



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

10/10/2011

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Beaverton Plan Amendment
DLCD File Number 008-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, October 21, 2011

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Jana Fox, City of Beaverton
Angela Lazarean, DLCD Urban Planning Specialist
Anne Debbaut, DLCD Regional Representative
Bill Holmstrom, DLCD Transportation Planner

<paa> YA/l



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DATE
STAMP

DEPT OF

OCT 03 2011

LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Beaverton**

Local file number: **ZMA2010-0006**

Date of Adoption: **9/28/2011**

Date Mailed: **9/30/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **7/1/2011**

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The City initiated a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zoning map designations. For this specific ZMA, the City amend the zoning map to delete the obsolete Office Commercial (OC) zone in the Southeast Beaverton area and replace it with the Neighborhood Service (NS) and Community Service (CS) zones as appropriate.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from:

to:

Zone Map Changed from: **OC**

to: **CS & NS**

Location: **Southeast Beaverton Area**

Acres Involved: **7.55**

Specify Density: Previous: **N/A**

New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File No 008-10 (18314) [16786]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Washington County DLUT & Metro

Local Contact: **Jana Fox**

Phone: (503) 526-3710 Extension:

Address: **PO Box 4755**

Fax Number: 503-526-3720

City: **Beaverton**

Zip: **97076-**

E-mail Address: **jfox@beavertonoregon.gov**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS [197.615](#) and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information ([ORS 197.615](#)).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption ([ORS 197.830 to 197.845](#)).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. ([ORS 197.615](#)).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

<http://www.oregon.gov/LCD/forms.shtml>

Updated April 22, 2011

ORDINANCE NO. 4571

**AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE ZONING MAP, ZMA 2010-0006, SOUTHEAST
BEAVERTON OFFICE COMMERCIAL ZONING MAP
AMENDMENT**

- WHEREAS,** on August 24, 2011, the Planning Commission conducted a public hearing to consider a City-initiated application to amend Ordinance No. 2050, the Zoning Map, designating eight (8) parcels in the vicinity of Hall Boulevard and Ridgecrest Drive, Hall Boulevard and Brightfield Circle, and Pioneer Lane and 125th Avenue from the obsolete Office Commercial zoning designation to the Community Service or Neighborhood Service Center zoning designations; and
- WHEREAS,** the legislative zoning map amendment will change the zoning of the subject parcels from OC (Office Commercial) to CS (Community Service) and NS (Neighborhood Service Center); and
- WHEREAS,** the Planning Commission received and considered the submitted staff report, exhibits, public testimony and staff recommended approval of this zoning map amendment; and
- WHEREAS,** no appeals were filed with the City; and
- WHEREAS,** the Council adopts as to criteria applicable to this request and findings thereon the Planning Division Staff Report dated August 17, 2011, and Planning Commission Land Use Order No. 2258; Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

- Section 1.** Ordinance No. 2050, the Zoning Map, is amended to designate the parcels identified in Section 2 to the zoning designation CS (Community Service) or NS (Neighborhood Service Center).
- Section 2.** The properties affected by this ordinance are depicted in the attached map, marked Exhibit "A" and listed in Exhibit "B" and incorporated herein.

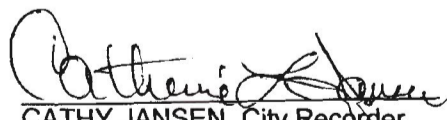
First reading this 20th day of September, 2011.

Second Reading and passage this 27th day of September, 2011.

Approved by the Mayor this 28th day of September, 2011.

ATTEST:

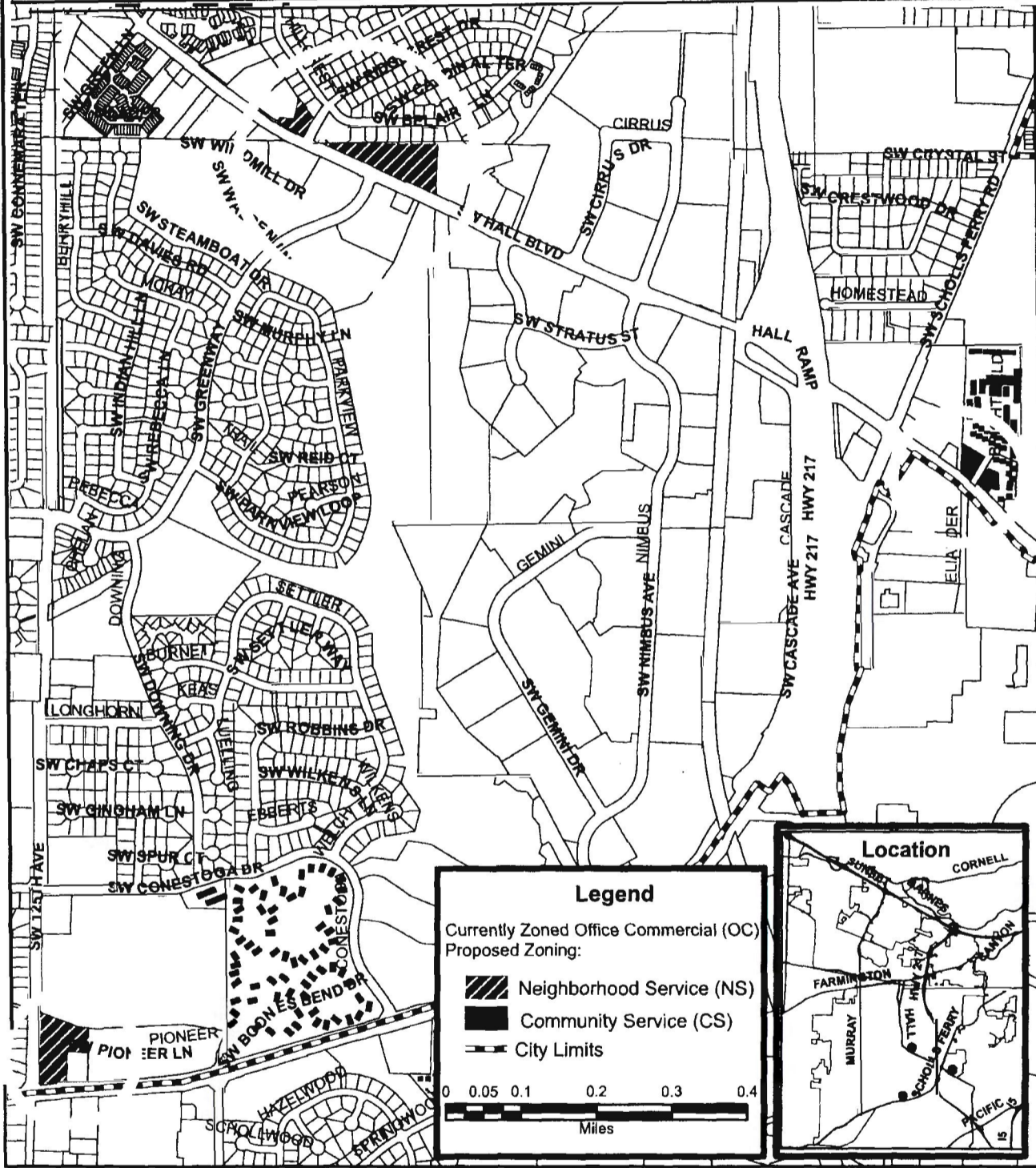
APPROVED:


CATHY JANSEN, City Recorder


DENNY DOYLE, Mayor

VICINITY MAP

EXHIBIT A
Ord. No. 4571



**SOUTHEAST BEAVERTON OFFICE COMMERCIAL
ZONE MAP AMENDMENT**

**COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division**

05/14/10
Tax Lot #
VARIOUS

**Application #
ZMA2010-0006**



EXHIBIT B
Ord. No. 4571

ZMA2010-0006 Southeast Beaverton Office Commercial ZMA

Tax Lot	Zoning Designation
1S122CC03105	NS
1S127BA02502	NS
1S127BA02501	NS
1S127BA02500	NS
1S134BB00700	NS
1S134BB00600	NS
1S126BC00600	CS
1S126BC00701	CS

EXHIBIT B
Ord. No. 4571

ZMA2010-0006 Southeast Beaverton Office Commercial ZMA

Tax Lot	Zoning Designation
1S122CC03105	NS
1S127BA02502	NS
1S127BA02501	NS
1S127BA02500	NS
1S134BB00700	NS
1S134BB00600	NS
1S126BC00600	CS
1S126BC00701	CS

**BEFORE THE PLANNING COMMISSION FOR
THE CITY OF BEAVERTON, OREGON**

IN THE MATTER OF A REQUEST FOR AN)
AMENDMENT TO THE CITY ZONING MAP TO) ORDER NO. 2258
DELETE THE OBSOLETE OFFICE COMMERCIAL) ZMA2010-0006 ORDER APPROVING
(OC) AND NEIGHBORHOOD SERVICE CENTER) REQUEST WITH CONDITIONS.
(NS) ZONES. (SOUTHEAST BEAVERTON OFFICE)
COMMERCIAL ZONING MAP AMENDMENT).)
CITY OF BEAVERTON, APPLICANT.)

The matter came before the Planning Commission on August 24, 2011, on a request for an amendment to the City's Comprehensive Zoning Map to delete the obsolete Office Commercial (OC) zone and apply the Community Service (CS) and Neighborhood Service Center (NS) zones. The subject site is a developed area, consisting of eight (8) parcels. The parcels are located in the general vicinity of Hall Boulevard/Ridgecrest Drive, Hall Boulevard/Brightfield, and 125th/Pioneer Lane. No new development is proposed as a part of this application.

Pursuant to Ordinance 4187 (Comprehensive Plan), Sections 3.10, 3.14, and 6.2.4.d and Ordinance 2050 (Development Code), Sections 40.97.15.2.C. the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated August 17, 2011.

Therefore, **IT IS HEREBY ORDERED** that ZMA2010-0006 is **APPROVED**, based on the testimony, reports and exhibits, and evidence

presented during the public hearings on the matter and based on the facts, findings, and conclusions found in the Staff Report dated August 17, 2011.

Motion **CARRIED**, by the following vote:

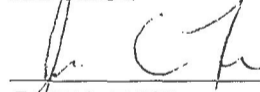
AYES: Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
NAYS: None.
ABSTAIN: None.
ABSENT: None.

Dated this 1st day of September, 2011.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2258, an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community Development Department's office by no later than 5:00 p.m. on Monday, September 12, 2011.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

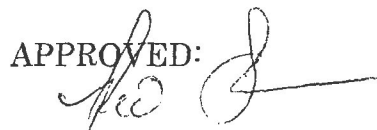


JANA FOX
Associate Planner



STEVEN SPARKS, AICP
Planning Division Manager

APPROVED:



RICHARD STEPHENS
Chairman

DRAFT

PLANNING COMMISSION MINUTES

EXHIBIT 3

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August 24, 2011

CALL TO ORDER:

Chairman Ric Stephens called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL:

Present were Chairman Ric Stephens; Planning Commissioners, Mimi Doukas, Jennifer Nye, Kim Overhage, Eric Johansen, Dan Maks, and Scott Winter.

Senior Planner Tyler Ryerson, Associate Planner Jana Fox, Assistant Planner Cassera Phipps, Assistant Planner Jason T, Transportation Planner Don Gustafson, and Recording Secretary Sheila Martin represented staff.

The meeting was called to order by Chairman Stephens who presented the format for the meeting.

VISITORS:

Chairman Stephens asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

NEW BUSINESS:

Chairman Stephens opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date. He asked if there were any ex parte contact, conflict of interest or disqualifications in any of the hearings on the agenda. There was no response.

1 **PUBLIC HEARINGS:**

2
3 **I. ZMA 2010-0003 – 158TH & WALKER OFFICE COMMERCIAL ZMA:**

4 The City is initiating a series of legislative zoning map amendments
5 (ZMA's) to replace obsolete zones with either new or existing zoning map
6 districts. For this specific ZMA, the proposal is to amend the Zoning Map
7 to delete the obsolete Office Commercial (OC) zone and apply the
8 Community Service (CS) zone. The subject site is a developed area
9 consisting of eight (8) parcels located on the southwest and southeast
10 corners of SW 158th Avenue and SW Walker Road. No new development
11 is proposed as a part of this application.

