

**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. 2549
OF A DESIGN REVIEW THREE APPLICATION) DR2017-0002 ORDER APPROVING
(CEDAR HILLS PARK REDEVELOPMENT).) CEDAR HILLS PARK REDEVELOPMENT,
TUALATIN HILLS PARK AND RECREATION) DESIGN REVIEW THREE
DISTRICT, APPLICANT.)

The matter came before the Planning Commission on July 12, 2017, on a request for a Design Review Three for the redevelopment of a community park. The site is located North of SW Walker Road and east of SW Cedar Hills Boulevard; Tax Lot 10500 on Washington County Tax Assessor’s Map 1S110BB, and Tax Lot 12000 on Washington County Tax Assessor’s Map 1S110BC.

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 amenities in the Significant Grove would have impacts to the root zones of some trees, and that there may be alternative locations for these amenities. The applicant stated that Significant Grove was the optimal location for these amenities for several

reasons. Grouping of passive amenities in the grove allowed for a different recreation type than the active recreation in the rest of the park. A grant was received by the applicant to fund the group shelter, partly on the description that the shelter, bocce court, and picnic tables would be grouped together. Alternative locations for the bocce court were limited to areas near the splash pad, which would require more grading and would infringe of the open lawn are preferred for splash pad users. Based on the above items, the Commission found that the location of the amenities in the Significant Grove were reasonable, and the staff recommended condition of approval requiring the removal of these amenities from the grove should be eliminated from the final approval.

The applicant stated that their protocol for lighting other parks they managed was to not light the parks, as the parks were closed at dusk. The project proposes lit sports fields, requiring some level of additional lighting for safe egress. Two options for site lighting were presented to the Commission. One option was to require that all pathways be lit to a minimum 0.5 footcandle, consistent with City's Engineering Design Manual. The second option was to only light pathways connecting lit sports fields to parking lots, to allow for safe travel before and after programmed events in the evenings. The Commission found that the second option, lighting only pathways connecting parking lots and lit sports field, was an appropriate level of lighting to provide safe access to programmed sports fields, and that the staff recommended condition of approval requiring full site lighting be eliminated from the final approval.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated July 5, 2017, Supplemental Memorandum dated July 12, 2017 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 **DR2017-0002** 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 July 5, 2017, Supplemental Memorandum dated July 12, 2017 and the findings contained therein, subject to the conditions of approval as follows:

A. Prior to site development permit issuance, 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 2017-05), 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, private streets, and common driveway/emergency 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)
5. Submit all required off-site easements, quit claim deeds, and on-site easements (including a minimum 15-foot-wide public pedestrian and bicycle easement establishing an open, continuous corridor from SW Cedar Hills Boulevard to SW Lynnfield Lane) 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 all the affected County road right of ways. (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. 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 and Fire Marshal, 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)
9. 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)
10. Submit a copy of issued permits or other approvals needed from the Clean Water Services District for storm system connections, and any construction directly affecting an Agency sanitary-sewer main. (Site Development Div./JJD)

11. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the standard plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div./JJD)
12. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report, demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2017-05 in regard to water quality treatment. (Site Development Div./JJD)
13. Provide a detailed drainage analysis of the subject site and prepare a final 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, including the safe overflow conveyance from proposed constructed stormwater management facilities. On all plan sheets that show grading and elevations, the 100 year inundation level shall be identified. (Site Development Div./JJD)
14. 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)
15. Submit to the City a certified impervious surface determination of the proposed project's net new impervious area proposed for any common areas and private streets 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 the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking lots and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site. (Site Development Div./JJD)

16. Pay a storm water system development charge (overall system conveyance) for any net new impervious area proposed for any phase. Additionally, the project shall pay a storm water quality (summer treatment) in-lieu of fee for any impervious area determined by the City Engineer not to practical to provide treatment in any single phase per Clean Water Services standards. (Site Development Div./JJD)
17. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement for the private storm water treatment facilities, with maintenance plan and all standard exhibits, including site legal description, ready for recording with Washington County Records. (Site Development Div./JJD)
18. Provide plans for street lights (Option C 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 services shall remain on the site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
19. Submit plans that show access for a maintenance vehicle within 6-feet from the front, or within 15-feet from the side of a vehicle to all control structures unless otherwise specifically approved by the City Engineer. A direct worker access route to the structures in the pond area shall be provided no steeper than 4(horizontal) to 1 (vertical) slope. This direct route shall be a minimum of 6-feet wide and have a surface consisting of the equivalent of 3-inches of $\frac{3}{4}$ "-minus crush rock (to allow walking access in winter) and vegetation shall allow easy access. This direct access route shall be delineated on the plans. (Site Development Div./JJD)
20. Provide plans showing a standard commercial, Portland-Cement Concrete driveway apron at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
21. The following shall be recorded with Washington County (Contact Scott Young – 503.846.7933):
 - a) Dedication of additional right-of-way to provide a minimum of 55 feet from the centerline of SW Cedar Hills Boulevard, including adequate corner radius at the intersection with SW Huntington Avenue.
 - b) Dedication of additional right-of-way to provide a minimum of 51 feet from the centerline of SW Cedar Hills Boulevard.

