

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

IN THE MATTER OF A REQUEST FOR APPROVAL ) ORDER NO. 2937  
OF A MAJOR MODIFICATION OF A ) CU2022-0008 ORDER APPROVING  
CONDITIONAL USE, POINT DEVELOPMENT ) AVAMERE MODS, MAJOR MODIFICATION OF A  
COMPANY, LLC, APPLICANT. ) CONDITIONAL USE.

The matter came before the Planning Commission on June 14, 2023, on a request for a Major Modification of a Conditional Use approval for the 12,000 square foot building addition to an existing conditional use (residential care facility) within a residential zone (Multi-unit Residential). The site is located at 11870 SW Allen Boulevard, specifically identified as Tax Lot 6700 on Washington County Tax Assessor’s Map 1S122BA.

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’s presentation, staff addressed a typographical error found on the title page of the Staff Report dated June 7, 2023. The case file number for the Major Modification of a Conditional Use is incorrectly identified as “CU2023-0008” – the correct case file number is “CU2022-0008”.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated May 17, 2023, and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.15.15.4 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **CU2022-0008** 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 June 7, 2023, and the findings contained therein, subject to the conditions of approval as follows:

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

1. Ensure that the Design Review Two (DR2022-0087), Sidewalk Design Modification (SDM2022-0003) and Tree Plan Two (TP2022-0013) applications have been approved and are consistent with the submitted plans. (Planning / ES)

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

**AYES:** Nye, Akkal, Ellis, Glenewinkle, Lawler, McCann, Winter.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** None.

Dated this 22 day of June, 2023.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2937 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 03, 2023.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

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ELENA SASIN  
Associate Planner



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JENNIFER NYE  
Chair

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JANA FOX  
Current Planning Manager

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

IN THE MATTER OF A REQUEST FOR APPROVAL ) ORDER NO. 2938  
OF A DESIGN REVIEW TWO, POINT ) DR2022-0087 ORDER APPROVING  
DEVELOPMENT COMPANY, LLC, APPLICANT. ) AVAMERE MODS, DESIGN REVIEW TWO.

The matter came before the Planning Commission on June 14, 2023, on a request for a Design Review Two approval for a 12,000 square foot building addition, and associated site changes, including parking lot and landscaping modifications to an existing conditional use (residential care facility) within a residential zone (Multi-unit Residential). The site is located at 11870 SW Allen Boulevard, specifically identified as Tax Lot 6700 on Washington County Tax Assessor’s Map 1S122BA.

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 June 7, 2023, and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.20.15.2 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **DR2022-0087** 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 June 7, 2023, and the findings contained therein, subject to the conditions of approval as follows:

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

1. Ensure that the Major Modification of a Conditional Use (CU2022-0008), Sidewalk Design Modification (SDM2022-0003) and Tree Plan Two (TP2022-0013) applications have been approved and are consistent with the submitted plans. (Planning / ES)

**B. Prior to issuance of the site development permit, the applicant shall:**

2. Submit plans that identify the existing TriMet bus stop on SW Allen Boulevard. The plans must show that the existing bus stop is not affected by the proposed development, especially by the relocation of the driveway on SW Allen Boulevard. (Planning / ES)
3. Submit plans demonstrating compliance with Section 60.30.10.2.B Bicycle Categories and Engineering Design Manual Section 340.2 Bicycle Parking Design (or as otherwise approved by the City's Transportation Engineer). (Planning/ES)
4. Submit plans demonstrating that the new on-site walkway within the proposed courtyard area has a minimum width of 5 feet, in compliance with Section 60.05.20.3.F and Section 60.55.25.10.B. (Planning/ES)
5. Submit lighting plans demonstrating that all new on-site pedestrian circulation areas meet the minimum lighting requirements while not exceeding maximum lighting levels permitted at property lines as identified in Section 60.05.30 Lighting Design Standards and Table 60.05-1 Technical Lighting Standards. (Planning/ES)
6. Submit revised grading plans demonstrating compliance with Section 60.15.10 Grading Standards. (Planning/ES)
7. Receive approved Street Tree Removal Permit(s), for trees located in existing right-of-way. (Planning/ES)