12
13 **II. ZMA 2010-0005 – GREATER CORNELL OFFICE COMMERCIAL ZMA:**

14 The City is initiating a series of legislative zoning map amendments
15 (ZMA's) to replace obsolete zones with either new or existing zoning map
16 districts. For this specific ZMA, the proposal is to amend the Zoning Map
17 to delete the obsolete Office Commercial (OC) zone and apply the
18 Community Service (CS) and Neighborhood Service Center (NS) zones.
19 The subject site is a developed area consisting of twenty-five (25) parcels
20 located in the general vicinity of Cornell Road, 185th Avenue and 173rd
21 Avenue. No new development is proposed as a part of this application.

22
23 **III. ZMA 2010-0006 – SOUTHEAST BEAVERTON OFFICE COMMERCIAL**
24 **ZMA:**

25 The City is initiating a series of legislative zoning map amendments
26 (ZMA's) to replace obsolete zones with either new or existing zoning map
27 districts. For this specific ZMA, the proposal is to amend the Zoning Map
28 to delete the obsolete Office Commercial (OC) zone and apply the
29 Community Service (CS) and Neighborhood Service Center (NS) zones.
30 The subject site is a developed area, consisting of eight (8) parcels
31 located in the general vicinity of Hall Boulevard / Ridgecrest Drive, Hall
32 Boulevard / Brightfield, and 125th / Pioneer Lane. No new development is
33 proposed as a part of this application.

34
35 **IV. ZMA 2010-0011 – CENTRAL BEAVERTON CONVENIENCE SERVICE**
36 **CENTER (CV) / OFFICE COMMERCIAL (OC) ZMA:**

37 The City is initiating a series of legislative zoning map amendments
38 (ZMA's) to replace obsolete zones with either new or existing zoning map
39 districts. For this specific ZMA, the proposal is to amend the Zoning Map
40 to delete the obsolete Office Commercial (OC) and Convenience Service
41 Center (CV) zones and apply the Community Service (CS) and / or
42 Neighborhood Service Center (NS) zones. The subject site is a
43 developed area consisting of three (3) parcels generally located in Central
44 Beaverton: two (2) parcels along Farmington Road and one (1) parcel
45 near the corner of Jenkins Road and Cedar Hills Boulevard. No new
46 development is proposed as a part of this application.

1 Chairman Stephens briefly described the hearing process and applicable
2 approval criteria for these proposals. Observing that the Commission has
3 the option of hearing all four applications concurrently as well as waiving
4 staff presentations, he pointed out that three of the four applications have
5 been previously heard by the Commission. He explained that all four
6 applications would be held concurrently and that the staff presentations
7 would be waived, adding that because the City is the applicant for all four
8 applications, the Commission has the option of asking questions of staff.
9

10 Referring to ZMA 2010-0003 – 158th and Walker Office Commercial ZMA,
11 Commissioner Overhage pointed out that the Civic Plan has been
12 approved and the southeast corner of 158th / Walker would be better
13 suited for the SC-E zone, which would require a change to the land use
14 designation.
15

16 Assistant Planner Cassera Phipps explained that staff agrees that this is
17 an issue that could and will be reevaluated as part of the Civic Plan.
18

19 Commissioner Overhage called staff's attention to a typo on page 10 of
20 the Staff Report for ZMA 2010-0006.
21

22 Associate Planner Jana Fox mentioned an additional correction that needs
23 to be made to this Staff Report.
24

25 Commissioner Maks noted that current or present use should be
26 designated when identifying any of these properties in the future.
27

28 **PUBLIC TESTIMONY**

29
30 No member of the public testified with regard to these proposals.
31

32 The public portion of the Public Hearing was closed.
33

34 At the request of Commissioner Winter, Ms. Fox explained that Oregon
35 Department of Transportation's (ODOT's) concerns focused around the
36 potential for an adverse effect upon their facilities.
37

38 Observing that these applications meet applicable approval criteria,
39 Commissioners Winter, Nye, Overhage, Maks, Doukas, and Johansen
40 and Chairman Stephens expressed their support of all four applications.
41

42 Commissioner Maks **MOVED** and Commissioner Doukas **SECONDED** a
43 motion to **APPROVE** ZMA 2010-0003 – 158th and Walker Office
44 Commercial ZMA, based on the facts and findings in the Staff Report
45 dated August 17, 2011.
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Motion **CARRIED** 7:0.

- AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.

Commissioner Maks **MOVED** and Commissioner Doukas **SECONDED** a motion to **APPROVE** ZMA 2010-0005 – Greater Cornell Office Commercial ZMA, based on the facts and findings in the Staff Report dated August 17, 2011.

Motion **CARRIED** 7:0.

- AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.

Commissioner Maks **MOVED** and Commissioner Doukas **SECONDED** a motion to **APPROVE** ZMA 2010-0006 – Southeast Beaverton Office Commercial ZMA, based on the facts and findings in the Staff Report dated August 17, 2011.

Motion **CARRIED** 7:0.

- AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.

Commissioner Maks **MOVED** and Commissioner Doukas **SECONDED** a motion to **APPROVE** ZMA 2010-0011 – Central Beaverton Convenience Service Center (CV) Office Commercial (OC) ZMA, based on the facts and findings in the Staff Report dated August 17, 2011.

Motion **CARRIED** 7:0.

- AYES:** Maks, Doukas, Johansen, Nye, Overhage, Winter, and Stephens.
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.



EXHIBIT 4

CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

STAFF REPORT

HEARING DATE: August 24, 2011

TO: Planning Commission

STAFF: Jana Fox, Associate Planner *JF SW*

PROPOSAL: **Southeast Beaverton Office Commercial Zoning Map Amendment (ZMA2010-0006)**

LOCATION: The subject parcels are located in the vicinity Hall Blvd/Ridgecrest Dr, Hall Blvd/Brightfield, and Pioneer Lane – Multiple tax lots

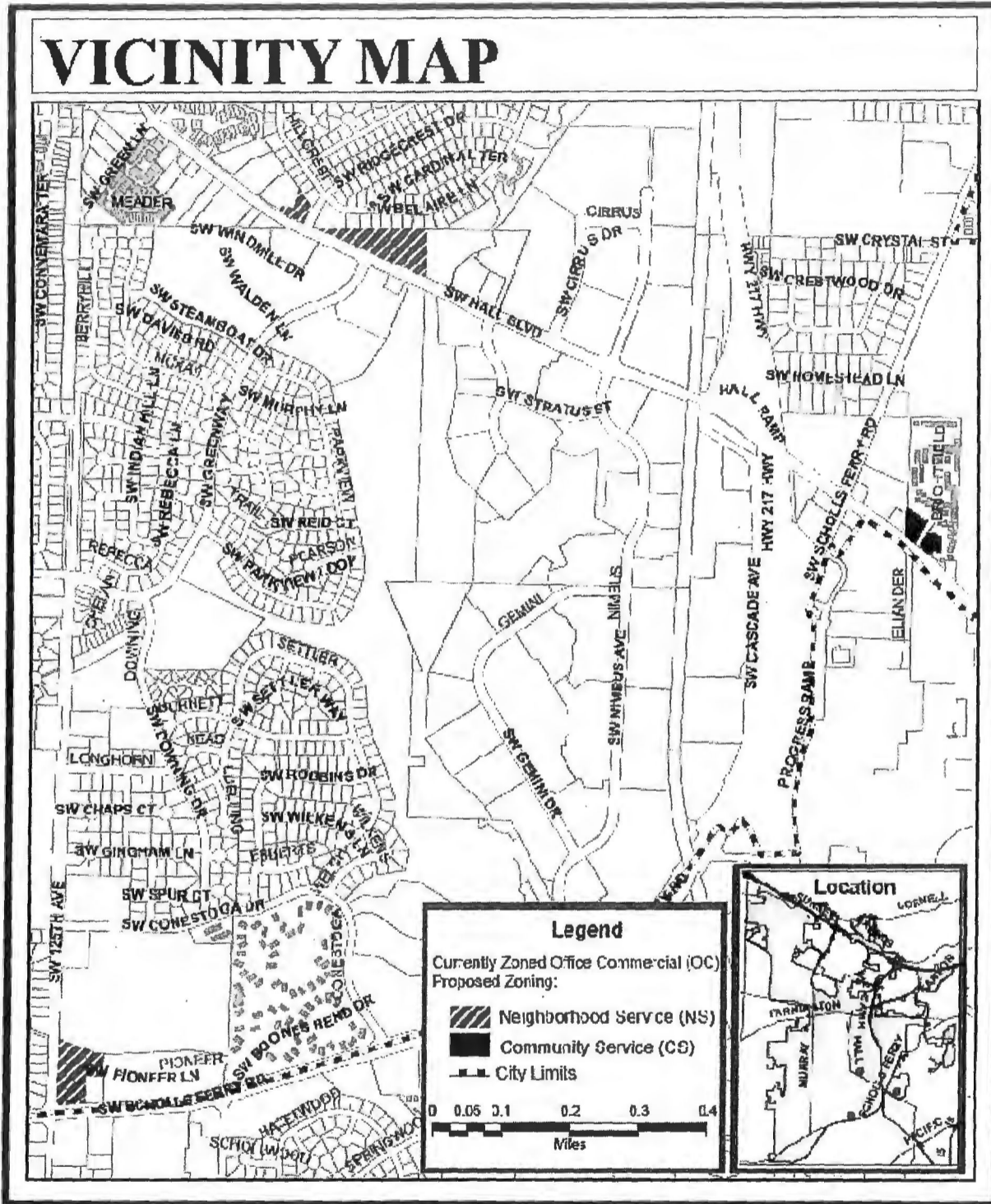
SUMMARY: The City is initiating a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zones. For this specific ZMA, the proposal is to amend the Zoning Map to delete the obsolete Office Commercial (OC) zone and apply the Community Service (CS) and Neighborhood Service Center (NS) zones. The subject site is a developed area, consisting of eight (8) parcels. The parcels are located in the general vicinity of Hall Blvd/Ridgecrest Dr, Hall Blvd/Brightfield, and 125th/Pioneer Lane. No new development is proposed as a part of this application.



APPLICANT: City of Beaverton
Community Development Director
PO Box 4755
Beaverton, OR 97076

DECISION CRITERIA: Development Code Section 40.97.15.2.C *Legislative Zoning Map Amendment*,
Comprehensive Plan Policies: 3.10, 3.14, and 6.2.4.d

