

**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. 2798
OF A DESIGN REVIEW THREE FOR HERZOG) DR2021-0113 ORDER APPROVING
MEIER MAZADA, AXIS DESIGN GROUP,) HERZOG MEIER MAZDA, DESIGN REVIEW
APPLICANT.) THREE.

The matter came before the Planning Commission on January 27, 2021, on a request for Design Review Three approval for the construction of two vehicle sales and service buildings totaling 15,329 square feet within the commercial zoning district General Commercial. The site is located at 14105 SW Tualatin Valley Highway, Tax Lot 1800 on Washington County Tax Assessor's Map 1S116BB.

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 raised concerns about a section of blank wall along the east elevation of the proposed showroom at the southeast corner of the site. The applicant indicated that glazing along that section of façade was difficult to accomplish due to the internal programming of the building, and that the landscaping and a slightly raised grade would minimize the appearance of the blank wall as viewed from the public street. The Commission found that the proposal met the Design Guideline.

The Commission raised concerns about parking lot landscaping along the SW 141st Avenue frontage. Specifically, the Commission was concerned that the landscaping would not grow tall enough to soften views into the parking lot, consistent with Design Standard 60.05.20.4. The commission added a condition of approval requiring the applicant to submit updated landscape plans during the Site Development permitting reviews stage complying with the parking lot landscape screening requirements of Beaverton Development Code Section 60.05.20.4.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated January 20, 2021, and Supplemental Memorandum dated January 26, 2021 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 **DR2020-0113** 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 20, 2021, and Supplemental Memorandum dated January 26, 2021, subject to the condition of approval as follows:

A. General Conditions:

1. The applicant shall ensure that the New Conditional Use (CU2020-0007) and Sidewalk Design Modification (SDM2020-0010) applications have been approved and are consistent with the submitted plans. (Planning/SR)

B. Prior to Issuance of Site Development Permits, the applicant shall:

2. 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. / TDM)
3. 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 Div. / TDM)
4. 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 Div. / TDM)
5. Have the applicant for the subject property guarantee all public improvements, site grading, storm water management facilities, private streets, and common 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. / TDM)
6. 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. / TDM)
7. Demonstrate compliance with CWS, the owner of sanitary sewer easement that the existing storm-filter vault can stay at the current location. (Site Development Div. / TDM)

8. Submit to the City a copy of issued permits or other approvals needed from the Oregon Department of Transportation for work within, and/or construction access to ODOT right of way. (Site Development Div. / TDM)
9. Submit to the City a copy of issued permits or other approvals needed from the Oregon Department of Transportation Rail Division for work within 500 feet of the rail crossing area. (Site Development Div. / TDM)
10. If determined to be needed by the City Building Official, 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. 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, 610.2. 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. / TDM)
11. 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. / TDM)
12. Any construction affecting CWS owned and maintained sanitary-sewer main (21 inches in diameter or larger) will require a CWS line connection permit and inspection. (Site Development Div. / TDM)
13. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. (Site Development Div. / TDM)
14. 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 2019-22 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 Design & Construction Standards Section 4.03.7.a and 4.04.2.a. (Site Development Div. / TDM)

15. Provide a 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, including the safe overflow conveyance from proposed constructed stormwater management facilities. In addition, the analysis shall delineate 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. The flood conveyance and storage of the project area at each 1-foot contour must be preserved or enhanced with cut/fill balance and a zero-rise certification by a registered professional engineer. (Site Development Div. / TDM)
16. Provide an engineering analysis of the grading and construction work proposed within the 100-year floodplain as necessary to allow for a public notice to be published in a local newspaper by the City Engineer for the proposed floodplain modifications. The applicant's engineer shall certify in writing that the project as designed will meet the requirements of City Code and Clean Water Services Design & Construction standards as they refer to the 100-year floodplain, prior to this notice being sent. The public notice and a 10-day appeal period shall occur after final approval of the site development permit plans by the City Engineer and Planning Director. (Site Development Div./JY)
17. 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, or as approved by the City Engineer. Any changes to approved grading must meet provisions of Beaverton Code 9.05.110 and 9.05.115, no grading can occur within 10 feet of a property line or half the height of the vertical embankment created, whichever is greater. This applies to all exterior property boundaries of the proposed project. (Site Development Div. / TDM)
18. Provide plans showing a Stormfilter system for treatment of the site's piped surface water runoff. Plans shall also show a trash capture water quality pre-treatment unit located directly upstream from any Stormfilter vaults or manholes. Plans shall also show a high flow bypass system to bypass surface water runoff high flows. (Site Development Div. / TDM)

