle, and Transit Facilities are typically required to be in place prior to occupancy. Sidewalks are included in the Essential Facilities. The applicant has proposed to construct 10-foot-wide sidewalks along the SW Angel Ave., SW 1st St., and SW Main Ave. frontages, in addition to the SW Farmington Rd. sidewalk discussed above. Short term bicycle parking is proposed on the northeast and northwest corners of the site where the curbs will be extended and in an alcove along the east side of the proposed building. Long term bicycle parking spaces will be provided within the parking area in the northeast corner of the structure and within individual residential units. The site is already well served by existing bus and light rail stops within walking distance.

Beaverton School District has been provided plans and written comments have provided a Service Provider Letter in response to the proposal. The District’s letter shows an anticipated Moderate to Significant Impact at the Elementary level and a low to moderate impact at the Middle and High school levels. The letter states that the District will continue to monitor population and enrollment forecasts, as well as track all proposed and approved residential developments in order to anticipate significant impact on schools. The District has a number of options available to alleviate crowded schools and can be found to have capacity to serve the anticipated students.

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 Regional Center-Old Town (RC-OT) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards.

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

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

The Committee cites the Code Conformance Analysis chart at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60, in response to the above mentioned criteria. Why then are we addressing the following sections of Ch 60? If the following are all transportation related, put it in the table. If it requires special attention that cannot fit in the table, then explain why we have called out these specific issues.

All of the proposed vehicle parking spaces are at least 18 ½' by 9' and there are 2 ADA-compliant spaces shown. The parking area appears to comply with the applicable design standards for layout and dimensions.

Section 60.55.10 General Provisions

All of the transportation facilities related to the proposal have been designed in accordance with the Engineering Design Manual and Standard Drawings.

All SW Farmington Rd. right-of-way shown to be dedicated will be dedicated prior to building permit issuance, as a Condition of Approval.

Sections 60.55.30 and .35 Minimum Street Width and Access Standards

SW Farmington Road is classified as an Arterial on the City's Comprehensive Plan. SW Main Avenue is classified as a Neighborhood Route and SW 1st Street and SW Angel Avenue are classified as Local Streets. All of the surrounding streets are under the jurisdiction of the City. With the approval of the Sidewalk Design Modification application, the street improvements proposed meet the applicable standards for street design and sight distance requirements. With the additional ROW dedication along SW Farmington Rd., all of the surrounding streets will meet the City's standards for street width.

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

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

The applicant's narrative states that continued maintenance for the private common facilities and areas will be the responsibility of Rembold Properties, the long term lease holder. The proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

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

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

As noted above, the vehicular and pedestrian circulation patterns within the boundaries of the site are safe and efficient for the operation of the proposed development. Staff cite the findings in criteria B and D above as relevant to criterion F.

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

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

As noted above, the vehicular and pedestrian circulation systems connect to the surrounding systems in a safe, efficient, and direct manner. Staff cite the findings in criteria B and D above as relevant to criterion G.

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

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

Preliminary comments and conditions of approval have been received from Tualatin Valley Fire and Rescue District (TVF&R). Specific details regarding fire flow and hydrant placement will be reviewed for flow calculations and hydrant locations during site development and building permit stages.

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

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

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

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development. The proposed sidewalks and walkways will be adequately lighted to meet the minimum applicable Design Standards, as a Condition of Approval. The walkways and drive aisles have been designed to meet the applicable Engineering Design Standards.

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

J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

The applicant's response to J states that the proposed grading of the site is designed to convey all surface drainage into storm filter catch basins to treat the runoff. No stormwater drainage will discharge onto neighboring properties or increase post development discharge. The site is relatively flat. Grading plans consistent with City standards have been provided. Grading is primarily proposed for the building pads and associated site improvements.

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

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

K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code

accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. The Committee finds that as proposed, the street sidewalks and walkways internal to the development appear to meet applicable accessibility requirements and through the site development and building permitting reviews will be thoroughly evaluated. Therefore, the Committee finds that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and would thereby be in conformance with Development Code Section 60.55.65 and the criterion will be met.

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

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

The applicant submitted the applications on December 24, 2014 and the application was deemed complete on March 4, 2015. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

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

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements

Regional Center-Old Town (RC-OT) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.20.20 (RC-OT)			
Use- Permitted	Attached Dwellings	Attached Dwellings	Yes
Use-Conditional	Live/Work	Live/Work	See CU Findings
Use-Permitted	Retail	Retail	Yes
Development Code Section 20.20.15 (RD-OT)			
Minimum Lot Area	None	39,200 square feet	Yes
Minimum Corner Lot Dimensions Width Depth	none none	200' 194'	Yes
Minimum Yard Setbacks Front Side Rear	*governed by Chapter 60 none none	Setbacks along MPR's are governed by Chapter 60 and will be reviewed with the Design Review application. All adjacent streets are Class 1 MPR's	See DR staff report.
Maximum Building Height	60 feet at property line 75 feet with 20' step-back	50'	Yes
Development Code Section 20.25.05 – Floor Area Ratio			
Floor Area Ratio	Minimum FAR 0.35 Maximum FAR: none	(82,229 sq. ft. floor area / 39,200 sq. ft. site size) 2.1 FAR. There is no maximum density in the RC-OT zone.	Yes

