

**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. 2641
Of A DESIGN REVIEW THREE FOR A NEW HOTEL) DR2018-0021 ORDER APPROVING
(WESTGATE HOTEL). CANTERBURY HOTEL) WESTGATE HOTEL, DESIGN REVIEW THREE
GROUP, APPLICANT.)

The matter came before the Planning Commission on September 26, 2018, on a request for Design Review Three for a new hotel building and associated site improvements. The subject site is located at the southwest corner of SW Crescent Street and SW Rose Biggi Avenue. Tax Lots 9200 on Washington County Tax Assessor's Map 1S116AA.

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 concerns regarding the undifferentiated south building elevation adjacent to the Tri-Met rail line. The Commission requested additional windows be located on the subject elevation. The applicant stated that this elevation contained a stairwell, and State Building Code could potentially prohibit windows on this elevation.

Alternatively, the Commission requested a differentiated material along this elevation if windows cannot be located on this elevation. The Commission found that that with the proposed conditions of approval the applicant meets the requirements of 60.05.35.1.B (Articulation and Variety) and 60.05.35.1.E (Undifferentiated Blank Walls).

The Planning Commission raised concerns about the lack of landscaping along the southern elevation at the southeast corner of the site. The applicant noted that the area in question was constrained by the adjacent Tri-Met rail line, but offered to coordinate with Tri-Met to install landscape where possible to soften the appearance of the building elevation. The Commission conditioned accordingly.

Additionally, the Planning Commission observed that the landscape plan does not contain the planter boxes, trellises and climbing vines depicted in the building elevations in the applicant's plans. The Planning Commission requested conditions of approval to ensure that the planter boxes, trellises and climbing vines depicted in the elevations in the applicant's materials are constructed. The Commission found that that with the proposed conditions of approval to provide landscaping, the applicant meets the requirements of 60.05.45.3.A (Landscaping Softening Building Edges).

The Planning Commission expressed concern about the amount of landscape screening between SW Crescent Street and the loading berth. Staff noted that due to the proximity of the driveway to the screening area, the maximum permitted height of any screen would be three feet. Planning

Commission adopted a condition of approval requiring landscaping screening to soften the appearance of the loading berth. The Commission found that that with the proposed conditions of approval to provide landscaping, the applicant meets the requirements of 60.05.40.2.A (Service Area Landscaping).

The Commission noted an issue in the applicant's drawing sets, citing parking lot differences in site plan and landscape plans. The site plan on sheet A1.1 properly depict the single loading berth on the west side of the building. The landscape plan on sheet L1.0 depicts parking spaces on the west side of the building. It was made clear by the applicant that the landscape plan on sheet L1.0 is outdated and inaccurate in relation to the loading berth, and the site plan on sheet A1.1 correctly depicts the location and design of the loading berth.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated September 19, 2018, 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 **DR2018-0021** 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 September 19, 2018, subject to the conditions of approval as follows:.

A. Prior to any work on site and 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 (April 2017), 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, all storm water management and treatment facilities, treatment facility plantings, and emergency vehicle access 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 Tri-Met for work within, and/or construction access to the Light Rail corridor. (Site Development Div./JJD)
7. Submit to the City a copy of an issued permit or other approvals as needed from the Oregon Department of Transportation, Railroad Crossing Safety Section for the work within 500 feet of the Rose Biggi Avenue railroad crossing. (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, if needed by the City Building Official and TVF&R Fire Marshal, an available fire flow analysis including an actual flow test of the existing water system and evaluation by a professional engineer meeting the standards as specified in the Engineering Design Manual Chapter 6, 610.L, using the anticipated maximum fire demand. 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. Submit a copy of issued permits or other approvals if needed from the Clean Water Services District for any construction affecting an Agency sanitary-sewer trunk main (24 inches in diameter or larger). (Site Development Div./JJD)
12. Submit revised plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. (Site Development Div./JJD)
13. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (March 6, 2018, by Ashley Cantlon, P.E.) demonstrating compliance with City storm requirements (Chapter 3, of City Ordinance 4417) and with CWS Resolution and Order 2017-05, and the CWS LIDA Handbook in regard to water quality treatment. (Site Development Div./JJD)
14. 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 or safe overflow route shall be identified. (Site Development Div./JJD)
15. When, or as required, have obtained the City Building Official's courtesy review approval of the proposed site utility plan for private plumbing needed to serve the development including private fire suppression systems, backflow prevention measures, and regulated

utility service locations immediately outside the proposed building.
(Site Development Div./JJD)

16. Submit a revised grading plan showing the threshold elevation for all exterior doorways and that each proposed building has a minimum finished floor elevation, building-entry threshold, or dry-floodproofed building construction at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities. This land-use approval shall provide for minor grade changes less than four 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)
17. Submit to the City a certified impervious surface determination of the proposed project by the applicant's engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total on the site. Specific types of impervious area totals, in square feet, shall be given for buildings, parking lots/driveways, sidewalk/pedestrian areas, storage 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. (Site Development Div./JJD)
18. Pay a storm water system development charge (overall system conveyance and winter detention) for the net new impervious area proposed that is not part of a fully-improved public street. (Site Development Div./JJD) (Site Development Div./JJD)
19. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording in County Records for each applicable lot. (Site Development Div./JJD)
20. Provide plans for LED street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director) for all impacted public streets and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles 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)
21. DEAD END ROADS: Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. (OFC 503.2.5 & D103.1) (TVF&R/DN)

