

1 **PLANNING COMMISSION MINUTES**
2 **REGULAR MEETING**
3 **JANUARY 27, 2021**

4
5
6 **CALL TO ORDER:**

7
8 The Regular Meeting of the Beaverton Planning Commission was called to
9 Order by Chair Nye in the Beaverton Building City Council Chamber
10 At 12725 SW Millikan Way, on Wednesday, January 27, 2021, at 6:30 p.m.

11
12 Commissioner Nye **MOVED** and Commissioner McCann **SECONDED** a motion to
13 suspend the by-laws and the rules and procedure of section 9(E).

14
15 Motion **CARRIED 7:0**

16 **AYES:** Lawler, Overhage, Nye, Saldanha, Winter, McCann, Teater.
17 **NAYS:** None.
18 **ABSTAIN:** None.
19 **ABSENT:** None.

20
21 **ROLL CALL:**

22
23 Present were Chair Terry Lawler; Planning Commissioners Jennifer Nye, Scott
24 Winter, Kim Overhage, Victor Saldanha, Chelsie McCann and Kevin Teater

25
26 Planning Manager Anna Slatinsky, Current Planning Manger Jana Fox, Senior
27 Planner Steve Regner, Associate Planner Jena Hughes, Assistant Planner Josef
28 Judy, Assistant City Attorney Peter Livingston, and Recording Secretary Carmin
29 Ruiz represented staff.

30
31 The meeting was called to order by Chair Lawler who presented the format for
32 the meeting.

33
34 **VISITORS:**

35
36 Chair Lawler asked if there were any visitors in the audience wishing to address
37 the Commission on any non-agenda issue or item.

38
39 There were none.

40
41 **COMMISSION COMMUNICATION:**

42 None.
43
44

1 **STAFF COMMUNICATION:**

2 None.

3
4 **NEW BUSINESS**

5
6 **1. HERZOG MEIER MAZDA**

- 7 a. CU2020-0007
8 b. DR2020-0113
9 c. SDM2020-0010
10

11 The applicant, AXIS Design Group, requests Conditional Use approval for Major
12 Automotive Service use on the site; Design Review Three approval to demolish
13 4,783 square feet existing automotive service and showroom buildings, construct
14 a new 11,037 square foot, two story showroom, construct a new 4,292 square
15 foot, one-story automotive service building, and reconfigure the on-site vehicle
16 circulation and parking areas; and Sidewalk Design Modification approval to
17 modify the sidewalk and planter strip widths for a portion of the sidewalk.
18

19 Chair Lawler opened the public hearing and read the format for hearings.

20
21 There were no disqualifications of the Planning Commission members.

22
23 The Chair briefly described the hearing process and applicable approval criteria
24 for this proposal.
25

26 **STAFF REPORT**

27 Steve Regner, Senior Planner, gave an overview of the project.
28

29 The overview included:

- 30 • Project summary
31 • Site Location
32 • Site and surrounding area zoning
33 • Site Plan
34 • Conditional Use
35 • Design Review
36 • Design Review – Showroom
37 • Design Review – Existing Service Building
38 • Design Review – Proposed Service Building
39 • Sidewalk Design Modification
40

41 **PLANNING COMMISSION QUESTIONS OF STAFF**

42 Commissioner Overhage pointed to the top line of page 12 and pointed out an
43 extra 'and'

1 Staff agreed and stated that the sentence should read: *applicant to construct a*
2 *7'6" planter strip and six-foot sidewalk*

3

4 Commissioner Overhage asked for clarification on the six short-term parking
5 spaces pointed out in page 14. She wanted to know if those were six bike
6 parking spaces.

7

8 *Staff stated that they were in fact 6 bicycle parking spaces.*

9

10 Commissioner Overhage asked pg. 35 under primary building entrances under
11 new service building in the middle column.

12

13 *Staff stated that there were a couple of extra words might have been overlooked*

14

15 Page 40 – Pedestrian scale on site lighting – middle column: no bollard are
16 proposed.

17

18 *Staff stated that this could have been a hold over.*

19

20 Overhage: Are bollard in front of service drive through, are those lit or not lit?

21

22 Staff didn't believe they showed to be lit but deferred to applicant for response.

23

24 Overhage: drawings on page 10 – A104-L – 30ft delivery truck – is there a car
25 carrier to accommodate here?

26

27 Staff deferred to applicant.

28

29 Overhage – page 22 – C105 – TV HWY – no street trees proposed on SW Tualatin
30 Valley Hwy frontage. Why is that, did I miss that in the document?

