BOARD OF DESIGN REVIEW MINUTES

June 17, 2004

CALL TO ORDER: Board Member Stewart Straus called the meeting to order at 6:40 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Board Members Ronald Nardozza, Stewart Straus, Jennifer Shipley, and Dennis Collins. Board Members Jessica Weathers and Chairman Doukas were excused. Board Member Hal Beighley arrived at 6:45 p.m.

Senior Planner John Osterberg, Associate Planner Liz Jones, and Recording Secretary Sheila Martin represented staff.

VISITORS:

Board Member Stewart Straus read the format for the meeting and asked if any member of the audience wished to address the Board on any non-agenda item. There was no response.

STAFF COMMUNICATIONS:

Staff indicated that there were no communications at this time.

NEW BUSINESS:

Mr. Straus opened the Public Hearing and read the format of the hearing. There were no disqualifications of Board Members. No one in the audience challenged the right of any Board Member to hear any agenda items or 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.

Board member Jennifer Shipley indicated that she had visited the site specifically in connection with this application, and had no contact with any individual(s).

PUBLIC HEARINGS:

I. STANDARD TV & APPLIANCE ON HALL BOULEVARD
   - A. DR 2004-0034 – TYPE 3 DESIGN REVIEW
   - B. TP 2004-0009 – TREE PLAN III
   - C. SDM 2004-0008 – STREET DESIGN MODIFICATION

D. ADJ 2004-0003-MAJOR ADJUSTMENT
E. ADJ 2004-0006- MAJOR ADJUSTMENT
F. ADJ 2004-0008- MAJOR ADJUSTMENT

The applicant is requesting approval of a Design Review Three, Tree Plan Three, Street Design Modification, and three (3) Major Adjustment applications to accommodate a new 32,000 square foot building and associated parking and landscaping at the existing Copeland Lumber property. The scope of the Design Review Three application is for the specific design and layout of the proposed building, parking, vehicular and pedestrian circulation, landscaping, and fencing. The applicant requests Tree Plan Three approval for the removal of forty-eight (48) existing "Landscape and Street Trees", consisting of mixed Pine, Sycamore, Oak, Maple and Cottonwood species. The applicant also is requesting Street Design Modification approval to modify the street design standards for SW Colony Lane, which is designated as a "Local Street". The applicant is requesting to modify the sidewalk requirements along the west side of SW Colony Lane. In addition, the applicant requests three (3) Major Adjustment approvals to deviate from three (3) numerical Site Development Standards specified in Chapter 20. Specifically, the applicant requests to exceed the maximum building height of the CS zone for a building height of forty-seven feet and two inches (47'-2"), which is a 35 percent deviation to the standard. The second Major Adjustment is a request to exceed the minimum building setback standard of the CS zone of 20 feet to allow the building to be located within approximately 10 feet from the front property line, along SW Hall Boulevard, which is a 50 percent deviation to the standard. The third Major Adjustment is a request to deviate from the Supplemental Development Requirements of the CS zone to allow open air display within 10 feet of the front property line, which is a 50 percent deviation of the standard 20 foot setback requirement for open air display.

Mr. Straus described the applicable approval criteria for each application and briefly outlined the public hearing process that would be followed.

Associate Planner Liz Jones presented the Staff Reports briefly explaining the purpose associated with these applications. She referred to a Staff Memorandum that had been distributed, dated June 17, 2004, from the City's Operations Department, which contained supplemental findings regarding the existing trees on Colony Lane. Referring to the Major Adjustment application for building height, she explained that staff is recommending denial of said application due to lack of evidence and documentation needed to meet 4 of the 10 approval criteria. She presented an opportunity for the Board to determine whether the application as presented, meets the Major Adjustment approval criteria. Pertaining to the Design Review application, she stated that staff has no recommendation and requested that the Board evaluate the appropriateness of the proposed building design to determine if the proposal meets the criteria of approval, specifically criteria No. 4. Concluding she submitted the material board and colored elevations and offered to respond to questions.

APPLICANT:

Bill Gander, owner of *Standard TV & Appliance*, provided a brief overview of the submitted proposed project that will include a remodel and expansion of an existing structure, a paved area for parking and loading facilities, landscaping, and a stormwater management facility located in the Community Service (CS) zone, at 3585 SW Hall Boulevard (the former Copeland Lumber site). **Lee Leighton**, project planner of *Westlake Consultants, Inc.*, representing his client, *Standard TV & Appliance,* explained the process of the proposed land use application which involved several interrelated, component approval requests as follows:

- Design Review 3
- Adjustment – Front Building and Setback
- Adjustment – Outdoor Display Setback Adjustment – Building Height
- Street Design Modification
- Tree Plan 3

Mr. Leighton stated that the application materials demonstrated that the proposed new building and site plan comply with all applicable criteria and development standards, with respect to the Design Review application and the associated Major Adjustment and Street Design Modification requests. Concluding, he offered to respond to questions.