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review standards and guidelines will be reviewed in the Design Review portion of the staff report.	See DR Findings
Development Code Section 60.07			
Drive-Up window facilities	Requirements for drive-up, drive-through and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	No mapped floodplains are located within the subject site.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development techniques proposed.	N/A
Development Code Section 60.15 – Land Division Standards			
Land Division Standards	Standards pertaining to Land Divisions	A Replat One to consolidate the site into one lot of record.	See LD Findings
Development Code Section 60.25 – Off Street Loading			
Loading Facilities	No loading facilities are required for this use.	No loading facilities are proposed	N/A
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking Parking Zone A	<u>Attached Dwellings</u> 0.75 per unit= 65 spaces <u>Commercial</u> Commercial uses in the RC-OT zoning designation do not require parking spaces.	65 spaces	YES
Required Bicycle Park	Short Term: 1 space / 20 DU's=4 Short Term: 2 spaces or 1 / 4,000 sw. ft. = 2 spaces Short Term Total: 8 Long Term: 1 space per DU=87 Long Term: 2 spaces or 1 / 12,000 sq. ft. = 4 spaces Long Term Total: 91	Short Term: 10 Long Term: 91	YES

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 protected trees exist on the site	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.	The applicant states that they are aware of the undergrounding requirements. To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy.	Yes- with COA

**CU2014-0009
ANALYSIS AND FINDINGS FOR
CONDITIONAL USE APPROVAL**

Section 40.15.15.3.C New Conditional Use Approval Criteria:

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

1. *The proposal satisfies the threshold requirements for a Conditional Use application.*

The applicant proposes nine (9) live/work units as part of a mixed use development. Live/work is a conditional use in the RC-OT zoning district. The scope of the conditional use is limited to the nine proposed live/work units.

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.*

The applicant paid the required fee associated with a New Conditional Use application.

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

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

The applicant's response to Criterion No. 3 states that the proposal satisfies the applicable sections of the Comprehensive Plan, as identified in the Pre-Application Conference notes.

Staff cites the following comprehensive plan policies and associated findings as applicable to this criterion, as identified in the Pre-Application Conference notes:

Chapter 3 (Land Use Element)

3.5.1. Goal: Beaverton mixed use areas that develop in accordance with community vision and consistent with 2040 Regional Growth Concept Map.

a) *Regulate new development in Regional Centers, Town Centers, Station Communities and Main Streets to ensure compact urban development.*

The applicant, states that site development standards, including FAR, building setbacks, and building height exemplify regulations that apply to the proposed development which ensure compact development. The applicant proposes to comply with all site development standards in the RC-OT zoning designation and proposes a compact urban style development.

- b) *Allow a mix of complementary land use types, which may include housing, retail, office, small manufacturing or industry, and civic uses to encourage compact neighborhoods with pedestrian oriented streets.*

The applicant states that the primary use proposed in the development is housing, which features a range of housing units including live/work, studios, one bedroom apartments and two bedroom apartments. The proposed development also includes other complementary uses such as common areas, off-street parking, and commercial uses which are all permitted outright in the zone, with the exception of the live/work units which require Conditional Use approval.

- c) *Design streets and adjacent buildings within mixed use land use designations to ensure a setting that is attractive and accessible to multiple transportation modes, include pedestrians, bicyclists, transit riders and motor vehicles.*

The applicant proposes to dedicate the necessary right-of-way for the future development of a bike lane on SW Farmington Road. In addition, sidewalks, bike racks and internal resident parking area proposed. The building is designed to engage with pedestrians and it located at the back of sidewalk to create a street enclosure. Sidewalk access is provided to nearby transit stops.

- d) *Incorporate pedestrian and bicycle connections into an area-wide network of public and private open spaces*

The applicant states that there are no public or private open spaces on or adjacent to the proposed development site. However, the proposed development will connect to the existing sidewalk system which connects to open spaces in the downtown area as well as commercial areas and transit services.

- e) *Promote pedestrian safety by designing streets and pedestrian areas that encourage pedestrian use both day and night, reflect local access functions and use land efficiently.*

The applicant states that pedestrian areas are not proposed as part of the development. However, sidewalks with street trees are provided and connect to the building. The site will be lit and provide for a safe pedestrian environment on the sidewalk areas during both the day and night.

- f) *Regulate the design and construction of streets, intersections, and parking facilities to ensure pedestrian safety and convenience.*

The applicant states that the proposed development will improve pedestrian safety and convenience at intersections by providing curb extensions to increase pedestrian visibility and shorten crossing distance. The proposed development provides parking and pedestrian features which are designed to be safe, convenient and efficient.

- h) *Improve designated pedestrian oriented streets and intersections to stimulate safe, enjoyable walking.*

The applicant states that the proposed development abuts streets designated as Major

Pedestrian Routes on all four frontages. As described earlier the development includes sidewalk improvements, curb extensions, lighting, and plantings.

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

- a) *Regulate new development in Regional Centers to ensure compact urban development and to maximize the public infrastructure investment in light rail.*
- b) *Apply the Regional Center land use designation generally in the areas identified on the Metro 2040 Regional Growth Concept Map.*
- c) *Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.*
- d) *Adopt Community Plans identifying Comprehensive Plan Policies applicable to each regional center to provide community vision.*

The proposed development is located on a parcel designation RC-OT with the land use designation Regional Center. This designation is consistent with the Metro 2040 Regional Growth Concept Map and Table 3.14 Comprehensive Plan and Zoning District Matrix. No community plans have been adopted that area applicable to this parcel.