31

32 Staff stated that, that is not really discussed in the document and it is an ODOT
33 policy to not have street trees in planter strips along their facilities. They are
34 viewed as a collision issue and they often get prohibited street trees from being
35 planted between the sidewalk and the roadway.

36

37 Nye – Did staff have conversations with the applicant regarding the eastern wall
38 of the new showroom and the amount of blank stucco?

39

40 *Staff did not speak to the applicant. Staff stated that it would be fair to ask the*
41 *applicant if there was an operational need to have an unarticulated wall without*
42 *glazing there.*

43

1 Saldanha – Was unable to decipher if there were any concerns from the people
2 who attended.

3
4 *Staff deferred the applicant.*

5
6 Chair Lawler asked about an imbedded condition regarding fuel and oils getting
7 into waterways and a mechanism to ensure water quality. Especially in a case
8 where the site, the automotive use, and the fact that it is in floodplain with a
9 high water table.

10
11 Staff stated that there was no floodway on the site. The floodway is actually
12 where the channel is. The floodway is actually located on the intersection to the
13 northeast. There is floodplain on the site. There are no buildings located in the
14 floodway. The floodplain is located mostly northeastern portion of the site. All of
15 the service structures and service buildings where the actual activity is going to
16 be occurring is all out of the floodway. The City's Site Development team in
17 reviewing the application did not find any issues with the location and
18 stormwater solutions as proposed by the applicant.

19
20 **APPLICANT**

21 Erin Upham with Axis Design Group represented the Applicant.

22
23 Presentation by Erin Upham covered the following:

- 24 • Existing Site Conditions
- 25 • Site Demo Overview
- 26 • Proposed Site Plan
- 27 • Parking and Circulation Site Plan
- 28 • New Showroom Building
- 29 • Existing Service Building New Façade
- 30 • New Service Building

31
32 **PLANNING COMMISSION QUESTIONS OF APPLICANT**

33 Saldanha – wanted to find out if there were any concerns from the neighbors

34
35 *Applicant stated that the neighbor to the west were supportive of the project.*
36 *They were happy to see more development on this site.*

37
38 Overhage – Car carriers – will site accommodate them?

39
40 Bollards are service entrance what kind are they?

41
42 *Applicant said they are to protect the building from people driving in the area.*
43 *Illuminated bollards are going in the pedestrian areas.*

1 How will construction be staged?

2

3 *Applicant has phases for construction. Inventory will be located off site to serve*
4 *customers and employees.*

5

6 East elevation – blank wall

7

8 Applicant stated that there was articulation that met the code.

9

10 Tim Brunner added that this is where the utilities come into the site from 141st.

11

12 Commissioner Nye has concerns with the elevation. Glazed garage and
13 pedestrian doors are more than 50ft from the sidewalk. From a pedestrian
14 perception the 50ish feet of blank black wall and then glazing tucked around the
15 corner. 141st is one of the few streets that actually connect from TV Hwy back to
16 Millikan. It is a pedestrian route and concerned about the quality of the
17 environment on that street. Asked pedestrian if there was something that can be
18 done to make it more pedestrian friendly.

19

20 Applicant stated that a good amount of landscaping was being provided.
21 Elevation is good as well.

22

23 Nye – Design guideline – buildings in the commercial zone shall comply with a
24 minimum 30% of the public street frontage. TV Hwy, Carousel Ct., are addressed
25 but the narrative does not address how 35% front is being met on 141st.

26

27 Staff does that 35% need to be so many feet from the frontage?

28

29 Applicant interpreted the frontage as being the primary frontage. TV Hwy is the
30 primary frontage.

31

32 Teater – frontage along 141st – It would be nice to have the plaza on the right
33 hand side away from TV HWY. Seems like it would be shielded from TV Hwy,
34 trees would provide shade. That would be in line with Comprehensive Plan goals
35 of having an environment that favors and prioritizes the convenience and
36 comfort of pedestrians.

37

38 Applicant stated that the intent of providing that pedestrian plaza was as an
39 amenity for service customers. There are certain relationships inside the building
40 that is spelled out by the automotive manufacturer and the challenge is always
41 how to make it site specific building that does respond to context.

42

1 Tim Brunner stated that where the plazas were placed, it was on purpose
2 relating to the showroom space. A second space would be adjacent to the
3 service write up area.

4

5 Teater – Trees at the plaza to the left, might have missed them

6

7 Brunner – there are trees where there is a buffer and bike parking

8

9 Teater – Pedestrian pathway that connects in the middle of 141st. if I'm thinking
10 of visiting the site for a potential car purchase. What would it be like to shift that
11 to the entrance on the left?

