



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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Salem, Oregon 97301-2540

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www.oregon.gov/LCD



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: September 21, 2015

Jurisdiction: City of Beaverton

Local file no.: ZMA 2015-0005

DLCD file no.: 005-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 09/18/2015. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE

File No.:

Received:

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Beaverton

Local file no.: **ZMA2015-0005**

Date of adoption: 9/16/2015

Date sent: 9/18/2015

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 7/1/2015

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Jana Fox, Associate Planner

Phone: 503.526.3710

E-mail: jfox@beavertonoregon.gov

Street address: PO Box 4755

City: Beaverton

Zip: 97076-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

AN ORDINANCE AMENDING ORDINANCE NO. 2050, THE ZONING MAP, ZMA 2015-0005, 135th & DAVIES ZONING MAP AMENDMENT

WHEREAS, on August 5, 2015, the Planning Commission conducted a public hearing to consider an application to amend Ordinance No. 2050, the Zoning Map to designate one parcel R5 (Urban Standard Density). The parcel is currently zoned R7 (Urban Standard Density). The site is part of the redevelopment of the 135th & Davies four-Lot Subdivision; and

WHEREAS, the quasi-judicial Zoning Map Amendment will change the zoning of the subject parcels from R7 (Urban Standard Density) to R5 (Urban Standard Density); 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 July 29, 2015, and Planning Commission Land Use Order No. 2420. Now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 2050, the Zoning Map, is amended to designate the parcel identified in Section 2 to the zoning designation R5 (Urban Standard Density).

Section 2. The property affected by this ordinance is depicted in the attached map, marked Exhibits "A", as incorporated herein.

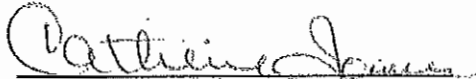
First reading this 8th day of September, 2015.

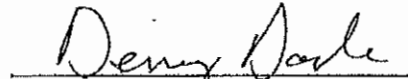
Passed by the Council this 15th day of September, 2015.

Approved by the Mayor this 16th day of September, 2015.

ATTEST:

APPROVED:

