

**BEFORE THE PLANNING COMMISSION  
FOR  
THE CITY OF BEAVERTON, OREGON**

**After recording return to:**  
City of Beaverton, City Recorder:  
P.O. Box 4755  
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR APPROVAL OF ) ORDER NO. 2718  
A PRELIMINARY PARTITION APPLICATION ) LD2018-0038 ORDER APPROVING KIRKLAND  
(KIRKLAND PLACE). TIMBERLAND HOTEL GROUP, ) PLACE, PRELIMINARY PARTITION  
LLC., APPLICANT. )

The matter came before the Planning Commission on July 10, 2019, on a request for approval of a Preliminary Partition application for the creation of three lots and a tract to facilitate the construction of three commercial buildings; one hotel, two mixed commercial buildings, and associated site improvements within the Town Center – Mixed Use (TC-MU) zoning district. The subject site is located north of SW Barnes Road, east of NW 118<sup>th</sup> Avenue, west of NW 117<sup>th</sup> Loop and south of NW Cedar Falls Drive. The project site is also identified as Tax Lots 6300, 6400 and 6500 on Washington County Assessor’s Map 1N134CD. The subject site is located within the Tuefel Nursery / Timberland Planned Unit Development (CU2004-0015 and CU2004-0016).

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, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated July 3, 2019, Supplemental Memorandum dated July 3, 2019, Supplemental Memorandum dated July 10, 2019 and Supplemental Memorandum # 2 dated July 10, 2019 and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.45.15.4.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **LD2018-0038** is **APPROVED** based on the testimony, reports and exhibits, and evidence presented during the public hearings on the matter and based on the facts, findings, and conclusions found in the Staff Report dated July 3, 2019, Supplemental Memorandum dated July 3, 2019, Supplemental Memorandum dated July 10, 2019 and Supplemental Memorandum # 2 dated July 10, 2019, and this Land Use Order, subject to the conditions of approval as follows:

**A. General Conditions, the Applicant shall:**

1. Ensure the associated land use applications CU2018-0020, DR2018-0157 and PD2018-0005 have been approved. (Planning / ES)

**B. Prior to final plat approval:**

2. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning / ES)
3. Provide a paper copy of the final plat for review purposes. The paper copy of the final plat shall be fully dimensioned and indicate the square footage of each lot and any required easements.
4. Provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning Division / ES)
5. Show trees numbered 1392, 1393, 1395 and 1399 retained within a tract

to be recorded with a deed restriction with Washington County. A draft deed restrictions shall be submitted to the City of Beaverton, prior to final plat approval. (Planning/ ES)

6. Submit a final, signed, Access Easement and Shared Parking Agreement, to be reviewed and approved by the City Attorney. (Planning / ES)
7. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning / ES)
8. Street trees shall be planted along the site's frontages in accordance with an approved street tree plan. Please contact City of Beaverton's Arborist at (503)526-2237 to establish a street tree plan. Submit a copy of the City of Beaverton Arborist approved street tree plan to City of Beaverton Planning staff. (Planning / ES)
9. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./NP)
10. Show granting of any required on-site easements, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./NP)
11. Submit an owner-executed, notarized, City/CWS standard private storm water facilities maintenance agreement, with maintenance plan and all standard exhibits for each parcel, ready for recording concurrently with the final plat at Washington County. (Site Development Div./NP)
12. Have verified to the satisfaction of the City Engineer that the location and width of all existing and proposed rights of way and easements are adequate; that each parcel and tract has proper access provisions; and that each parcel and tract has adequate public utility service provision/availability per adopted City standards and requirements. (Site Development Div./NP)
13. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/ES)

14. Submit to **Washington County** Operations Division  
(503.846.7623):

1. Completed "Right-of-Way Permit" application form for all work proposed within the right-of-way of SW Barnes Road.

15. Submit to **Washington County** Engineering & Construction Services (Anthony Davies, P.E. – 503.846.7911) all proposed work within the existing slope easement, including structural calculations, for review and approval.

16. Submit a request to **Washington County** Survey Division (John Kidd – 503.846.7932) for vacation of the public slope easement identified in document 2004-060239.

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

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

Dated this 17<sup>th</sup> day of July, 2019.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2718 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 July 29, 2019.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

  
\_\_\_\_\_  
ELENA SASIN  
Associate Planner

  
\_\_\_\_\_  
JENNIFER NYE  
Chair

  
\_\_\_\_\_  
JANA FOX  
Current Planning Manager