

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

**After recording return to:**  
City of Beaverton, City Recorder:  
12725 SW Millikan Way  
P.O. Box 4755  
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR APPROVAL ) ORDER NO. 2505  
OF A 9-LOT PRELIMINARY SUBDIVISION IN THE ) LD2016-0014 ORDER APPROVING  
R2 ZONING DISTRICT (ADALYN PLACE 9-LOT ) ADALYN PLACE 9-LOT SUBDIVISION,  
SUBDIVISION). APEX GROUP, APPLICANT. ) PRELIMINARY SUBDIVISION  
)

The matter came before the Planning Commission on October 26, 2016, on a request for a Preliminary Subdivision approval for a 9-Lot Subdivision in the R2 zoning district. The subject site is located at 4815 SW Murray Boulevard and 14570 SW Farmington Road. Tax Lots 2800 & 3000 on Washington County Tax Assessor's Map 1S117AD.

Pursuant to Ordinance 2050 (Development Code) Section 50.45, the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

Staff, in oral comments, requested that the Commission remove Condition of Approval number 24 of the Preliminary Subdivision application as it refers to parking spaces that are no longer proposed.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated October 19, 2016, Supplemental Memorandum dated October 25, 2016 and the findings contained therein, as applicable to the approval criteria contained in Sections 40.45.15.5.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **LD2016-0014** is **APPROVED**, based on the testimony, reports and exhibits, and evidence presented during the public hearing on the matter and based on the facts, findings, and conclusions found in the Staff Report dated October 19, 2016, Supplemental Memorandum dated October 25, 2016 and the findings contained therein, subject to the conditions of approval as follows:

**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./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)

4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, facility landscape planting, and common driveway construction by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./JJD)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. Submit to the City a copy of issued permits or other approvals as needed from Washington County for work within, and/or construction access to Murray Boulevard and Farmington Road. (Site Development Div./JJD)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
8. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
9. 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./JJD)
10. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (Steve Roper, P.E.) demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2007-020 in regard to water quality treatment. (Site Development Div./JJD)
11. 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 paved area

to another lot's paved area shall not be considered a direct plumbing service. (Site Development Div./JJD)

12. Submit a design for the grading surrounding, adjacent, and within the storm water quality facilities designed by a civil engineer or structural engineer for the expected hydrological conditions of the rain gardens/planters. Some minor changes to the grading may be needed in order to provide an adequate containment of the rain gardens/planters. 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 more 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./JJD)
13. 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. A minimum finish floor elevation shall be established for the future homes based on **service provision needs and whichever of the following three is highest in elevation**: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the LIDA planters; and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. It must also be shown that the existing home to remain will not have any potential adverse drainage impact from the proposed site grading changes, utility construction, and LIDA planter overflow condition. (Site Development Div./JJD)
14. 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. (Site Development Div./JJD)
15. Pay storm water system development charges (overall system conveyance and winter detention) for the new impervious area proposed for the common driveway. (Site Development Div./JJD) (Site Development Div./JJD)

16. Provide plans for the placement of underground utility lines within the site to the existing homes, and for services to the proposed new home sites. No overhead services shall remain to any lot. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
17. Provide plans for LED street lights along the site's public street frontages and the common driveway (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./JJD)
18. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings, or per County standard as required by the County) at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
19. Submit a revised site plan that shows dedication of sufficient right-of-way (ROW) to provide at least 61 feet from the centerline of SW Farmington Road and at least 49 feet from the centerline of SW Murray Boulevard. (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. Submit revised plans that show the garage doors of the proposed units will be set back at least 18.5 feet from the back of the pedestrian walkway. (Transportation/KR)
22. Submit plans that show the construction or extension of a median traffic separator along each street frontage, as required by Washington County transportation staff. (Transportation/KR)
23. Submit lighting plans for the common driveway that show that all pedestrian and vehicle circulation areas are lighted to at least 0.5 foot-candles to meet City Lighting Standards. (Transportation/KR)

24. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. The fire district will approve access roads of 12 feet for up to three dwelling units and accessory buildings. (OFC 503.2.1 & D103.1) A 20 foot minimum fire lane is required. All 20 feet must meet loading requirements as indicated below. (TVF&R/JF)
25. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6) No parking signs will be required on each side of the roadway. (TVF&R/JF)
26. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2): (TVF&R/JF)
- a) 20-26 feet road width – no parking on either side of roadway
  - b) 26-32 feet road width – parking is allowed on one side
  - c) Greater than 32 feet road width – parking is not restricted
27. **SINGLE FAMILY DWELLINGS - REQUIRED FIRE FLOW:** The minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B. (OFC B105.2) This can be provided a site development review. (TVF&R/JF)
28. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B) This can be provided at site development review. (TVF&R/JF)