Mr. Straus requested that Mr. Leighton address the major issues of the proposal identified by staff.

Referring to the Major Adjustment on building height, Mr. Leighton addressed criterion No. 3 on page 35 of the Staff Report, which described the special conditions that exist which are unique to the land, structure, or building. Noting that the proposed site is not at a gateway location, he stated that the site is an opportunity for a unique building form. He added that the proposed building is designed to be perceived as being smaller than a flat roof building of similar actual volume, and for these reasons, is requesting a 35% increase at its peak.

Mr. Straus requested that Mr. Leighton address the activity to the north of the proposed site in terms of zoning, observing that the zoning has to relate both ways.

Mr. Leighton explained that the proposed property to the north has the zoning designation CS (Community Service) and is located between SW Cedar Hills Boulevard and Canyon Road in which Retail Trade is a permitted use. He noted that the proposed site plan achieves a balance among design goals, while enabling the building to serve the purpose for which it is intended, adding that the proposed property to the north is compatible with and of similar scale to existing commercial activity found in this area. He also indicated that an easement agreement had been obtained with the property owners of Cedars West

Apartments for the driveway located at SW Colony Lane and stated that because the proposed property abuts the apartments located at SW Colony Lane, the requested height adjustment will have no effect to the residential development to the northeast.

Observing that the request for the proposed building height had not been addressed, Mr. Straus requested clarification regarding the elevation of the second floor level that the applicant is accommodating under the higher roof.

In response to Mr. Straus' question, **Stephen Milemam** with ***LRS Architects, Inc.,*** stated that the elevation is a 14 foot floor to floor height for the second floor mezzanine located across various areas on the plan. He noted that once a 14 floor height reaches the ceiling height, the roof starts to cut across where the ceiling height would be, and at a nominal 9 foot ceiling it's at 23 feet to the ridge line; they would only be able to expand the 2nd floor out to where they would hit a 23 foot point which is approximately ½ to ⅔ the way across this front elevation.

Mr. Straus questioned how much of an area does the second floor occupy.

Mr. Milemam stated that this is in the development stages and explained that the location is not necessarily in front or back; part of the second floor is intended to be in the back where it will be made as wide as possible.

Mr. Straus pointed out that if the applicant has done everything within their means to work with the restrictions or figured that they're going to design the proposed building the way they want and then try to get the Board to believe that they've got a rationale to support it, then in his opinion, all of the mezzanine's space is concentrated in the middle of the building, where the roof is the highest; if they are still not able to make that work, then the Board can understand making some allowances, but if they're choosing to move that second story space all over, where it's not necessarily being the least obtrusive as far as the heights are concerned then they haven't done everything possible, and that's basis of the criteria that the Board has to deal with.

In response to Mr. Straus' comments, Mr. Leighton distributed detailed series of site plan alternatives in an effort to optimize the building location, re-use potential, site circulation, and overall character. He explained that due to the irregularly shaped lot, building square footage, site landscaping, parking and circulation, the propose site plan was selected as the best design solution, even though it proved to be impractical to re-use the existing building. He expressed his opinion that the proposed site-plan achieves balance among the design goals, while enabling the building to serve the purpose for which it was intended, and for this use, a large ground-floor footprint is necessary for showroom and warehouse functions, supported by a limited amount of office space that can be housed on the second floor mezzanine. He added that the proposed building

meets these needs within a footprint that allows provision of adequate vehicle parking and loading facilities within the site.

Mr. Straus asked if there were any final comments from staff.

Mr. Beighley interjected and questioned if the applicant had any objections to the Conditions of Approval in the Staff Report.

Mr. Leighton referred to Conditions of Approval 15 which requested that a revised lighting plan be submitted to illustrate a minimum illumination of ½ footcandle with the areas of customer use including entrances and parking areas. He expressed his opinion that this condition doesn't achieve much focus because the street lights are throwing enough light on the property to be safe, and added that it's a challenge on how they would be able to comply with this condition due to the technical difficulty in terms of the computer modeling that goes into it, and secondly he believes that the code only calls for parking areas to have this level of illumination called out.

Mr. Straus responded that the applicant has to demonstrate that they meet the criteria irrespective of any illumination that may be coming from off-site. He added that if the applicant's current lighting plan doesn't demonstrate that they meet this ½ foot candle level than they'll need to provide a plan that does.

Mr. Leighton stated that this is not a defining issue, and that this is not a deal killer, it was just something he made a note of and it's a practical thing.

Mr. Milemam noted that the lighting plan indicates that the applicant has met the condition in the parking and customer entrance areas. The area that was under discussion is the landscaping area, in the southeast corner of the property and he would contend that that is probably not a customer use area.