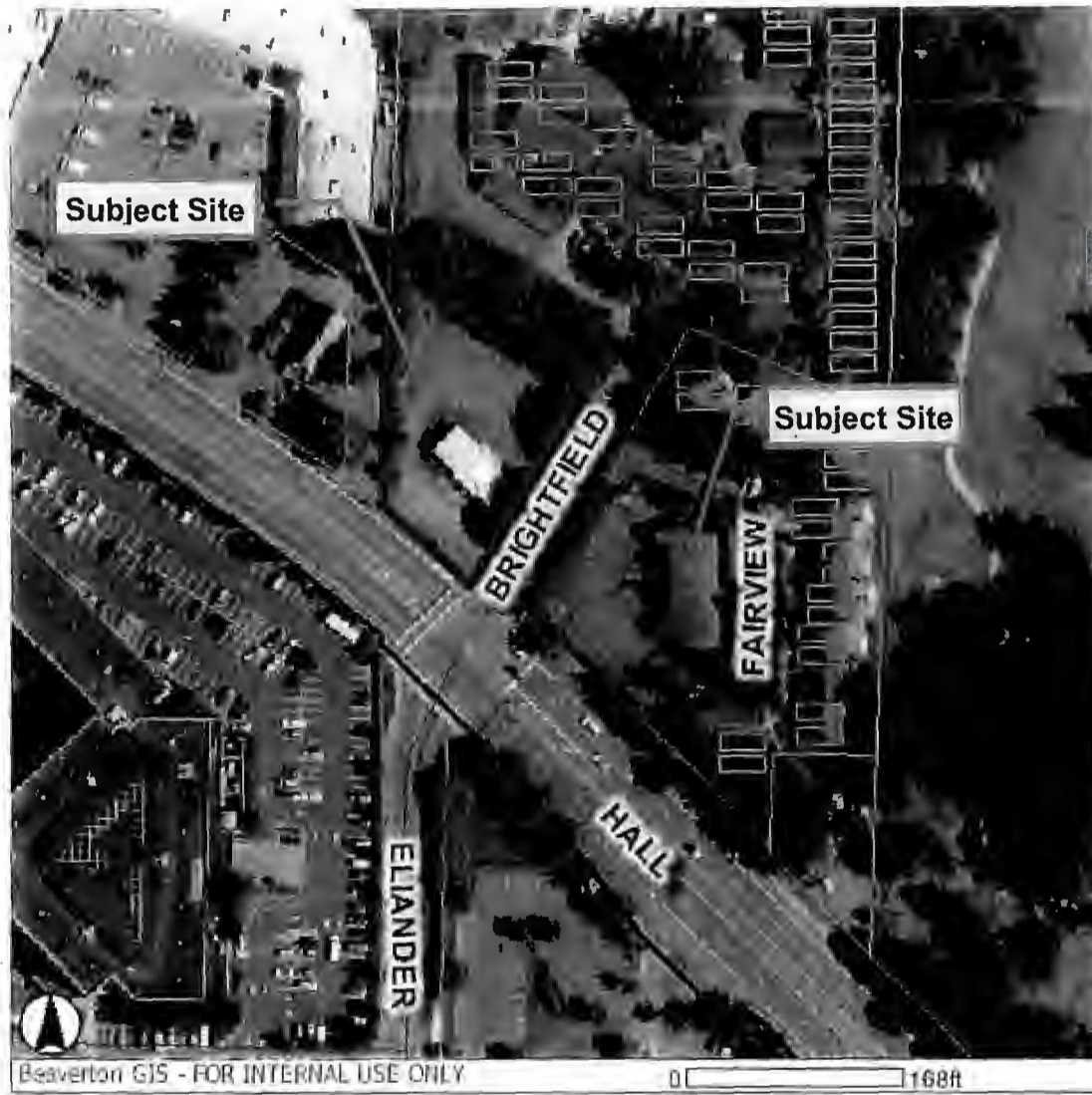
RECOMMENDATION: **Approval of ZMA2010-0006 (Southeast Beaverton Office Commercial Zoning Map Amendment)**, with no conditions of approval.

Exhibit 1



 City of Beaverton	SOUTHEAST BEAVERTON OFFICE COMMERCIAL ZONE MAP AMENDMENT	05/14/10 Tax I of # VARIOUS	N 
	COMMUNITY DEVELOPMENT DEPARTMENT Planning Division	Application # ZMA2010-0006	

AERIAL PHOTO 1



AERIAL PHOTO 2



AERIAL PHOTO 3



BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Submittal Complete	Final Written Decision Date
ZMA2010-0005	5/12/2010	5/12/2010	N/A

Existing Conditions Table

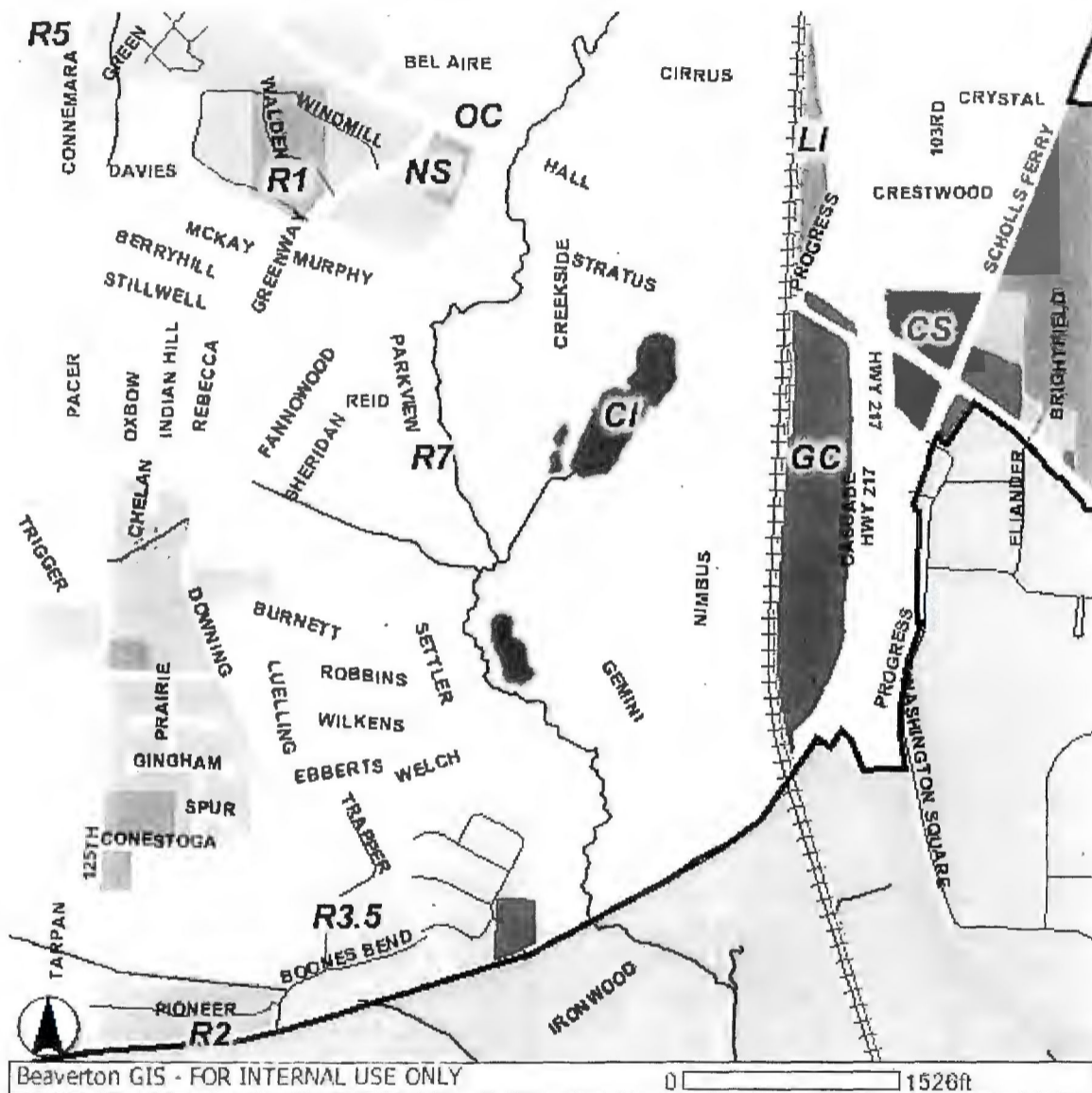
Zoning	Office Commercial (OC)
Current Development	Primarily office, financial institutions, multi-family, and service.
NAC	Greenway & Denney Whitford/Raleigh West
Comprehensive Plan designations	<p>Land Use: Corridor</p> <p>Street Functional Classification Plan: Hall Blvd and 125th Avenue: Arterials</p> <p>Street Improvement Master Plan: The Street Improvement Master Plan identifies: a signal phase change at Hall & Brockman, additional turn lanes at Scholls Ferry & Hall, and widen Scholls Ferry to 7 lanes and SB right turn lane at Scholls Ferry & 125th as future improvements in the general vicinity of the proposed zoning map amendment.</p> <p>Pedestrian & Bicycle Master Plan and Action Plans: Existing bike facilities along Hall Blvd and 125th Avenue.</p>

History:

The Southeast Beaverton Office Commercial Zoning Map Amendment (ZMA2010-0006) came before the Planning Commission for original consideration on July 7, 2010. This ZMA is one of many Zoning Map Amendments to remove the Office Commercial zoning designation from all properties within the City of Beaverton. The Planning Commission held a public hearing in which no public testimony on the proposed amendment was given and voted to support the proposed ZMA, thereby recommending approval of ZMA2010-0006 to the City Council. Prior to City Council review and action, staff received additional correspondence from the Department of Land Conservation and Development (DLCD) and the Department of Transportation (ODOT) that raised concerns with the staff analysis prepared in response to the Transportation Planning Rule as contained in OAR 660.012.0060. In short staff withdrew ZMA2010-0006 from consideration until the issues raised by DLCD and ODOT in regards to the transportation analysis could be addressed.

Subsequently staff has worked with ODOT and DLCD to reach a mutually acceptable agreement on which properties, subject to this ZMA, have the potential to cause significant traffic impacts. ODOT and DLCD have agreed that that the properties now involved in ZMA2010-0006 are not likely to cause significant traffic impacts and that the City may proceed with the proposed Zoning Map Amendment.

EXISTING ZONING



DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS	PAGE
Attachment A: ZMA2010-0006 (Southeast Beaverton Office Commercial Zoning Map Amendment) Staff Report	ZMA1-ZMA21

EXHIBITS

Exhibit 1. Vicinity Map (page 2 of report) and **Aerial Photos** (page 3-5 of report)

Exhibit 2. Comments Received

- 2.1 Letter from DLCD dated June 16, 2010
- 2.2 Email from DLCD dated July 6, 2010
- 2.3 Letter from Jana Fox, COB, to ODOT Dated May 26, 2011
- 2.4 Letter from Jana Fox, COB, to ODOT, Dated June 10, 2011
- 2.5 OC Zoning Map Amendments Meeting Summary, Dated July 19, 2011
- 2.6 ODOT Email, Dated August 9, 2011
- 2.7 ZMA2010-0006 Information Packet for ODOT/DLCD Review

Exhibit 3. Applicable Use Section of the Development Code

- 3.1 Office Commercial
- 3.2 Neighborhood Service/Community Service

ZMA2010-0006 (Southeast Beaverton Office Commercial Zoning Map Amendment)

**ANALYSIS AND FINDINGS FOR
LEGISLATIVE ZONING MAP AMENDMENT APPROVAL**

Section 40.97.05. Zoning Map Amendment; Purpose

The purpose of a Zoning Map Amendment application is to provide for the consideration of legislative and quasi-judicial amendments to the zoning map. Legislative amendments to the zoning map are amendments of generally large size, diversity of ownership or of interest to a large geographic area. Quasi-judicial amendments to the zoning map are amendments that are generally small in size, single ownership or affect only a relatively small geographic area. Annexation related amendments to the zoning map are those amendments, whether legislative or quasi-judicial, which are associated with land being annexed into the City. It is recognized that such amendments may be necessary from time to time to reflect changing community conditions, needs, and desires. This Section is carried out by the approval criteria listed herein.

Section 40.97.15.2.C. Approval Criteria:

In order to approve a Legislative Zoning Map Amendment 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 Legislative Zoning Map Amendment application.

Facts and Findings:

Section 40.97.15.2.A Threshold: An application for Legislative Zoning Map Amendment shall be required when the following threshold applies:

“The change of zoning designation for a large number of properties.”

Background: The Beaverton City Council, under Ordinances 4541 and 4542, has recently adopted legislative amendments (the Chapter 20 Update) to the Comprehensive Plan and the Development Code, respectively. Ord. 4542 amended the list of implementing zones for land use plan designations, deleted eleven (11) zoning districts and established five (5) new zoning districts at multiple locations throughout the City. Some of the non-discretionary Development Code amendments became effective immediately and thereby amended the Zoning Map on June 17, 2010.

Current Proposal: The City is has initiated a series of legislative zoning map amendments (ZMA's) to replace obsolete zones with either new or existing zoning map designations, at multiple locations throughout the City.

For ZMA2010-0006, the City proposes to amend the Zoning Map to delete the obsolete Office Commercial (OC) zone and replace it with the Community Service (CS) and Neighborhood Service (NS) zones. Staff's recommendation of the CS and NS zones for specific parcels will occur within this staff report as part of the analysis of appropriate implementing zones that is necessary for this discretionary decision. The specific zoning proposed for each parcel is also identified in Exhibit 1 (Vicinity Map).

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

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

Facts and Findings:

The City, as the applicant, is not required to submit any fees associated with an application for Zoning Map Amendments.