Therefore, staff finds that by meeting the conditions of approval, the criterion is met.

4. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.*

In response to Criterion No. 4, the applicant states that the site is a full city block and requires minimal grading to accommodate the development. The development as a whole proposes 87 dwelling units, of which nine would be live/work units. As shown in the code conformance analysis in the Facilities Review Report and in the Design Review section of this report the site can accommodate the proposed development which is consistent with the desired development in the RC-OT zoning district. Staff finds that the site can accommodate the proposed nine live/work units as part of the overall mixed use development.

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

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

In response to Criterion No. 5, the applicant states that the proposed conditional use, nine

live/work units, are located within a mixed-use building that combines commercial uses and residential uses, as envisioned in the RC-OT zoning district. The RC-OT zoning district allows both residential and commercial uses and encourages mixed use developments. The applicant proposes both residential apartment units and commercial spaces, the provision of live/work units is consistent with the mix of uses being proposed. The inclusion of live/work units would not impact the livability or use of properties in the vicinity but would provide for additional types of commercial and residential uses that may help to create a vibrant commercial and residential environment. The proposal includes parking for the residential components of the live/work units. In the RC-OT zoning district commercial uses do not require the on-site provision of parking. The applicant has conducted a parking study that shows that even with the proposed development on-street parking occupancy is proposed to increase to approximately 72%, below the full amount the on-street network can accommodate in the vicinity of the project.

Staff finds that the size, location and functional characteristics of the proposal are reasonably compatible with and have minimal impact on surrounding uses.

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

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

The applicant submitted the application on December 24, 2014 and was deemed complete on March 4, 2015. Design Review Three, Replat One and Sidewalk Design Modification applications are being processed concurrently with the subject request for a Conditional Use. The Conditional Use application is dependent upon approval of the Design Review Three, Replat One and Sidewalk Design Modification applications. Staff recommends a condition of approval which states that approval of the Conditional Use application is subject to approval of the associated applications.

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

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **CU2014-0009 (1st & Angel Mixed Use)**. Should the Planning Commission find that the application meets the approval criteria staff has recommended conditions of approval in Attachment F.

**DR2014-0146
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW THREE APPROVAL**

Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

Section 40.20.15.3.C Approval Criteria: In order to approve a Design Review Three 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 Design Review Three application.*

The applicant proposes to construct a new mixed use building with 78 apartment units, 9 live work units and 2,332 square feet of commercial space. The applicant qualifies for a Type 2 application however proposes to deviate from the Design Standards, therefore meeting threshold 8 for a Design Review Three application.

8. A project meeting the Design Review Two thresholds which does not meet an applicable design standard.

Therefore, staff find that the criterion is met.

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

The applicant paid the required fees for a Design Review Three application.

Therefore, staff find that the criterion is met.

3. *For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).*

This proposal meets Design Review Three Threshold 8, therefore this criterion is not applicable.

Therefore, staff find the criterion is not applicable.

4. ***For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Guidelines if any of the following conditions exist:***
- a. ***A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable guideline; or***
 - b. ***The location of existing structural improvements prevent the full implementation of the applicable guideline; or***
 - c. ***The location of the existing structure to be modified is more than 300 feet from a public street.***

The project proposal is a new mixed use building, the site is currently vacant.

Therefore, staff find the criterion is not applicable.

5. ***For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.***

The applicant does not propose a DRBCP.

Therefore, staff find the criterion is not applicable.

6. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s). [ORD 4531; March 2010]***

The applicant proposes to meet a mix of Design Standards and Design Guidelines. Staff cites the code conformance analysis at the end of this section as it pertains to meeting Design Standards and Guidelines.

Therefore, staff find the criterion is met.

7. ***For proposals meeting Design Review Three application Threshold numbers 7 or 8 where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).***

The applicant proposes to address a mix of Design Standards and Design Guidelines, therefore this criterion is not applicable.

Therefore, staff find the criterion is not applicable.

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

The applicant submitted the application on December 24, 2014 and was deemed complete on March 4, 2015. Conditional Use, Replat One and Sidewalk Design Modification applications are being processed concurrently with the subject request for a Design Review Three. The Design Review Three application is dependent upon approval of the Conditional Use, Replat One and Sidewalk Design Modification applications. Staff recommends a condition of approval which states that approval of the Design Review Three application is subject to approval of the associated applications.

