

**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. 2527
OF A DESIGN REVIEW THREE APPLICATION) DR2016-0123 ORDER APPROVING
(KAISER PERMANENTE MEDICAL OFFICE).) KAISER PERMANENTE MEDICAL OFFICE,
KAISER FOUNDATION HEALTH PLAN OF THE) DESIGN REVIEW THREE
NORTHWEST, APPLICANT.)

The matter came before the Planning Commission on February 1, 2017, on a request for a Design Review Three for the development of a 90,275 square foot medical clinic with associated site improvements. The site is located at 4855 SW Western Avenue and 10370 SW Beaverton Hillsdale Highway, at the southwest corner of SW Beaverton Hillsdale Highway and SW Western Avenue, Tax Lots 300 and 600, on Washington County Tax Assessor's Map 1S115AD.

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 Planning Commission expressed concern that the northern building elevation does not provide visual interest to pedestrians and does not promote a comfortable pedestrian scale. The applicant stated that they would be willing

to provide additional articulation to the green wall on the first floor of the north elevation to provide more visual interest for pedestrians. The Commission found that subject to the conditions of approval the application meets the requirements of Section 60.05.35.1.B and D (Visual Interest for Pedestrians and Comfortable Pedestrian Scale) of the Development Code.

The Planning Commission expressed concern that trees on neighboring properties close to the property line may be damaged during construction. The applicant agreed to a condition of approval requiring the demonstration of tree protection fencing for nearby offsite trees on documents submitted to the city for Site Development permit review.

The Planning Commission expressed concern regarding the hardscape elements on the northern edge of the property between the sidewalk and the curb, which may encourage unsafe midblock crossings. The applicant agreed to a condition of approval to remove the hardscape elements in this area, not including the relocated bus shelter and pedestrian connections to the shelter.

The Planning Commission expressed concern that the off-site parking proposed to be utilized by the applicant during construction would encourage unsafe midblock crossings on SW Western Avenue. The applicant stated that the off-site parking spaces would be used by employees only, not patients or other visitors. Additionally, the applicant stated that the clinic currently leases spaces across the street for employee parking, so the impacts would be minimal. The Commission found that the applicant would be able to

sufficiently manage the staff of the medical clinic, and the temporary off-site parking would not present additional risks of mid-block crossings.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated December 7, 2016, Supplemental Memorandum dated December 16, 2016 and the findings contained therein, 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 **DR2016-0123** 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 January 25, 2017, Supplemental Memorandum dated February 1, 2017 and the findings contained therein, subject to the conditions of approval as follows:

1. Ensure that the associated Replat One application (LD2016-0024) has been approved and is consistent with the submitted plans.
(Planning/SR)
 2. During construction, the project shall at all times conform to the applicant provided parking and construction phasing plan.
(Planning/SR)
- A. Prior to issuance of a site development permit for either phase or the combined full project, the applicant shall:**
3. 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)
 4. 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)

5. 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)
6. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management facilities, utility undergrounding, and emergency vehicle access 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)
7. 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)
8. Submit to the City a copy of issued permits or other approvals needed from the Oregon Department of Transportation for all work within, and/or construction access to the Beaverton-Hillsdale Highway. (Site Development Div./JJD)
9. 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)
10. Obtain the City Building Official's review approval of the proposed site utility plan if the installation is defined as a "complex structure" by plumbing rules OAR 918-780-004, for private plumbing needed to serve the private water, backflow prevention, storm and sanitary sewer systems outside the proposed building pad(s). (Site Development Div./JJD)
11. 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)

12. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the 2006 plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div./JJD)
13. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (December, 2016), demonstrating compliance with City storm requirements (Chapter 3, of City Ordinance 4417), with CWS Resolution and Order 2007-020 in regard to surface water quality treatment, and per any subsequent conditions. (Site Development Div./JJD)
14. Provide a final detailed drainage analysis of the subject site 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 floodplains and flood ways. The site plans shall clearly show the 100-year flood limits on each plan that contains elevation information. (Site Development Div./JJD)
15. Provide final plans showing a Contech Inc., Stormfilter system (for treatment of a portion of the site's runoff) with a minimum of 3.0 cartridges per tributary impervious acre. Plans shall also show a trash capture, floatable & sediment-trapping water quality pre-treatment unit (ex: sumped, lynch-type catch basin, sedimentation structure, or other City of Beaverton approved equivalent as determined by City Engineer) located in front of any piped flow into a Stormfilter unit. For any impervious area determined to not be practical to be piped to a Stormfilter or otherwise treated, a fee-in-lieu of stormwater quality provision will be assessed. (Site Development Div./JJD)
16. 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)
17. 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. 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. (Site Development Div./JJD)

18. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for the entire project. (Site Development Div./JJD)
19. 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) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. No overhead utility lines or services shall remain on the site. If existing utility poles along the 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. Provide plans showing a City standard commercial driveway apron or other design as approved by the City Engineer at the intersection of any private or common driveway and a public street. (Site Development Div./JJD)
21. 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 curbing will be required to delineate all fire lanes. Current proposal is inadequate. Both sides of the 26 foot wide fire lane must be painted. (TVF&R/JF)
22. 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) Document this on the plans. (TVF&R/JF)
23. 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 documentation. (TVF&R/JF)

24. FIRE HYDRANT NUMBER AND DISTRIBUTION: The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in (OFC Table C105.1) An additional fire hydrant will be required in the landscape island near the SE corner of the building off of the private hydrant line. (TVF&R/JF)
25. 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) This building will require a Knox Box. (TVF&R/JF)
26. EMERGENCY RESPONDER RADIO COVERAGE SYSTEM: This building will be required to be tested to identify any deficient radio coverage areas. All areas of the building that are deficient must be provided with an ERRC system in accordance with OFC Section 510. Testing is typically done at 80% completion of the building. It is recommended to provide appropriate conduits shaft, wiring etc. during construction to accommodate for the system. Additionally, make sure you budget and appropriate time for the installation of this system. Please contact DFM Jeremy Foster at 503.259.1414 for further information including an alternate means of compliance that is available. If the alternate method is preferred, it must be requested from TVF&R prior to issuance of building permit. (TVF&R/JF)
27. Provide plans that show the dedication of right-of-way (ROW) sufficient to provide a minimum of 51 feet from the centerline of SW Beaverton Hillsdale Highway along the site's entire frontage. (Transportation/KR)
28. Provide plans that show the dedication of ROW sufficient to provide a minimum of 42 feet from the centerline of SW Western Avenue along the site's entire frontage. (Transportation/KR)
29. Provide plans that show the construction of a 6-foot sidewalk in its ultimate location along the site's SW Beaverton Hillsdale Highway frontage. (Transportation/KR)
30. Provide plans that show the construction of half-street improvements, including bike lane, planter strip, and 6-foot sidewalk to meet City Arterial Street standards along the site's SW Western Avenue frontage. (Transportation/KR)

31. Provide plans that show the extension of the bike lane on SW Western Avenue all the way to the intersection of SW Beaverton Hillsdale Highway. (Transportation/KR)
32. Provide plans that show that all walkways that cross vehicle drive aisles are to be constructed of scored concrete or modular paving materials. (Transportation/KR)
33. Provide plans that show 5 short and 9 long term bicycle parking spaces, dimensions consistent with the Engineering Design Manual. (Planning/SR)
34. Provide plans that show the installation of a bus shelter that meets the requirements of TriMet along SW Beaverton Hillsdale Highway. (Planning/SR)
35. Provide plans showing tree protection fencing consistent with Section 60.60.20 along the western boundary of the site. (Planning/SR)
36. Provide plans that show only live landscaping between the sidewalk and curb along Beaverton Hillsdale Highway, excepting the bus shelter and associate pedestrian connections to the bus shelter. (Planning/SR)
37. Receive approval from the City Engineer for an Engineering Design Modification request for the driveway spacing along SW Western Avenue. (Engineering/JK)
38. Curb, sidewalk, crosswalk ramp(s), bikeways and road widening shall be constructed as necessary to be consistent with local, ODOT and ADA standards. (ODOT/JB)
39. Right of way deeded to ODOT as necessary to accommodate the planned cross section shall be provided. The deeded right of way shall be sufficient to accommodate the future half-street cross-section width of the highway (51') including the following: 7' half median width, two 12' travel lanes, 6' bike lane, 7.5' curb and planter strip, 6' sidewalk, and 0.5' maintenance buffer behind the sidewalk. The deed must be to the State of Oregon, Oregon Department of Transportation. The ODOT District contact will assist in coordinating the transfer. ODOT should provide verification to the local jurisdiction that this requirement has been fulfilled. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site prior to transfer of property to the Department. Note: It may take up to 3 months to transfer ownership of property to ODOT. (ODOT/JB)

