

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

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

IN THE MATTER OF A REQUEST FOR APPROVAL OF A DESIGN	)	ORDER NO. 2472
REVIEW THREE APPLICATION FOR A NEW COMMERCIAL	)	DR2015-0127 ORDER APPROVING
DEVELOPMENT IN THE CS ZONING DISTRICT (CEDAR HILLS	)	CEDAR HILLS CROSSING I PARTIAL REDEVELOPMENT
CROSSING I PARTIAL REDEVELOPMENT). CENTER	)	
DEVELOPMENTS, APPLICANTS.	)	

The matter came before the Planning Commission on May 18, 2016, on a request for approval of a Design Review Three for the construction of four new commercial buildings totaling approximately 69,500 square feet in floor area, one level of rooftop parking, surface parking and associated landscaping. The site is South of SW Jenkins Road, West of SW Cedar Hills Boulevard. Tax Lot 200, on Washington County Tax Assessor's Map 1S109.

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.

The Commission expressed concern with the blank walls at the corner of SW Cedar Hills Boulevard and SW Jenkins Road and that the tree proposed in front of the wall would not thrive in the proposed location due to the north facing nature of the area, and the tree's need for sun. The Commission adopted a condition of approval that the applicant

show a shade tolerant tree a minimum of 10 feet in height and 2.5 caliper inches at the time of planting, and to be provided in said area to screen the building walls from public view at the corner.

The Commission expressed concern about potential light shed from the rooftop parking lighting on Building 19. The Commission adopted a condition of approval to address this issue, requiring all rooftop lights be set back 18.5 feet from external walls to limit glare on abutting streets. Additionally, the Commission requested traffic control signage and striping on the rooftop parking deck to ensure safety at potential conflict points and adopted a condition thereto.

The Commission was concerned about adequate sidewalk width with the walkway along the drive aisle east of building 19, as it was the major pedestrian connection from the north and shown with less width than the opposing side of the drive aisle. The Commission adopted a condition of approval that a minimum 12 foot wide walkway be provided directly east of Building 19 to provide adequate pedestrian amenities.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated May 11, 2016 and Supplemental Memoranda dated May 17, 2016, and May 18, 2016 as applicable to the approval criteria contained in Sections 40.03 and 40.20.15.3.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED THAT DR2015-0127 is APPROVED** based on the testimony, reports and exhibits, and evidence presented during the public hearings on the matter and based on the facts, findings, and conclusions found in the Staff Report dated April 11, 2016 and Supplemental Memoranda dated May 17, 2016 and May 18, 2016 and this Land Use Order, and subject to the conditions of approval as follows:

**A. Prior to issuance of a site development permit for either phase or the combined full project, 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) facilities, emergency vehicle access 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./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 needed from Washington County for work within, and/or construction access to the Walker Road and Castlewood Street right of ways. (Site Development Div./JJD)
7. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District for public water system construction, backflow prevention facilities, and service extensions. (Site Development Div./JJD)
8. 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)

9. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer meeting the standards set by the City Engineer as specified in the Engineering Design Manual Chapter 6, 610.L). The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD).
10. 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)
11. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report by Atalia S. Raskin, P.E. (December 7, 2015) demonstrating full compliance with CWS Resolution and Order 2007-020 in regard to development water quality treatment. Compliance will be substantially met through installation of a Contech Inc., Stormfilter system with treatment provided at a minimum equivalent of 3.0 standard-size cartridges per tributary impervious acre. The analysis will need to be supported with exhibits and calculations. Plans shall also show an oil and sediment trap for any auxiliary inlet structures (ex: sumped, lynch-type catch basin, trench drain with trap, or other City of Beaverton approved equivalent) located in front of any Stormfilter unit. For any impervious area determined to not be practical to flow or be piped to a Stormfilter unit, a fee in lieu of stormwater quality provision will be assessed. (Site Development Div./JJD)
12. Submit a revised grading plan showing the proposed building lowest finished floor elevation (and the elevation of any other proposed improvement subject to flood damage) is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management and conveyance facilities. Additionally, the minimum finished floor elevation shall be established and clearly documented on all building and site development plan sheets that include elevations and/or contours. This land-use approval shall provide for minor grade changes less than two vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)
13. Provide construction plans that show how each proposed 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)

14. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD)
15. Submit to the City a certified impervious surface determination of the entire site prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for that phase. In addition, changes in specific types of impervious area totals, in square feet, shall be given for roofs, parking lots and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, the new impervious surface area created, and total final impervious surfaces areas on the entire site or individual tax lots if applicable. (Site Development Div./JJD)
16. Pay storm water system development charge (overall system conveyance and storm water quantity) for any net, new impervious surface area created. (Site Development Div./JJD)
17. Have obtained the City Building Official's courtesy review approval of the proposed building plans for floodplain regulation compliance and for the site private plumbing plan including private fire suppression systems, backflow prevention measures, and regulated utility service locations outside the proposed building pads. (Site Development Div./JJD)
18. Provide plans for LED street lights along all the site's public street frontages (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./JJD)
19. Provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. No utility service lines to the structures shall remain overhead on site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)

20. Submit erosion control plans and all application submittals needed for the 1200-C General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the 2006 plan format per requirements for sites greater than 5 acres adopted by DEQ and Clean Water Services. (Site Development Div./JJD)
21. Provide plans for street trees to meet standard spacing for right of way segments without existing trees, as determined by the City Arborist. (Site Development Div./JJD)
22. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
23. PAINTED CURBS: Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3) Painted Curbs will be required to delineate all fire lanes.(TVF&R/JF)
24. 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 fire lanes must meet these loading requirements. (TVF&R/JF)
25. 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) Provide fire flow calculations prior to the site development permit. (TVF&R/JF)
26. FIRE HYDRANTS – COMMERCIAL BUILDINGS: Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1) The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may

be required due to spacing and/or section 507.5 of the Oregon Fire Code. Coverage appears to be lacking at the SW corner of building # 19. (TVF&R/JF)

27. FIRE DEPARTMENT CONNECTIONS: A fire hydrant shall be located within 100 feet of a fire department connection (FDC) or as approved. Fire hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle. (OFC 912 & NFPA 13) Label all FDC's on the plans as to which buildings they serve. (TVF&R/JF)
28. KNOX BOX: A Knox Box for building access is required for this building. Please contact the Fire Marshal's Office for an order form and instructions regarding installation and placement. (OFC 506.1) Each building that contains a fire sprinkler system will require a Knox Box. (TVF&R/JF)
29. Any businesses related to food preparation are required to have a grease trap/interceptor. The type and size are determined by the State Plumbing Code. Please contact the Fats/Oil/Grease (FOG) specialist for maintenance requirements (503) 526-3701. (Building/ BR)
30. Disabled parking stalls shall be provided in accordance with ORS 447.233. (Building/ BR)
31. The proposed building(s) shall be accessible to persons with disabilities. (Chapter 11, OSSC) (Building/ BR)
32. An accessible route shall be provided to persons with disabilities throughout the site. (Section 1104, OSSC) (Building/ BR)
33. An accessible route shall be provided to persons with disabilities from the building to a public way. (Section 1104, OSSC) (Building/ BR)
34. The applicant should be aware that food service operations are required to be reviewed and approved by the Washington County Health Department for applicable health regulations. For more information, contact the Washington County Health Department at (503) 846-8722. (Building/ BR)
35. Prior to approval of the Site Development Permit, the applicant shall submit plans that show the dedication of right-of-way sufficient to provide a minimum of 45 feet from the centerline of SW Jenkins Rd. and SW Cedar Hills Blvd. along the site's entire frontage. (Transportation/KR)
36. Prior to approval of the Site Development Permit, the applicant shall submit plans that show the dedication of right-of-way sufficient to provide a right-turn lane from SW Walker Rd. to SW Cedar Hills Blvd. (Transportation/KR)