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

Design Review Standards Analysis
Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15.1.A Max length of attached residential buildings	The proposed building are mixed use buildings.	N/A
60.05.15.1.B Min 30% articulation	The applicant has chosen to address the Design Guideline.	See Design Guideline
60.05.15.1.C Max 40' between architectural features	The applicant has chosen to address the Design Guideline.	See Design Guideline
60.05.15.1.D Max 150 sq. ft. undifferentiated blank walls facing streets	Buildings will not have more than 150 square feet of undifferentiated blank walls facing a street.	YES
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12	No pitched roofs greater than 4:12 are proposed.	N/A
60.05.15.2.B Min roof eave = 12"	A shed roof is proposed over a portion of the roof deck area.	YES
60.05.15.2.C Flat roofs need parapets	The applicant has chosen to address the Design Guideline.	See Design Guideline
60.05.15.2.D New structures in existing development be similar	This is proposed new development.	N/A
60.05.15.2.E 4:12 roof standard is N/A to smaller feature roofs	No pitched feature roofs are proposed.	N/A
Primary Building Entrances		
60.05.15.3 Weather protection for primary entrance	The applicant has designed the building so that all primary entrances provide weather protection in accordance with this standard.	YES
Exterior Building Materials		
60.05.15.4.A Residential double wall construction	Sheeting and siding is proposed throughout the building.	YES
60.05.15.4.B Maximum 30% of primary elevation to be made of unfinished concrete block	The applicant states that the only portion of the building visible to the public with smooth unfinished concrete is under the storefront windows, less than 30% of the elevation.	YES
60.05.15.4.C Foundations	No exposed foundations will extend more than three feet above the finished grade.	YES
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	The applicant proposes to set rooftop units back so that the existing parapet screens them from view.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.A 50% Street Frontage on Class 1 MPR	The proposed structure occupies 100% of each street frontage, except SW Main Avenue where the entrance to the parking area is located. However the SW Main Avenue façade is located on 64% of the street frontage.	YES
60.05.15.6.B Street frontage in Commercial zones	The subject site is in a multiple use zone.	N/A
60.05.15.6.C Buildings w/in 20' of property line	All buildings are proposed to be on the property line.	YES
60.05.15.6.D Buildings located at intersections of MPRs	The proposed structure is at the corner of four intersections of major pedestrian routes.	YES
60.05.15.6.E Primary building entrances on Class 1 MPR	The proposed development abuts Class 1 MPR's on all four sides. Commercial and Tenant entrances all face Major Pedestrian Routes.	YES
60.05.15.6.F Secondary entrances	All buildings adjacent to MPR's have entrances or pedestrian connections oriented to the street. Secondary entrances are oriented towards interior parking areas.	YES
Building Scale along Major Pedestrian Routes		
60.05.15.7.A 22' Height Minimum 60' Height Maximum	The building is approximately 50 feet in height.	YES
60.05.15.7.B Detached residential dwellings are exempt	Attached residential dwellings are proposed and therefore not exempt.	N/A
60.05.15.7C Max height shall not be exceeded except through adjustment or variance.	The buildings proposed do not exceed the maximum height along an MPR.	N/A
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A-B Glazing Requirements	The applicant has chosen to address the Design Guideline.	See Design Guideline
Compact Detached Housing Design		
60.05.15.9.A-K	Compact Detached Housing is not proposed.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The development has zero setbacks on all facades so all primary doors connect to the public pedestrian circulation system. The driveway to the parking area connects to SW Main Avenue in a safe and efficient manner.	YES
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A Screen from public view	The proposed trash enclosure is interior to the site in enclosed a room accessed via the parking area.	YES
60.05.20.2.B Loading areas shall be screened	No loading areas are proposed or required.	N/A
60.05.20.2.C Screening with walls, hedge, wood	The proposed enclosure is interior to the building.	YES
60.05.20.2.D Chain-link screening prohibited	No chain link is proposed for screening.	YES
60.05.20.2.E Screening of loading waived in some zones.	No loading areas are proposed or required.	N/A
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	Pedestrian circulation is provided to the existing sidewalk system along all street frontages as the building has zero setbacks.	YES
60.05.20.3.B Direct walkway connection	Pedestrian circulation is provided to the existing sidewalk system along all street frontages as the building has zero setbacks.	YES
60.05.20.3.C Walkways every 300'	The block is less than 300' in length, all external access points connect to the public street system.	N/A
60.05.20.3.D Physical separation	All parking is interior to the building, pedestrian pathways are not proposed.	YES
60.05.20.3.E Distinct paving	All parking is interior to the building, pedestrian pathways are not proposed.	YES
60.05.20.3.F 5' minimum width	All parking is interior to the building, pedestrian pathways are not proposed.	YES
Street Frontages and Parking Areas		
60.05.20.4.A Screen from public view	Tuck under parking, interior to the site is proposed, parking areas are proposed to be screened by the building and a gate.	YES
Parking and Landscaping		
60.05.20.5.A. 1 Landscape island per 10 spaces	Landscape planter islands are proposed for areas of parking open to the sky at a ratio of greater than 1 island per 10 spaces.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.20.5.B 70 sq. ft.	All landscape islands are a minimum of 70 square feet and contain a tree and other vegetation.	YES
60.05.20.5.C Raised Sidewalks	Raised sidewalks are not proposed to be counted towards the number of landscape islands.	N/A
60.05.20.5.D Trees from Street Tree List	Proposed trees are on the Street Tree List.	YES
Off-Street Parking Frontages in Multiple-Use Districts		
60.05.20.6.A 50% Max on MPR	All parking is located internally to the site.	YES
60.05.20.6.B Off-street parking frontages	All parking is located internally to the site.	YES
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
60.05.20.7.A Required sidewalk widths	The applicant is providing a 10' sidewalk along all frontages, except SW Farmington Road where an ultimate sidewalk width of 9' is proposed. However an interim width of 14' is proposed until the City constructs a bike lane on SW Farmington Road.	See SDM Findings
60.05.20.7.B Required walkway widths 10'	All primary building entrances are located on public streets. No internal walkways are proposed.	N/A
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
60.05.20.8.A Drive aisles to be designed as public streets, if applicable	Drive aisles provide access to perpendicular parking spaces.	N/A
Ground Floor uses in parking structures		
60.05.20.9 Parking Structures	No parking structures are proposed.	N/A

Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping		
60.05.25.5.A Minimum Landscape Area (10%)	The site contains less than 10% open space.	See Design Guideline
60.05.25.5.B Planting Requirements	The applicant proposes 5 trees, 10 shrubs and ground cover in the parking lot landscape areas.	YES
60.05.25.5.C.1-4 Pedestrian Plazas	The applicant does not propose pedestrian plazas.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Retaining Walls		
60.05.25.8 Retaining Walls	No retaining walls are proposed.	N/A
Fences and Walls		
60.05.25.9.A Materials	The applicant proposes screening the parking areas with a combination of decorative wood and metal panels.	YES
60.05.25.9.B Chain Link	Chain link is not proposed.	N/A
60.05.25.9.C Masonry	Walls are not proposed.	N/A
60.05.25.9.E Location	No fences in front yards are proposed.	N/A
Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10 Minimize grade changes	The property is surrounded by public streets.	N/A
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	On-site water quality will be handled through Contec Stormwater vaults, no LIDA facilities are proposed.	N/A
Natural Areas		
60.05.25.12 No encroachment into buffer areas.	No natural areas are identified on site.	N/A
Landscape Buffering Requirements		
60.05.25.13.C Landscape buffering between contrasting zoning districts	The site is surrounded by public streets as well as surrounding properties zoned RC-OT, therefore no buffering is required.	N/A

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A Lighting complies with the City's Technical Lighting Standards	The applicant provides a lighting plan with photometric details. On-site lighting meets the minimum lighting requirements in most areas but there are portions of the vehicle maneuvering area that do not meet minimum lighting standards. As a condition of approval the internal vehicular parking area to at least a minimum of 0.5 footcandles.	YES w/ COA
60.05.30.1.B Lighting provided for vehicle and pedestrian circulation	Vehicular and pedestrian circulation area lighted by wall and bollard luminaires. Additional lighting is needed in the vehicle maneuvering areas.	YES w/ COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.30.1.C Lighting of Ped Plazas	No pedestrian plazas are proposed.	N/A
60.05.30.1.D Lighting of building entrances	The applicant's lighting plan shows lighting at building entrances.	YES
60.05.30.1.E Canopy lighting recessed	Canopy lighting is proposed to be recessed.	YES
Pedestrian-scale on-site lighting		
60.05.30.2.A Pedestrian Lighting	No pole mounted luminaires are proposed.	N/A
60.05.30.2.B Non-Pole Mounted Lighting	Pedestrian areas are primarily on sidewalks and will be lighted with wall-mounted building lights and street lights.	YES
60.05.30.2.C Lighted Bollards	No lighted bollards are proposed for pedestrian areas.	N/A

DESIGN REVIEW GUIDELINES ANALYSIS

In the following analysis, staff have only identified the Design Guidelines which are relevant to the subject development proposal. Non-relevant Guidelines have been omitted.

60.05.35 *Building Design and Orientation Guidelines.* *Unless otherwise noted, all guidelines apply in all zoning districts.*

1. *Building Elevation Design Through Articulation and Variety*

B. *Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standard 60.05.15.1.A and B)*

The applicant states that the design of the proposed building is articulated and varied. The building has two distinct masses, the façade along SW Farmington Road is higher than the façade along SW 1st Street. Decks and reveals are used to break up the horizontal facades. Corners are accented with brick cladding. The base of the building is articulated with glazing, awnings and decks. Staff concurs that adequate visual interest is provided.

Therefore, staff find the Guideline is met.

C. *To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)*

The applicant states that proposed alcoves enhance the building entries as well as provide continuous vertical elements. Proposed decks and window placement emphasize the vertical bays. Staff concur that vertical elements are adequately emphasized.

Therefore, staff find the Guideline is met.

D. *Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B) [ORD 4531; March 2010]*

The applicant states that the proposed building complements the surrounding mixed-use district and is pedestrian friendly. Proposed awnings, residential scale windows, cladding materials and multiple direct connections to the sidewalk contribute to the pedestrian orientation of the building. Staff concurs that the buildings are of a comfortable pedestrian scale and are provided in close proximity to the street creating a street enclosure.

Therefore, staff find the Guideline is met.

E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D) [ORD 4542; May 2010]

The applicant states that each elevation features a combination of windows, bays, balconies, off-street walls, alcoves and changes in material types. Undifferentiated blank walls are not proposed.

Therefore, staff find the Guideline is met.

2. Roof Forms as Unifying Elements

B. Flat roofs should include distinctive cornice treatments. (Standard 60.05.15.2.C)

The applicant states that the proposed development has low-slope roofs with parapets that meet the requirement. Proposed shed roofs at the building corners and on the community room have overhang. Large overhangs emphasize the urban corners. Staff concur that the adequate roof treatments are provided.

Therefore, staff find the Guideline is met.