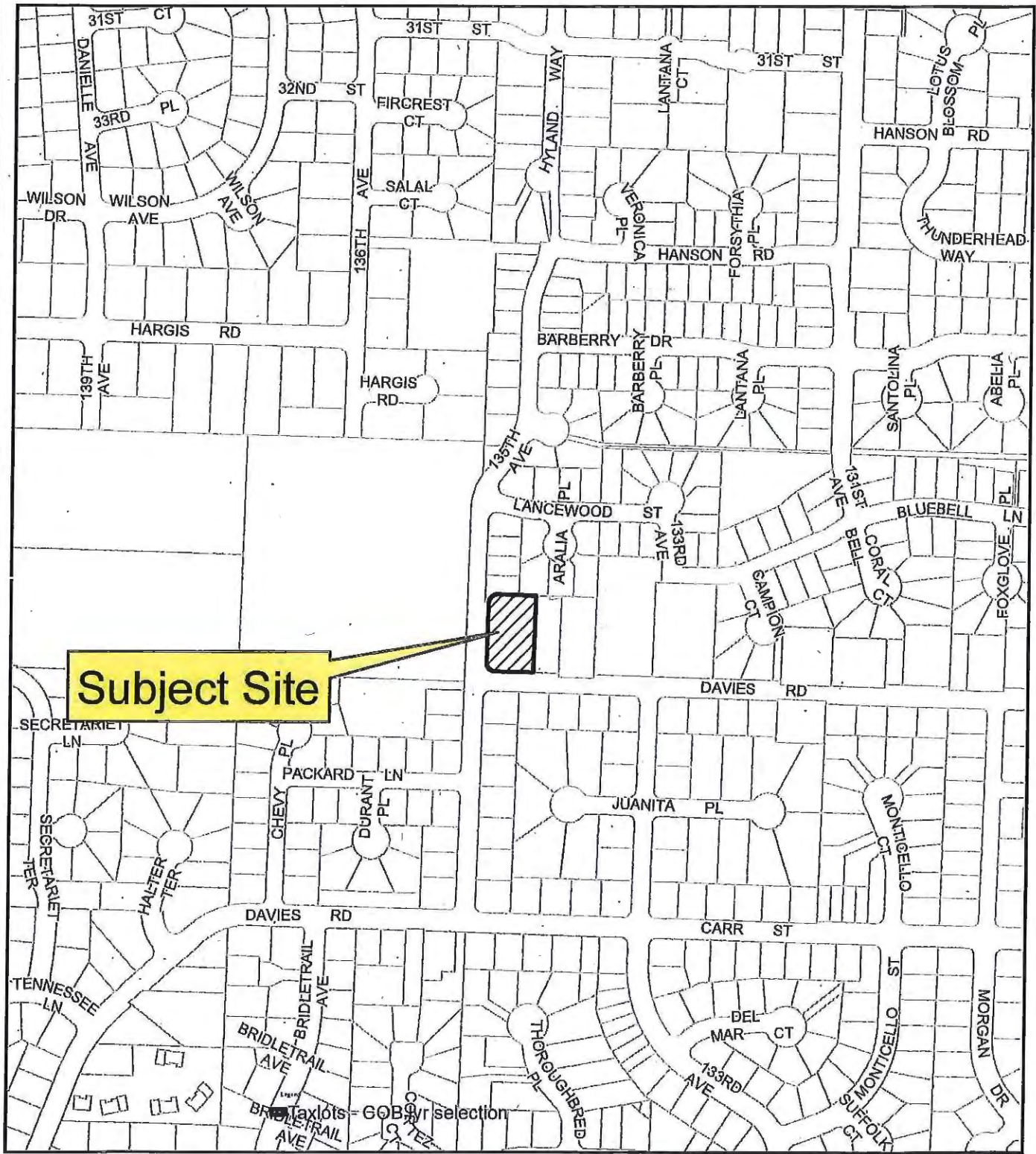

CATHY JANSEN, City Recorder


DENNY DOYLE, Mayor

VICINITY MAP

Ordinance No.
4664

EXHIBIT A



Subject Site

135TH & DAVIES ZONING MAP AMENDMENT
ZMA2015-0005

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

08/19/2015

Tax Lot #'s
18128AB 05600

Application #
See Notice





Staff Report

HEARING DATE: August 5, 2015

STAFF REPORT DATE: July 29, 2015

TO: Planning Commission

FROM: Jana Fox, Associate Planner *JCF S.M.*

PROPOSAL: **135th & Davies 4-Lot Subdivision**
LD2015-0009 / TP2015-0006 / ZMA2015-0005

LOCATION: The site is located at 13455 SW Davies Road.
Tax Lot 5600 on Washington County Tax Assessor's Map 1S128AB.

SUMMARY: The applicant, Mission Homes, has submitted a Zoning Map Amendment (ZMA) to rezone the property at 13455 SW Davies Road from R7 (Urban Medium Density) to R5 (Urban Medium Density). Concurrently the applicant has submitted for a four (4) lot Preliminary Subdivision of the property. A Tree Plan Two application for the removal of Community Trees from the site to accommodate development is also under review.

APPLICANT: Mission Homes
Kurt Dalbey
PO Box 1689
Lake Oswego, OR 97035

APPLICANTS REPRESENTATIVE: Pioneer Design Group, Inc.
Matt Sprague
9020 SW Washington Sq. Rd. Ste. 170
Portland, OR 97223

PROPERTY OWNER: Heirs or Devises of Harvey A. Swenson
Pamela Ann Stevens (Executor)
13455 SW Davies Rd
Beaverton, OR 97008

RECOMMENDATION: **APPROVAL of LD2015-0009 / TP2015-0006 / ZMA2015-0005**
(135th & Davies 4-Lot Subdivision)

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Application Deemed Complete	Final Written Decision Date	240-Day*
LD2015-0009	May 6, 2015	June 17, 2015	October 15, 2015	February 12, 2016
TP2015-0006	May 6, 2015	June 17, 2015	October 15, 2015	February 12, 2016
ZMA2015-0005	May 6, 2015	June 17, 2015	N/A	N/A

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

Existing Conditions Table

Zoning	Urban Standard Density (R7)	
Current Development	Single Family Dwelling	
Site Size & Location	The site is located at 13455 SW Davies Road The site is approximately 0.64 acres.	
NAC	South Beaverton	
Surrounding Uses	Zoning: <u>North:</u> R5 <u>South:</u> R7 <u>East:</u> R7 <u>West:</u> R7	Uses: <u>North:</u> Detached Residential <u>South:</u> Detached Residential <u>East:</u> Detached Residential <u>West:</u> Park

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

	<u>Page No.</u>
<u>Attachment A:</u> Facilities Review Committee Technical Review and Recommendation Report	FR1 – FR10
<u>Attachment B:</u> LD2015-0009 <i>Preliminary Subdivision</i>	LD1-LD5
<u>Attachment C:</u> TP2015-0006 <i>Tree Plan Two</i>	TP1-TP14
<u>Attachment D:</u> ZMA2015-0005 <i>Zoning Map Amendment</i>	ZMA1-ZMA4
<u>Attachment H:</u> <i>Conditions of Approval</i>	COA1–COA7