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

3. The proposal conforms with applicable policies of the City's Comprehensive Plan.

Land Use Element

3.10 Corridor Development

3.10.1 Goal: An attractive mix of commercial and higher density residential uses along major roads through the City that invites pedestrian activity where appropriate.

Policies:

- a) Regulate new development in Corridors to provide a mix of commercial and residential uses with pedestrian amenities.
- b) Apply the Corridor land use designation consistent with the Metro 2040 Regional Urban Growth Concept Map.
- c) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.

- d) The community shall endeavor to improve the appearance of commercial areas.
- e) Commercial facilities shall be allocated in a reasonable amount and in a planned relationship to the people they will serve.

Facts and Findings:

The subject site meets the applicable policies for Corridor Development. The Metro 2040 Growth Concept Plan map designates the parcels included in this proposal under Corridor and Town Center design types, subject to local interpretation of the Growth Concept Map. The Corridor land use designation allows for a mix of both residential and commercial uses, as shown by the Comprehensive Plan and Zoning District Matrix. The subject parcels are fully developed with commercial and multi-family residential buildings. The appearance of commercial areas is regulated by the Development Code. The proposed CS and NS zones, which are implementing zones of the Corridor land use designation, will permit redevelopment to be designed in a way that is compatible in scale and setbacks to the existing nearby structures.

3.14 Zoning District Matrix.

COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX	
<i>Comprehensive Plan Designation</i>	<i>Zoning District</i>
Downtown Regional Center	RC-E, RC-OT, RC-TO
Washington Square Regional Center	C-WS, OI-WS
Station Community	SC-HDR, SC-MU, SC-E1, SC-E3, SC-S ¹
Town Center	TC-HDR, TC-MU
Main Street	Neighborhood Service, R1, R2
Corridor	General Commercial, Community Service, Neighborhood Service, R1, R2, R4, Corridor Commercial
Employment Areas	Office Industrial
Industrial	Industrial, Office Industrial
Neighborhood Residential (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R10 ²
Standard Density	R7, R5 ³
Medium Density	R4, R2
High Density	R1
Any of the plan designations cited above	Institutional

Facts and Findings:

The subject properties are currently zoned OC. The City Council's adoption of Ord. 4542, effective on June 17, 2010, amended Policy 3.14 (the Matrix) and thereby deleted the OC zone. Therefore, a new replacement zone that implements the land use designation must be chosen to amend the zoning map. ZMA approval, as recommended by staff, would result in the change of the zoning map designation on the subject parcels to NS and CS (See Exhibit 1). The new Matrix lists the NS and CS zones as two of the implementing zones of the Corridor land use plan designation.

Existing development, land use, and surrounding zoning, were evaluated by staff in considering the recommendation of the most appropriate zone that best implements the land use plan designation under Policy 3.14. The following zoning districts are identified in Chapter 3 of the Comprehensive Plan as implementing zones of the Corridor Land Use designation: General Commercial, Community Service, Neighborhood Service, R-1, R-2, R-4 and Corridor Commercial.

The historic and continuing uses of the subject sites are generally commercial, rather than residential, in nature. Accordingly, staff finds that the Residential implementing zones of the Corridor designation (R-1, R-2, and R-4) are not intended and would not be suitable for the subject site.

Of the Commercial designations, staff finds that the General Commercial (GC) and Corridor Commercial (CC) zones are not the best suited for the subject properties. The GC zone is intended for uses which are land intensive and often involve outdoor storage and display of merchandise, equipment, or inventory. In contrast the OC zone required that uses be conducted within a wholly enclosed structure. The CC zone is intended to provide for multiple use employment and service centers whereas the OC zone was a commercial zone oriented towards office uses, although permitting medical offices and banks, and eating and drinking establishments as conditional uses.

The NS zone, which is proposed for the subject properties along Hall/Ridgecrest and Pioneer/125th, is intended to provide minimal areas of service and convenience to meet the needs of nearby residents. These two areas are adjacent to residential districts and provide services to meet those needs, such as banks and medical/professional offices. These two areas are not located on major commercial streets and are oriented towards neighborhood needs, therefore the NS zone is an appropriate zoning designation for these parcels. A portion of the area to be zoned NS along Pioneer Lane/125th Avenue is developed as multi-family residential, however the area developed as residential is approximately half the contiguous area to be zoned NS.

The CS zone which is intended to provide a variety of business types and commercial activities found principally along the City's major streets is proposed for those properties along Hall Blvd/Brightfield Ln. These properties are oriented

toward SW Hall Blvd near Scholls Ferry Rd, a major commercial area, and adjacent to existing properties zoned CS. The properties are generally developed as medical and professional office uses.

Therefore, staff finds that the Community Service (CS) and Neighborhood Service (NS) zones are the best suited to the subject sites, as depicted in Exhibit 1. The purpose of the NS zone is to provide for “minimal areas of service and convenience uses to meet the frequent needs of nearby residents.” Staff concludes that given the purpose of the NS zone, compatibility with abutting zones, and conformity with the existing development in the vicinity, the Neighborhood Service (NS) zone is the most appropriate implementing zone for the parcels on SW Hall Blvd/Ridgecrest Drive and Pioneer Lane/125th Avenue (see Exhibit 1). Staff also concludes that given the purpose of the CS zone (to provide for, “a variety of business types compatible with and of similar scale to commercial activities found principally along the City’s major streets.”), compatibility with abutting zones, and conformity with the existing development, the CS zone is the most appropriate implementing zone for the parcels on and near SW Hall Blvd/Brightfield Lane (see Exhibit 1).

Because of the factors considered, staff recommend that the CS and NS zones are the most appropriate zones for implementing the Corridor Plan designation to the areas identified above.

Transportation Element

Policy 6.2.4.d:

Maintain levels of service consistent with Metro’s Regional Transportation Plan and the Oregon Transportation Plan. Applications for Comprehensive Plan Amendments shall comply with the requirements of OAR 660-012-0060 and as appropriate include a Transportation Impact Analysis that shows that the proposal will not degrade system performance below the acceptable two-hour peak demand-to-capacity ratio of 0.98. If the Adopted Comprehensive Plan forecasts a two-hour peak demand-to-capacity ratio greater than 0.98 for a facility, then the proposed amendment shall not degrade performance beyond the forecasted ratio. (Ord. 4301)

Reduce traffic congestion and enhance traffic flow through such system management measures as intersection improvements, intelligent transportation systems, incident management, signal priority, optimization, and synchronization, and other similar measures.

Action: *Maintain performance standards that meet the needs of the City and are consistent with regional and State standards. (Ordinance 4301)*

Facts and Findings:

In response to Comprehensive Plan section 1.5.1 *Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments*, Transportation Planning staff have prepared the following analysis for this Legislative Zoning Map Amendment application. The existing zoning designation is OC (Office Commercial). The

proposed zoning designations are CS and NS. Comprehensive Plan section 1.5.1 requires the finding that *A. The proposed amendment is consistent and compatible with relevant Statewide Planning Goals and related Oregon Administrative Rules; B. The proposed amendment is consistent and compatible with the applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan; and C. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans.*

The Oregon Administrative Rules (OAR) Chapter 660-012-0060 (1) (State Transportation Planning Rule (TPR)) contains standards by which to review “*amendments to functional plans, acknowledged comprehensive plans and to land use regulations*”. The TPR states that such amendments “*which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.*”

The findings below refer to parcel numbers that correlate to the maps found in Exhibit 2.7 (ZMA2010-0006 Information Packet for ODOT/DLCD Review).

The rezoning of parcel number 1 (Hall & Ridgecrest) does not change functional classifications or change standards implementing a functional classification system. It does allow land uses that are currently not allowed. Staff has made the following significant effect analysis based on the most reasonable worst case (highest trip generating) uses of the current OC zoning (at approximately 8,000 square feet of Medical Office use) compared to the most reasonable worst case (highest trip generating) uses of the proposed NS zoning (approximately 3,000 square feet of Fast-Food Restaurant with Drive-Through). Determination of the building sizes was based on the size of the site (approximately 0.6 acres), required parking, setbacks and site requirements of the zoning classification. The Medical Office use generates approximately 25 vehicles in the PM peak hour and the proposed Fast-Food Restaurant with Drive-Through use generates approximately 102 vehicle trips in the PM peak hour. This is a net difference of approximately 77 vehicle trips for this development site. The ITE Trip Generation Handbook forecast that approximately 50% of the Fast-Food trips entering and exiting the site are pass-by, trips already on SW Hall Blvd, therefore reducing the trips to 39 vehicles. Staff concluded that the trip distribution to and from this site will be approximately 75% (29 vehicles) from and to the east and 25% (10 vehicles) from and to the west off of SW Hall Blvd. This was based on the existing retail and office to the east of the site, the presence of the traffic volumes of SW Greenway/Hall intersection and the Hall Blvd and OR 217 interchange to the east of the site.

SW Hall Blvd, classified as an Arterial Street, carries approximately 2,000 vehicles in the PM peak hour. An additional 29 vehicles would be an increase of 1.5 percent. The closest Arterial Street intersection with SW Hall at this location, as identified on the City’s Functional Classification Plan, is SW Greenway Drive, located approximately 500 feet to the east of this development site. The current level of

service at that intersection is D, V/C ratio is 0.89 and the control delay is 37.1 seconds. This is an acceptable level of service. The interchange of SW Scholls Ferry Road/OR 217 is approximately 3,350 feet to the east of the site.

The TPR states that an amendment significantly affects a transportation facility if it would:

- (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) *Change standards implementing a functional classification system; or*
- (c) *As measured by the end of the planning period identified in the adopted transportation system plan [TSP]:*
 - (A) *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - (C) *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

The addition of 29 vehicles in the PM peak hour would not change the functional classification of SW Hall Blvd or standards implementing a functional classification system. The intersection of SW Hall Blvd and SW Greenway Drive is currently at an acceptable level of service D. V/C ratio is 0.89 and the control delay is 37.1 seconds. The planning period for the Beaverton TSP is 2035. The TSP has forecasted that this intersection will be at a level of service D in 2035 with a V/C of 0.93. An acceptable level of service is V/C 0.98. This is with the change of signal phases to permitted/protected phasing for EB and WB approaches as identified in the TSP's Financially Constrained Action Plan.

The additional 29 trips will not reduce the performance below the minimum acceptable performance standard identified in the TSP of an existing transportation facility.

Therefore, based on this data, staff has concluded that the finding of the significant effect analysis is that the addition of 29 vehicle trips in the PM peak hour will not "significantly affect" SW Hall Blvd or the intersection of SW Hall Blvd and SW Greenway Drive.

The rezoning of parcels number 2 and 4 (Hall & Greenway). Staff has determined that these two parcels proposed to be zoned NS are constrained and have no real potential for redevelopment due to the steep slopes (at 15 to 30 %), riparian area and the wetlands on the sites. These parcels are outside of the half mile area of influence distance from an ODOT facility.

With constraints in place to developing these parcels, staff find that the proposed rezonings do not allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility, reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan or worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan. Therefore, these rezoning have no "significant affect" on a transportation facility.

Therefore, based on this data, staff has concluded that the finding of the significant effect analysis is that since there are no additional vehicle trips in the PM peak hour there will not be a "significantly affect" to SW Hall Blvd or the intersection of SW Hall Blvd and SW Greenway Drive.

The rezoning of parcel number 3 (Hall & Greenway) does not change functional classifications or change standards implementing a functional classification system. It does allow a land use that is currently not allowed. Staff has made the following significant effect analysis based on the most reasonable worst case (highest trip generating) uses of the current OC zoning, approximately 16,000 square feet of Medical Office, compared to the most reasonable worst case (highest trip generating) uses of the proposed NS zoning, approximately 6,000 square feet of Fast-Food Restaurant (2 restaurants) with Drive-Through. Determination of the building sizes was based on the size of the site (approximately 1.2 acres), required parking, setbacks and site requirements of the zoning classification. The Medical Office use generates approximately 50 vehicles in the PM peak hour and the proposed Fast-Food Restaurant with Drive-Through use generates approximately 204 vehicle trips in the PM peak hour. This is a net difference of approximately 154 vehicle trips for this development site. The ITE Trip Generation Handbook forecast that approximately 50% of the Fast-Food trips entering and exiting the site are pass-by, trips already on SW Hall Blvd, therefore reducing the trips to 77 vehicles. Staff concluded that the trip distribution to and from this site will be approximately 50% (39 vehicles) from and to the east, 25% (19 vehicles) from and to the south and 25% (19 vehicles) from and to the west. This was based on the existing retail and office to the east of the site and the presence of the Hall Blvd and OR 217 interchange to the east of the site. The site's access is directly into the north side of the intersection of SW Greenway/SW Hall.

