

**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. 2724
OF A DESIGN REVIEW THREE FOR CEDAR HILLS))	DR2019-0110 ORDER APPROVING
SHOPPING CENTER AT PARK WAY)	CEDAR HILLS SHOPPING CENTER AT PARK WAY
REDEVELOPMENT, URBANFORM)	REDEVELOPMENT, DESIGN REVIEW THREE.
DEVELOPMENT, APPLICANT.)	

The matter came before the Planning Commission on October 23, 2019, on a request for a Design Review Three for the construction of six new buildings with approximately 56,388 square feet of ground floor commercial space, 509 residential units, and 576 on-site parking spaces. The subject site is located at 10110 and 10270 SW Park Way, specifically identified as Tax Lots 2700, 2800, and 2900 on Washington County Tax Assessor's Map 1S102CC.

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.

During public testimony a member of the public testified that they believed the notice for this proposal was inadequate, including that the radius for mailed notice was not large enough and that the posted notice at the site was not as visible as it could have been. The Commission found that the City

followed the required noticing procedures in BDC Section 50.45.2 for Type 3 applications and that the applicant met the requirement for posting the notice board on-site.

Public testimony raised concerns about the height and scale of the proposed development and that it would not be compatible with the surrounding neighborhood. The Commission found that the proposal met the applicable Site Development Standards and Design Guidelines and was consistent with the approval criteria.

Public testimony also raised traffic and parking concerns. These included that increased traffic would negatively impact the surrounding residential neighborhoods and increased demand for parking would put more pressure on the on-street parking supply. The Commission found that the condition of approval to implement the recommendations from the applicant's Traffic Impact Analysis will adequately address potential impacts to the transportation system. Additionally the Commission found that the applicant is proposing the required number of parking spaces. The public also testified that the proposed audible warning system at the Wilshire garage entrance could negatively impact nearby residences. The Commission found that the condition of approval requiring the applicant to obtain approval from the City Engineer for the warning system would limit impacts on neighboring properties.

The public testified that the Cedar Hills sign should either be incorporated into the development or relocated to a nearby property. The sign

was not part of this proposal because signs are not reviewed under Design Review applications. Sign permit applications are reviewed pursuant to the sign regulations in BDC Section 60.40.

A member of the public, who owns a nearby gas station, testified that proposed changes to SW Park Way could make it difficult for fuel delivery trucks to access the gas station property, which would negatively impact the business. The Commission discussed this concern and proposed a new condition of approval for the applicant to provide a plan, including a turning template, showing how a fuel delivery truck can reasonably access the gas station north of SW Park Way, prior to issuance of the Site Development permit.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated October 16, 2019, and Staff Memorandum dated October 23, 2019, 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, with addition of the new condition of approval related to the nearby gas station property.

Therefore, **IT IS HEREBY ORDERED** that **DR2019-0110** 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 October 16, 2019, and Staff Memorandum dated October 23, 2019, and this Land Use Order, subject to the conditions of approval as follows:

1. Ensure that the Preliminary Partition (LD2019-0026), Shared Parking Determination (PD2019-0002), and the Text Amendment (TA2019-0001) have been approved and are consistent with the submitted plans. (Planning/LR)

A. Prior to issuance of each Demolition Permit, the applicant shall:

2. Obtain Washington County's approval of a traffic control plan, including any sidewalk closures. (Washington County/NV)

B. Prior to issuance of the Site Development permit, the applicant shall:

3. Submit the required plans, application form, fee, and other items, as needed, for a complete Site Development Permit application. (Site Development Division/NP)
4. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Division/NP)
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 utilizing the process set out in the Beaverton Development Code, 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 Division/NP)
6. Provide assurances that the ownership of the subject project will guarantee improvements and work per the detailed cost estimate format and breakdown in the site development permit application. 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 Division/NP)
7. Submit any required easements under the City of Beaverton's authority,

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. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards. (Site Development Division/NP)

8. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to areas within County permitting authority. (Site Development Division/NP)
9. Submit to the City a copy of issued permits or other approvals needed from Oregon Department of Transportation (ODOT) for work within, and/or construction access to areas within the ODOT permitting authority. (Site Development Division/NP)
10. Submit a copy of issued permits or other approvals needed from the Tualatin Valley Water District (TVWD) for public water system construction, backflow prevention facilities, and service extensions. (Site Development Division/NP)
11. Provide construction plans that show how each existing and proposed lot will be independently served by public utility systems as required by the City Engineer and City Building Official. (Site Development Division/NP)
12. Provide a construction staging plan that shows how each existing building and newly constructed buildings will be served by critical services as required by the City Engineer, City Building Official and Fire Marshal. Parking, Fire Access, Material/Construction staging, sanitary sewer connection, storm connections, water service, fire service and other identified items will be required per each stage for evaluation. (Site Development Division/NP)
13. For sites 5 acres or larger in disturbance, submit to the City plans for erosion control per requirements adopted by DEQ and Clean Water Services for 1200-C, DEQ/CWS/City Erosion Control Joint Permit. (Site Development Division/NP)
14. Submit a copy of issued permits or other approvals from Clean Water Services (CWS) District for storm system connection permit, as a part of the City's plan review process. (Site Development Division/NP)
15. Submit a copy of issued permits or other approvals from Clean Water Services (CWS) District for any agency owned and maintained systems. (Site Development Division/NP)

16. Submit a copy of Tualatin Valley Fire and Rescue (TVFR) District Fire Marshal's, Service Provider Letter. (Site Development Division/NP)
17. Provide construction plans and a drainage report demonstrating compliance with City surface water management requirements per City 2019 Engineering Design Manual, Resolution 4542, Section 530; and with CWS Resolution and Order 2019-05 for quantity control for conveyance capacity, hydromodification and quality treatment. Fee-in-lieu can be requested if development meets criteria set forth in City EDM Sections 190, table 530.1, and 530.1.A.4 and CWS DCS Section 4.03.7.a and 4.04.2.a. (Site Development Division/NP)
18. On plan sheets that show grading and elevations, show and callout the storm water drainage basin, 100-year inundation level and the safe overflow conveyance from proposed storm water management facilities. (Site Development Division/NP)
19. If existing overhead utility poles along street frontages must be moved to accommodate the proposed improvements, the affected lines must be undergrounded as determined by the City Engineer. (Site Development Division/NP)
20. If existing overhead utility poles along street frontages must be moved to accommodate the proposed improvements, the affected lines must be undergrounded unless fee in lieu criteria per Section 60.65 of the Development Code is met. (Site Development Division/NP)
21. Pay storm water system development charges (SDC) for quantity control for conveyance capacity, hydromodification, quality treatment and system conveyance as outlined in City and CWS rates and charges and as determined by the City Engineer for the impervious areas inside the City of Beaverton. Any extra-capacity utility improvements, as required and determined by the City Engineer, shall be eligible for SDC credits. (Site Development Division/NP)
22. If required by OAR 918-780-0040, submit proposed private plumbing plans (fire lines, vault, backflow prevention and Fire Department Connection) to the City Building Division for review and permitting. Drainage within covered areas shall be piped as approved by the City Building Official. (Site Development Division/NP)
23. Submit a design for the stormwater management facility designed by a civil engineer, geotechnical engineer, or structural engineer for the expected hydrological conditions of the facility. The design should limit the possibility of infiltration as much as practicable due to the underground parking garage. (Site Development Division/NP)

24. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). Pad elevation shall be at least one foot higher; and FFE shall be at least three feet higher than the 100 year/emergency overflow of the storm water management facility. (Site Development Division/NP)
25. Plans showing a proprietary storm filter system for storm water treatment shall also show City approved pre-treatment unit and if needed a high flow bypass system. (Site Development Division/NP)
26. Provide Option C lighting per the Engineering Design Manual, Chapter 4 along all City jurisdictional frontage improvements as determined by the City Engineer. When there are existing Option A and/or Option B street lights along these frontage improvements, these lights shall be removed and replaced with Option C lights per Chapter 4. No existing Option A and/or Option B lights along these frontage improvements or the opposite side of these frontage improvement shall be included in the lighting analysis to meet the lighting requirements. (Site Development Division/NP)
27. Provide plans showing jurisdictional standard driveways at the intersection of any private, common driveway and a public street. (Site Development Division/NP)
28. Provide plans showing that any encroachments in the public right of way shall be a non-structural attachment or in other words not integral (removable without damage) to the building structure. If an encroachment permit is desired by the owner or required by a financial institution or insurance company, the City Attorney will need to be consulted to prepare a specific document for this situation. (Site Development Division/NP)
29. Submit an owner-executed, notarized, City/CWS standard private storm water facilities maintenance agreement with all standard exhibits, including site legal description per County Surveyor as to form and nomenclature, ready for recording with Washington County. (Site Development Division/NP)
30. Submit a design for any retaining walls greater than four feet in height, designed by a civil engineer or structural engineer for the expected soil and ground water conditions. (Site Development Division/NP)
31. KNOX BOX: A Knox Box for building access may be required for structures and gates. See Appendix B for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC

- 506.1) This building will require a Knox Box. (TFV&R / JF)
32. 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) (TFV&R / JF)
33. 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) (TFV&R / JF)
34. 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) (TFV&R / JF)
35. 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) (TFV&R / JF)
- a. Emergency responder radio system testing and/or system installation is required for this building. Please contact me (using my contact info below) 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. Fee in lieu option.
36. Show compliance with the following Oregon Department of Transportation (ODOT) conditions. (Transportation / KM)

Frontage Improvements and Right of Way

- a. Construct the following cross section on OR 217 Frontage Road: a 1ft buffer, 12ft shared bike/ped sidewalk, .5ft curb, 1ft shy, 12ft travel lane, 12ft travel lane, 1ft shy, existing .5ft curb, and 5.5ft sidewalk to remain. Improvements shall be constructed as necessary to be consistent with local, ODOT, and ADA standards.
- b. OR 217 Frontage Rd: Deed right of way to ODOT as necessary to accommodate the 45.5ft cross section on OR 217 Frontage Road. The deed must be to the State of Oregon, Oregon Department of Transportation. The ODOT District contact will assist in coordinating the transfer. ODOT should provide verification to the local jurisdiction that this requirement has been fulfilled. The property owner must be the signatory for the deed and will be responsible for a certified environmental assessment of the site prior to transfer of property to the Department. Note: It may take up to 3 months to transfer ownership of property to ODOT.

Permits and Agreements to Work in State Right of Way

- c. Obtain an ODOT Miscellaneous Permit for all work in the highway right of way. When the total value of improvements within the ODOT right of way is estimated to be \$100,000 or more, an agreement with ODOT is required to address the transfer of ownership of the improvement to ODOT. An Intergovernmental Agreement (IGA) is required for agreements involving local governments and a Cooperative Improvement Agreement (CIA) is required for private sector agreements. The agreement shall address the work standards that must be followed, maintenance responsibilities, and compliance with ORS 276.071, which includes State of Oregon prevailing wage requirements. Note: If a CIA is required, it may take up to 6 months to process.
- d. Obtain an ODOT permit to place trees in the state right of way. Tree spacing and design must be consistent with the ODOT Highway Design Manual section 4.2.6 (http://www.oregon.gov/ODOT/Engineering/Documents/RoadwayEng/HDM_04-Cross-Sections.pdf.) If proposed tree placement deviate from ODOT standards (such as placement in a planter strip), a Design Exception Request for clear zone must be prepared by a licensed engineer for review by ODOT Technical Services. Preparation of a Design Exception request does not guarantee its ultimate approval. Note: It may take up to 3 months to process a Design Exception.

- e. Obtain an ODOT Miscellaneous for connection to state highway drainage facilities. Connection will only be considered if the site's drainage naturally enters ODOT right of way. The applicant must provide ODOT District with a preliminary drainage plan showing impacts to the highway right of way. A drainage study prepared by an Oregon Registered Professional Engineer is usually required by ODOT if:
 - o Total peak runoff entering the highway right of way is greater than 1.77 cubic feet per second; or
 - o The improvements create an increase of the impervious surface area greater than 10,758 square feet.

37. Show compliance with the following Washington County conditions.
(Transportation/KM)

- a. Record the following with Washington County:
 - i. Dedication of an additional 8 feet of right-of-way to meet 39 feet from the centerline of SW Marlow Avenue, including adequate corner radius at the intersection with SW Park Way and SW Wilshire Street.
 - ii. Dedication of an additional 7 feet of right-of-way to meet 35 feet from the centerline of SW Wilshire Street.
 - iii. Dedication of an additional 19.5 feet of right-of-way to meet 41.5 feet from the centerline of SW Park Way.
- b. Submit to Washington County Public Assurance staff a request for a Facility Permit for all public improvements on SW Park Way, SW Wilshire Street, and SW Marlow Avenue, including the following items:
 - i. Completed "Design Option" form (original copy), "Facility Permit Information Form," City's Notice of Decision with County's letter dated October 4, 2019, and a \$45,000.00 Administration Deposit.
 - ii. Electronic submittal of engineering plans, geotechnical/pavement report, and the "Engineer's Checklist" (Appendix E of County Road Standards) for construction of the following public improvements, including construction access and construction traffic circulation plans if proposed on County-maintained streets:

