

**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. 2585
OF A PRELIMINARY SUBDIVISION (SCHOLLS) LD2017-0021 ORDER APPROVING
VALLEY HEIGHTS AT SOUTH COOPER) SCHOLLS VALLEY HEIGHTS AT SOUTH COOPER
MOUNTAIN PUD) ED AND KATHY BARTHOLEMY,) MOUNTAIN PUD, PRELIMINARY SUBDIVISION
APPLICANT.)

The matter came before the Planning Commission on February 7, 2018, on a request for a Preliminary Subdivision for a two phased development of approximately 245 and 10 tracts intended for the full development of the PUD. The site is located north of SW Scholls Ferry Road at SW Strobel Road. Address: 18485 SW Scholls Ferry Road. Tax Lots 301 and 302 on Washington County Tax Assessor's Map 2S106.

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.

Jeannine Rustad of Tualatin Hills Park and Recreation District (THPRD) testified to request modifications of conditions of approval 8 and 38. The Supplemental Memorandum, dated February 7, 2018, provides the revised language affecting both conditions 8 and 38 of the January 31, 2018 Staff

Report. The revised condition 8 includes the additional language “reviewed and approved by THPRD staff” and “consistent with the THPRD Trails and Functional Plan”. Condition 38 is modified by adding “reviewed and approved by THPRD staff” and by eliminating “as applicable”. Ms. Rustad stated that these changes are necessary to ensure continuity of the trail throughout the system. Planning Commission concurs with THPRD’s recommended modifications.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated January 31, 2018, Supplemental Memorandum dated February 7, 2018, and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.45.15.5.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **LD2017-0021** 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 31, 2018, Supplemental Memorandum dated February 7, 2018, and the findings contained therein, subject to the conditions of approval as follows:

A. General Conditions, the Applicant Shall:

1. Ensure the associated land use applications CPA2017-0007 / CU2017-0011 / SDM2017-0010 / TP2017-0015 / ZMA2017-0007 have been approved and are consistent with the submitted plans. (Planning / JF)

B. Prior to Site Development Permit Issuance for All Phases, the Applicant Shall:

2. Submit plans that show a 3-lane Collector Street per City standards, with landscaped median islands for the extension of SW Barrows Road for the length of the property. Where required, based on the Traffic Impact Analysis (TIA), the landscaped median island shall be replaced with a left-turn lane. (Transportation / KR)
3. Submit plans that show improvements to SW Strobel Road to the City's 2-lane Neighborhood Route standards. (Transportation / KR)
4. Provide plans showing construction of SW Strobel Road from SW Scholls Ferry Road through the phase boundary, including the traffic signal at SW Scholls Ferry Road. (Planning / JF)
5. Submit plans that show dedication of additional right-of-way for the traffic signal and equipment, including adequate corner radius, at the intersection of SW Scholls Ferry Road/SW Strobel Road required for the ultimate design subject to approval by the County Engineer. (Transportation / Wash Co/NV)
6. Submit plans that show construction of a traffic signal at the intersection of SW Strobel Road / SW Scholls Ferry Road, if not already provided by prior development or by a Washington County road project. (Transportation / KR)
7. Submit plans, reviewed and approved by THPRD staff, that show the construction of all portions of the community trail system consistent with the THPRD Trails Functional Plan contained within the applicable phase of development. (Transportation / KR)
8. Submit to Washington County Public Assurance Staff, (503-846-3843) if constructing the traffic signal at the intersection of SW Strobel Road / SW Scholls Ferry Road: (Transportation / Wash Co/NV)
 - a. Completed "Design Option" form, Geotech/pavement report and Engineer's Checklist (Appendix E of the County's Road Design and Construction Standards).
 - b. \$15,000.00 Administration Deposit.
 - c. A copy of the City's Land Use Approval with Conditions, signed and dated.
 - d. Preliminary certification of adequate sight distance for each access point to SW Scholls Ferry Road, in accordance with County Code, prepared and stamped by a registered professional engineer, as well as: A detailed list of improvements necessary to produce adequate intersection sight distance.
 - e. Three (3) sets of complete engineering plans for construction of the following public improvements, including construction access

details, a traffic control and circulation plan and easements if encroaching on adjacent parcels not owned by the applicant:

- i. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at the public street connection to SW Scholls Ferry Road.
 - ii. Installation of street lighting at the intersection of SW Scholls Ferry Road/SW Strobel Road to County standards.
 - iii. Construction of a traffic signal at SW Scholls Ferry Road and SW Strobel Road intersection to County standards.
9. Obtain a Washington County Facility Permit upon completion of the following:
- a. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions 9.e above. (Transportation / Wash Co/NV)
 - b. Pay a proportional share of the cost to construct the traffic signal (ultimate design) at the intersection of SW Scholls Ferry Road and SW Strobel Road to Washington County. (Transportation / Wash Co/NV)
10. Provide plans showing Developments of one- or two-family dwellings, where the number of dwelling units exceeds 30, shall be provided with separate and approved fire apparatus access roads and shall meet the requirements of Section D104.3. Exception: Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with section 903.3.1.1, 903.3.1.2, or 903.3.1.3 of the International Fire Code, access from two directions shall not be required. (OFC D107) (TVF&R / JF)
11. Provide plans showing where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the area to be served (as identified by the Fire Marshal), measured in a straight line between accesses. (OFC D104.3) (TVF&R / JF)
12. Provide plans that show fire apparatus roadway grades which do not exceed the maximum 15%. (TVF&R / JF)
13. Show where the most remote portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1) (TVF&R / JF)
14. Make all arrangements necessary to allow for the substantial completion of the proposed public water improvements by the Beaverton School District for the Mountainside High School and the

proposed public water and sanitary sewer improvements by The Ridge PUD. If at the time of a pending site development permit issuance for the first phase of the Scholls Valley Heights development and these necessary projects have not been substantially completed and accepted by the City, then the approval of a final land division and plat recordation shall be delayed until all the critical public infrastructure referenced is in place, accepted by the City, and able to serve the Scholls Valley Heights development. (Site Development Div./JDD)

15. 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 / JJD)
16. 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 / JJD)
17. 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 / JJD)
18. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, Clean Water Services SPL (Service Provider Letter) required plantings, 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 / JJD)
19. 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 / JJD)
20. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the Scholls Ferry Road right of way. (Site Development / JJD)

21. Submit a copy of issued permits or other approvals as needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (for work within or affecting a jurisdictional wetland). (Site Development / JJD)
22. 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 / JJD)
23. Provide a public utility plan for water and sanitary sewer provision as documented in the South Cooper Mountain utility masterplans. The project shall be eligible for a water system development charge credit equal to the estimated construction cost value of extra capacity improvements as determined and administered by the City Utilities Engineer. (Site Development / JJD)
24. 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 / JJD)
25. 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)
26. Provide final construction plans and a final drainage report for each phase, as generally outlined in the submitted preliminary drainage report (September 2017), demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2017-05 in regard to water quality treatment. In addition, the final drainage report shall also demonstrate that the entire development proposal shall meet the SLOPES V requirement for stormwater management, as per the City Engineer's determination. (Site Development / JJD)
27. Provide final grading plans with a detailed drainage analysis of the subject site 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. On all plan sheets that show grading and elevations, the 100 year inundation level shall be identified. (Site Development / JJD)
28. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. Any extra-

capacity water and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to lots within the subdivision. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. (Site Development / JJD)

