

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

IN THE MATTER OF A REQUEST FOR APPROVAL) ORDER NO. 2901
OF A DESIGN REVIEW THREE, LENNAR) DR2022-0047 ORDER APPROVING
NORTHWEST, LLC, APPLICANT.) SOUTH COOPER MOUNTAIN HEIGHTS PARK,
) DESIGN REVIEW THREE.

The matter came before the Planning Commission on August 24, 2022, on a request for a Design Review Three approval for the development of a new public park and associated landscaping, pathways, and amenities. The site is located at the southwest corner of SW Barrows Road and SW Bittern Terrace, specifically identified as a 2.63-acre portion of Tax Lot 103 on Washington County Tax Assessor's Map 2S10600.

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 the staff presentation, staff provided the following revised finding for Design Guideline BDC 60.05.45.3.C: The provided landscape plan identifies the proposed plant materials that are native species. Sheet L1.00 shows that all ~~seven~~ three tree species are native to the area, and ~~eight~~ six of the 14 shrub varieties are native. Creeping Mahonia groundcover is also a native plant. Staff finds that the proposal incorporates a variety of native vegetation which will ensure plants are compatible with local and regional climatic conditions.

Transit Improvements. Commissioner Teater asked staff about the applicability of transit improvements pursuant to Facilities Review approval

criterion BDC 40.03.1.B. Staff explained that since transit services do not currently exist near the subject site, transit improvements are not applicable to the proposal.

Conditions of Approval. Commissioner Lawler asked staff if a condition of approval related to implementation of the landscaping plan was an oversight or an intentional omission in the staff report. Staff explained that a condition of approval was omitted since the applicant must show consistency with the approved landscape plan at the time of Site Development Permit issuance and closeout of the Site Development Permit.

Drainage. Commissioner Glenewinkel questioned how drainage will function in the southeast area of the park where topography slopes down towards adjacent residences. The applicant explained that there are two swales in this area at the high point of the park site near the northwest corner of the residential properties that direct runoff both to the east and to the south. The applicant added that when rain is heavy, water will drain across the sidewalk to drains in the adjacent streets to the east and south.

Written Public Comment. Chair Nye questioned if the applicant had reviewed the written public comment received at 7:20 p.m. during the Planning Commission hearing and can address the comments. The public comment identified concerns about privacy impacts for adjacent residences due to the topography of the site, a four-foot-tall fence, and the proposed location of a pedestrian pathway 30 feet from the residential property line. The applicant responded that there is significant topography and vegetation including

evergreens and large shrubs to help buffer that area. The applicant added that people would have to go through a heavily planted area to access the fence, and there would not be a difference in screening ability if a six-foot-tall fence was installed. The applicant concluded that a six-foot-tall fence was not needed due to the horizontal separation in this area. Commissioner McCann asked a follow up question about if park users would be able to look down into the backyards of residences. Commissioner McCann asked the applicant if the installation of a six-foot-tall fence in this area was considered. The applicant responded that views into backyards from the park are not anticipated.

Public Testimony. One person testified in support of the proposal but noted concerns about insufficient trash facilities to serve users of the park and commuters who will pass through the site. During applicant rebuttal, the applicant responded that they are willing to install additional trash cans within the park to address the individual's concerns. In order to address the concerns, the Planning Commission recommended a condition of approval that additional trash receptacles be provided in the park. The applicant indicated they were amenable to the condition of approval.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated August 17, 2022, and the Supplemental Memorandum dated August 24, 2022, and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.20.15.3 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **DR2022-0047** 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 August 17, 2022, and the Supplemental Memorandum dated August 24, 2022, and the findings contained therein, subject to the conditions of approval as follows:

A. General Conditions, the applicant shall:

1. Ensure that the New Conditional Use (CU2022-0005) and Parking Determination (PD2022-0002) applications have been approved and are consistent with the submitted plans. (Planning / BG)

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

2. Submit revised plans, stormwater memo, and stormwater management worksheet needed for a complete site development plan revision to the construction plans approved under SD2021-0012 SCMH Phase 3. (Site Development Div. / SAS)
3. Submit plans demonstrating that bicycle racks comply with bicycle parking facility design requirements of Engineering Design Manual (EDM) Section 340.4. Alternatively, obtain approval from the City Engineer for alternative bike rack dimensions per EDM Section 340.4.G. (Planning / BG)
4. Demonstrate in submitted site plans that a 7-foot-wide by 58-foot-long on-street loading zone space will be provided in SW Bittern Terrace right of way abutting the subject property. Loading zone sign details and locations shall also be shown on the submitted site plans consistent with the EDM, or as approved by the City Engineer. (Planning / BG)

C. Prior to closeout of the site development permit, the applicant shall:

5. Have constructed and accepted the sidewalk/multi-use trail improvements abutting SW Barrows Road along the frontage of the park site. (Planning / BG)

6. Have constructed and accepted the sidewalk improvements abutting SW Bittern Terrace and SW Oystercatcher Lane along the frontage of the park site. (Planning / BG)
7. Install loading zone signage consistent with the requirements of the Engineering Design Manual, or as approved by the City Engineer. (Planning / BG)
8. Provide an increased number of trash receptacles within the park. (Planning / BG)

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

AYES: McCann, Saldanha, Winter, Glenewinkel, Teater,
Lawler, Nye.
NAYS: None.
ABSTAIN: None.
ABSENT: None.

Dated this 30 day of August, 2022.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2901 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 September 9, 2022.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

BRITTANY GADA
Associate Planner

JENNIFER NYE
Chair

JANA FOX
Current Planning Manager