1. Construction of frontage improvements on SW Marlow Avenue to include 10-foot sidewalk with 4-foot tree wells, street trees, street signage, street lighting, curb/gutter, 6-foot bike lane, 8-foot parking spaces, and one travel lane in each direction.
2. Restripe the west side of SW Marlow Avenue with a 6-foot bike lane and 8-foot parking spaces, with existing pavement markings modified as directed by the County Engineer.
3. Construction of frontage improvements on SW Wilshire Street to include 10-foot sidewalk with 4-foot tree wells, street signage, street lighting per City standards, ADA ramp curb extensions, curb/gutter, 6-foot bike lane, 8-foot parking spaces, and one travel lane in each direction.
4. Stripe the south side of SW Wilshire Street with a 6-foot bike lane and 7.5-foot parking spaces, with existing pavement markings modified as directed by the County Engineer.
5. Construction of frontage improvements along the site's frontage of SW Park Way: 10-foot sidewalk, 4-foot tree wells with street trees, street signage, street lighting, curb/gutter, 8-foot parking (south side only), 7-foot buffered bike lane, and one travel lane in each direction with a continuous center turn lane. Note: show the limits of ODOT rights-of-way.
6. Stripe the north side of SW Park Way with a 6-foot bike lane and installation of signage as needed.
7. Mid-block crossing on SW Park Way and SW Wilshire Street subject to County Engineer approval.
8. Private access on SW Park Way and SW Wilshire Street.
9. Installation of wayfinding signage from the site to/from SW Park Way, SW Marlow Avenue, and TriMet Sylvan Bridge to County standards.
10. Restripe the intersection of SW Park Way and SW Marlow Avenue to include a single through lane and

left turn lane on the eastbound and westbound approaches per the TIA.

11. Closure of all accesses on SW Park Way, SW Wilshire Street, and SW Marlow Avenue not approved with this development application.

12. Bus stops, street furniture, and other improvements within County rights-of-way.

38. Provide a revised site plan showing the locations and designs for curb ramps at all intersections and midblock crossings, including curb ramps on the opposite receiving ends of the site's frontage. All curb ramps shall be compliant with the Americans with Disabilities Acts (ADA). (Transportation/KM)

39. Provide revised landscaping plans that shows the vegetation on top of the garage entrance from SW Wilshire Street to be planted as groundcover to reduce potential impacts to sight distance for drivers exiting the garage. Submitted plans (Exhibit C, Plans L1.3 and L1.4) propose planting shrub species within the 15-foot sight clearance triangle that can reach a mature height of up to 9-feet tall. Revised plans must show plant species within the 15-foot sight triangle that are considered lawn or ground cover, and will not reach a mature height of more 12-inches. (Transportation/KM)

40. Provide a revised landscaping plan that shows the vegetation to be planted in the landscaped island adjacent to the internal garage entrance to be planted as ground cover to reduce potential impacts to sight distance for drivers exiting the garage. Submitted plans (Exhibit C, Plans L1.3 and L1.4) show trees (that reach mature height of over 12-feet) and proposed shrubs (that can reach a mature height of up to 6 feet) within the 15-foot sight clearance triangle. Revised plans must show plant species within the 15-foot sight triangle that are considered lawn or ground cover, and will not reach a mature height of more 12-inches. (Transportation/KM)

41. Revise and submit Exhibit R, Plan 1 with the railing above the garage entrance extending approximately 10-feet to where the retaining wall ends and transitions to the parking lot surface. Extending the railing will further limit pedestrians attempting to cross the garage entrance drive aisles. (Transportation/KM)

42. Revise and submit Exhibit R, Plan 2 to show the length of the retaining wall along the garage entrance shortened to where a driver's eye exiting the garage would be, assuming the driver's eye is measure 15-feet from

where the driveway meets SW Wilshire Street. (Transportation/KM)

43. Propose an audible warning system, or comparable solution, for the underground parking garage entrance on SW Wilshire Street that notifies nearby pedestrians of cars approaching. The proposed warning system must be approved by the City Engineer. (Transportation / KM)
44. Provide a wayfinding and signage plan as recommended by the applicant's Traffic Impact Analysis dated 8/30/19 to help direct pedestrians and cyclists to the various transit stops near the site, most importantly the Sunset Transit Center. Any proposed wayfinding and signage within the public right of way shall be in accordance with the Manual of Uniform Traffic Control Devices and may require permits from the road authority (Washington County or ODOT). (Transportation/KM)
45. Provide written comments from TriMet demonstrating that the proposed bus stop facilities along the site's frontage to SW Park Way meet the agency's requirements. (Transportation/KM)
46. Provide plans that show the Tualatin Hills Park & Recreation District (THPRD) trail as designed and accepted by THPRD staff along SW Wilshire Street and SW Marlow Avenue. (Planning/LR)
47. Submit a photometric lighting plan, architectural elevations and a site plan showing compliance with all applicable lighting levels, as outlined in Section 60.05.30 and Table 60.05-1 Technical Lighting Standards of the Development Code, including the location and placement of lighting fixtures. (Planning/LR)
48. Provide a plan, including a turning template, showing how a fuel delivery truck can reasonably access the gas station north of SW Park Way. (Planning/LR)