Exhibits

Exhibit 1. Materials submitted by Staff

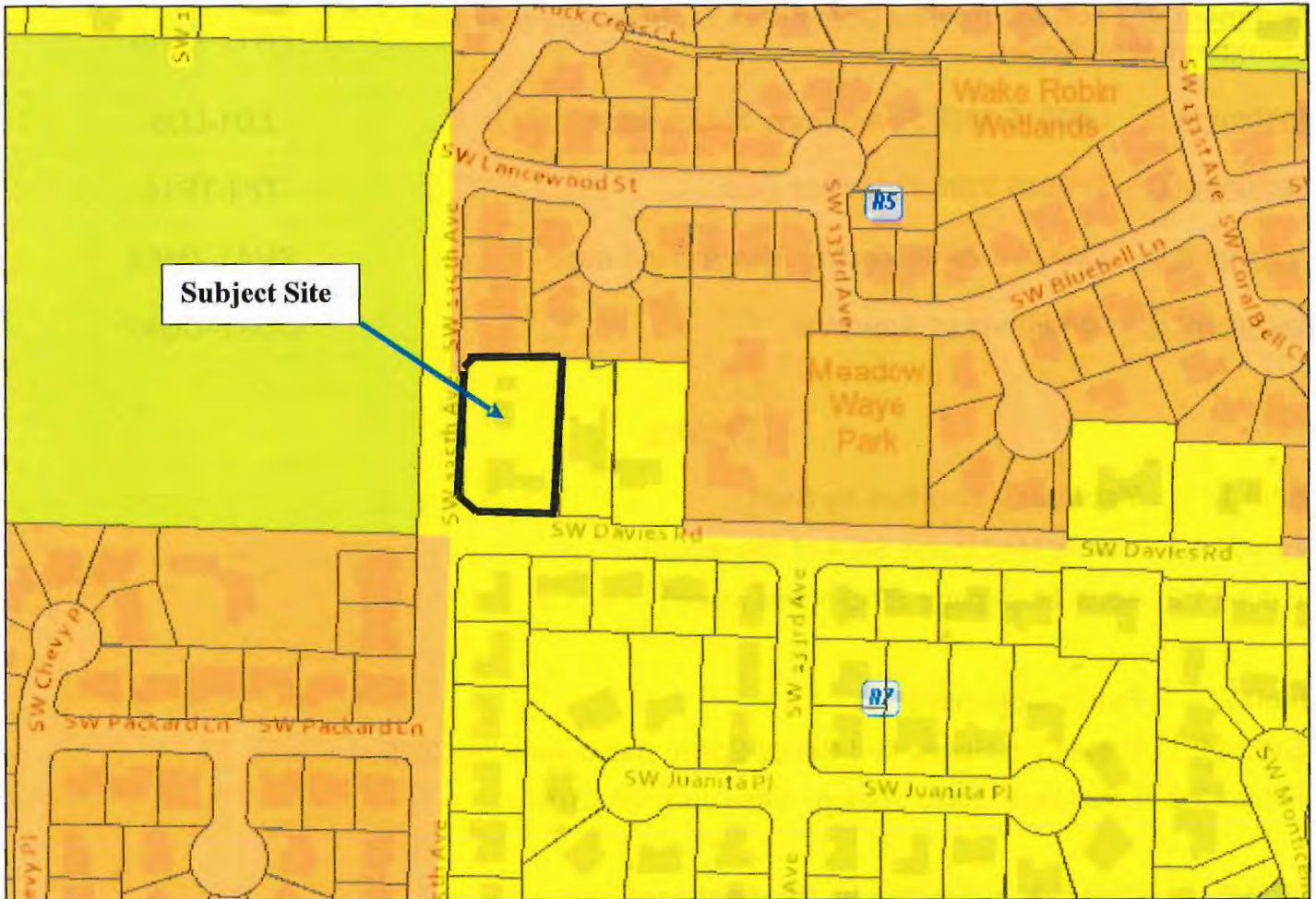
- Exhibit 1.1 Vicinity Map (page SR-4 of this report)
- Exhibit 1.2 Aerial Map (page SR-5 of this report)

Exhibit 2. Public Comment

- Exhibit 2.1 Email from Homer and Nancy Speer, dated June 24, 2015
- Exhibit 2.2 Email from Claire Warton, dated June 25, 2015

Exhibit 3. Materials submitted by the Applicant

- Exhibit 3.1 Submittal Package including plans



135th & Davies 4-Lot Subdivision
LD2015-0009 / TP2015-0006 / ZMA2015-0005
Vicinity & Zoning Map



**135th & Davies 4-Lot Subdivision
LD2015-0009 / TP2015-0006 / ZMA2015-0005
Aerial Map**

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
135th & Davies 4-Lot Subdivision
LD2015-0009 / TP2015-0006 / ZMA2015-0005**

Section 40.03 Facilities Review Committee:

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

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

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

- **All twelve (12, A through L) criteria are applicable to the submitted Land Division (Preliminary Subdivision) application as submitted.**
 - **Facilities Review criteria do not apply to the Tree Plan Two and Zoning Map Amendment applications.**
- A. ***All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.***

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

Water:

Water Service will be provided to the site by the City of Beaverton. The development proposes to connect into the existing water lines in SW 135th Avenue and SW Davies Road. Lot 2 will retain the existing water meter, the remainder of the lots will be provided with new water meters. Adequate capacity exists to serve the proposed development.

Sewer:

Sanitary sewer service will be provided by connecting to the existing 8" sanitary sewer line in SW Davies to serve the proposed lots. Adequate capacity exists to serve the proposed development.

Stormwater and LIDA:

Additionally, the proposed development of the subject site will involve the construction of a stormwater line within the Davies Road right-of-way. On-site and road-side Low Impact Development Approaches (LIDA) are proposed with the development. Adequate capacity exists to serve the proposed development.

To ensure appropriate design and construction of the essential facilities including but not limited to utility connections, access to manholes and structures, maintenance requirements, and associated construction and utility phasing plans, the Committee recommends conditions of approval through the Land Division (LD2015-0009) application.