8. Ground Floor Elevations on Commercial and Multiple Use Buildings.

A. Excluding residential only development, ground floor building elevations should be pedestrian oriented and provide views into retail, office or lobby space, pedestrian entrances or retail display windows. (Standard 60.05.15.8.A)

The applicant states that the ground floor elevations in the proposed development are largely glazed with windows or glass doors, with the exception of the SW Farmington Road frontage. In order to comply with the off-street parking requirements the proposed ground floor parking area must abut one of the buildings outer walls. The ground floor elevation on SW Farmington is heavily glazed at the corners where the commercial space is located. In between the commercial space there is a mix of metal art screening and wooded screen walls. These two screening materials allow adequate venting of the parking area while providing visual interest to the ground floor elevation. Awnings are also provided along portions of the facades to provide pedestrian protection. Staff concur that views into the space are provided and entryways are accentuated with glazing where desirable.

Therefore, staff find the Guideline is met.

- B. *Except those used exclusively for residential use, ground floor elevations that are located on a Major Pedestrian Route, sidewalk, or other space where pedestrians are allowed to walk should provide weather protection for pedestrians on building elevations.*

The applicant states that weather protection is proposed over the storefronts for the proposed commercial and live/work flat uses, as well as the area around the primary building entrance along the SW Angel Street frontage. The SW Farmington Road frontage also has pedestrian cover over alternating portions of the façade. Staff concurs that adequate weather protection has been provided.

Therefore, staff find the Guideline is met.

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines. *Unless otherwise noted, all guidelines apply in all zoning districts.*

3. Minimum landscaping for conditional uses in Residential districts and for developments in Multiple Use, Commercial, and Industrial Districts.

- A. *Landscaping should soften the edges of buildings and parking areas, add aesthetic interest and generally increase the attractiveness of a development and its surroundings. (Standard 60.05.25.3.A, B, and D)*

The applicant states that the proposed landscape areas consist of planter islands in the parking areas which include street trees, shrubs and ground covers. The site is an urban style development which covers a full city block. Street trees and plantings are proposed along the perimeter of the building in the public right-of-way. Staff finds that given the high density nature of the zoning district, RC-OT, and urban style of the development, adequate landscaping is provided.

Therefore, staff find the Guideline is met.

- C. *Use of native vegetation should be emphasized for compatibility with local and regional climatic conditions. (Standard 60.05.25.3.A and B)*

The applicant states that native and naturalized plants are proposed throughout the site including Norway Maple and Paperback Maple trees as well as shrubs and ground cover.

Therefore, staff find the Guideline is met.

- D. *Existing mature trees and vegetation should be retained and incorporated, when possible, into the site design of a development. (Standard 60.05.25.3.A and B)*

The applicant states that existing street trees are proposed to be replaced in order to increase and balance the distribution of trees surrounding the site. Landscape trees on

the site are proposed to be replaced due to the more intensive use of the site which conflicts with the locations of the trees. There are no significant trees on the site.

Therefore, staff find the Guideline is met.

E. *A diversity of tree and shrub species should be provided in required landscaped areas.* (Standard 60.05.25.3)

The applicant states that the landscaping plan demonstrates a diversity of tree and shrub species.

Therefore, staff find the Guideline is met.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **DR2014-0146 (1st & Angel Mixed Use)**, subject to the applicable conditions identified in Attachment F.

**LD2014-0013
ANALYSIS AND FINDINGS FOR
REPLAT ONE**

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 40.45.15.2.C Approval Criteria

In order to approve a Replat One 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 Replat One.*

The applicant proposes to consolidate six parcels into one parcel meeting the threshold for a Replat One for Lot Consolidation below.

- 1. The reconfiguration of lots, parcels, or tracts within a single existing plat that decreases or consolidates the number of lots, parcels, or tracts in the plat.*

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 Replat One application.

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

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

The subject site is currently vacant. The applicant proposes an entirely new mixed use development. The lot consolidation will allow the entire site to become one parcel. The proposed application will not affect or modify any current or previous land use approvals.

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

4. *Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed*

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

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. The RC-OT zoning district does not have minimum or maximum lot sizes, as such no oversized lots are proposed. Please refer to the Facilities Review section of this report for utility provision information (Attachment A).

Therefore, staff find that 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:***
- 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, and where a street is proposed provides a standards street cross section with sidewalks.***

The proposal does not apply the lot area averaging standards.

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 Adjustments or Variance for the Land Division.***

The proposal does not apply the lot area averaging standards.

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

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

The applicant does not propose to phase the development

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

- 8. *The proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties.***

The applicant states that the proposal will not eliminate pedestrian, utility service, or vehicle access to the affected properties. The existing sidewalk system is being widened and resurfaced and utility service to the site will remain or be upgraded. Additionally, staff cites the Facilities Review findings in Attachment A as they relate to this criterion.

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

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

All parcels created by the proposal will have the Regional Center-Old Town (RC-OT) zoning designation.

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

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

The applicant has submitted this Replat One application and the Conditional Use, Design Review Three, and Sidewalk Design Modification applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

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

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **LD2014-0013 (1st & Angel Mixed Use)**, subject to the applicable conditions identified in Attachment F.

