

**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. 2667
OF A DESIGN REVIEW THREE FOR A SCHOOL IN)	DR2018-0014 ORDER APPROVING
THE URBAN MEDIUM DENSITY ZONING)	ACMA SCHOOL REBUILD, DESIGN REVIEW
DISTRICT (ACMA SCHOOL) BEAVERTON)	THREE
SCHOOL DISTRICT, APPLICANT.)	

The matter came before the Planning Commission on January 23, 2019, on a request for a Design Review Three application to rebuild a school and increase the size of an educational use in the Urban Medium Density (R2) zoning district. The subject site located at the corner of SW Center Street and SW Cabot Street. Tax Lot 2000 on Washington County Tax Assessor's Map 1S110DB.

Pursuant to Ordinance 2050 (Development Code) Section 50.45, the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Commission discussed the landscape buffer on the west and east property lines. The landscaping along the west property line was approved with the Performing Arts Center. The applicant did not proposed additional

landscaping along the property line since the proposed project is on the eastern portion of the lot. The Commission discussed the existing landscape buffer finding that the landscaping did not currently meet the required B3 buffer standards. A condition of approval is therefore added to the approvals as follows:

Prior to issuance of the site development permit the applicant shall:

Provide a landscaping plan demonstrating compliance with the B3 landscaping buffer standard along the west property line adjacent to the residential uses.

Landscape buffer on the east property line, south of the church property, includes trees, shrubs, and ground cover. The landscaping plan meets the Design Review Guidelines, but not specifically the B2 landscaping requirements. The Commission determined that since the landscaping area is adjacent to a parking lot and across the street from a residential zone, the landscaping should meet the B2 landscaping buffer standard. A condition of approval is therefore added to the approvals as follows:

Prior to issuance of the site development permit the applicant shall:

Provide a landscaping plan demonstrating compliance with the B2 landscaping buffer standard along the east property line, south of the church property, and across the street from the residential uses.

The landscaping plan shows trees 32 and 33 to be removed. In order to clarify and approve the removal, the Commission would like Design Review Three Criteria D to be revised to read:

The applicant states the Significant Individual Trees located along the south property line will be retained. A total of 16 trees will be removed to

accommodate development. Most of these trees are under 10" DBH, except for Tree 36, which is 26" DBH. Trees 32 and 33 will be removed to accommodate grading, as well as, provide for a large, level grass area. The tree removals are necessary in order to accommodate the reconstruction of the east parking lot and the expanded parent drop-off loop.

The Commission discussed Design Review condition 26, with regards to the materials and massing of the second-story, "pop-out" on the east elevation. The Commission asked the architect to explain the architectural intent of second-story, east facing wall. The architect provided an explanation of the material being used, describing the beveled edge, tile material as shimmering, not reflective, which provides for visual interest with the sunlight bouncing off the surface. The commission was split while discussing Condition 26, some in favor of the condition to break up the massing with addition fenestrations, materials and architectural elements, while other commissioners were in favor of the design as proposed. City Attorney, Peter Livingston, clarified that the commissioners should be confident that the applicant and staff will provide an elevation that the commission will be in favor of. The commission believed that the condition allowed for flexibility in the design, but did not want the material to substantially change. The Commission was confident that the applicant could revise the design to add more architectural elements and revised Condition 26 to:

26. Additional fenestrations or new architectural elements should be added to the east elevation, second-story wall adjacent to the dance rooms on either side of the window to visually reduce the massing of the "pop out" element. (Planning/SD)

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated January 16, 2019, and supplemental findings provided in this land use order, 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 **DR2018-0114** 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 16, 2019 and this land use order, subject to the conditions of approval as follows:

A. Prior to issuance of the site development permit, the applicant shall:

1. Ensure that the associated land use applications CU2018-0016 and SDM2018-0012 have been approved and are consistent with the submitted plans. (Planning/SD)
2. Revise all plans to reflect the site plan contained in Exhibit 14 of the applicant Narrative. (Planning/SD)
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 the 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 the City Engineering Design manual; 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 (quality & quantity) facilities, 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. Submit any required off-site easements, and the SPL-required new CWS-sensitive area and vegetated-corridor easement, 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. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
9. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer (meeting the standards set by the City Engineer as specified in the Engineering Design Manual Chapter 6, 610.L). The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)
10. Submit a geotechnical and geo-environmental report with the site development permit application for review and approval by the City Engineer. The report shall include an assessment of the soil and any toxic contaminants, ground/surface water issues, any needed clean-up action, remediation methods, Oregon Department of Environmental Quality requirements, disposal regulations, and construction worker

safety measures. It shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer and rules of the Oregon Department of Environmental Quality (DEQ). (Site Development Div./JJD)