29. SURFACE AND LOAD CAPACITIES: Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) All portions of the fire lane must meet this requirement. (TVF&R/JF)
30. Ensure that the associated Sidewalk Design Modification application (SDM2016-0007) has been approved. (Planning/JF)

**B. Prior to Final Plat approval, the applicant / developer shall:**

31. 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./JJD)
32. 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./JJD)
33. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits for each parcel or owners association as applicable, ready for recording concurrently with the final plat at Washington County. (Site Development Div./JJD)
34. 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)
35. 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)

36. Pay all 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)
37. 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)
38. 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)
39. CC&R's shall be reviewed and approved by the City of Beaverton. (Planning Division/JF)
40. The following shall be represented on the plat and recorded with Washington County:
  - a. Dedication of additional right-of-way to provide 49 feet from centerline of SW Murray Boulevard.
  - b. Dedication of additional right-of-way to provide 61 feet from centerline of SW Farmington Road.
  - c. Provision of a non-access reservation along the site's frontage of SW Farmington Road and SW Murray Boulevard, except at the accesses approved in conjunction with this land use application.
41. Submit to Washington County Public Assurance Staff (503-846-3843) the following:
  - a. Completed "Design Option" form, Engineer's Checklist and Geotech report for pavement (if required).
  - b. \$3,750.00 Administration Deposit.

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent



funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

- c. A copy of the City's Land Use Approval with Conditions, signed and dated.
- d. Preliminary certification of adequate sight distance for each access point to SW Farmington Road and SW Murray Boulevard, in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:
  - i. A detailed list of improvements necessary to produce adequate intersection sight distance (refer to the following webpage for sight distance certification submittal requirements).  
<http://www.co.washington.or.us/LUT/Divisions/CurrentPlanning/development-application-forms.cfm>
- e. Three (3) sets of complete engineering plans for construction of the following public improvements:
  - i. Access to SW Farmington Road and SW Murray Boulevard to County standards (refer to attached Design Exception for additional requirements). Note: utilities and other improvements may be required to be relocated to accommodate access.
  - ii. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at the access to SW Farmington Road and SW Murray Boulevard.
  - iii. Closure of all existing driveways to SW Farmington Road and SW Murray Boulevard, other than at the accesses approved by Washington County.
  - iv. All work proposed within the right-of-way of SW Farmington Road and SW Murray Boulevard shall be designed and constructed to County standards.

42. Obtain a Washington County Facility Permit upon completion of the following:

- a. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions 42.E above.

Note. The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative after submittal and approval of items listed under 42. The Facility Permit allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner. Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.

**C. Prior to Building Permit issuance, the applicant shall:**

43. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
44. Have recorded the final plat with the County Surveyor and submitted a copy to the City. (Site Development Div./JJD)
45. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
46. Submit plans that reflect the minimum finish floor elevations determined and shown on the approved site development plans based on service provision needs and whichever of the following three is highest in elevation: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the LIDA planters; and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. (Site Development Div./JJD)
47. 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./JJD)
48. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)

**D. Prior to Occupancy of any Building Permit, the applicant shall:**

49. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the new house frontage and any the existing house frontage. (Site Development Div./JJD)
50. Have the landscaping completely installed, have the storm facilities planted, or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
51. The applicant shall obtain a Finaled Washington County Facility Permit, subject to the following:
  - a. The road improvements required in Condition 42.E above shall be completed and accepted by Washington County.
  - b. Upon completion of necessary improvements, submit final certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.

**E. Prior to Release of Performance Security, the applicant shall:**

52. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
53. Submit, if needed, any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
54. 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 all 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./JJD)

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

**AYES:** Nye, Kroger, Doukas, Lawler.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** Overhage, Wilson, Winter.

Dated this 7<sup>th</sup> day of November, 2016.


To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2505 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 4:30 p.m. on November 17, 2016.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

  
\_\_\_\_\_  
JANA FOX  
Associate Planner

  
\_\_\_\_\_  
MIMI DOUKAS  
Chair

  
\_\_\_\_\_  
SANDRA FREUND, AICP  
Current Planning Manager