

**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. 2611  
OF A DESIGN REVIEW THREE (SW BIBLE ) DR2018-0031 ORDER APPROVING  
CHURCH) SW BIBLE CHURCH, APPLICANT. ) SW BIBLE CHURCH, DEISGN REVIEW TWO  
)  
)

The matter came before the Planning Commission on May 15, 2018 and May 30, 2018, on a request for a Design Review Two for a new building and associated site changes. The site is located at 14605 SW Weir Road, on the northwest corner of SW Weir Road and SW Murray Boulevard, on Washington County Tax Assessor's Map # 1S129DD Tax Lot 100..

Pursuant to Ordinance 2050 (Development Code) Section 50.45, the Planning Commission conducted a public hearing; reviewed exhibits; and considered testimony on the subject proposal. The applicant requested the condition of approval requiring the trail dedication be removed or modified citing nexus/proportionality concerns. THPRD requested the record be left open in order to provide additional findings. The record was left open for seven (7) days to provide all parties of interest time to review the criteria of the requested exaction; THPRD requested removing the trail easement but

requested coordination to determine the future location, however staff found the condition of approval unenforceable, and thus was removed.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated May 9, 2018 as amended, Supplemental Memoranda dated May 16, May 23, and May 30, 2018, and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.20.15.2 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **DR2018-0031** 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 May 9, 2018 as amended, Supplemental Memoranda dated May 16, May 23, and May 30, 2018, and the findings contained therein, subject to the conditions of approval as follows:

**A. General Conditions:**

1. Final decision shall expire automatically two (2) years from the effective date of decision unless the approval is enacted either through construction within the two (2) year time period. (Planning/SF)
2. Ensure the associated Major Modification to a Conditional Use application has been approved and is consistent with the submitted plans. (Planning/SF)

**B. Prior to Site Development Permit issuance, 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 (April 2017, Resolution and Ordinance 2017-05), 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 site grading, storm water management (quantity and quality) facilities, facility plantings, CWS SPL (Service Provider Letter) vegetative corridor enhancements & plantings, 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)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
8. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
9. Submit plans for erosion control. If total disturbance is one acre in size or greater, applicant shall use the 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) plan format for sites between 1 and 4.99 acres. If less than one acre in size, submit an erosion control plan incorporating CWS Standard Drawing #945. (Site Development Div./JJD)
10. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report, demonstrating compliance with CWS Resolution and Order 2017-05 in regard to water quality treatment and City of Beaverton Engineering Design Manual Chapter 3 requirements for detention. (Site Development Div./JJD)

11. Provide plans that 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)
12. 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. Calculations shall also indicate the square footage of the pre-existing impervious surface area, the net, new impervious surface area created, and total final impervious surface area on the entire site. (Site Development Div./JJD)
13. Pay a storm water system development charge (overall system conveyance) for any net new impervious area proposed. (Site Development Div./JJD)
14. 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)
15. Provide plans 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)
16. FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES: Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1) All portions of the existing building must still comply with this provision with the placement of the new building. (TVF&R/JF)

17. **ADDITIONAL ACCESS ROADS – COMMERCIAL/INDUSTRIAL HEIGHT:** Buildings exceeding 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. (D104.1) (TVF&R/JF)
18. **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) The new addition must have aerial fire department access; show the location on the plans. (TVF&R/JF)
19. **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 Marshal. 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/JF)
20. **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) Show all fire lane locations on the plans. (TVF&R/JF)
21. **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/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) All fire lanes must meet this requirement. (TVF&R/JF)

23. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3) The Autoturn diagram provided was designed with a fire engine. If Autoturn is utilized, it needs to be designed for a fire truck. Revise plan to comply. (TVF&R/JF)
24. **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) (TVF&R/JF)
- 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/JF)
25. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & 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. (TVF&R/JF)
26. Submit plans showing temporary tree fencing for all on-site trees to be preserved. (Planning/SF)

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

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

28. 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)
29. Submit any required off-site easements, and the SPL-required new CWS-sensitive area and vegetated-corridor easement, executed and ready for recording if not already granted on a land division plat, 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)
30. Record the separate Tree Preservation Tract as conditioned by the City Council per Order No. CUP 95024/TPP 95009/931, and LD2017-0024, creating a non-buildable tract prior to any construction of the proposed classroom addition (Phase IV). (Planning/SF)

**D. Prior to Final Inspection of any building permit or occupancy permit issuance, the applicant shall:**

31. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
32. 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)
33. 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)
34. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
35. 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)
36. 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/SF)
37. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (Planning/SF)

38. Provide detailed plans and elevations demonstrating compliance with Section 60.05.25.8-9 of the Development Code for architectural treatments, materials, and thickness of all retaining walls. (Planning/SF)
39. Provide detailed plans and elevations for all pedestrian pole-mounted lighting demonstrating compliance with Section 60.05.30.2.B of the Development Code. (Planning/SF)
40. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit C", except as modified by the decision making authority in the Conditions of Approval (On file at City Hall). (Planning/SF)
41. Ensure all landscaping approved by the decision making authority is installed. (Planning/SF)
42. 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/SF)
43. 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 /SF)
44. All mechanical units, roof or ground mounted, must be screened from view of public streets and adjacent properties. (Planning/SF)

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

45. 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)



46. 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)
47. 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 storm water facilities and CWS vegetated corridor area, as determined by the Public Works Director. 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:** Matar, Overhage, Winter, Uba.  
**NAYS:** None.  
**ABSTAIN:** Lawler.  
**ABSENT:** Nye.

Dated this 15<sup>th</sup> day of June, 2018.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2611 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 June 25, 2018.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:



SANDRA FREUND, AICP  
Planning Supervisor / DRP Coord.

APPROVED:



KIMBERLY OVERHAGE  
Chair



JANA FOX  
Current Planning Manager