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Grading Standards			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review.	The proposal is subject to the grading standards contained herein.	Yes
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	No exemptions are applicable.	N/A
60.15.10.3.A 0-5 Feet From Property Line	Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and is surrounded by public rights-of-way.	Yes
60.15.10.3.B 5-10 Feet From Property Line	Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and is surrounded by public rights-of-way.	Yes
60.15.10.3.C 10-15 Feet From Property Line	Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and is surrounded by public rights-of-way.	Yes
60.15.10.3.D 15-20 Feet From Property Line	Maximum eight (8) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and is surrounded by public rights-of-way.	Yes
60.15.10.3.E 20-25 Feet From Property Line	Maximum ten (10) foot slope differential from the existing or finished slope of the abutting property.	The subject site is relatively flat and is surrounded by public rights-of-way.	Yes
60.15.10.3.F Pre-development slope	Where a pre-development slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, the slope after grading shall not exceed the pre-development slope	The applicant does not propose to exceed these standards of pre-development slopes.	Yes
Significant Trees and Groves			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	There are no significant trees or groves on site.	N/A

**SDM2015-0005
ANALYSIS AND FINDINGS FOR
SIDEWALK DESIGN MODIFICATION**

Section 40.58.05. Sidewalk Design Modification Application; Purpose

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

Section 40.58.15.1.C. Approval Criteria

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

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

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

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

The applicant requests a sidewalk design modification for the sidewalk along SW Farmington Road. The applicant proposes a 9' wide ultimate sidewalk width adjacent to Farmington Road which is less than the minimum required 10' sidewalk with trees in tree wells. The application meets threshold 1 for a Sidewalk Design Modification. Until the City of Beaverton undertakes construction of a bike lane along Farmington Road the sidewalk will be 14 feet in width with street trees at their ultimate location.

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

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

The City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

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

- 3. *One or more of the following criteria are satisfied:***

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

The applicant states that local physical conditions existing that prevent construction of right-of-way improvements to City standards. The existing approximately 12-foot dimensions of the two travel lanes abutting the site will be maintained as part of the future improvements on SW Farmington Road instead of reducing one lane width to 11 feet. The application explains that this effectively reduces the amount of right-of-way that has been planned for sidewalks by one foot, the amount of adjustment being requested. The interim sidewalk condition will have a 14 foot sidewalk. There are no current projects to install the bike land on Farmington Road, however the bike lane is identified in the Comprehensive Plan.

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

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

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

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

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

The applicant has submitted this Sidewalk Design Modification application and the associated Conditional Use, Design Review Three and Replat One applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all four (4) applications at once.

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

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

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

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2015-0005 (1st & Angel Mixed Use)** subject to the applicable conditions identified in Attachment F.

CONDITIONS OF APPROVAL

CU2014-0009 New Conditional Use Application:

A. Prior to issuance of the site development permit, the applicant shall:

1. Ensure that all associated applications, including Design Review Three, Replat One, and Sidewalk Design Modification have been approved and are consistent with the submitted plans. (Planning Division/JF)

DR2014-0146 Design Review Three Application:

B. Prior to issuance of the site development permit, the applicant shall:

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, and any emergency access, parking lot drive aisle 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)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
7. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue.

If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer meeting the standards set by the City Engineer. The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./

8. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
9. Submit plans to the City for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements, if total disturbance area for the project exceeds one acre. If so the applicant shall use the 2006 plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development Div./JJD)
10. Provide a detailed drainage analysis of the subject site and provide a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event (safe overflow route of storm runoff). The site plans shall clearly show the 100 flood limits on each plan that contains elevation information. (Site Development Div./JJD)
11. Provide final construction ready plans and a full design report demonstrating proposed provision of treatment and on-site detention as generally depicted on the submitted preliminary utility plan and drainage report (November 14, 2014). The report shall verify compliance can be met in regard to both CWS Resolution and Order 2007-020 for redevelopment water quality treatment (Table 4-1) and for detention (quantity), per Section 330, of City Ordinance 4417. Compliance will be substantially met through subsurface detention storage and installation of a Contech Inc., Stormfilter system with treatment provided at a minimum equivalent of 3.0 standard-size cartridges per tributary impervious acre. The analysis will need to be supported with exhibits and calculations. Additional stormwater treatment beyond that proposed in the design review application for existing impervious areas affected by the development (example: Farmington, Angel Ave.) appears to be required. Plans shall also show an oil and sediment trap for any auxiliary inlet structures (ex: sumped, lynch-type catch basin, trench drain with trap, or other City of Beaverton approved equivalent) located in front of any Stormfilter unit. For any impervious area determined to not be practical to flow or be piped to a Stormfilter unit, a fee in lieu of stormwater quality provision will be assessed. (Site Development Div./JJD)
12. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement for the private storm water treatment facilities, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD)
13. Submit to the City a certified impervious surface determination of the entire site 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. In addition, changes in specific types of impervious area totals, in square feet, shall be given for roofs, parking lots and driveways,

sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, the new impervious surface area created, and total final impervious surfaces areas on the entire site or individual tax lots if applicable. (Site Development Div./JJD)