8. Submit a revised landscape plan demonstrating compliance with the following Beaverton Development Code Standards (Planning / ES):
  - a. Provide one tree for every 30 linear feet of required landscape buffer length along the western boundary, as outlined in Section 60.05.25.13.D. Each tree shall have a minimum planting height of 6 feet and the space in between the required trees shall be filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. Please provide shrub heights at planting and growth rate to determine if the minimum height will be achieved within 2 years of planting. As required by Section 60.05.25.13.D, please also show the required 6 foot tall, fully sight obscuring fence on the plans and provide a material cut-sheet demonstrating the proposed material is fully sight obscuring, as required by Section 60.05.25.13.D.
  - b. Provide plans showing a 5-foot B-1 landscape buffer is provided along the northern boundary of the site (post dedication), in compliance with Section 60.05.25.13.B.
9. Submit plans showing that the new retaining wall along the site's eastern boundary which exceeds 50 feet in length is architecturally treated and incorporated into the site design, as required by Section 60.05.25.8. (Planning / ES)
10. Submit revised site plans and associated detail drawings to demonstrate that the modified driveway along the unnamed public roadway (along the site's eastern boundary) meets the City's adopted standards for a commercial driveway. (BDC 60.55.35 and Engineering Design Manual Standard Drawing 210) (Transportation / KM)
11. Dedicate property for right of way purposes along the site's frontage of SW Allen Boulevard to meet the minimum required half-street width of 48-feet consistent with the City's adopted street standards for an arterial. (See Standard Drawing 200-1). The deed of dedication shall be accompanied by an executed Encroachment Agreement with the City, in a form approved by the City Attorney. The Encroachment Agreement shall include, but not be limited to, the following terms: (1) until SW Allen is widened by the City, the property owner shall maintain and repair the improvements and private utilities within the public right of way; (2) if the retaining wall fails prior to the widening

- of SW Allen, the new retaining wall and any other associated improvement shall be constructed outside of the right of way at the property owner's expense; and (3) if the retaining wall remains when the City widens SW Allen, the City will relocate the wall on the property owner's property at the City's expense, and the property owner will allow the City to relocate the retaining wall on the property owner's property without charge. (Transportation / KM)
12. Dedicate property for right of way purposes along the site's frontage of the unnamed local street (located along the site's eastern boundary) to meet the minimum required half-street width of 22-feet for the L3 Local Street standard. (BDC 40.03.1, 60.55.10, and EDM Standard Drawing 200-4) (Transportation / KM)
  13. 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. / HTJ)
  14. Retain 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. / HTJ)
  15. 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. / HTJ)
  16. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and 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. / HTJ)

17. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. The City will forward the applicant's submittals to Clean Water Services for processing/approval. (Site Development Div. / HTJ)
18. Provide an erosion control plan showing best management practices needed per Clean Water Services Standard Drawing #945. Make provisions for installation of all mandated erosion control measures prior to site disturbance of 500 square feet or more. These shall be maintained and replaced as necessary during the duration of the project to prevent sediment laden run-off from leaving the site. If the ground disturbance exceeds 1 acre, 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 in that case. (Site Development Div. / HTJ)
19. 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. / HTJ)
20. Provide a drainage analysis of the subject site prepared by a professional engineer meeting the standards set by the City. The analysis shall identify all contributing drainage areas and plumbing systems for this project with the site development permit application. The analysis shall also delineate all areas for this project that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. (Site Development Div. / HTJ)
21. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). The 100 year/emergency overflow path of the storm water management facility shall be shown on the plans. Grading shall direct storm water to a conveyance system or existing natural drainage. 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. / HTJ)
22. Provide plans showing a proprietary stormwater treatment 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 proprietary stormwater treatment system vaults or manholes.
  23. 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. / HTJ)
  24. 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. / HTJ)
  25. 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. (Site Development Div. / HTJ)
  26. Provide plans for the placement of underground utility lines within the site, and for services to the proposed new addition. No overhead services shall remain on the site. 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. / HTJ)
  27. 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. / HTJ)

28. When required by OAR 918-780-0040, submit proposed private plumbing plans to the City Building Division for review. If private sewer systems crossing lot lines and within a private easement is proposed, please submit plumbing permit application to the Building Division. Drainage within covered areas shall be piped as approved by the City Building Division. (Site Development Div. / HTJ)
29. Receive approval for the design exception proposed to close the existing driveway and infill the existing retaining wall along the site's SW Allen Blvd frontage. (Site Development Div. / HTJ)

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

30. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / HTJ)
31. Submit plans demonstrating the height of the existing generator, proposed electrical equipment, waste and recycling containers to be screened to ensure compliance with Section 60.05.20.2. Please provide a material cut-sheet for the screening material proposed. (Planning / ES).