37. Prior to approval of the Site Development Permit, the applicant shall submit plans that show that all walkways that cross vehicle drive aisles are to be constructed of scored concrete or modular paving materials. (Transportation/KR)
38. Prior to approval of the Site Development Permit, the applicant shall submit plans that show that all pedestrian walkways have at least 4 feet of unobstructed clear area, accounting for bike parking, lights, bumper overhang, and other obstacles. (Transportation/KR)
39. Prior to approval of the Site Development Permit, the applicant shall submit plans that show bike parking that complies with the City's requirements. All short-term bike parking spaces shall be provided by inverted U-type or staple-type racks that are a minimum of 30 inches wide and 36 inches tall, centered within parking areas that are at least 6 feet long by 4 feet wide, separated from buildings by at least 2 feet. (Transportation/KR)
40. Prior to approval of the Site Development Permit, the applicant shall submit plans that show that all pedestrian circulation areas are lighted to at least a minimum level of 0.5 foot-candles to meet the City's Technical Lighting Standards. (Transportation/KR)
41. Provide a plan showing compliance with the City's Technical Lighting Standards that show no more than 0.5 foot-candles of illumination at the property line. (Planning/JF & SR)
42. Provide a plan showing the western pedestrian access connecting across the drive aisle to Building 19 and the existing shopping center building. Pedestrian connections shall be concrete and a minimum of 5 feet in width. (Planning/JF & SR)
43. Submit a plan showing a shade tolerant tree a minimum of 10 feet in height and 2.5 caliper inches at the time of planting, at the intersection of SW Jenkins Road and SW Cedar Hills Boulevard to the satisfaction of the City Arborist. (Planning/JF & SR)
44. Submit a plan showing all lights on the parking deck of the roof of Building 19 set back no less than 18.5 feet from the external walls of the building. (Planning/JF & SR)
45. Submit a plan showing a minimum 12 foot wide walkway along the drive aisle to the east of Building 19. (Planning/JF & SR)
46. Provide plans that show traffic control signage and striping on the parking garage to the satisfaction of the City Traffic Engineer. (Planning/JF & SR)



**B. Prior to each building permit issuance, the applicant shall:**

47. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (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)
49. Provide proof of mural approval by the Beaverton Arts Commission for all proposed murals. If approval is not provided for murals on the spaces identified on plan sheets 17-A-9001 and 19-A-9001, an area of differentiated materials, which are not brick, must be provided. (Planning/JF & SR)
50. Provide a plan showing recessed soldier course brick at the top of all brick walls directly under the parapet cap to provide a distinct cornice treatment. (Planning/JF & SR)

**C. Prior to each occupancy permit issuance, the applicant shall:**

51. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
52. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
53. 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 permit issuance. (Site Development Div./JJD)
54. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
55. Have obtained a Source Control Permit (AKA Industrial Sewage Permit) from the Clean Water Services District and submitted a copy to the City Building Official if such a permit is required for each building, as determined by CWS. (Site Development Div./JJD)
56. Prior to occupancy of the building(s), the applicant shall dedicate sufficient right-of-way along SW Walker Rd. to accommodate an eastbound right-turn lane. (Transportation/KR)

57. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF & SR)
58. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF & SR)
59. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF & SR)
60. Ensure all landscaping approved by the decision making authority is installed. (Planning/JF & SR)
61. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning/JF & SR)
62. Ensure that the planting of all approved trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Trees shall have a minimum caliper of 1-1/2 inches. Each tree is to be adequately staked. (Planning/JF & SR)
63. Ensure all exterior lighting fixtures are installed and operational. Illumination from light fixtures, except for street lights, shall be limited to no greater than 0.5 foot-candle at the property line as measured in the vertical and horizontal plane. Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. (Planning/JF & SR)
64. Provide proof or recording of all mural easements, as required by the Arts Commission, and completion of the mural(s) for the building in which occupancy is requested. (Planning/JF & SR)

**D. Prior to release of performance security for each phase, the applicant shall:**

65. 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)

66. Submit any required on-site easements not already dedicated on the partition 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)
67. Provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacturer's recommendations for the site's proprietary storm water treatment systems by a CONTECH qualified maintenance provider as determined by the City Engineer. Additionally, another servicing report from the maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD)

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

<b>AYES:</b>	Wilson, Kroger, Doukas, Nye, Overhage, Sajadpour, and Winter.
<b>NAYS:</b>	None.
<b>ABSTAIN:</b>	None.
<b>ABSENT:</b>	None.

Dated this 27<sup>th</sup> day of May, 2016.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2472 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton's Community Development Department's office by no later than 4:30 p.m. on June 6, 2016.


PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

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

APPROVED:

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

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