12

13 Applicant stated that the location where it currently is provides the ADA
14 connection to the existing building. Placing it on the left there would be a
15 significant grade change. There is also a bike rack there.

16

17 Tim Brunner stated that onsite pedestrian circulation is a pretty big challenge on
18 this site. The location was chosen because of the handicapped accessibility route
19 through that service parts retail parts building and then thinking too that you can
20 enter through the front of the building through that brand new sidewalk that is
21 being built. It is congested if flipped to the other side of the driveway because of
22 parking stalls and service vehicles.

23

24 Teater – If the minimum of parking was lower would applicant have done lower
25 or is this enough for project?

26

27 Tim Brunner stated that this site is providing an excess of parking. Auto
28 dealerships function different than a normal retail establishment. Customers and
29 employees are sales perspective but service customers are more of a valet
30 service and reception area. Because the code doesn't address this car
31 dealerships end up needing storage more than they need traditional parking
32 stall. With this project there is enough parking stalls. If less was required, less
33 would have been provided because there is more need for storage.

34

35 Nye – the pedestrian plaza on the southwest corner of the building has a
36 mountable curb, what is preventing the applicant from using that plaza as a car
37 show space?

38

39 Applicant stated that geometrically it is a little small. There is also a 20' display
40 setback which is why the vehicle display is set behind that. The vehicle display
41 area is already planned for.

42

43 Nye – the question was asked because previous applications for this site the
44 display setback was discussed and the boulders were required out front to

1 prevent the use of that area as a display. It is still used as a display. There's
2 reservations for spaces that look like they can be used as a display.

3
4 Tim Brunners stated that on the plan it is designated of what that setback is. Is it
5 not funny that you can park right next to a property line but you can't put a new
6 car there? There mountable curb is to get cars into the showroom. It's a pretty
7 tight space with the bike parking and furniture.

8
9 McCann – Can the applicant please speak to the night lighting shown on plan set.
10 Some of the areas on the plan show 0 foot candles on most glassy corner. what
11 will the quality of the space be from a pedestrian standpoint or coming to the
12 space?

13
14 Applicant stated that the photometric plan that was provided is just showing on
15 site lighting. It does not account for the three existing street lights. For the site
16 development permit applicant will work through adding and document adequate
17 street lighting. There will be 3 street lights added to 141st and Carousel.

18
19 McCann – will that look at the spill over from the building lighting that is
20 intended to glow on the corner of 141st and TV HWY?

21
22 Tim – that corner with Mazda the terminology for that space is the jewel box. It
23 is a well-lit space that is meant to glow at night. Doing lighting foot candle
24 analysis, is a really tricky science it doesn't talk about shared or ambient lighting.
25 It's hard to model that per se.

26
27 McCann – Scale of pedestrian plaza – current placement may not be the ideal
28 spot, rendering with the car in the front is indicating what Commissioner Nye
29 was pointing out. If it really is for pedestrian hang out to really think of what the
30 quality of that space is as you get into more detail what are you really in terms of
31 planting and buffering, appreciate the use of trees.

32
33 Along 141st looking at site development plans applicant does want to preserve
34 the existing trees. From a nitty gritty detail applicant should walk the site since
35 there is some heaving. Support the idea of keeping the more narrow sidewalk,
36 some removal and replacement that needs to happen to make that accessible
37 due to age. What is applicant doing about planting and screening? The building
38 is raised up and there is going to be some planting in the foreground it is a little
39 bit hard to understand at this scale based on the planting information provided.
40 While plans are high level there is only one plant on there that will get tall
41 enough to meet the city's standards for screening along the parking lot. All the
42 others are very very low. Specific to the parking screening but also plantings
43 along the façade of the building.

44

1 Applicant stated as far as screening for 141st and parking stall it will be
2 accomplished with existing trees. On the tv hwy frontage there will be those
3 additional trees by the plaza.
4

5 McCann – chapter 60 along parking areas required to have 30” high hedge with
6 50% screening quality and perhaps this is a staff question.
7

8 Tim Brunner stated that commissioner McCann is correct. Intention is to meet
9 code for that.
10

11 Teater – does applicant know where their potential office building is going?
12

13 Tim Brunner stated that it is not an office building it is building out the second
14 floor in the show room building.
15

16 Commissioner Overhage – Will you have storage for a car on the second floor
17 and then there would be a façade behind it? What would the pedestrian and the
18 driver on TV Hwy see?
19

20 Tim Brunner stated that the view that is show on the plan is what will be there.
21 That is the design. The second floor happens in the back portion of the building.
22