SW Hall Blvd, classified as an Arterial street, carries approximately 2,400 vehicles in the PM peak hour. An additional 39 vehicles would be an increase of 2 percent. The closest Arterial Street intersection with SW Hall at this location, as identified on the City's Functional Classification Plan, is SW Greenway Drive. The current level of service at this intersection is D, V/C ratio is 0.89 and the control delay is

37.1 seconds. This is an acceptable level of service. The interchange of SW Scholls Ferry Road/OR 217 is approximately 2,800 ft to the east of the site.

The TPR states that an amendment significantly affects a transportation facility if it would:

- (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) *Change standards implementing a functional classification system; or*
- (c) *As measured by the end of the planning period identified in the adopted transportation system plan [TSP]:*
 - (A) *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - (C) *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

The addition of 39 vehicles in the PM peak hour would not change the functional classification of SW Hall Blvd or standards implementing a functional classification system. The intersection of SW Hall Blvd and SW Greenway Drive is currently at an acceptable level of service D. V/C ratio is 0.89 and the control delay is 37.1 seconds. The planning period for the Beaverton TSP is 2035. The TSP forecast that this intersection will be at a level of service D in 2035 with a V/C of 0.93. An acceptable level of service is V/C 0.98. This is with the change of signal phases to permitted/protected phasing for EB and WB approaches as identified in the TSP's Financially Constrained Action Plan. Staff conducted a further analysis by adding the forecast traffic from the most reasonable worst case use, approximately 6,000 square feet of Fast-Food Restaurant (2 restaurants) with Drive-Through, to the forecast 2035 volumes at the intersection and concluded that the level of service is changed only slightly by increasing the V/C from 0.93 to 0.94. The additional 77 trips to the intersection will not reduce the performance below the minimum acceptable performance standard of 0.98 identified in the TSP.

Staff find that the proposed rezoning does not allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility, reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or the Comprehensive Plan or worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan. Therefore, this rezoning has no "significant affect" on a transportation facility.

Therefore, based on this data, staff has concluded that the finding of the significant effect analysis is that the addition of 58 vehicle trips in the PM peak hour will not “significantly affect” SW Hall Blvd or the intersection of SW Hall Blvd and SW Greenway Drive.

The rezoning of parcel number 5 (Hall & Eliander) does not change functional classifications or change standards implementing a functional classification system. It does allow a land use that is currently not allowed. This parcel is within the half mile area of influence distance from an ODOT facility. Staff has, with the assistance of the ODOT staff, made the following significant effect analysis based on the most reasonable worst case (highest trip generating) uses of the current OC zoning, (approximately 8,000 square feet of Medical Office use), compared to the most reasonable worst case (highest trip generating) uses of the proposed CS zoning, (approximately 3,000 square feet of Fast-Food Restaurant with Drive-Through). Determination of the building sizes was based on the size of the site, required parking, setbacks and site requirements of the zoning classification. The Medical Office use generates approximately 25 vehicles in the PM peak hour and the proposed Fast-Food Restaurant with Drive-Through use generates approximately 102 vehicle trips in the PM peak hour. This is a net difference of approximately 77 vehicle trips for this development site. The ITE Trip Generation Handbook forecast that approximately 50% of the Fast-Food trips entering and exiting the site are pass-by, trips already on SW Hall Blvd, therefore reducing the trips to 39 vehicles. Staff concluded that the trip distribution to and from this site will be approximately 75% (29 vehicles) from and to the west and 25% (10 vehicles) from and to the east off of SW Hall Blvd. This was based on the limited amount of retail to the east of the site and the presence of the high traffic volumes of SW Scholls Ferry Road and the Scholls Ferry Road and OR 217 interchange to the west of the site.

SW Hall Blvd, classified as an Arterial street and under ODOT control in this area, carries approximately 2,800 vehicles in the PM peak hour. An additional 29 vehicles would be an increase of 1 percent. The closest Arterial Street intersection with SW Hall at this location, as identified on the City’s Functional Classification Plan, is SW Scholls Ferry Road, approximately 525 feet to the west of this development site and under ODOT control. The current level of service at that intersection is D, V/C ratio is 0.82 and the control delay is 44.6 seconds. This is an acceptable level of service.

The interchanges of SW Scholls Ferry Road/OR 217, approximately 1,650 to the west of the site, and SW Hall/OR 217, approximately 3,000 ft to the southwest of the site, are beyond the SW Hall//SW Scholls Ferry Road intersection, therefore the development’s traffic would be even less and more dispersed and would have no affect on the interchanges.

The TPR states that an amendment significantly affects a transportation facility if it would:

- (d) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (e) *Change standards implementing a functional classification system; or*
- (f) *As measured by the end of the planning period identified in the adopted transportation system plan [TSP]:*
 - (A) *Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;*
 - (B) *Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or*
 - (C) *Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.*

The addition of 29 vehicles in the PM peak hour would not change the functional classification of SW Hall Blvd or standards implementing a functional classification system. The intersection of SW Hall Blvd and SW Scholls Ferry Road is currently at an acceptable level of service D. V/C ratio is 0.82 and the control delay is 44.6 seconds. The planning period for the Beaverton TSP is 2035. The TSP forecast that this intersection will be at a level of service F in 2035 with a V/C of 1.1. This is with the addition of a second west-bound left turn lane as identified in the TSP's Financially Constrained Action Plan. This intersection is under the jurisdiction of ODOT and, according to Beaverton's TSP, the planning year Jurisdictional Standard acceptable level of service is 1.1.

Therefore, we do not believe that the additional 29 trips will reduce the performance below the minimum acceptable performance standard identified in the TSP of an existing transportation facility.

The ultimate improvement as identified by the TSP is the addition of dual left turn lanes and right turn lanes in all directions at an estimated cost of \$4.535 million. This would allow it to accommodate traffic volumes much higher than forecast for this development site and still remain at an acceptable level of service.

In review of the significant impact analysis, staff also took into consideration that this site is subject to the Washington County Transportation Development Tax. The TPR Guidelines (ODOT, April 2006) 3.2.02 allows for transportation system development charge revenues to be considered as "in-place and available" by the end of the applicable planning period. The intersection of SW Hall Blvd and SW Scholls Ferry Road is on the TDT project list for the improvements as listed above.

Therefore, based on this data, staff has concluded that the finding of the significant effect analysis is that the addition of 29 vehicle trips in the PM peak hour will not "significantly affect" SW Hall Blvd or the intersection of

SW Hall Blvd and SW Scholls Ferry Road, or any other ODOT facility. ODOT is in agreement with this finding.

At the time that development or redevelopment is proposed on this parcel, Section 60.55.20 of the City Development Code will require, if the proposed development meets the 200 new trip per day threshold, a traffic analysis that is consistent with the Development Code. The City staff will review conformance with the level-of-service standards, and may establish conditions of approval requiring necessary transportation improvements based upon the impacts of development. Therefore, to the degree that the TSP cannot anticipate all future traffic impacts, the Development Code requirement for traffic analysis can be relied upon to address the transportation impacts of the proposed zoning map amendment, when redevelopment is proposed.

Staff finds that based on the implementation of the transportation system improvements planned in the TSP, that this site is subject to the Washington County Transportation Development Tax and that the TPR Guidelines (ODOT, April 2006) 3.2.02 allows for transportation system development charge revenues to be considered as “in-place and available” by the end of the applicable planning period, and the City’s ability to mitigate traffic impacts through future conditions of approval, the proposed rezoning will not significantly affect transportation facilities. Staff finds that this zoning map amendment is consistent with the land use assumptions of the TSP, and will be consistent with land use and transportation planning requirements contained in the TPR and the UGMFP, without unanticipated impacts.

The rezoning of parcel number 6 (Hall & Eliander). Staff has reviewed this site with ODOT staff and have made the finding that the significant affect analysis for this site is identical to the analysis for parcel number 5 since this site is just to the south of parcel number 5 and the rezoning request is the same. Also, this site is 32 percent smaller than parcel number 5 and less likely to develop as a fast-food use.

Staff find that the proposed rezoning does not allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility, reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan or worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan. Therefore, these rezoning have no “significant affect” on a transportation facility.

Therefore, based on this data, staff has concluded that the finding of the significant effect analysis is that the additional vehicle trips in the PM

peak hour from this site will not “significantly affect” SW Hall Blvd or the intersection of SW Hall Blvd and SW Scholls Ferry Road, or any other ODOT facilities. ODOT is in agreement with this finding.

The rezoning of parcels number 7 and 8 (125th & Scholls Ferry). Staff has determined that these two parcels proposed to be zoned NS have no real potential for redevelopment due to recent development on the site and that their land/improvement value ratio indicates that redevelopment is not financially likely. These parcels were outside of the half mile area of influence distance from an ODOT facility.

Staff find that the proposed rezonings do not allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility, reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan or worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan. Therefore, these rezonings have no “significant affect” on a transportation facility.

Therefore, based on this data, staff has concluded that the finding of the significant effect analysis is that there are no additional vehicle trips in the PM peak hour from this site, therefore there will not be a “significantly affect” to SW Scholls Ferry Road or the intersection of SW 125th and SW Scholls Ferry Road.

Summary Comprehensive Plan Facts and Findings:

Staff finds the proposed CS and NS zones to be in conformance with all the applicable policies of the Comprehensive Plan.

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

4. All critical facilities and services are available or can be made available to an adequate capacity to serve the site and uses allowed by the proposed zoning designation.

Facts and Findings:

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

City engineering staff has reviewed the proposal and there are no public utility

service provision issues of significance. The City is the designated provider of water, sanitary sewer and storm drainage for this site.

Public utility master plans (water, sanitary sewer, and storm) conducted by the City have previously considered this and others properties in the vicinity as ultimately developing or re-developing in the future according to the densities or intensities as anticipated by the existing Comprehensive Plan designation. Additionally, the area in question for rezoning is relatively small and the potential for maximum use of the affected site under the proposed zoning designation is insignificant in terms of master planning for public utilities. Therefore, staff find that there are adequate public facilities to support the maximum intensity of development of the CS and NS zoning designations. Specific utility capacity and local service issues are addressed at the time of a development application.

This Zoning Map Amendment will not change the level of public services to the site, which staff finds to be sufficient to serve the current use and any of the listed permitted uses of the CS and NS zones. Should expansion or new development occur, staff will evaluate the adequacy of the site's critical facilities and services with the associated development application.

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

5. Essential facilities and services are available or can be made available to serve the site and uses allowed by the proposed zoning designation.

Facts and Findings:

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 buildings on the properties subject to this ZMA are served by essential facilities and services including schools, police services, emergency services and public transportation. To the extent that previous development in the area has provided public transportation facilities that met City standards at the time, the area is adequately served by streets and pedestrian and bicycle facilities. This Zoning Map Amendment will not change the level of services to the site, which staff finds to be sufficient to serve the current use. At the time when intensification of land uses or new development occurs, staff will evaluate the adequacy of essential facilities and services with the associated development applications.

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

6. *The proposal is or can be made to be consistent with all applicable provisions of Chapter 20 (Land Uses).*

Facts and Findings:

Staff cites Sections 20.10.15 and 20.10.20 of the Development Code as being the applicable Chapter 20 Code sections in the review of this proposal. These code sections contain the list of permitted, conditional, and prohibited land uses and the site development regulations that are specific to the CS and NS zones.