40. An ODOT Miscellaneous Permit must be obtained for all work in the highway right of way. When the total value of improvements within the ODOT right of way is estimated to be \$100,000 or more, an agreement with ODOT is required to address the transfer of ownership of the improvement to ODOT. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements.

Note: If a CIA is required, it may take up to 6 months to process.
(ODOT/JB)

41. The applicant must obtain an ODOT permit to place trees in the state right of way. Tree spacing and design must be consistent with the ODOT Highway Design Manual (https://www.oregon.gov/ODOT/HWY/ENGSERVICES/Pages/hwy_manuals.aspx) or ODOT must approve a Design Exception. If trees are proposed in the planter strip a Design Exception for the clear zone is required. Note: It may take up to 3 months to process a Design Exception. (ODOT/JB)

42. Illumination within the ODOT right of way must be in accordance with AASHTO illumination standards and the ODOT Lighting Policy and Guidelines, which states that local jurisdictions must enter into an Intergovernmental Agreement (IGA) with ODOT wherein the local jurisdiction is responsible for installation, maintenance, operation, and energy costs. (ODOT/JB)

43. An ODOT Miscellaneous Permit is required for connection to state highway drainage facilities. Connection will only be considered if the site's drainage naturally enters ODOT right of way. The applicant must provide ODOT District with a preliminary drainage plan showing impacts to the highway right of way. (ODOT/JB)

44. A drainage study prepared by an Oregon Registered Professional Engineer is usually required by ODOT if:

1. Total peak runoff entering the highway right of way is greater than 1.77 cubic feet per second; or
2. The improvements create an increase of the impervious surface area greater than 10,758 square feet. (ODOT/JB)

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

45. The applicant shall provide plans demonstrating the canopy covering pathway leading the northern public entrance is constructed of a solid material as to provide weather protection. (Planning/SR)
46. Provide plans that show variation in the green wall along Beaverton Hillsdale Highway through landscaping, surface treatments, and/or architectural design that provides visual interest for the pedestrian.
47. The proposed building(s) shall be accessible to persons with disabilities. (Chapter 11, OSSC) (Building/ BR)
48. An accessible route shall be provided to persons with disabilities throughout the site. (Section 1104, OSSC) (Building/ BR)
49. An accessible route shall be provided to persons with disabilities from the building to a public way. (Section 1104, OSSC) (Building/ BR)
50. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
51. 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)

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

52. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
53. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
54. 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)
55. 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)
56. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)

57. 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, as determined by CWS. (Site Development Div./JJD)
58. 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 / SR)
59. 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 / SR)
60. 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 / SR)
61. Ensure all landscaping approved by the decision making authority is installed. (Planning / SR)
62. 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 / SR)
63. 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 / SR)
64. Ensure all exterior lighting fixtures are installed and operational, consistent with the approved lighting plan. 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. (Planning / 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 an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation within all surface water treatment facilities, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer and City Public Works Director) 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 Public Works Director prior to release of the security. (Site Development Div./JJD)
68. Provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacturer's recommendations for the project'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:

AYES: Lawler, Matar, North, Overhage, Winter.
NAYS: Nye.
ABSTAIN: None.
ABSENT: Kroger.

Dated this 10TH day of FEBRUARY, 2017.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2527 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 FEBRUARY 20TH, 2017.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:



STEVE REGNER
Associate Planner



KIMBERLY OVERHAGE
Chair



SANDRA FREUND, AICP
Current Planning Manager