19. Pay any required storm water system development charges (storm water quality, quantity, hydromodification and overall system conveyance) for the new impervious area proposed. (Site Development Div. / TDM)
20. 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. / TDM)
21. Submit to the City a Stormwater Management Worksheet for the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site and individual lots/tracts. (Site Development Div. / TDM)
22. Provide plans 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 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. / TDM)
23. Submit plans that show access for a maintenance vehicle within 9-feet from the front, or within 19-feet from the side of a vehicle to all control structures unless otherwise specifically approved by the City Engineer. (Site Development Div. / TDM)
24. If required by OAR 918-780-0040, submit proposed private plumbing plans to the City Building Division for review. Drainage within covered areas shall be piped as approved by the City Building Division. (Site Development Div. / TDM)
25. Submit ODOT standard detail DET1720 showing level of design detail for every sidewalk ramp proposed with this development. Maximum designed ramp slope shall be 7.5%, maximum designed cross slope, flat landing or turning space shall be 1.5%. Two

directional ADA ramps shall be provided at all corners of all intersections, regardless of curb type. See ODOT standard drawings RD754, RD155, RD756, RD757, RD758 and RD759 for ramp details. (Site Development Div. / TDM)

26. Dedicate right of way along the site's frontage to SW 141st Avenue for a minimum 37-feet from center line to meet the City's adopted standards for a Collector. (BDC 60.55.10.5, and EDM Standard Drawing 200-2) (Transportation / KM)
27. Donate two feet of right of way to be deeded to the Oregon Department of Transportation to accommodate the planned cross-section along the site's frontage to SW Tualatin Valley Highway. The planned future cross-section includes an 8' buffered bike lane, 7'6" planter strip (including standard curb), 6' sidewalk, and 1' between back of sidewalk and the right of way line. (BDC 60.55.10.5) (Transportation / KM)
28. Resubmit site plans demonstrating that the required right of way donation and the required sidewalk improvements along the site's frontage of SW Tualatin Valley Highway can be accommodated on the site. Sidewalk improvements must be located in its ultimate location 1' from the back of right of way. Sidewalk improvements are required to be consistent with the City of Beaverton's standards for a 7'6" wide planter and 6' wide sidewalk for an Arterial. (BDC 60.55.10.1, 2, and 4, and EDM Standard Drawing 200-2) (Transportation / KM)
29. Resubmit site plans and photometric data demonstrating that technical lighting standards are met along the site's frontages to SW TV Highway, SW 141st, and SW Carousel Court. If minimum lighting standards cannot be met with existing lighting, the applicant will need to install additional streetlights as warranted in the photometric analysis. Required street lighting must be shown in resubmitted, dimensioned site plans. (BDC 60.55.10.1 and 2, and EDM Section 450) (Transportation / KM)
30. Obtain an approved Design Exception Request to the Engineering Design Manual for not meeting the minimum driveway spacing standard of 150' for a Collector along the site's frontage of SW 141st Avenue. (BDC 60.55.1 and 2, and EDM 210.21 Driveways) (Transportation / KM)
31. Demonstrate that any improvements constructed within the right of way along the site's frontage of SW 141st Ave where the right of way widens to 40-feet from center line meets the minimum

transition standards within the EDM. (BDC 60.55.1 and 2, and EDM 210.27 Transitions) (Transportation / KM)