The subject sites are fully developed under the current zoning with the exception of two vacant parcels on Hall Blvd near Ridgecrest Drive. Staff reviewed Chapter 20 Site Development Standards (Section 20.10.15) and found that the site development standards for the OC, NS, and CS zones are closely matched with the exception of the height limitation which is 30 ft. in the OC zone, 35 ft. in the NS zone and 60 ft in the CS zone (if the building is not within 100 ft of residentially zoned property). Therefore buildings in the current OC zone would be required to meet the same site development standards as those in the NS and CS zones.

Rezoning the properties would not create nonconformance with site development standards where they did not already exist. If the existing structures removed, they could rebuild under the CS and NS zones. Review of Section 20.10.20 shows that the primary existing uses of land, as financial institutions, service businesses and offices, are permitted in the CS and NS zones. The existing multifamily development which is proposed to be rezoned NS is a conditional use in the NS zone, however, per Section 30.45 of the Development Code, permitted uses existing before the requirement for Conditional Use approval shall be considered conforming uses.

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

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

Facts and Findings:

The City submitted the application on May 12, 2010 and was deemed complete on the same day. In the review of the materials during the application review, staff finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

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

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

Facts and Findings:

The City has submitted this Zoning Map Amendment application in order to rezone properties which are currently zoned Office Commercial, an obsolete zone that has been removed from the Development Code. No associated development activities are proposed and, accordingly, no additional applications are related to the request.

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

9. In addition to the criteria stated in Section 40.97.15.2.C.1 through 8 above, the following criteria shall apply to Legislative Zoning Map Amendments which would change the zone designation to the Convenience Commercial (CV) zoning district

Facts and Findings:

The City has submitted this Zoning Map Amendment application proposing that the obsolete OC zone be replaced with the NS and CS zones for the properties noted. In addition, the City's adoption of Ord. 4542 has deleted the Convenience Commercial (CV) zoning district from the zoning map and Development Code. Criterion 9, above, is not applicable to the proposal.

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

Conformance with Metro Titles

Title 1: Requirements of Housing and Employment Accommodation

Section 3.07.830 of the Urban Growth Management Functional Plan (UGMFP) requires that any Comprehensive Plan or land use regulation change must be consistent with the requirements of the Functional Plan. Section 3.07.130 of the UGMFP states:

“For each of the following 2040 Growth Concept design types, city and county comprehensive plans shall be amended to include the boundaries of each area, determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map...” The 2040 Growth Concept Plan map designates the parcel included in this proposal under the Corridor design type. Section 3.07.130 of the UGMFP describes Corridors as follows: “Along good quality transit lines, corridors feature a high-quality pedestrian environment, convenient access to transit, and somewhat higher than current densities.”

This title of the Functional Plan requires the City to ensure that its Comprehensive Plan and zoning regulations accommodate certain amounts of housing and employment potential for the horizon year 2017. This application proposes to apply a zoning designations of NS and CS to replace the obsolete OC zoning designation. The properties are designated "Corridor" by the Functional Plan. The Zone Change proposal will increase the allowed density of the subject parcels which are being rezoned to the CS designation which allows attached and detached residential outright without limiting the area which can be developed residentially within the zone, complying with Title 1's intent. Allowed density of the parcels being rezoned NS will not change as the allowed density is the same as the OC zone. Future development will include a specific review as to whether the proposal meets the Development Code's adopted Title 1 minimum density standards. Approval of the proposed rezoning to NS and CS best supports the ability of the City to meet Metro's Functional Plan and specifically Title 1. Staff find that the requirements of this title have been met.

Title 2: Regional Parking Policy

Title 2 Regional parking Policy was repealed by Metro Ordinance 10-1241B.

Title 3: Water Quality and Flood Management

In concert with other local governments in Washington County, the City partnered with Clean Water Services to enact legislation acknowledged to comply with Title 3.

Title 4: Industrial and Other Employment Areas

This site is not identified as an Industrial or Employment area on the Title 4 map. Therefore, this Title is not applicable to the proposed amendment.

Title 5: Neighbor Cities and Rural Reserves

Title 5 concerns Neighbor Cities and Rural Reserves. The proposal is within the City of Beaverton. Therefore, this Title does not apply.

Title 6: Centers, Corridors, Station Communities and Main Streets

Title 6 predominantly focuses on local government strategies to improve implementation of Centers. The subject property is not within the Beaverton designations of Regional Center, Town Center or Station Community. Therefore; this Title is inapplicable to the proposed amendment.

Title 7: Housing Choices

The proposed amendment for CS and NS zoning does not include a residential or multiple use zone where the City has planned for the substantial majority of residential development to occur. However, the proposed CS and NS zones do permit residential dwellings at a minimum density of 1,000 sq. ft per attached dwelling unit and 4,000 sq. ft. per detached dwelling unit. This ZMA is not expected to provide for low cost housing.

Title 8: Compliance Procedures

Notice of the CPA and TA applications for the Chapter 20 Update, approved by City Council in Ordinances 4541 and 4542, was previously provided to the Chief Operating Officer of Metro. The City's decision on the Chapter 20 amendments form the basis for the current ZMA application.

Notice of this particular Zoning Map Amendment (ZMA2010-0006) was sent to the Chief Operating Officer of Metro on July 1, 2011, 45 days prior to the first evidentiary hearing as required by Metro Code Section 3.07.820.

Title 9: Performance Measures

Title 9 directs Metro to measure the progress of the region in implementing the Urban Growth Management Functional Plan. This title is not relevant to the proposal.

Title 10: Functional Plan Definitions

Title 10 provides definitions for use in Metro's administration of the UGMFP and is, therefore, unrelated to the compliance of this proposal to the UGMFP.

Title 11: Planning for New Urban Areas

Title 11 concerns planning for new urban areas. This proposal is within the Urban Growth Boundary and is within the corporate limits of the City of Beaverton. This Title does not apply to the amendment.

Title 12: Protection of Residential Neighborhoods

Protection of residential neighborhoods is a key to success of the 2040 Growth Concept. The proposed amendment for CS and NS zoning does not include a residential or multiple use zone where the City has planned for the substantial majority of residential development to occur. The subject sites are predominately surrounded by commercial and higher density residential zones.

Title 13: Nature in Neighborhoods

The City, as a member of the Tualatin Basin Coordinating Committee, complies with Title 13.

Title 14: Urban Growth Boundary

The subject properties are inside the Urban Growth Boundary.

Metro Regional Transportation Plan (RTP)

Section 6.4.4: Regional transportation system analysis is required for amendments to local plans or the addition of significant single occupancy vehicle capacity to regional facilities.

"This section applies to city and county comprehensive plan amendments or to any local studies that would recommend or require an amendment to the Regional Transportation Plan to add significant single occupancy vehicle (SOV) capacity to the regional motor vehicle system, as defined by Figure 1.12. This section does not

apply to projects in local TSPs that are included in the 2000 RTP. For the purpose of this section, significant SOV capacity is defined as any increase in general vehicle capacity designed to serve 700 or more additional vehicle trips in one direction in one hour over a length of more than one mile. This section does not apply to plans that incorporate the policies and projects contained in the RTP.”

The City’s Transportation System Plan (TSP) has been adopted for consistency with, and implementation of, the 2000 RTP. Therefore; the Regional Transportation Plan does not apply to the proposed zoning map amendment. Staff cites the findings of conformance with the State Transportation Planning Rule (TPR), found on page ZMA6 of this report, as applicable to conformance with the RTP.

Finding: The proposed zoning map designation is compatible with the UGMFP (by the review of Metro Titles) and the RTP.

Conformance With Statewide Planning Goals

City staff will not be addressing statewide planning goals because that review is not necessary for proposed local amendments in jurisdictions that have acknowledged Comprehensive Plans and land use plan maps. The process leading up to local adoption of the City’s Plan and acknowledgement is summarized below.

The City of Beaverton adopted a Comprehensive Plan, which includes text and maps in a three-part report (Ordinance 1800) along with implementation measures, including implementation of the Development Code (Ordinance 2050) in the late 1980’s. The City adopted a new Comprehensive Plan (Ordinance 4187) in January of 2002 that was prepared pursuant to a periodic review work program approved by the State Department of Land Conservation and Development (DLCD). The proposed Plan, including a new Land Use Map, was the subject of numerous public hearings and considerable analysis before adoption. The adopted Plan and findings supporting adoption were deemed acknowledged pursuant to a series of Approval Orders from the Department of Land Conservation and Development, effective December 31, 2003, with a final set of acknowledgement findings for adoption dated April 27, 2004. Therefore, the land use planning processes and policy framework described in the Development Code and Comprehensive Plan form the basis for decisions and actions on amendments to the Plan and Code, including the subject zoning map amendment.

Conformance with the State Transportation Planning Rule

The Transportation Planning Rule (TPR) (OAR Sec. 660-012-0060) contains standards by which to review “*amendments to functional plans, acknowledged comprehensive plans and to land use regulations*”. The TPR states that such amendments “*which significantly affect a transportation facility shall assure that allowed land uses are consistent with the identified function, capacity and*

performance standards (e.g. level of service, volume to capacity ratio, etc.) of the facility.”

The City's Transportation System Plan (TSP) is based on Metro's modeling of projected transportation system impacts based on growth that is assumed for Metro's Urban Growth Management Function Plan (UGMFP) (the "2040 Growth Concept"). As refined within the City's study area, the TSP's transportation modeling is based on the assumed growth projections, and implementation of, the City's Land Use Map (Figure III-1 of the Comprehensive Plan). The City's Plan Map includes all 2040 Growth Concept design types. The TSP provides adequate system-wide traffic analysis so that an additional traffic analysis is not necessary for the current zoning map amendment.

Staff cite the TPR findings found in this report on pages ZMA6-ZMA14, as applicable to conformance with the state Transportation Planning Rule.

SUMMARY OF ZMA FINDINGS: For the reasons identified above, staff finds that the proposal satisfies the applicable approval criteria for a Legislative Zoning Map Amendment approval pursuant to Section 40.97.15.2.C.1 through 9 of the Development Code, in addition to compliance with applicable State and Metro requirements.

LEGISLATIVE ZONING MAP AMENDMENT CONCLUSION

Based on the facts and findings presented, staff concludes the proposal, **ZMA2010-0006 (Southeast Beaverton Office Commercial Zoning Map Amendment)** meets the applicable criteria for approval.

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **ZMA2010-0006 (Southeast Beaverton Office Commercial Zoning Map Amendment)**. There are no recommended conditions of approval.

EXHIBIT 2.1



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

Community Services Division

800 NE Oregon Street, Suite 1145

Portland, Oregon 97232

Phone: (971) 673-0965

Fax: (971) 673-0911

www.oregon.gov/LCD



June 16, 2010

Scott Whyte, Senior Planner
John Osterberg, Senior Planner
City of Beaverton
4755 SW Griffith Drive
Beaverton, OR 97076

Re: City of Beaverton Proposed Comprehensive Plan and Development Code Amendments
(Local File Nos. ZMA2010-0003 to 0011; DLCDD File Nos. 006-10 to 012-10)

Dear Scott and John,

Thank you very much for the proposed Comprehensive Plan and Development Code Amendments including zoning map amendments to replace the Office Commercial (OC) zone with either the Community Service (CS) zone or the Neighborhood Service (NS) zone and to replace the Residential R-3.5 zone with either the higher density R-2 zone or the lower density R-4 zone. After reviewing the proposed amendments, it appears that the current OC zone prohibits retail uses and that the proposed CS and NS zones both allow such uses, creating a potential for more trip generation and the need to make a determination if there will be a "significant effect" under the Transportation Planning Rule (OAR 660-012). In addition, it is not clear what impacts may be expected from the proposed density changes in the Residential zone without more specific information.

As you have indicated that City staff is currently working on a report and findings for the proposed amendments that will be available prior to the first hearing date of July 7, 2010, we would like the opportunity to review the report and findings at that time and to provide additional comments, if necessary.

Please feel free to contact me if you have any further questions or concerns.

Regards,

A handwritten signature in cursive script that reads "Anne Debbaut".