23 Overhage I will be able to see, were you to park a car, you will have space
24 finished out behind the window, so there will be an opening, so you can put a car
25 up there at initial construction to see, from an artistic standpoint or visual
26 interest from the pedestrian or driver by.
27

28 Tim Brunner stated that this was the view that would be seen and when the
29 second floor is built out that be behind this view.
30

31 **PUBLIC TESTIMONY**

32 None
33

34 **APPLICANT REBUTTAL**

35 None
36

37 **FINAL COMMENTS FROM STAFF**

- 38
- 39 • Good to double-check the sidewalk for any deflections or lifts especially for
40 the sidewalk on 141st. it is city policy that when there is new development
41 and the sidewalk is being left in place during the site development permit
42 review, if there are any portions of the sidewalk that are not ADA accessible
43 because of deflections or damage, the city requires that individual panels are
44 replaced. That will be addressed during the site development phase of the
review.

- 1 • Lighting on corner – In the staff report there are two conditions of approval
2 conditions 26 & 39 that require the applicant to resubmit their lighting plans
3 to demonstrate compliance. Staff finds it important for lighting to be where
4 vehicle maneuvering and a couple of spots where they are below point 5.
5 Instead of making the applicant do it again staff allows for it to be updated at
6 the next phase.
- 7 • Building Frontage Occupation – Occupancy of a frontage – Code standard
8 states that a building occupies the frontage if it’s within 20ft of the property
9 line. There are design guidelines that applicant is responding to. There is a
10 little more flexibility for the applicant but there are also Chapter 30 non-
11 conforming issues that can be raised here. Chapter 30 comes into play
12 whenever there is an existing site that is not complying. If you have a site
13 that is non-conforming, the city can approve ad the applicant can build new
14 improvements that improve the condition, even if they aren’t moving all the
15 way there. If we were to look at the existing condition, there is no building
16 frontage on any of the three, and what is being done here is improving the
17 condition on every single frontage and meeting it on TV Hwy. Between the
18 discretionary guideline and Chapter 30 non-conforming that is how staff was
19 able to support the building placement especially on 141st which is a really
20 long façade and does have limited occupation. The placement of the building
21 at the most critical and visible corner was a design choice that staff was very
22 supportive of
- 23 • Landscaping – appreciates the catch regarding the 30” rule. Staff can add a
24 condition of approval to add a condition similar to lighting rules that say prior
25 to site development come back and demonstrate. Staff would like to discuss
26 with the application before inserting the condition to make sure they are
27 okay with that. Staff requested a five minute recess to confirm that, that is a
28 condition of approval they are comfortable with.

29
30 **FINAL COMMENTS FROM CITY ATTORNEY**

31 None

32
33 **DELIBERATIONS**

34 Winter – This is a great application with a lot of moving parts. Sure that between
35 commission comments and what staff is going to make sure that application
36 necessary thing that addresses our concerns. Fine with application, meets the
37 code and meets the conditions.

38 Overhage – supports application with the condition of approval for landscaping
39 for the headlights. This new building not only modernizes an older site but it
40 allows for visual interest by seeing the art of the car instead of the car storage
41 with the new design.

42 Saldanha – Agrees with fellow commissioners. Recalls a conversation had last
43 year about service centers in Beaverton way that it was presented allows for
44 newer developments to go in and to actually make Beaverton look a lot better.

1 Nye – still have some heartburn over east elevation, overall generally meets
 2 approval criteria.

3
 4 McCann – in agreement with fellow commissioners driving down this section of
 5 tv hwy these improvements that are being proposed will be a very positive
 6 change for this site. And will be in keeping with the other development that is
 7 nearby, which is really positive. Would appreciate looking further into the
 8 landscape and appreciates commissioner nye’s concerns about the east façade.
 9 Also thinks that retaining some of those mature trees is wise and will help with
 10 softening some of that view from that as people are approaching this site.

11
 12 Teater – echo a lot of commissioner nye and McCann’s comments regarding
 13 141st would like to see additional detail about landscaping there. The thing that
 14 tripped him up the most was the comprehensive plan and prioritizing
 15 pedestrians giving a level of comfort and safety and accessibility for people that
 16 are not in cars. But this is a step in a better direction and the site itself has a lot
 17 of challenging pieces to it. Appreciates the improvements being made.
 18 Disappointed that there is a lot of loss of tree coverage. The diameter in breast
 19 height encourage a 1:1 replacement of trees that are being lost. This proposal
 20 only had 43% of the tree coverage.

21
 22 Lawler – applaud applicant for bringing another 1960’s style development into
 23 the 2020’s. Concur that she is appreciative of narrowing of sidewalk to save
 24 mature trees. Concur with fellow commissioners regarding the condition
 25 regarding landscaping to ensure its inclusion in final project.