29. Submit a revised grading plan showing that each lot or adjacent residential property has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities. Additionally, a minimum finished floor elevation that is at least three feet higher than the maximum possible high water elevation shall be established for each new building lot and documented on the plans. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development / JJD)
30. Submit a design for the retaining walls surrounding, adjacent, and within storm water quality facilities designed by a civil engineer or structural engineer for the expected hydrological conditions. These retaining walls shall be watertight for all areas of earthen fill or where deemed necessary by the City Engineer. Additionally, these walls shall be designed as poured-in-place, reinforced, 4000 PSI, portland cement concrete with cobblestone face texturing, or a City Engineer approved equivalent, and with minimum 18-inch wide, 4-inch thick, cap on the top of the stem of each wall. (Site Development / JJD)
31. Provide construction plans that show access for a maintenance vehicle within 6-feet from the front, or within 15-feet from the side of a vehicle to all storm control structures unless otherwise specifically approved by the City Engineer. A direct walking route to the structures in the pond area shall be no steeper than 4 (horizontal) to 1 (vertical) slope. This direct route shall be a minimum of 6-feet wide and have a surface consisting of the equivalent of 3-inches of crushed rock (to allow walking access in winter) and vegetation shall allow easy access. This direct access route shall be delineated on the plans. (Site Development / JJD)
32. 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 ground/surface water issues, slope stability, and recommended construction methods. It shall be prepared by a professional engineer

or registered geologist to the specifications of the City Engineer. (Site Development / JJD)

33. 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 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 / JJD)
34. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for any common areas or private streets. (Site Development / JJD)
35. Provide plans for street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director) and 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 / JJD)
36. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development / JJD)
37. Provide plan, reviewed and approved by THPRD staff, showing trails are designed consistent with Tualatin Hills Park & Recreation District (THPRD) Trails Functional Plan standards. (Planning / JF)
38. Provide certification from a registered professional engineer that adequate sight distance exists in both directions (or can be obtained pursuant to specific improvements) at all street intersections. These sight distance measurements should account for ROW dedication. (Transportation / KR)
39. Provide plans showing extension of the purple pipe, non-potable water system, as approved by the City Engineer. (Engineering, DW)
40. Submit documentation of water system modeling that verifies flow capacity of the water system. (City of Beaverton Engineering Design Manual Chapter VI, Section 610, Part L) (Engineering / DW)

41. Provide public utility plans for telemetry controlled and monitored pressure reducing valve stations as required for the proposed water system. Pressure reducing valve stations and their telemetry systems shall be constructed to the requirements of the City Utilities Engineer. (Engineering / DW)
42. Provide public utility plans for a 16"/24" 794 HGL waterline and a 12" 550 HGL waterline located within the ROW of Road 6C as shown in the South Cooper Mountain Water System Concept Plan dated 10/9/2017. The 16"/24" 794 HGL waterline shall be constructed using a TR Flex pipe and joint system. The project shall be eligible for a water system development charge credit equal to the estimated construction cost value of extra capacity improvements as determined and administered by the City Utilities Engineer. (Engineering / DW)
43. Provide plans showing water and sewer will be made available to serve future phases and developments. (Planning / JF)
44. Provide plans showing compliance with the grading requirements of Section 60.15.10 of the Development Code (Planning / JF)
45. Provide proof of annexation to Clean Water Services. (Planning / JF)

C. Prior to Recording of a Plat for Any/All Phases, the Applicant Shall:

46. Dedicate a utility and access easement to the city over the entirety of Barrows, Strobel Road, and Street B, at minimum. (Planning / JF)
47. Submit to the City a copy of the CC&Rs. The CC&R's shall:
 - a. Provide for the maintenance of the private common open space, including all the trails, pathways, and walkways. (Transportation / KR)
48. Have commenced construction of the site development and all needed off-site 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 / JJD)
49. Show granting of any required on-site easements on the subdivision plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. All public storm water facility tracts shall be conveyed to the City of Beaverton by means of the plat. 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 / JJD)
50. Show the granting of public easements over the entirety of all trails and pedestrian connections shown on the applicants approved plans. (Planning / JF)
 51. Demonstrate that all lots meet ordinance standards for lot size, dimension and frontage, as approved. The final plat shall be fully dimensioned and indicate the square footage of each lot, include all yard setbacks. (Planning / JF)
 52. 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 / JF)
 53. 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 / JF)
 54. 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 / JF)
 55. 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 5 years after preliminary plat approval, unless a time extension is approved. (Planning / JF)
 56. Identify all improvements within tracts and public rights-of-ways and specify the maintenance responsibilities of those improvements. (Planning / JF)
 57. Provide a street name plan shown on the proposed plat consistent with the City's Street Name Plan. Street name signs shall not be installed prior to final plat approval. (Planning / JF)
 58. The HOA shall be responsible for maintenance of all tracts unless said tract is transferred to a public agency for maintenance or ownership. The plat, or a separate document recorded concurrently, shall specify maintenance responsibilities of each tract. (Planning / JF)
 59. Have constructed all sidewalks and walkways, except for those specifically authorized by the City to be deferred until after the construction of the adjacent home(s) has been completed. (Transportation / KR)