Anne Debbaut | Metro Regional Representative

cc: Don Mazziotti, City of Beaverton, Community Development Director (email)
Cassera Phipps, City of Beaverton (email)
Jana Fox, City of Beaverton (email)

EXHIBIT 2.2

John Osterberg

From: Debbaut, Anne [anne.debbaut@state.or.us]
Sent: Tuesday, July 06, 2010 8:24 AM
To: John Osterberg
Subject: RE: Draft report findings from Beaverton

Good Morning John,

Thanks very much for the draft report. Our transportation specialist has reviewed the document and provided the following comments:

I believe that the staff report's findings in regards to the TPR are a bit fuzzy. As the overall impacts of the zone change are not yet known, the finding that there is a possible "significant effect" under 0060(1) is reasonable. The city should identify the specific facilities that may be significantly affected for each zone change.

However, later in the findings the staff report states that because the city will identify and implement any necessary mitigation down the road, there is no longer a potential significant effect. This is misleading and unclear.

Under 0060(1), the city must determine if there is a significant effect. They have done this in very broad terms, and this is sufficient for this stage of the process.

Once a significant effect has been identified, the city must mitigate it through 0060(2) or (3). The city can postpone this until a later time as long as it is clear that it will be addressed.

From my reading of the staff report, I think the city's approach is valid, but the language in the staff report should be clarified to clearly state:

- There is a significant effect
- Which facilities are affected
- How & when specific impacts will be determined -Potential methods of mitigating impacts

Let me know what you think.
Is there a date set for the Planning Commission hearing?

Thanks,
Anne

Anne Debbaut | Metro Regional Representative
Community Services Division
Oregon Department of Land Conservation and Development
300 NE Oregon Street, Suite 1145 | Portland, OR 97232
Office: (971) 673-0965 | Cell: (503) 804-0902 | Fax: (971) 673-0911
anne.debbaut@state.or.us | www.oregon.gov/LCD/

EXHIBIT 2.2



CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

Marah Danielson
Senior Planner
ODOT Region 1 Planning

May 26, 2011

RE: City of Beaverton's Office Commercial/Convenience Service Zoning Map Amendments

Dear Ms. Danielson,

The City of Beaverton has prepared the following information for your consideration regarding the proposed zone changes to remove the obsolete Office Commercial and Convenience Service zoning designations from properties within the City of Beaverton. Staff has provided an analysis of each property proposed for rezoning in this package.

The original vicinity map with proposed zoning is provided for each of the six Zoning Map Amendments. The vicinity map is followed by aerial maps, which identify specific properties proposed for rezoning and how staff has classified potential traffic impacts for each property as a result of the zone change (the classifications are discussed below). The third section presents basic information for each property including size, location, proposed zoning, constraints, and land to improvement value ratios. The final section is a written analysis that presents staff's reasoning behind each traffic impact classification and subsequent traffic impacts to ODOT facilities.

In analyzing the individual properties, staff identified six different classifications based on existing site conditions. The traffic impact classifications are; Outside ODOT Vicinity, Office Commercial to Neighborhood Service, Convenience Service to Neighborhood Service, Not Redevelopable, Unlikely to Cause Significant Traffic Impacts, and Potential Traffic Impacts.

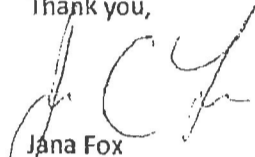
- **Outside ODOT Vicinity:** Properties with this classification are located more than half a mile from the nearest ODOT facility.
- **Office Commercial to Neighborhood Service:** The highest trip generating uses within the OC and NS zones are the same; drive-thru fast food, drive-thru bank, and medical/dental office. Therefore, a change in zone would not increase the potential for higher trip generating uses.
- **Convenience Service to Neighborhood Service:** The highest trip generating uses within the CV and NS zones are the same; drive-thru fast food, drive-thru bank, and medical/dental office. Therefore, a change in zone would not increase the potential for higher trip generating uses.
- **Not Redevelopable:** Properties with this designation have land to improvement value ratios of less than 1.5, which is the standard the City of Beaverton has applied to other projects in order to assess the redevelopment potential of a given parcel. Properties with this designation have buildings and improvements of such value that it wouldn't be economically viable to remove them and build new structures.
- **Unlikely to Cause Significant Traffic Impacts:** Properties with this designation have a land to improvement value ratio of 1.5 or higher. However, site characteristics or other limiting factors

decrease the potential for these properties to redevelop in a way that would cause significant impacts to ODOT facilities.

- **Potential Traffic Impacts:** Properties with this designation are the most likely to redevelop and have the highest potential to impact ODOT facilities. However, in many cases there are still mitigating factors that decrease the potential for significant impacts.

We appreciate your consideration of the enclosed staff analysis and we forward to discussing this project with you upon your review. If you have any questions, please do not hesitate to contact me.

Thank you,

A handwritten signature in black ink, appearing to read 'J. Fox', is written over the typed name.

Jana Fox
Associate Planner
City of Beaverton
(503) 526-3710

EXHIBIT 24



CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

Marah Danielson
Senior Planner
ODOT Region 1 Planning

June 10, 2011

RE: City of Beaverton's Office Commercial/Convenience Service Zoning Map Amendments Revisions

Dear Ms. Danielson,

Thank you for your review of our initial submittal materials. We have made the changes discussed to address the incorrect assumption that the trip generation potential in the OC and NS zones are the same. We have analyzed all of the properties which are proposed to be rezoned NS in the same format as the original analysis. That analysis has been included in the updated packet, attached hereto. We appreciate your consideration, if you have any questions, please do not hesitate to contact me.

Thank you,

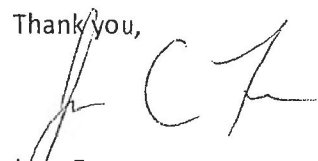

Jana Fox
Associate Planner
City of Beaverton
(503) 526-3710

EXHIBIT 2.5

**Office Commercial Zoning Map Amendments Meeting Summary
July 19, 2011**

Attendees:

City of Beaverton-Steven Sparks, Jana Fox, Don Gustafson, Jabra Kasho
ODOT-Marah Danielson, Seth Brumley, Avi Tayar
DLCD-Anne Debbaut, Bill Holmstrom

The tables below highlights the properties that the City of Beaverton, DLCD, and ODOT agree need further analysis and the uses that have been agreed upon as reasonable worst case under the proposed zoning. Properties that do not need further analysis have been excluded.

ZMA2010-0004 Beaverton-Hillsdale Highway OC ZMA		
<i>Property</i>	<i>Existing Zoning-Reasonable Use</i>	<i>Proposed Zoning-Reasonable Use</i>
9&10	Medical Office	Convenience Store
16-18	Medical Office	Convenience Store*
22 & 23	Medical Office	Fast Food w/ drive-thru*

*Consider pass-by trips along Beaverton-Hillsdale Highway for these uses.

ZMA2010-0006 Southeast Beaverton OC ZMA		
<i>Property</i>	<i>Existing Zoning-Reasonable Use</i>	<i>Proposed Zoning-Reasonable Use</i>
5	Medical Office	Fast Food w/ drive-thru

ZMA2010-0005 Greater Cornell Area OC ZMA (selected properties 19-23) does not require any further analysis and the City of Beaverton can proceed with the zoning map amendment as proposed.

ZMA2010-0010 West Slope OC ZMA does not require any further analysis and the City of Beaverton can proceed with the zoning map amendment as proposed.

The City of Beaverton will proceed with ZMA2010-0005 and ZMA2010-0010. City of Beaverton Transportation staff will do preliminary analysis on the selected properties discussed above. Preliminary findings and analysis will be shared with ODOT and DLCD and the group will decide if further analysis is needed or if the impact to transpiration facilities is not significant.

EXHIBIT 2.6

Jana Fox

From: BRUMLEY Seth A [Seth.A.BRUMLEY@odot.state.or.us]
Sent: Tuesday, August 09, 2011 3:05 PM
To: Donald Gustafson
Cc: Jana Fox; Jabra Khasho; TAYAR Abraham * Avi; DANIELSON Marah B; DEBBAUT Anne
Subject: RE: July 19 meeting summary

Hi Don,

ODOT has reviewed the City's TPR findings in a letter from Jana Fox dated June 10, 2011 as well as additional Transportation Comments from Don Gustafson dated July 28, 2011 and agrees that the following Zoning Map Amendments will not have a significant affect on the transportation system:

ZMA2010-0003
ZMA2010-0005
ZMA2010-0006
ZMA2010-0010
ZMA2010-0011

Please contact me if you need additional clarification.

Thank you,

Seth Brumley
Associate Planner
ODOT Region 1
(503) 731-8234

From: Donald Gustafson [mailto:dgustafson@beavertonoregon.gov]
Sent: Monday, August 08, 2011 3:44 PM
To: BRUMLEY Seth A
Cc: Jana Fox; Jabra Khasho
Subject: FW: July 19 meeting summary

Seth,

Attached is the meeting summary for July 19, 2011. We have had further discussions with you and your staff on ZMA2010-0006 and have made findings that ODOT staff is in agreed with.

Can you send me an e-mail stating that ODOT is in agreement with the city's findings that re-zoning cases ZMA2010-0003, ZMA2010-0005, ZMA2010-0006, ZMA2010-0010 and ZMA2010-0011 do not have a "significant affect" on and existing or planned transportation facility based on ODOT and city staff analysis of the following OAR (Oregon Administrative Rule) 660-012-0060 criteria?:

The TPR states that an amendment significantly affects a transportation facility if it would:

- (a) *Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);*
- (b) *Change standards implementing a functional classification system; or*

(c) As measured by the end of the planning period identified in the adopted transportation system plan [TSP]:

(A) Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or

(C) Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Thanks.

Don

Don Gustafson AICP

Senior Transportation Planner

Economic & Capitol Development Department

City of Beaverton, OR

<mailto:dgustafson@beavertonoregon.gov>

From: Jana Fox

Sent: Wednesday, July 20, 2011 3:30 PM

To: Donald Gustafson; Jabra Khasho; Steven Sparks; TAYAR Abraham * Avi; BRUMLEY Seth A; 'DANIELSON Marah B'; 'Debbaut, Anne'; Holmstrom, Bill

Subject: July 19 meeting summary

Thank you for attending our meeting yesterday. It was really helpful to sit down and work through the proposed amendments. Please let me know if you have any questions or amendments to the meeting summary.