Transportation/Access:

The Beaverton Transportation System Plan classifies both SW 135th Ave. and SW Davies Rd. as Neighborhood Routes. The existing 30 foot right-of-way from the centerline of each street is wide enough that no new right-of-way dedication is required of this development. However, the applicant proposes to improve the subject property's frontage along both streets to the City's standards, with new planter strips and sidewalks.

All Zoning Map Amendment applications require a traffic analysis to determine if the existing transportation system can accommodate the proposed change. According to the memo from the applicant's transportation engineer, the proposal will generate an estimated 38 trips per day and the reasonable worst case scenario for the Zone Change request from R7 to R5 will be an additional 2-3 trips to or from the site during the PM peak hour. This is a negligible increase and can easily be accommodated by the existing street network.

Fire Protection:

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). Comments and conditions of approval have been received from TVF&R, and are included herein. Staff also cites the findings for Criterion H hereto regarding fire prevention.

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

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

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

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

Schools and Recreation:

The City provided the Beaverton School District with a copy of the proposal, however no comments were received from the School District related to the proposal. Given the low number of proposed units the impacts to the school district will be minimal. The subject site is served by Hiteon Elementary, Conestoga Middle School, and Southridge High School. The proposed development is within the Tualatin Hills Park and Recreation District (THPRD).

Public Safety:

The site will be served by the City of Beaverton Police Department and the Tualatin Valley Fire and Rescue (TVF&R). The TVF&R District Station 66 is located approximately ½ mile away from the project site.

Transit Improvements/Public Transportation:

Essential street facilities are proposed, and will be constructed prior to issuance of any building permits for new homes, as a condition of approval.

The proposed development will be served by Tri-Met. The site is most directly served by bus line 62 on SW Murray Boulevard and bus line 92 on SW Brockman Street. Tri-Met has not identified the need for additional transit stops related to this development.

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

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

Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban Standard Density (R5) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the R5 zone.

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

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

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

The applicant, as required by 60.55, has provided a transportation analysis for the proposed four lot subdivision which shows that the proposal generates 38 vehicle trips per day. The existing street network can accommodate the additional trips and meet applicable operational standards.

The applicant proposes a shared driveway for the two proposed lots adjacent to SW Davies Road, Lot 3 and Lot 4. The proposed shared driveway is wider than commercial driveway standards of 40 feet, as identified in the Engineering Design Manual. Staff recommends a condition of approval that the applicant reduce the size of the shared driveway to a maximum of 40 feet from the proposed 47 feet.

To meet the requirements of Section 60.65 Utility Undergrounding, staff recommends a standard condition of approval requiring that utility lines are placed underground.

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

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

The applicant states that no private common facilities are proposed. The owners of the proposed lots will be responsible for maintenance of their lot. The City will be responsible for the stormwater facility within the public right-of-way, once constructed to City standards.

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

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

The site will have safe and efficient vehicular and pedestrian circulation patterns, in conformance with Development Code Section 60.55.25 subject to conditions of approval. Staff refers to the findings under criterion D. The proposed pedestrian circulation system connects all parts of the development in a safe, efficient, and direct manner. Because the

proposed shared driveway is closer than the 50 spacing standard called for in the City's Engineering Design Manual, the applicant will be requesting an Engineering Design Modification from the City Engineer. As a Condition of Approval, the applicant must obtain this approval before constructing any driveway closer than 50 feet to SW 135th Ave.

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

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

The site's vehicular and pedestrian circulation system connects to the surrounding circulation system in a safe, efficient, and direct manner. Staff cites the findings under criterion D and the conditions of approval to ensure safe and efficient circulation systems.

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

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

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

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

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

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

The applicant must provide public street lights. By meeting the City of Beaverton's Engineering Design Manual design standards for street lights, the Committee finds that the street illumination system should provide for adequate protection from hazardous conditions.

The Committee finds that review of the construction documents at the building and site development permit stages should provide for protection from hazardous conditions due to inadequate, substandard or ill-designed development.

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

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

The applicant's response to criterion J states that grading and contouring of the site has been designed to accommodate the proposed 4 lot subdivision. The perimeter grading is designed to maintain existing grades at the abutting property lines. Lots are to be graded so water runs off to the streets or proposed storm facilities, to mitigate for adverse impacts on neighboring properties and the public right-of-way.

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

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

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

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. The Committee finds that as proposed, the sidewalks appear to meet applicable accessibility requirements and through the site development and building permitting reviews will be thoroughly evaluated. Therefore, the Committee finds that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and would thereby be in conformance with Development Code Section 60.55.65 and the criterion will be met.

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

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

The applicant submitted the land use applications on May 6, 2015 and was deemed complete on June 17, 2015. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements, as identified in Section 50.25.1 are contained within this proposal.