Ms. Jones commented that staff was focusing on the customer use area of the entry along Hall Boulevard which showed illumination levels of .1 and .2 under the gable or the canopy, and that this comment was generated from the Police Department who identified a condition of approval that all customer areas be illuminated to a minimum level of ½ foot candle. She noted that they've identified this site in particular as one of security concerns and that is why the condition was adopted. She noted that the applicant had added two wall lights on the columns of the front entry which very well could increase the lighting enough to satisfy the condition.

Mr. Milemam stated that the applicant does not object to this condition as it is.

Mr. Straus requested that staff address the issue of the height adjustment.

Ms. Jones expressed her opinion that due to the interrelated components of the applications, with the exception of the Design Review, the primary focus was on the gable design itself and not on the language within the approval criteria and the rationale used to make those findings on the height adjustment. She pointed out that staff was looking for findings that were more specific to the exact design, use, and site constraints that existed. She observed that much of the discussions were compelling as it related to the need for a text amendment or a zone change to increase the height in this zone; however, this is not the application on the table and requested that the Board keep this in mind when deliberating. She noted that although the applicant provided more information pertaining to the criteria and how those could be met, she expressed her concerns that criterions 8 and 9 are still vague as far as how they will be met. She also mentioned that the applicant failed to discuss the buildings as it related to all four elevations. Noting that she heard a lot of discussion about Hall Boulevard, she did not hear any discussions about the other sides, one of which is along Colony Lane, facing another right-of-way.

PUBLIC TESTIMONY:

No member of the public testified with regard to this proposal.

The public portion of the Public Hearing was closed.

Mr. Nardozza **MOVED** and Mr. Beighley **SECONDED** a motion to **APPROVE DR2004-0034 – STANDARD TV & APPLIANCE ON HALL BOULEVARD**, based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated June 10, 2004, including Conditions of Approval 1 through 49.

Motion **CARRIED** by the following vote:

AYES:	Nardozza, Beighley, Collins, Shipley and Straus.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Doukas and Weathers.

Mr. Nardozza **MOVED** and Mr. Beighley **SECONDED** a motion to **APPROVE TP2004-0009 – STANDARD TV & APPLIANCE ON HALL BOULEVARD** based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated June 10, 2004, including Conditions of Approval No. 1 through 6.

Motion **CARRIED** by the following vote:

AYES: Nardozza, Beighley, Collins, Shipley and Straus.
NAYS: None.
ABSTAIN: None.
ABSENT: Doukas and Weathers.

Mr. Nardozza **MOVED** and Mr. Beighley **SECONDED** a motion to **APPROVE SDM2004-0008 – STANDARD TV & APPLIANCE ON HALL BOULEVARD** based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated June 10, 2004, including Conditions of Approval No. 1 through 2.

Motion **CARRIED** by the following vote:

AYES: Nardozza, Beighley, Collins, Shipley and Straus.
NAYS: None.
ABSTAIN: None.
ABSENT: Doukas and Weathers.

Mr. Nardozza **MOVED** and Mr. Beighley **SECONDED** a motion to **APPROVE ADJ2004-0003 – STANDARD TV & APPLIANCE ON HALL BOULEVARD** based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated June 10, 2004, including Conditions of Approval No. 1.

Motion **CARRIED** by the following vote:

AYES: Nardozza, Beighley, Collins, Shipley and Straus.
NAYS: None.
ABSTAIN: None.
ABSENT: Doukas and Weathers.

Mr. Nardozza **MOVED** and Mr. Beighley **SECONDED** a motion to **APPROVE ADJ2004-0006 – STANDARD TV & APPLIANCE ON HALL BOULEVARD** based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated June 10, 2004, including Conditions of Approval No. 1 through 2.

Motion **CARRIED** by the following vote:

AYES: Nardozza, Beighley, Collins, Shipley and Straus.
NAYS: None.
ABSTAIN: None.
ABSENT: Doukas and Weathers.

Mr. Nardozza **MOVED** and Mr. Beighley **SECONDED** a motion to **APPROVE ADJ2004-0008 – STANDARD TV & APPLIANCE ON HALL BOULEVARD** based upon the testimony, reports and exhibits, and new evidence presented during the Public Hearings on the matter, and upon the background facts, findings and conclusions found in the Staff Report dated June 10, 2004, including Conditions of Approval No. 1 through 2.

Motion **CARRIED** by the following vote:

AYES:	Nardozza, Beighley, Collins, Shipley and Straus.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Doukas and Weathers.

APPROVAL OF MINUTES

The minutes of May 20, 2004, as written, were submitted. Mr. Straus asked if there were any changes or corrections. Mr. Nardozza **MOVED** and Ms. Shipley **SECONDED** a motion that the minutes be adopted as written and submitted.

The question was called and the motion **CARRIED** unanimously, with the exception of Mr. Beighley and Mr. Straus who abstained from voting.

MISCELLANEOUS BUSINESS:

The meeting adjourned at 8:33 p.m.