14. Pay storm water system development charge (overall system conveyance) for any net, new impervious surface area created. (Site Development Div./JJD)
15. Have obtained the City Building Official's courtesy review approval of the proposed building plans private site plumbing plan including fire suppression systems, backflow prevention measures, and regulated utility service locations outside the proposed building. (Site Development Div./JJD)
16. Provide plans for LED street lights along the site's public street frontages (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./JJD)
17. Provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. No utility service lines to the structures shall remain overhead on site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
18. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings) at the intersection of any private driveway and a public street. (Site Development Div./JJD)
19. Provide plans showing street improvements along all street frontages and dedication along SW Farmington Ave. (Transportation/KR)
20. Provide plans showing the on-street parking along SW Main Ave. adjacent to the site access will be restricted, such that the sight distance at the site access drive will not be compromised. (Transportation/KR)
21. Provide plans showing that the bike parking racks are oriented with the hoop part of the "lollipop" parallel with the 6' dimension of the bike parking space. [The manufacturer's cut sheet is incorrect.] (Transportation/KR)
22. Provide a cut sheet for the wall-mounted bicycle parking system. (Transportation/KR)
23. Provide photometric plans that show that all of the bicycle, pedestrian, and vehicle circulation areas are lighted to at least the 0.5 foot-candle minimum standard. (Transportation/KR)
24. Provide plans that show that the sidewalk along SW Farmington has been designed to minimize the number of panels that will need to be removed or replaced when the bike lane is added to SW Farmington Ave. (Transportation/KR)
25. Provide a plan showing compliance with the AM&M for the fire apparatus access road exception for automatic sprinkler protection. When buildings are completely protected with an approved automatic fire sprinkler system, the requirements for fire apparatus access may be modified as approved by the fire code official. (OFC 503.1.1) An AM&M is proposed to eliminate the need for aerial access, but has some revisions are necessary prior to formal approval. Revise AM&M for review and approval.

26. Provide a plan showing compliance additional access road standards or an approved AM&M. Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. Buildings or facilities having a gross building area of more than 62,000 square feet shall have at least two approved separate means of fire apparatus access. Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems. (OFC D104) This building is required to have aerial access. An AM&M is proposed to eliminate the need for aerial access, but has some revisions are necessary prior to formal approval. Revise AM&M for review and approval. (TVF&R/JF)
27. Provide a plan showing compliance with aerial fire apparatus road standards or an approved AM&M. Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2) This building is required to have aerial access. An AM&M is proposed to eliminate the need for aerial access, but has some revisions are necessary prior to formal approval. Revise AM&M for review and approval. (TVF&R/JF)
28. Provide a plan showing compliance with aerial apparatus operations or an approved AM&M. At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the fire code official. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4) This building is required to have aerial access. An AM&M is proposed to eliminate the need for aerial access, but has some revisions necessary prior to formal approval. Revise AM&M for review and approval. (TVF&R/JF)
29. Show compliance with required fire flow for commercial buildings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be determined in accordance with residual pressure (OFC Appendix B Table B105.2). The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi. Provide fire flow documentation of the required fire flow for this building. (TVF&R/JF)
30. Provide a plan showing adequate fire hydrant number and distribution. The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in (OFC Table C105.1) The required number of fire hydrants will be based on the required fire flow of the proposed building. (TVF&R/JF)
31. Provide a plan showing adequate fire department connections. A fire hydrant shall be located within 100 feet of a fire department connection (FDC) or as approved. Fire hydrants and FDC's shall be located on the same side of the fire apparatus access

roadway or drive aisle. (OFC 912 & NFPA 13) Identify the location of the proposed FDC for review. (TVF&R/JF)

32. Ensure that all associated applications, including Conditional Use, Replat One and Sidewalk Design Modification have been approved and are consistent with the submitted plans. (Planning Division/JF)

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

33. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
34. 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)
35. Make provisions for adequate water supply during construction. Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1) (TVF&R/JF)

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

36. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
37. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
38. 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)
39. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div./JJD)
40. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
41. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning Div./JF)
42. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning Div./JF)
43. Ensure all landscaping approved by the decision making authority is installed. (Planning Div./JF)

44. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning Div./JF)
45. Ensure that the planting of all approved deciduous trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Deciduous trees shall have straight trunks and be fully branched, with a minimum caliper of 1-1/4 inches and a minimum height of 8 feet at the time of planting, except that dwarf and compact varieties may be may be approved at any size. Deciduous trees may be supplied bare root provided the roots are protected against damage. Each tree is to be adequately staked. (Planning Div./JF)
46. All mechanical units, roof or ground mounted, must be screened from view of public streets and adjacent properties. (Planning Div./JF)
47. A Knox Box for building access is required for this building. Please contact the Fire Marshal's Office for an order form and instructions regarding installation and placement. (OFC 506.1) Access to the internal parking garage/ area will be required by a Knox switch or key. (TVF&R/JF)

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

48. 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) Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
49. Submit any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
50. Provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacturer's recommendations by a CONTECH qualified maintenance provider as determined by the City Engineer. (Site Development Div./JJD)

LD2014-0013 Replat One Application:

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 adopted City standards and requirements. The proposed rights of way and easements shall be consistent with the plans approved by the Planning Commission. (Site Development Div./JJD)

SDM2015-0005 Sidewalk Design Modification Application:

A. Prior to issuance of the site development permit, the applicant shall:

1. Ensure that all associated applications, including Conditional Use, Design Review Three, and Replat One have been approved and are consistent with the submitted plans. (Planning Division/JF)