26
 27 A five-minute recess was taken.

28
 29 Staff read the following condition of approval: Prior to site development permit
 30 issuance, the applicant shall resubmit landscape plans demonstrating
 31 compliance with Beaverton Development Code section 60.05.20.4 for parking
 32 landscape screening.

33
 34 Commissioner Winter **MOVED** and Commissioner Overhage **SECONDED** a motion
 35 to **APPROVE** – CU2020-0007 Herzog Meier Mazda based on the facts and
 36 findings found in the staff report dated January 21, 2021.

37
 38 Motion **CARRIED** 7:0

- 39 **AYES:** Lawler, Winter, Saldanha, Overhage, Nye, Teater, McCann.
- 40 **NAYS:** None.
- 41 **ABSTAIN:** None.
- 42 **ABSENT:** None.

43
 44

1 Commissioner Winter **MOVED** and Commissioner Overhage **SECONDED** a motion
 2 to **APPROVE** – DR2020-0113 Herzog Meier Mazda based on the facts and
 3 findings found in the staff report dated January 21, 2021 and conditions of
 4 approval on 50 & 57, supplemental memo and additional COA.

5
 6 Motion **CARRIED** 7:0
 7 **AYES:** Lawler, Winter, Saldanha, Overhage, Nye, Teater, McCann.
 8 **NAYS:** None.
 9 **ABSTAIN:** None.
 10 **ABSENT:** None.

11
 12 Commissioner Winter **MOVED** and Commissioner Overhage **SECONDED** a motion
 13 to **APPROVE** – SDM2020-0010 Herzog Meier Mazda based on the facts and
 14 findings found in the staff report dated January 21, 2021 and conditions of
 15 approval on 50 & 57, supplemental memo and additional COA.

16
 17 Motion **CARRIED** 7:0
 18 **AYES:** Lawler, Winter, Saldanha, Overhage, Nye, Teater, McCann.
 19 **NAYS:** None.
 20 **ABSTAIN:** None.
 21 **ABSENT:** None.

22
 23 **2. SW FARMINGTON RD COMPREHENSIVE PLAN AMENDMENT**

- 24 a. CPA2020-0007
- 25 b. ZMA2020-0007

26
 27 The City of Beaverton proposes to amend the City Comprehensive Plan Land Use
 28 Map to apply a city land use designation to a portion of SW Farmington Road
 29 right of way that is currently annexing into the City of Beaverton. The right of
 30 way has no Washington County designation because the County does not apply
 31 designations to right of way. The proposed amendment to the Land Use Map
 32 (CPA2020-0007) would apply the city’s Medium Density Neighborhoods land use
 33 designation. Where land inside the City of Beaverton abuts the right of way
 34 being designated Medium-Density Neighood, the abutting zoning will apply to
 35 the right of way to the centerline consistent with Development Code Section
 36 10.35. That means that R2 Residential Urban medium Density zone would
 37 automatically apply to portions of the subject right of way once it is annexed into
 38 the city.

39
 40 Chair Lawler opened the public hearing and read the format for hearings.

41
 42 Chair Lawler and Commissioner Overhage did site visits.

43
 44 There were no disqualifications of the Planning Commission members.

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The Chair briefly described the hearing process and applicable approval criteria for this proposal.

STAFF REPORT

Jena Hughes, Associate Planner, gave an overview of the project proposal.

Items covered included:

- Proposal Summary
- Background
- Aerial & Zoning Maps
- 1.3: Procedure Categories
- 1.5.1.B: CPA Approval Criteria

PLANNING COMMISSION QUESTIONS OF STAFF

None

PUBLIC TESTIMONY

None

FINAL COMMENTS FROM STAFF

None

FINAL COMMENTS FROM CITY ATTORNEY

None

COMMISSIONER DELIBERATIONS

Overhage – straightforward and recommend approval

Saldanha – straightforward and recommend approval

Winter – Straightforward and approve

Lawler – meets the criteria for approval

Nye – straightforward and recommend approval

Teater – only thought is ongoing costs of this road and how much of a burden that the city would be carrying. Would vote to approve.

Commissioner Winter **MOVED** and Commissioner Saldanha **SECONDED** a motion to **RECOMMEND APPROVAL TO CITY COUNCIL OF – CPA2020-0007** SW Farmington Road Comprehensive Plan Amendment based on the facts and findings of the staff report dated January 20, 2021.

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Motion **CARRIED** 7:0

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

ADJOURN

Adjourned at 8:36 pm

DRAFT