Thanks,

Jana Fox

Associate Planner

City of Beaverton

t: 503.526.3710

f: 503.526.3720

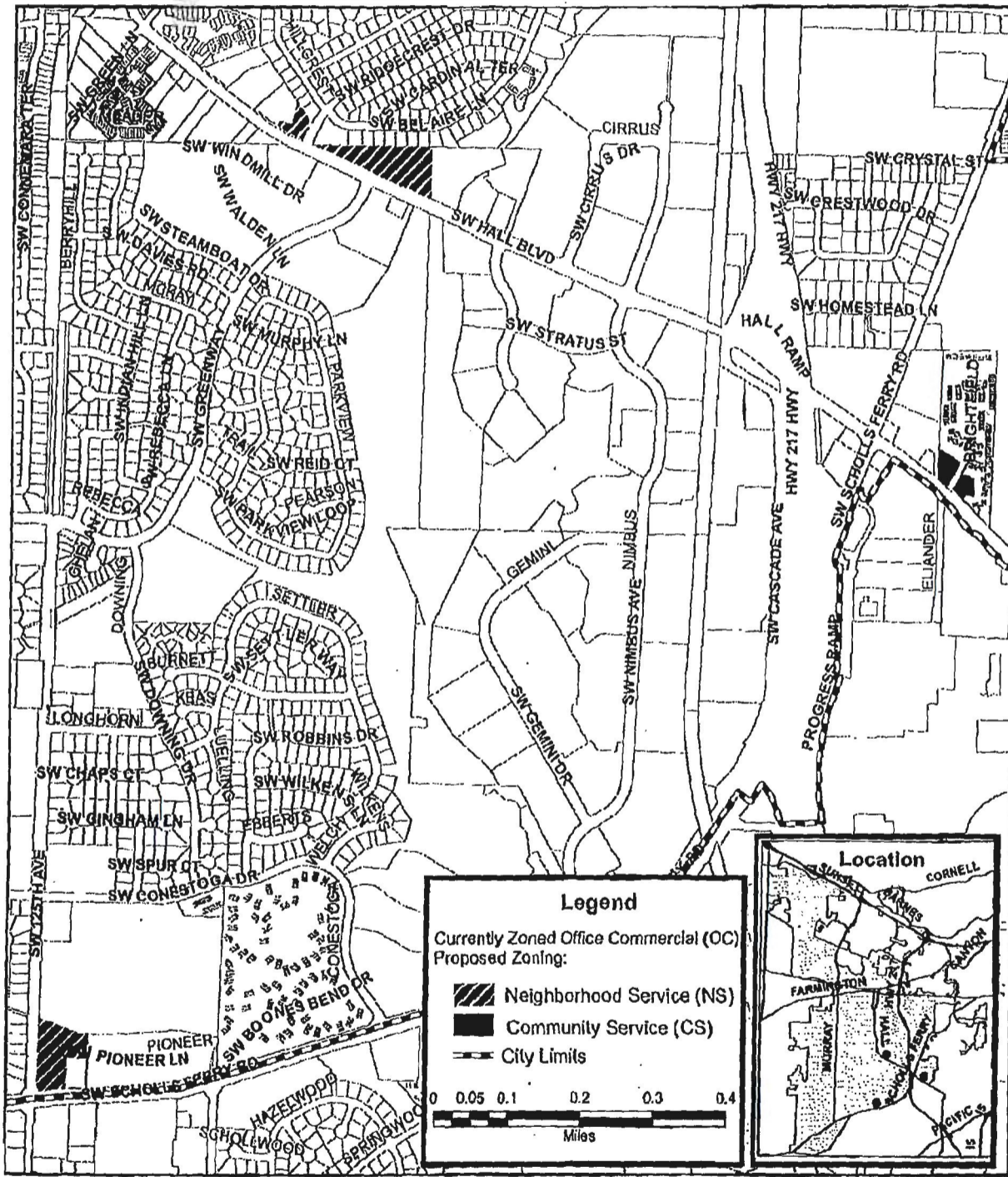
PUBLIC RECORDS LAW DISCLOSURE

This e-mail is a public record of the City of Beaverton and is subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. This email is subject to the State Retention Schedule.

EXHIBIT 2.7

ZMA2010-0006
Southeast Beaverton Office Commercial Zoning Map
Amendment

VICINITY MAP



**SOUTHEAST BEAVERTON OFFICE COMMERCIAL
ZONE MAP AMENDMENT**

**COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division**

05/14/10

Tax Lot #

VARIOUS

Application #

ZMA2010-0006



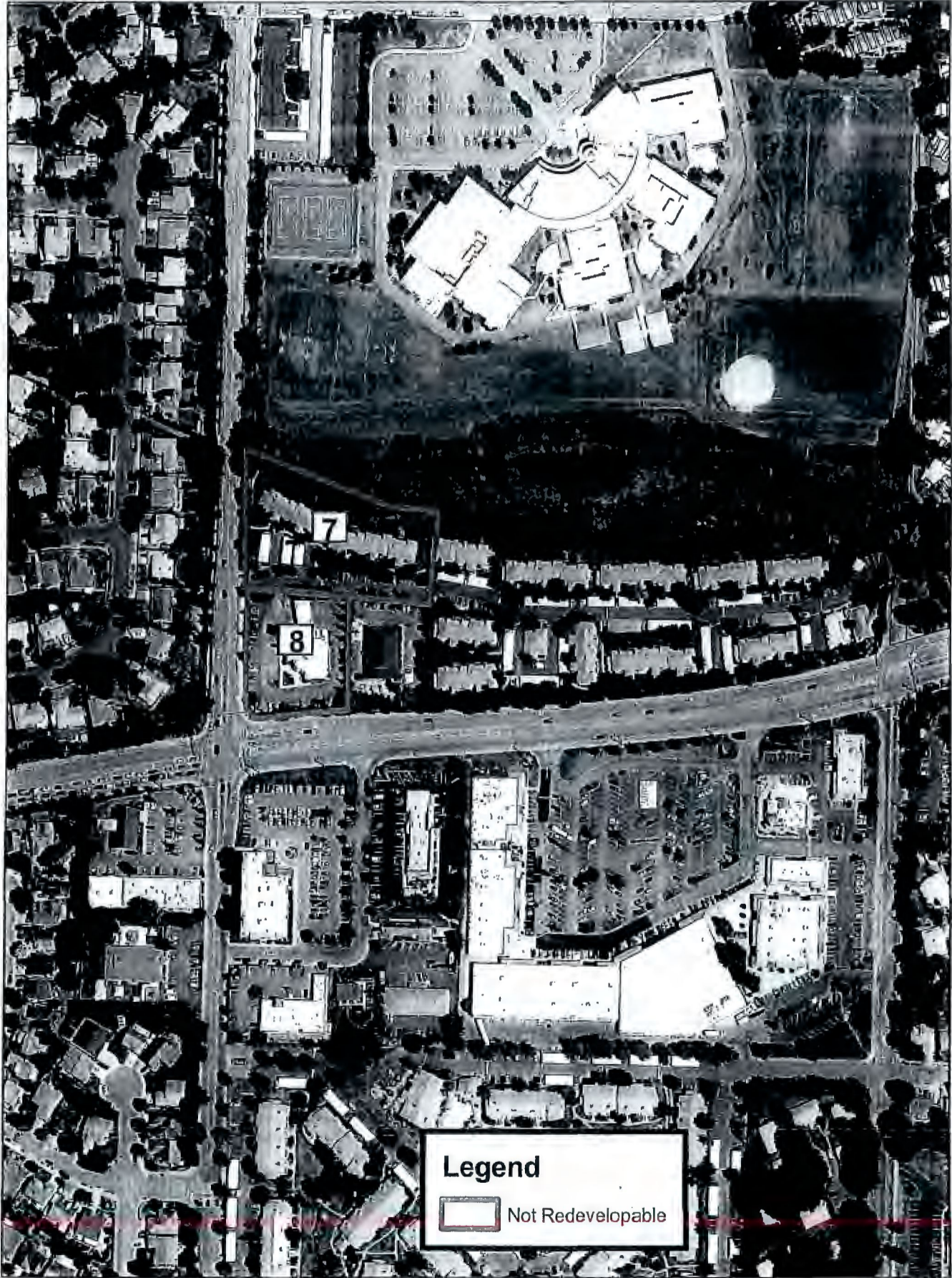
ZMA2010-0006 Southeast Beaverton OC ZMA Hall & Greenway



ZMA2010-0006 Southeast Beaverton OC ZMA Hall & Brightfield



ZMA2010-0006 Southeast Beaverton OC ZMA
Scholls Ferry Road & 125th Avenue



ZMA2010-0006 Southwest Beaverton Office Commercial Zoning Map Amendment

1	Address: 11855 SW Ridgecrest Dr Proposed Zoning: Neighborhood Service (NS) Existing Use: Office Market Land Value: \$435,820 Land/Improvement Value Ratio: 3.4 Classification: Outside ODOT Vicinity	Bldg. Square Footage: Constraints: N/A Acreage: 0.61 Market Building Value: \$126,920 Redevelopment Potential: Yes
2	Address: Proposed Zoning: Neighborhood Service (NS) Existing Use: Vacant Market Land Value: \$383,400 Land/Improvement Value Ratio: N/A Classification: Outside ODOT Vicinity	Bldg. Square Footage: Constraints: Steep Slopes Acreage: 0.47 Market Building Value: \$0 Redevelopment Potential: Constrained
3	Address: 8070 SW Hall Blvd Proposed Zoning: Neighborhood Service (NS) Existing Use: Medical & Office Market Land Value: \$1,148,480 Land/Improvement Value Ratio: 3.5 Classification: Outside ODOT Vicinity	Bldg. Square Footage: 4578 Constraints: Riparian Area Acreage: 1.21 Market Building Value: \$324,430 Redevelopment Potential: Yes
4	Address: Proposed Zoning: Neighborhood Service (NS) Existing Use: Vacant Market Land Value: \$649,640 Land/Improvement Value Ratio: N/A Classification: Outside ODOT Vicinity	Bldg. Square Footage: Constraints: Wetlands, Riparian Area, Slopes Acreage: 1.81 Market Building Value: \$0 Redevelopment Potential: Constrained
5	Address: 8900 SW Hall Blvd Proposed Zoning: Community Service (CS) Existing Use: Dental Office Market Land Value: \$608,480 Land/Improvement Value Ratio: 4.4 Classification: Potential Traffic Impact	Bldg. Square Footage: Constraints: N/A Acreage: 0.56 Market Building Value: \$139,110 Redevelopment Potential: Yes
6	Address: 8930 SW Hall Blvd Proposed Zoning: Community Service (CS) Existing Use: Office Market Land Value: \$382,380 Land/Improvement Value Ratio: 1.7 Classification: Unlikely to Cause Significant Traffic Impacts	Bldg. Square Footage: 6512 Constraints: N/A Acreage: 0.38 Market Building Value: \$224,890 Redevelopment Potential: Yes
7	Address: 12000 SW Pioneer Ln Proposed Zoning: Neighborhood Service (NS) Existing Use: Residential Market Land Value: \$2,212,000 (Whole tax lot) Land/Improvement Value Ratio: 0.19 Classification: Not Redevelopable	Bldg. Square Footage: Constraints: N/A Acreage: 1.47 (portion of whole tax lot) Market Building Value: \$11,615,660 (Whole tax lot) Redevelopment Potential: No
8	Address: 12450 SW Pioneer Ln Proposed Zoning: Neighborhood Service (NS) Existing Use: Bank w/ Drive Thru & Office Market Land Value: \$944,820 Land/Improvement Value Ratio: 0.77 Classification: Not Redevelopable	Bldg. Square Footage: 6472 Constraints: N/A Acreage: 1.04 Market Building Value: \$1,230,810 Redevelopment Potential: No

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BEAVERTON OR 97076-4755

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OCT 03 2011

LAND CONSERVATION
AND DEVELOPMENT

PLAN AMENDMENT SPECIALIST
OREGON DEPARTMENT OF LAND CONS
635 CAPITOL STREET NE SUITE 150
SALEM OR 97301-2540

ZMA2010-0006 Southwest Beaverton Office Commercial Zoning Map Amendment

Background

The proposed legislative zoning map amendment involves properties in three areas of Southwest Beaverton; SW Hall Blvd & SW Greenway Drive, SW Hall Blvd & SW Brightfield Ln, and SW Scholls Ferry Road & SW 125th Avenue. The subject properties are depicted on the maps associated with these documents. Staff has assessed these properties and the reasonable likelihood that they will redevelop.

Outside ODOT Vicinity

Properties 1, 2, 3, and 4 have the potential to be redeveloped, however they are all outside of the vicinity of any ODOT facility, and therefore will not have a significant impact on ODOT facilities. The subject properties are over one half (1/2) mile from an existing ODOT facility.

Non Redevelopable Properties

Properties 7 and 8 have a land to improvement value ratio of less than 1.5, the standard the City of Beaverton has applied to projects which assess the redevelopment potential of given parcels, such as the Buildable Lands Analysis. The land to improvement value ratio is shown in table above, as are the base land and structural improvement value numbers.

Unlikely to Cause Significant Traffic Impacts

Property 6 is currently a small office building. The site is accessed through the private property to the east of the site. No access is provided via SW Hall Boulevard. The parcel is also relatively small in size, at 0.38 acres and the existing building appears to be in good condition. The small parcel size and lack of access make it impracticable that it would redevelop into a high trip generating use as it shares an access point with the condominiums next door.

Potential Traffic Impacts

Property 5 is currently a Dental Office. The site is large enough to accommodate potential redevelopment under the CS zoning designation. While the site is large enough to accommodate a high trip generating use, such as a convenience store with a gas station the single access to Hall Boulevard close to the signalized intersection which would preclude a left turn out of the property. Access to the private drive on SW Brightfield lane is gated at the entrance and the condominiums are unlikely to allow a high traffic volume use to share their private access drive.

Conclusions

Based on the aforementioned observations, we feel that there is no need to do additional traffic impact analysis for these properties. If you agree, we will return to our Planning Commission with augmented transportation impact findings for the proposed Zoning Map Amendment.