**D. Prior to final inspection/occupancy of any building permit, the applicant shall:**

32. All landscaping, including required buffer landscaping and fence, shall be installed. (Planning / ES)
33. Substantially complete the required frontage improvements along the unnamed local street including but not limited to a 6.5-foot wide planter strip, 5-foot wide sidewalk, standard curb, street lighting, street trees, and reconstructed commercial driveway aprons. (BDC 40.03.1 and 60.55.10) (Transportation / KM)
34. Substantially complete the reconstructed sidewalks along the site's frontage of SW Allen Boulevard as shown on the applicant's submitted site plans (see Applicant's Exhibit A updated May 2023, sheet P07). (BDC 40.03.1 and 60.55.10) (Transportation / KM)
35. 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. / HTJ)

36. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / HTJ)
37. Provide plans for the placement of underground utility lines within the site for services to the proposed new building addition. 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. / HTJ)
38. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / HTJ)
39. 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. / HTJ)

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

40. Have completed the site development improvements and verify that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. 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. / HTJ)
41. Provide a post-construction cleaning, system maintenance, and any proprietary stormwater treatment system 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 reports will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / HTJ)
42. 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 vegetation as

shown on the approved plan within the storm water management facility, as determined by the City Engineer. If the plants are not well established (as determined by the City) 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 Div. / HTJ)

43. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security of the plant establishment and is released 2 years after project acceptance following the correction of any identified defects. (Site Development Div. / HTJ)

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

**AYES:** Nye, Akkal, Ellis, Glenewinkle, Lawler, McCann, Winter.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** None.

Dated this 22 day of June, 2023.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2938 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 03, 2023.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

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ELENA SASIN  
Associate Planner



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JENNIFER NYE  
Chair

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JANA FOX  
Current Planning Manager

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

IN THE MATTER OF A REQUEST FOR APPROVAL ) ORDER NO. 2939  
OF A SIDEWALK DESIGN MODIFICATION, POINT) SDM2022-0003 ORDER APPROVING  
DEVELOPMENT COMPANY, LLC, APPLICANT. ) AVAMERE MODS, SIDEWALK DESIGN  
 ) MODIFICATION.

The matter came before the Planning Commission on June 14, 2023, on a request for a Sidewalk Design Modification approval for to provide a modified sidewalk width and design along the site’s SW Allen Boulevard frontage and a portion of the frontage along the Unnamed Public Roadway to the east. The modified sidewalk along the SW Allen Boulevard frontage varies from 7 feet in width with no planter or tree wells to a 4-foot-wide clearance behind 4 foot by 8 foot tree wells. For the Unnamed Public Roadway, the modified design is limited to the northernmost section, approximately 30 feet long, which shows the sidewalk shifting to the east and eliminating the standard planter area in that location. The site is located at 11870 SW Allen Boulevard, specifically identified as Tax Lot 6700 on Washington County Tax Assessor’s Map 1S122BA.

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 June 7, 2023, and

the findings contained therein, as applicable to the approval criteria contained in Section 40.58.15 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **SDM2022-0003** 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 June 7, 2023, and the findings contained therein, subject to the condition of approval as follows:

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

1. Ensure that the Major Modification of a Conditional use (CU2022-0008), Design Review Two (DR2022-0087), and Sidewalk Design Modification (SDM2022-0003) applications have been approved and are consistent with the submitted plans. (Planning / ES)

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

**AYES:** Nye, Akkal, Ellis, Glenewinkle, Lawler, McCann, Winter.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** None.

Dated this 22 day of June, 2023.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2939 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 03, 2023.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

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ELENA SASIN  
Associate Planner



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JENNIFER NYE  
Chair

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JANA FOX  
Current Planning Manager



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

IN THE MATTER OF A REQUEST FOR APPROVAL ) ORDER NO. 2940  
OF A TREE PLAN TWO, POINT DEVELOPMENT ) TP2022-0013 ORDER APPROVING  
COMPANY, LLC, APPLICANT. ) AVAMERE MODS, TREE PLAN TWO.

The matter came before the Planning Commission on June 14, 2023, on a request for a Tree Plan Two approval for the removal of 7 Community Trees from the subject site to accommodate a building addition and associated site changes. The site is located at 11870 SW Allen Boulevard, specifically identified as Tax Lot 6700 on Washington County Tax Assessor's Map 1S122BA.

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 June 7, 2023, and the findings contained therein, as applicable to the approval criteria contained in Section 40.90.15.2 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **TP2022-0013** 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 June 7, 2023, and the findings contained therein, subject to the condition of approval as follows:

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

1. Ensure that the Major Modification of a Conditional use (CU2022-0008), Design Review Two (DR2022-0087), and Sidewalk Design Modification (SDM2022-0003) applications have been approved and are consistent with the submitted plans. (Planning / ES)

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

**AYES:** Nye, Akkal, Ellis, Glenewinkle, Lawler, McCann, Winter.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** None.

Dated this 22 day of June, 2023.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2940 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 03, 2023.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

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ELENA SASIN  
Associate Planner



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JENNIFER NYE  
Chair

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JANA FOX  
Current Planning Manager