- c) Provision of a non-access reservation along SW Cedar Hills Road frontage and SW Walker Road, except at the access approved in conjunction with this land use application.
- d) Additional right-of-way to construct the traffic signal at the park's access on SW Cedar Hills Boulevard as required by County Engineering Services as part of design review. (WaCo/NV)

22. Submit to Washington County Public Assurance Staff, 503-846-3843:

- a) Completed "Design Option" form.
- b) \$5,000.00 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, Page 4 of 5 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 Notice of Decision with Conditions and the County's letter dated June 29, 2017.
- d) Three (3) sets of complete engineering plans for construction of the following public improvements, including construction access and circulation plan:
 1. Pedestrian crossing and ramps on the east side of SW 123rd Avenue to SW Walker Road to County standards. Provide illumination to County standards.
 2. All work proposed within the right-of-way of SW Walker Road and SW Cedar Hills Boulevard shall be designed and constructed to County standards.
 3. Construction of a six (6) foot concrete sidewalk on SW Walker Road, including roadside drainage to County standards (refer to proposal dated 6-12-17 from MacKay Sposito for the limits of the sidewalk). All work proposed within the right-of-way of SW Walker Road and SW Cedar Hills Boulevard shall be designed and constructed to County standards. (WaCo/NV)

23. 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 22.D.

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 condition 22.

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. (WaCo/NV)

24. Submit plans that show the construction of a sidewalk that is a minimum of 6 feet wide along the park's SW Walker Rd. frontage, as directed by Washington County Transportation and Engineering staff. (Transportation/KR)
25. Submit plans that show adequate signage for the proposed configuration of the multi-use pedestrian and bicycle pathway on the northern portion of the site, to the satisfaction of the City Traffic Engineer. (Transportation/KR)
26. Submit plans that show that the parking spaces that face SW Cedar Hills Blvd. will be adequately screened for headlight glare by either an evergreen hedge or a low fence or wall, to meet the standards of Section 60.05.20.4 of the Development Code. (Transportation/KR)
27. Submit plans that include details of the proposed bicycle parking spaces. Racks are to be at least 30 inches wide by 36 inches tall, centered within an area that is 6 feet by four feet, and at least 2 feet from any building. Inverter U-type or staple racks are the preferred option for bicycle parking. (Transportation/KR)
28. Submit a revised lighting plan, demonstrating that all vehicle maneuvering areas, as well as all pathways connecting the programmed athletic field and parking lots, be in compliance with the Technical Lighting Standards of the Development Code. (Planning/SR)
29. Provide plans showing all preserved significant grove trees located inside tree protection easements. (Planning/SR)
30. Submit plans showing temporary tree fencing for all on-site trees to be preserved, and all off-site trees on or near the property line of the subject site. (Planning/SR)

31. Ensure that all associated applications have been approved and are consistent with the submitted plans, except where modified by these conditions. (Planning/SR)
32. Submit plans demonstrating that all retaining walls longer than 50 feet in length of taller than six feet be treated and finished with a contrasting scoring, textured, and/or color pattern.

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

33. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
34. 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)
35. Provide proof of recording the necessary documents associated with the project, including any necessary easement quit claim deeds and a filed survey consistent with the approved site plan. (Site Development Div./JJD)

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

36. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
37. 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)
38. Have placed underground all affected, applicable 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)
39. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)

40. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if a Source Control Sewage permit is required, as determined by CWS. (Site Development Div./JJD)

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

41. Install the proposed bicycle parking and provide adequate lighting to meet the 0.5 average foot-candle standard of the Engineering Design Manual. (Transportation/KR)
42. Install a low wall or vegetated hedge along all parking spaces that abut and face the public right-of-way, in accordance with Section 60.05.20.4 of the Development Code. (Transportation/KR)
43. 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. (Planning Div./SR)
44. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (Planning Div./SR)
45. Ensure all landscaping approved by the decision making authority is installed. (Planning Div./SR)
46. 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 Div./SR)
47. Ensure that the planting of all approved deciduous trees, except for street trees or vegetation approved in the public right-of-way, has occurred. Deciduous trees shall have straight trunks and be fully branched, with a minimum caliper of 1-1/4 inches and a minimum height of 8 feet at the time of planting, except that dwarf and compact varieties may be approved at any size. Deciduous trees may be supplied bare root provided the roots are protected against damage. Each tree is to be adequately staked. (Planning Div./SR)

48. All mechanical units, roof or ground mounted, must be screened from view of public streets and adjacent properties. (Planning Div./SR)

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

49. 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)

50. Submit any required on-site easements not already granted, 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)

51. 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)

52. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment/replacement of the vegetation and restoration of full function within the private surface water management facility area, 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)

53. Obtain a Finaled Washington County Facility Permit, contingent upon the following:

- a) The road improvements required in condition 22. above shall be completed and accepted by Washington County.

b) Traffic signal at the intersection of THPRD Park's access and SW Huntington Avenue shall be completed and accepted by the County. (WaCo/NV)

54. Ensure that frontage improvements to Cedar Hills Boulevard are constructed, consistent with the City of Beaverton Transportation System Plan. (Planning Div./SR)

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

AYES: Nye, Uba, North, Overhage

NAYS: Matar, Winter.

ABSTAIN: None.

ABSENT: Lawler.

Dated this 20th day of JULY, 2017.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2549 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 JULY 31ST, 2017.


PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:



STEVE REGNER
Associate Planner



KIMBERLY OVERHAGE
Chair



ANNA SLATINSKY
Planning Division Manager