11. Submit a letter of "no further action" (NFA) or other documentation from the Oregon DEQ (Case File #34-89-0103NFA062289). (Site Development Div./JJD)
12. 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)
13. 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)
14. 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 requirements for detention. (Site Development Div./JJD)
15. 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)
16. Have a professional architect or engineer submit plans and specifications to the City Engineer and City Building Official verifying that the lowest finished floor is proposed at least one foot above (elevation 183.6 feet, NGVD-29 and higher) or flood-proofed to one foot above the base flood elevation (elevation 182.6 feet, NGVD-29). (Site Development Div./JJD)
17. Provide a detailed drainage analysis of the subject site and all tributary areas and prepare a 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. (Site Development Div./JJD)

18. 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)
19. 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, in square feet. Calculations shall indicate the square footage of pre-existing impervious surfaces, all new impervious surface area created, and total final impervious surface area on the entire site after construction. (Site Development Div./JJD)
20. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed. (Site Development Div./JJD)
21. Provide plans for street lights (Option C unless otherwise approved by the City Operations and Maintenance Director) and for the placement of underground utility lines within the site and for services to the proposed new development. 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)
22. Submit plans that show the dedication of an additional one (1) foot of right-of-way along SW Center Street to provide a minimum of 31 feet from centerline to meet the City's two-lane collector street standard. (Transportation/JK)
23. Obtain an Engineering Design Manual exception from the City Engineer for the new driveway location on SW 113th Avenue. (Transportation/JK)
24. Provide a landscaping plan demonstrating compliance with the B3 landscaping buffer standard along the west property line adjacent to the residential uses. (Planning/SD)

25. Provide a landscaping plan demonstrating compliance with the B2 landscaping buffer standard along the east property line, south of the church property, and across the street from the residential uses. (Planning/SD)

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

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

27. 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)

28. Additional fenestrations or new architectural elements should be added to the east elevation, second-story wall adjacent to the dance rooms on either side of the window to visually reduce the massing of the "pop out" element. (Planning/SD)

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

29. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)

30. 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)

31. 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)

32. 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 permit is required, as determined by CWS. (Site Development Div./JJD)

33. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)

34. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit 2", except as modified by the decision making authority in conditions of approval. (Planning/SD)
35. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit 2", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/SD)
36. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit 2", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/SD)
37. 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/SD)
38. Ensure all landscaping approved by the decision making authority is installed. (Planning/SD)
39. 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/SD)
40. 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/SD)

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

41. 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)

42. Provide a post-construction cleaning, system maintenance, and filter recharge/replacement inspection report from a manufacturer's qualified maintenance provider. Additionally, another servicing report from the maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD)
43. Have the landscaping completely installed or provide for long-term erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
44. Provide, if the existing on-site stormwater management ponds have been adversely affected by sedimentation and/or other construction impacts, plants are not well established, or the facility not properly functioning, 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 facility function, as determined by the City Engineer. If a facility continues to be determined as unsatisfactory 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)

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 CWS vegetated corridor area per the CWS Service Provider Letter, as determined by the Public Works Director. If the plants are not well established (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: Lawler, Uba, Brucker, Nye, Overhage,
NAYS: Matar.
ABSTAIN: None.
ABSENT: Winter.

Dated this 5th day of February 2019.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2667 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 15, 2019.

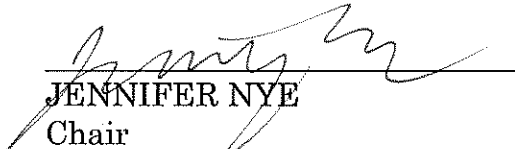
PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:


APPROVED:



SIERRA DAVIS
Associate Planner



JENNIFER NYE
Chair



JANA FOX
Current Planning Manager