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

**Development Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Urban Standard Density (R5) Zoning District**

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20 (Urban Standard Density R5)			
Use- Permitted	Detached Dwellings	Detached Dwellings	Yes
Development Code Section 20.05.15 (Urban Standard Density R5)			
Minimum Lot Area	5,000 sq. ft.	5,000 sq. ft. minimum	Yes
Minimum Corner Lot Dimensions			N/A
Width	none	n/a	
Depth	none	n/a	
Minimum Yard Setbacks			
Front	15'	Setbacks will be assessed at the time of building permit issuance. The applicant has shown building pad areas which can accommodate the setbacks of the R5 zoning district.	Yes
Side	5'		
Rear	20'		
Garage	20'		
Garage Door to Rear Minimum Between Buildings	24' 6'		
Maximum Building Height	35 feet	Building height will be verified at building permit phase.	N/A
Development Code Section 20.25.05 – Density Calculations			
Minimum Residential Density	Minimum Density: 4 lots Maximum Density: 5 lots	The applicant proposes 4 lots.	Yes

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review is not applicable to single family dwellings.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development techniques proposed.	N/A
Development Code Section 60.15 – Land Division Standards			
Land Division Standards	Standards pertaining to Land Divisions	A Land Division-Preliminary Subdivision application has been applied for.	See LD Findings
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking Parking Zone A	<u>Detached Dwellings</u> 1 space per unit= 5 spaces min No Maximum for Detached Dwellings	<u>Detached Dwellings</u> Each dwelling will have at minimum one parking space.	YES
Required Bicycle Park	No bicycle parking is required for detached dwellings.	No bicycle parking is required for detached dwellings	
Compact Spaces	Required residential parking must be provided at standard sizes.	No compact spaces are provided.	N/A
Development Code Section 60.55 - Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes- with COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	A Tree Plan Two application has been applied for, for the removal of community trees from the subject site.	See TP Findings

Development Code Section 60.65

Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant states that all proposed power and telecommunications lines will be placed underground. To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy.	Yes- with COA
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LD2015-0009
ANALYSIS AND FINDINGS FOR
LAND DIVISION-PRELIMINARY SUBDIVISION APPROVAL

Section 40.45.05 Land Division Applications; Purpose

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

Section 40.45.15.4.C Approval Criteria

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

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

The applicant proposes a 4 lot subdivision from 1 parent parcel, thereby meeting the threshold 1 for a Preliminary Subdivision.

- 1. The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.*

The parent parcel is not subject to a Legal Lot Determination.

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

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

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

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

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

No land use approvals are active for the site and therefore the proposal does not conflict with any previous land use approvals.

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

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

No oversized lots are proposed in association with this development.

Therefore, staff find that this criterion for approval is not applicable.

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

The applicant does not propose phasing of the development.

Therefore, staff find that this criterion for approval is not applicable.

6. ***Applications that apply the lot area averaging standards of Section 20.05.50.1.B shall demonstrate that the resulting land division facilitates the following:***
 - a) ***Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,***
 - b) ***Complies with minimum density requirements of [the Development] Code, provides appropriate lot size transitions adjacent to differently zoned properties, and where a street is proposed provides a standard street cross section with sidewalks.***

The proposal does not apply the lot area averaging standards.

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

7. ***Applications that apply the lot area averaging standards of Section 20.05.50.1.B do not require further Adjustments or Variance for the Land Division.***

The proposal does not apply the lot area averaging standards.

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

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

All lots created by the proposal will have the Urban Standard Density (R5) zoning designation.

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

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

The applicant has submitted this Preliminary Subdivision application with associated Tree Plan Two and Zoning Map Amendment applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **LD2015-0009 (135th & Davies 4-Lot Subdivision)** subject to the applicable conditions identified in Attachment E.

Land Division Standards Code Conformance Analysis

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

**TP2015-0006
ANALYSIS AND FINDINGS FOR
TREE PLAN TWO**

Section 40.90.05 Tree Plan Applications; Purpose

Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.

Section 40.90.15.2.C Approval Criteria

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

- 1. The proposal satisfies the threshold requirements for a Tree Plan Two application.**

The applicant proposes to remove five (5) Community Trees) from the site, which meets threshold one for a Tree Plan Two application.

- 1. Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period...*

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

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

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

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

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

The trees are not proposed for removal to observe good forestry practices. The applicant states that the Arborist Report provided is based on the ANSI standards. The trees are proposed for removal to accommodate the development of the site and the associated grading and construction.

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

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

The applicant states that the five (5) community trees are to be removed to accommodate street improvements, preliminary site grading, and other physical development activities to develop the four lots. In addition 22 trees which are too small to be considered Community Trees will be removed. Staff concurs that the trees proposed to be removed are the minimum necessary to accommodate the proposed development.

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

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

Property damage or other nuisances are not the reason the trees are being removed. Trees are being removed to facilitate development of the site.

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

6. *If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.*

The applicant states that five community trees, and 22 smaller trees must be removed in order to accommodate street, utility and driveway improvements as well as lot grading. Staff concurs that trees are being removed to facilitate development of the site not to accomplish a public purpose.

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

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

The site does not contain any SNRA's. The trees proposed for removal are Community Trees which are being removed to accommodate new development where no reasonable alternative exists.

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

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

The subject site does not contain a SNRA or significant grove.

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

9. ***If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.***

The subject site does not contain a SNRA or significant grove.

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

10. ***The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources.***

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

Therefore, staff find by meeting the Conditions of Approval, the proposal meets the criterion for approval.

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

This approval criterion is identical to Facilities Review approval criterion J. The response contained within the revised Facilities Review report (Attachment A, above) is hereby cited and incorporated. The applicant's revised plans balance accommodating the proposed use and mitigating the adverse effects on neighboring properties.