60. Have completed the construction of each street, with at least the first lift of asphalt in place. The final lift of asphalt is to be completed prior to issuance of the first building permits (excluding any model homes) for the affected phase. (Transportation / KR)
61. Have paid to Washington County—and provided proof of payment to the City—the pro rata share of the cost to mitigate the safety and performance issues with the intersection of SW 175th Avenue and SW Kemmer Road. The total amount for all phases is \$26,320. (Transportation / KR)
62. For the single family phases, pay the City's street tree planting fee for the street trees within that phase. Currently, the fee is \$200 per tree, with one tree on each side of the street required per 30 lineal feet of street frontage. (Transportation / KR)
63. Record a pedestrian and bicycle access easement across all public walkways shown on the approved plans. The eastern community trail stub from the north-south trail must have an easement in place for a future connection but is not required to be built with this development as the future eastern development will dictate final placement of the trail connection. (Transportation / KR & Planning / JF)
64. Should the City move forward with the creation of an LID, sign a waiver of remonstrance to the formation of a local improvement district to provide water service to properties in the South Cooper Mountain Community Plan Area. (Planning / JF)
65. Applicants shall show compliance with the minimum available fire flow for one and two-family dwellings served by a municipal water supply shall be 1,000 gallons per minute. If the structure(s) is (are) 3,600 square feet or larger, the required fire flow shall be determined according to OFC Appendix B. (OFC B105.2) (TVF&R / JF)

D. Prior to Building Permit Issuance of the First Dwelling of Each Phase, the Applicant Shall:

66. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development / JJD)
67. Have substantially completed the site development improvements, and all needed off-site infrastructure as determined by the City Engineer, including streetlights being fully functional. (Site Development Div./JJD)
68. Have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, as determined at site development permit issuance. (Site Development Div./JJD)

69. 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)
70. Pay a storm water system development charge (overall system conveyance). (Site Development Div./JJD)
71. Have completed the final lift of asphalt on all streets required to be constructed with the phase with the exception of a model home agreement, or as approved by the City Engineer. (Transportation / KR)
72. Provide proof of annexation to Tualatin Hills Park & Recreation District (THPRD). (Planning / JF)

E. Prior to Final Inspection of the First Building Permit of Each Phase, the Applicant Shall:

73. Prior to final permit inspection of the first residential unit in each phase, not including model homes, the applicant shall have completed construction of the main elements of the pedestrian circulation system located in said phase. (Transportation / KR)
74. Have obtained a Final Washington County Facility Permit, contingent upon the following: (Transportation / Wash Co NV)
 - a. The road improvements required in the Facilities Permit shall be completed and accepted by Washington County.
 - b. Submit final certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.
75. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development / JJD)
76. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development / JJD)

F. Prior to Release of the Performance Security, the Applicant Shall:

77. 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 / JJD)

78. Submit any required on-site easements not already dedicated on the subdivision 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 all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development / JJD)
79. 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 treatment vegetation within surface water quality facilities, vegetated corridors, and the wetland mitigation areas, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer and City Public Works Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development / JJD)
80. 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 / JF)
81. Have completed all vegetated corridor mitigation area plantings within the phase area. (Planning/ JF)

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

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


Dated this 21st day of February, 2018.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2585 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 March 5, 2018.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:



JANA FOX
Senior Planner



KIMBERLY OVERHAGE
Chair



ANNA SLATINSKY
Planning Manager