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

49. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Division/NP)
50. 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 Division/NP)
51. Prior to issuing each building permit, should the construction of the

projected be completed over multiple stages, submit site plans and a parking analysis demonstrating that the minimum parking spaces and adequate multimodal circulation are provided during each stage of construction. The parking analysis shall include existing buildings on the site that are still in use at the time of building permit submittal, and newly completed buildings with temporary occupancy. The proposed parking analysis for each building permit submittal must be approved by the City Traffic Engineer. (Transportation/KM)

52. Provide covered bicycle shelter elevations. (Planning/LR)

D. Prior to Occupancy Permit issuance, the applicant shall:

53. Complete the road improvements as required by Washington County. (Transportation/KM)

54. Submit to the City a copy of approvals from Washington County. (Site Development Division/NP)

55. Submit to the City a copy of approvals needed from Oregon Department of Transportation (ODOT) (Site Development Division/NP)

56. Sign off on temporary occupancy for a proposed building will only be considered in conjunction with Washington County and ODOT concurrence and if the existing buildings on site and the proposed building will be served by critical services as required by the City Engineer, City Building Official and Fire Marshal. Parking, Fire Access, Material/Construction staging, sanitary sewer connection, storm connections, water service, fire service and other identified items will be required to be shown for this evaluation. (Site Development Division/NP)

57. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Division/NP)

58. Replace all sidewalks, curb, ramps, and bike paths which are damaged, deteriorated, or removed by construction. (Site Development Division/NP)

59. Have the landscaping completely installed, groundcover established, or provide for long term erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Division/NP)

60. Have substantially completed the site development improvements as determined by the City Engineer, including franchise utility

undergrounding and streetlights being fully functional. (Site Development Division/NP)

61. Have obtained a Source Control Sewage Permit from the Clean Water Services District (CWS) and submitted a copy to the City Building Official if an Industrial Sewage permit is required, as determined by CWS. (Site Development Division/NP)
62. Submit any required on-site easements not already dedicated on the 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 existing and proposed easements are of sufficient width in relation to the physical location of existing site improvements and that each parcel and tract has adequate access provisions and public utility service provision/availability per adopted City standards and requirements. (Site Development Division/NP)
63. Ensure all site improvements, including landscaping, are completed in accordance with plans marked "Exhibit C," except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/LR)
64. Ensure installation of all exterior lighting is completed in accordance with the plans and fixture details marked "Exhibit I," except as modified by the decision making authority in conditions of approval (On file at City Hall). Public view of exterior light sources, such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. Illumination of internal light fixtures shall meet the minimum 1.0 foot-candle standard within the site boundaries and shall not exceed 0.5 foot-candle outside at the property line. (Planning/LR)
65. Ensure ground cover plantings are installed at a maximum of 30 inches on center and 30 inches between rows. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum 4-inch size container, or a 2.25-inch container if planted 18 inches on-center. Bare gravel, rock, bark, or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than 25-percent of the required landscape area. (Planning/LR)
66. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit D," except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/LR)

67. Ensure deciduous or evergreen shrubs are installed, at a minimum, using one-gallon containers or 8-inch burlap balls with a minimum spread of 12 inches to 15 inches. (Planning/LR)
68. Ensure landscaping is replaced if impacted by construction. (Planning/LR)
69. Ensure all new 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/LR)
70. Ensure that all walkways and pathway connections into the parking lot are constructed with scored concrete or modular paving patterns, including ramps as necessary. ADA standards shall apply. (Planning/LR)
71. Ensure that transformers and utility vaults are either not within an area that is visible from a public street or are fully screened. (Planning/LR)

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

72. Have completed the site development improvements and the site shall be stable and secure for long-term erosion control issues 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 Division/NP)
73. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the CWS required vegetation and restoration, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer and City Planning Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Division/NP)

74. Provide a copy of the current year servicing report for any of the site's newly installed proprietary storm water treatment systems (inspection, cleaning, system maintenance, and if applicable a StormFilter recharge/replacement) by 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 Division/NP)

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

AYES: Lawler, Uba, Brucker, Nye, Overhage.
NAYS: None.
ABSTAIN: None.
ABSENT: Matar, Winter.

Dated this 25TH day of OCTOBER, 2019.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2724, 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 NOVEMBER 4, 2019.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:



LAUREN RUSSELL, AICP
Associate Planner



JENNIFER NYE
Chair



ANNA SLATINSKY
Planning Division Manager