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

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

The applicant submitted the application on May 6, 2015 and was deemed complete on June 17, 2015. 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 this criterion for approval.

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

The applicant has submitted this Tree Plan Two application and the associated Preliminary Subdivision and Zoning Map Amendment applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all three (3) applications at once.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2015-0006 (135th & Davies Subdivision)** subject to the applicable conditions identified in Attachment E.

Code Conformance Analysis
Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
60.60.15 Pruning, Removal, and Preservation Standards			
60.60.15.1A-B	Pruning Standards	The applicant does not proposal pruning.	N/A
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed tree removal complies with this section (see findings below).	YES
60.60.15.2.B	Mitigation is required as set forth in 60.60.25	Mitigation for Community Trees is not required.	N/A
60.60.15.2.C.1	Standards for SNRA & Significant Groves	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.2	DBH shall be retained in cohesive Preservation Areas.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.3	Native understory vegetation and trees shall be preserved in Preservation Areas.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.4	Preservation Areas shall be clustered and connect with adjoining portions of the SNRA or Significant Grove.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.5	Preservation Areas shall be set aside in conservation easements.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.6	Preservation Areas conditioned for protection through the Land Division process.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.15.2.C.7	Native species shall be preferred for preservation over non-native species.	Trees are proposed to be removed for development.	N/A
60.60.15.2.C.8	Hazardous and dead trees should be fallen only for safety and left at the resource site unless the tree has been diagnosed with a disease.	No SNRA's or Significant Groves are identified on site.	N/A
60.60.20 Tree Protection Standards During Development			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures	The applicant will be required to meet Tree Protection Standards during construction.	YES w/ COA

	may be used with City approval.		
60.60.25 Mitigation Requirements			
60.60.25	Mitigation Standards: Mitigation is not required for Community Trees.	Mitigation is not required.	N/A
60.67 Significant Natural Resources			
60.67.05.1	Development activities in locations of possible significant natural resources and/or wetlands are subject to relevant procedures identified in Chapter 50.	No significant natural resources exist on site.	N/A
60.67.15.2	For sites identified in the Local Wetland Inventory notice of the proposed development shall be provided to DSL.	No significant natural resources exist on site.	N/A
60.67.10	Development activities in locations of Significant Riparian Corridors are subject to relevant procedures identified in Chapter 50.	No significant natural resources exist on site.	N/A

**ZMA2015-0004
ANALYSIS AND FINDINGS FOR
ZONING MAP AMENDMENT**

Section 40.97.15.1.C Approval Criteria

In order to approve a Quasi-Judicial 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 Quasi-Judicial Zoning Map Amendment application.***

The threshold identified in Section 40.97.15.1 of the Development Code states the following:

- 1. The change of zoning designation for a specific property or limited number of specific properties.*

The applicant requests that the property at 13455 SW Davies Road (Map and Tax Lot 1S128AB05600) be rezoned from R7 (Urban Standard Density) to R5 (Urban Standard Density) to allow for a four lot partition of the subject site.

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

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

The applicant has paid the required fee for a Zoning Map Amendment.

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

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

Staff has identified the following Comprehensive Plan criteria as applicable to the proposed Zoning Map Amendment:

3.13.1 Goal: Provide for the establishment and maintenance of safe, convenient, attractive and healthful places to live.

- d) Apply Residential Neighborhood designations (Low Density, Standard Density, Medium Density and High Density) consistent with the Metro 2040 Growth Concept Map and the City's housing target implementing strategy.*

The subject site is located in an area on the Metro 2040 Growth Concept Map as Neighborhood, as such the Land Use designation of Neighborhood Residential-Standard Density is an appropriate Land Use designation in accordance with the Growth Concept

Map. The applicant does not propose to change the Land Use Designation of the subject site.

3.13.3 Goal: Establish Standard Density Residential areas to provide moderate sized lots for typical single family residences with private open space.

- a) *Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix to allow a variety of housing choices.*

The subject site has a Land Use designation of Neighborhood Residential-Standard Density (NR-SD) which has two implementing zoning districts according to figure 3.14 Comprehensive Plan and Zoning District Matrix; R7 (Urban Standard Density) and R5 (Urban Standard Density). The subject site is currently zoned R7, the applicant has requested to rezone the site to R5, which is an implementing zone of the NR-SD Land Use designation, as such the proposal complies with the Comprehensive Plan and Zoning District Matrix. As shown on the zoning map on page SR-4 the majority of the block in which the subject site is located is zoned R5, with the exception of the subject site and two parcels to the east which are zoned R7. The properties to the north of the subject site are zoned R5 and developed in a manner similar to the subdivision proposed for this site.

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

The subject site is located within a network of improved roadways, utilities and other critical facilities. The site currently contains one single family dwelling which is proposed to be removed. Critical facilities are evaluated in the Facilities Review section of this staff report, see Attachment A above. The Facilities Review Committee found that all critical facilities are available or can be made available to the subject site.

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

The subject site is located within a network of improved roadways, utilities and other critical facilities. The site currently contains one single family dwelling which is proposed to be removed. Essential facilities are evaluated in the Facilities Review section of this staff report, see Attachment A above. The Facilities Review Committee found that all essential facilities are available or can be made available to the subject site.