22. **AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2) (TVF&R/DN)
23. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the fire code official. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4) (TVF&R/DN)
24. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1) (TVF&R/DN)
25. **TURNOUTS:** Where access roads are less than 20 feet and exceed 400 feet in length, turnouts 10 feet wide and 30 feet long may be required and will be determined on a case by case basis. (OFC 503.2.2) (TVF&R/DN)
26. **TURNING RADIUS:** The inside turning radius and outside turning radius shall be not less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3) (TVF&R/DN)
27. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1) (TVF&R/DN)
28. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be determined in accordance with residual pressure (OFC Appendix B Table B105.2). The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi. Note: Appendix B, Section B106, Limiting Fire-Flow is also enforced, save and except for the following:

- In areas where the water system is already developed, the maximum needed fire flow shall be either 3,000 GPM or the available flow in the system at 20 psi, whichever is greater.
 - In new developed areas, the maximum needed fire flow shall be 3,000 GPM at 20 psi.
 - Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1 (TVF&R/DN)
29. 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) Please provide documentation of fire flow tests within the last 5years. (TVF&R/DN)
30. WATER SUPPLY DURING CONSTRUCTION: Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1) (TVF&R/DN)
31. 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)
- This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
 - 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. (TVF&R/DN)
32. 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) Please show number and locations of hydrants proposed for this project. (TVF&R/DN)
33. FIRE HYDRANT(S) PLACEMENT: (OFC C104)
- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet

away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)

- Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the fire code official.
 - Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the fire code official.
 - Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the fire code official. (TVF&R/DN)
34. FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD: Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the fire code official. (OFC C102.1) (TVF&R/DN)
35. 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)
- Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
 - FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants (as diagramed below). (TVF&R/DN)
36. 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) (TVF&R/DN)
37. UTILITY IDENTIFICATION: Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1) (TVF&R/DN)
38. Emergency Responder Radio Coverage: In new buildings where the design reduces the level of radio coverage for public safety communications systems below minimum performance levels, a distributed antenna system, signal booster, or other method approved

by TVF&R and Washington County Consolidated Communications Agency shall be provided. (OSSC 915.1, OFC 510.1, and Appendix F) Emergency responder radio system testing and/or system installation is required for this building. Contact TVF&R 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. Due to the size of this structure an Emergency responder Radio Coverage (ERRC) system will be required. (TVF&R/DN)

39. The short-term bicycle parking rack shall design and location shall be approved by the Traffic Engineer. (Planning/SR)
40. Submit plans showing temporary tree fencing for all adjacent off-site trees possibly impacted by site improvements. (Planning/SR)
41. Provide a revised lighting plan showing compliance with the Technical Lighting Standards of the Development Code. (Planning/SR)
42. Ensure that the associated Loading Determination application (LO2016-0001) has been approved. (Planning/SR)
43. The applicant shall provide a landscape plan depicting planter boxes consistent with the elevations shown on sheets A4.0 and A4.1 in the applicant's materials. (Planning/SR)
44. The applicant shall provide planter boxes and trellis' with climbing vines consistent with sheet A4.1 in the applicant's materials. (Planning/SR)
45. The applicant shall provide plans depicting landscape screening north of the loading zone along SW Crescent Street up to three feet tall. (Planning/SR)
46. The applicant shall work with Tri-Met to plant appropriate landscaping along the southeast corner of the site along the Tri-Met rail line. (Planning/SR)
47. Submit plans to verify the sight distance per the City's Engineering Design Manual section 210.10 at the intersection of SW Crescent Street and Rose Biggi Avenue and at the common parking lot access on SW Crescent Street. (Transportation/JK).

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

48. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
49. 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)

50. Provide plans depicting windows along the south elevation stair tower the same size as the adjacent hallway windows. Windows shall be provided at each landing and mid landing, as allowed by building code. If not permitted by building code, the applicant shall provide plans depicting horizontal bands of differentiated materials along the southern elevation along the Tri-Met rail line. (Planning/SR)

C. Prior to 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 recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
53. 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)
54. 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)
55. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
56. Have recorded the final plat for Preliminary Partition LD2016-0021.

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

57. Have installed the bicycle parking as approved. (Planning Div./SR)
58. Have installed street trees along all frontages. (Planning Div./SR)
59. 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)
60. 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)
61. 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)

62. Ensure all landscaping approved by the decision making authority is installed. (Planning Div./SR)
63. 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)
64. 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)
65. 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:

66. 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)
67. Submit any required on-site easements not already dedicated on the subdivision 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)
68. Provide a post-construction inspection, cleaning, system maintenance, and StormFilter servicing report 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)

69. 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 planted 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, Uba, Matar, Lawler, Overhage, Winter.
NAYS: None.
ABSTAIN: None.
ABSENT: None.

Dated this 8th day of OCTOBER, 2018.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2641 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
OCTOBER 18th, 2018.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:



STEVE REGNER
Associate Planner



KIM OVERHAGE
Chair



JANA FOX
Current Planning Manager