32. Submit sight distance verification for the proposed driveway(s) along the site's frontage to SW 141st Avenue. (BDC 60.55.10.1 and 2, and EDM 210.21 Driveways) (Transportation / KM)
33. Submit sight distance verification for approach of SW 141st at the intersection of SW TV Highway. Any mitigation needed to achieve the minimum required sight distance must be provided. Mitigation might include restricting on-street parking along SW 141st near the intersection of SW TV Highway. (BDC 60.55.10.1 and 2, 60.55.35.3, and EDM 210.18 Intersection Sight Distance Policy) (Transportation / KM)
34. Resubmit plans to demonstrate that a pedestrian walkway will be provided at the northern end of the lot, connecting a new parking area to the new service building. (BDC 40.03.1.F, 60.05.40.3.A and D, 60.55.10.4, and 60.55.25.7 and 10) (Transportation / KM)
35. Resubmit plans to demonstrate that all parking lot design standards within BDC 60.30 Off Street Parking can be met. In particular, the required 5-foot back up space at a dead end where a parking stalls are 90 degrees. (BDC 40.03.1.D and F, and 60.30.14) (Transportation / KM)
36. Demonstrate that the driveway approaches along the site's frontage to SW 141st Avenue meet the City's adopted standard drawings, and that the pedestrian walkways crossing the driveways are consistent with the Americans with Disabilities Act. (BDC 60.55.10.1 and 2, 60.55.25.1, and EDM 210.21 Driveways, 210.23 Sidewalks, and Standard Drawing 210) (Transportation / KM)
37. Submit plans demonstrating compliance with the City's minimum standards for short-term bicycle parking (BDC 60.30.2.B and EDM Section 340). (Planning/SR)
38. Submit plans demonstrating compliance with the City's minimum standards for long-term bicycle parking (BDC 60.30.2.B and EDM Section 340). (Planning/SR)
39. Submit a photometric plan demonstrating that the on-site lighting will meet the City's Technical Lighting Standards (Table 60.05-1). (Planning/SR)

40. Provide tree protection fencing for all on-site trees, street trees, and nearby trees on abutting properties, in accordance with the standards of Section 60.60.20 of the Development Code. Any alternatives to the standards in 60.60.20 must be approved by the City Arborist. (Planning/SR)
41. Submit revised landscape plans demonstrating compliance with Beaverton Development Code Section 60.05.20.4 for parking landscape screening. (Planning/SR)

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

42. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / TDM)
43. 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. / TDM)
44. Have a professional architect, engineer, or surveyor submit plans and specifications to the City Engineer and City Building Official verifying that all at-risk elements of the new construction (in particular gate controllers, mechanisms, and electrical system) are either elevated or floodproofed as appropriate per City Code, FEMA requirements, IBC Appendix G (Flood-resistant Construction), and ASCE/SEI 24-05, and as determined by the City Engineer and City Building Official to at least (elevation 183.2 feet NAVD-88) one/two foot above the base flood elevation (182.2 feet NAVD-88) for the proposed building at the Northwest corner of the site. Also, as determined by the City Engineer and City Building Official to at least (elevation 186.6 feet NAVD-88) one/two foot above the base flood elevation (185.6 feet NAVD-88) for the proposed building at TV Highway. (Site Development Div./JY)

D. Prior to final permit inspection or occupancy permit issuance, the applicant shall:

45. 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. / TDM)

46. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / TDM)
47. 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. / TDM)
48. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / TDM)
49. 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 Div. / TDM)
50. Have a professional architect, engineer, or surveyor submit a certification on Federal Emergency Management Agency (FEMA) standard form, to the City Floodplain Administrator, verifying that the lowest finished floor for the proposed building at the NW corner of the site is at least one foot above (elevation 182.2 feet, NAVD-88 and higher). (Site Development Div./JY)
51. Have a professional architect, engineer, or surveyor submit a certification on Federal Emergency Management Agency (FEMA) standard form, to the City Floodplain Administrator, verifying that the lowest finished floor for the proposed building at TV Highway is at least one foot above (elevation 185.6 feet, NAVD-88 and higher) (Site Development Div./JY)
52. Obtain the required ODOT Miscellaneous Permit for the required sidewalk improvements along the site's frontage to SW Tualatin Valley Highway. (BDC 60.55.10.1) (Transportation / KM)

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

53. 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. / TDM)

54. Submit any required on-site easements not already recorded by document, 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. / TDM)

55. Provide a post-construction cleaning, system maintenance, and any StormFilter recharge/replacement servicing report per manufacturer’s recommendations for the site’s proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer. Additional service report will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / TDM)

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

- AYES:** Winter, Overhage, McCann, Nye, Overhage, Saldanha, Teater
- NAYS:** None.
- ABSTAIN:** None.
- ABSENT:** None.

Dated this 3rd day of February, 2021.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2798 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 Monday, February 15th, 2021.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

STEVE REGNER
Senior Planner

Jerry Lawler

TERRY LAWLER
Chair

JANA FOX
Current Planning Manager