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

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

The subject parcel (Map and Tax Lot 1S128AB05600) is proposed to be zoned from R7 to R5. The proposed removal of the existing dwelling and subdivision of the site into four lots meets the applicable site development standards of Chapter 20, as evaluated in the Facilities Review report, Attachment A. The applicant proposes Preliminary Subdivision and Tree Plan Two applications to allow for the creation of a four unit subdivision, which will be evaluated concurrently with this Zoning Map Amendment. The Zoning Map Amendment is not dependent upon approval of the Preliminary Subdivision or Tree Plan Two applications.

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

7. *The proposal shall include a Traffic Impact Analysis that meets the requirements of 60.55.20. The analysis shall demonstrate that development allowed under the proposed zoning can meet the requirements of 60.55.10.1, 60.55.10.2, 60.55.10.3, and 60.55.10.7. The analysis shall identify the traffic impacts from the range of uses allowed under the proposed zoning and demonstrate that these impacts can be reasonably mitigated at the time of development.*

The applicant has provided a traffic impact study completed by Kittleson & Associates. The analysis shows that the worst case scenario in the R7 zoning district is a 4-lot subdivision build-out which would generate 38 daily trips with 3-4 of those trips occurring in the weekday AM and PM peak hours. Worst case scenario in the R5 zoning district is a 5-lot subdivision build-out which would generate 48 daily trips with 4-5 of those trips occurring in the weekday AM and PM peak hours. The difference between the R7 and R5 trip generation is minimal and will not negatively impact the operational standards of the SW 135th & SW Davies intersection, which will continue to meet operational standards at 2016 build-out and the 2035 horizon year. Because the proposed development will not generate 200 or more trips per day a full Traffic Impact Analysis (TIA) is not required.

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

8. *As an alternative to 40.97.15.1.C.8, the applicant may provide evidence that the potential traffic impacts from development under the proposed zoning are no greater than potential impacts from development under existing zoning.*

The applicant has provided a Transportation Impact Study which shows that the minimal impacts associated with the R5 zone can be accommodated by the existing transportation system. The applicant has addressed criterion 7.

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

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

All submittal requirements identified in Section 50.25.1 of the Development Code are contained in the submittal package.

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

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

The applicant has submitted the required application materials for review of a Zoning Map Amendment application in the proper sequence. Preliminary Subdivision and Tree Plan Two applications have been filed concurrently. No other applications are required with the proposed zone change.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **ZMA2015-0005 (135th & Davies 4-Lot Subdivision)** subject to the applicable conditions identified in Attachment E.

CONDITIONS OF APPROVAL
135th & Davies 4-Lot Subdivision
LD2015-0009 / TP2015-0006 / ZMA2015-0005

LD2015-0009-Preliminary Subdivision

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

1. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./WKP)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./WKP)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./WKP)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./WKP)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./WKP)
6. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./WKP)
7. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./WKP)

8. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./WKP)
9. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's area to another lot's area shall not be considered a direct plumbing service. (Site Development Div./WKP)
10. Submit a design for the grading surrounding, adjacent, and within the storm water quality facility designed by a civil engineer or structural engineer for the expected hydrological conditions of the pond/rain gardens. Some minor changes to the grading appear to be needed in order to provide an adequate containment of the pond/rain gardens. This may require other minor modifications to the proposed storm water management facilities as reflected within the land-use application submittal. This land-use approval shall provide for such minor surface modifications (examples: revised grading or addition of small retaining walls, structure relocation, and interior grade changes less than two vertical feet variance) in the proposed facility without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./WKP)
11. Submit a revised grading plan showing that each lot has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities and show a safe overflow route. (Site Development Div./WKP)
12. Submit to the City a certified impervious surface determination of the proposed project's new impervious area proposed for any common areas and common private driveways prepared by the applicant's engineer, architect, or surveyor. Any home demolition is credited at one equivalent surface unit (2640 square feet per existing lot with one or more single family homes). (Site Development Div./WKP)
13. Pay storm water system development charges (overall system conveyance and winter detention) for the new impervious area proposed for any common areas or private streets. (Site Development Div./WKP) (Site Development Div./WKP)

14. Provide plans for the placement of underground utility lines within the site to the existing home, and for services to the proposed new home site. No overhead services shall remain on the site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./WKP)
15. Provide plans for LED street lights along the site's public street frontages (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./WKP)
16. Provide plans showing street trees at appropriate spacing on all street frontages. (Site Development Div./WKP)
17. Provide plans showing Finish Floor Elevations (FFE) of all new homes meet plumbing code requirements to have the FFE on all new homes 2' above the downstream manhole lid elevation. An additional manhole may need to be added to meet this requirement. (Site Development Div./WKP)
18. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings) at the intersection of any private, common driveway and a public street. (Site Development Div./WKP)
19. Submit a revised plan that shows the proposed common driveway at a maximum width of 40 feet. (Transportation/KR)
20. Submit the required joint-use and maintenance agreement documentation for common driveways per Beaverton Engineering Design Manual Sections 210.12 K and L. (Transportation/KR)
21. Apply for and receive approval of an Engineering Design Modification request to allow the shared driveway to be closer than 50 feet to the intersection of SW 135th Ave. and SW Davies Rd. (Transportation/KR)
22. FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES: Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1) A fire hydrant is required within 600 feet of all portions of the future structures. Fire flow is required to be at least 1,000 gpm at 20 psi. (TVF&R/JF)
23. Ensure that all associated applications, including Preliminary Subdivision, Tree Plan, and Zoning Map Amendment have been approved and are consistent with the submitted plans. (Planning Division/JF)

B. Prior to final plat approval, the applicant / developer shall:

24. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./WKP)
25. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./WKP)
26. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./WKP)
27. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits for each parcel, ready for recording concurrently with the final plat at Washington County. (Site Development Div./WKP)
28. Demonstrate all lots meet ordinance standards for lot size, dimension and frontage. The final plat shall be fully dimensioned and indicate the square footage of each lot. (Planning Division/JF)
29. Provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning Division/JF)
30. Pay all required City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/JF)
31. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/JF)

32. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/JF)

33. Should CC&R's be proposed, they shall be reviewed and approved by the City of Beaverton. (Planning Division/JF)

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

34. Have recorded the final plat with Washington County and provided the City with the final recorded copy. Have met all conditions of approval for recording of the final plat. (Site Development Div./WKP)

35. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./WKP)

36. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, as determined at site development permit issuance. (Site Development Div./WKP)

37. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./WKP)

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

38. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./WKP)

39. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./WKP)

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

40. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./WKP)

41. Submit any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-

existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./WKP)

42. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment/replacement of the vegetation and restoration of full function within the surface water management facility areas, as determined by the City Engineer. If the plants are not well established or the facility not properly functioning (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./WKP)

TP2015-0006-Tree Plan Two

1. Ensure that all associated applications, including Preliminary Subdivision, Tree Plan, and Zoning Map Amendment have been approved and are consistent with the submitted plans. (Planning Division/JF)
2. The applicant must comply with the tree protection provisions of Section 60.60.20 of the Development Code, unless modified in agreement with the City Arborist. Plans showing compliance with these standards, including placement of orange tree fencing shall be provided prior to Site Development Permit issuance. (Planning Division/JF)
3. At the conclusion of the construction the applicant shall submit a report showing which Community Trees were kept, which were damaged or destroyed, and which were removed. (Planning Division/JF)

ZMA2015-0005-Zoning Map Amendment

No Conditions

Jana Fox

From: Homer Speer <homermeadowwaye@msn.com>
Sent: Wednesday, June 24, 2015 3:35 PM
To: Jana Fox
Subject: 135TH & DAVIES 4-LOT SUBDIVISION

CASE FILE NO: LD2015-0009 / TP2015-0006 / ZMA2015-0005

Hi there, We live at 13335 SW Davies, and fully support the application submitted for R5 (Urban Medium Density). We live in the home next to the Park and are very pleased with the development in the area. We will be unable to attend the Planning Commission hearing but would like express our support for the project and our appreciation for the process and all every one does and has done that has resulted in such a great place to live. Best regards **HOMER AND NANCY SPEER.**

Jana Fox

From: Claire Warton <claire@warton.org>
Sent: Thursday, June 25, 2015 2:44 PM
To: Jana Fox
Subject: LD205-0009/TP2015-0006/ZMA2015-0005

Dear Jana Fox,

My main concern with the rapidly increasing housing of Beaverton, is that without the original amenities that I have consistently supported with tax dollars – police and fire departments, public pool and public library - the standard of living has already dropped prohibitively in availability and quality. Until the city upgrades its public facilities, bringing in more residents is not justified.

For instance, as a resident for eighteen years with the over 33 years living with the effects of M.S., a public pool with a cool temperature is the only means of exercise available to me. The pool hours for lap swimming are being shortened, and lane crowding is a definite problem. We need a cool pool dedicated to lap swimmers who cannot walk or only walk short distances with a walker and also need to bring a personal caregiver – separate from the current situation that combines children's lessons, family swim, and large aquarobics classes. Can one of the rarely used open lawn parks be converted to a new pool for this purpose?

Regarding the Beaverton Library Audio book section, I also suggest an increase in audio books to accommodate the greater population. I also listen to the Audio books through Library2Go.

My concerns are very real for established residents, so I sincerely thank you for reading this email. The need for an additional public pool is primary. The Pacific Northwest has the highest density of persons with M.S., the median being 1 in 1000 worldwide. 1 in 5 people in the US are disabled and the dutifully pay taxes along with everyone else. My plan is to live and die in my current home, 13636 SW Packard Lane, and live as well as possible as long as possible ... for many years to come. I came to Oregon to join the Symphony, raise two sons, now 15 and just shy of seventeen, both 4.0 GPA academically and artistically. My Husband Peter has consistently worked at Intel for 25 years, and wishes to do so until his retirement.

Thank you for your kind consideration in planning life in Beaverton.

I am sorry I will be unable to attend the upcoming community development meeting. I hope this letter will represent me in view of my absence.

Sincerely,
Mrs. Claire Warton,
M.M., published author, Nationally Certified M.S. Peer Counselor, and visual artist.