

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

IN THE MATTER OF A REQUEST FOR APPROVAL) ORDER NO. 2934
OF A DESIGN REVIEW THREE, COMCAST C/O) DR2022-0135 ORDER APPROVING
LYNX CONSULTING, APPLICANT.) COMCAST BEAVERTON GENERATOR, DESIGN
) REVIEW THREE.

The matter came before the Planning Commission on May 17, 2023, on a request for a Design Review Three approval for the place of four new backup generators at an existing telecommunication utility facility. The site is located at 1750 SW 173rd Avenue, specifically identified as Tax Lot 01400 on Washington County Tax Assessor’s Map 1N131AB.

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.

Landscaping. The Commission questioned if the landscape buffer was sufficient to screen the view of the site from the southern property, and if the species of tree selected was appropriate. Staff stated that the 20-foot-wide landscape buffer required by the Design Standard could not be met due to the existing parking lot, but the density and species of shrubs and trees proposed in the buffer was consistent with the B3 buffer requirement. The Commission found that the landscape buffer design met the applicable Design Guideline.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated May 10, 2023, and the Supplemental Memorandum dated May 17, 2023, 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 **DR2022-0135** 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 May 10, 2023, and the Supplemental Memorandum dated May 17, 2023, and the findings contained therein, subject to the conditions of approval as follows:

A. General Conditions, the applicant shall:

1. Ensure the associated New Conditional Use Permit application (CU2022-0011) has been approved. (Planning / SR)

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

2. 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. / SAS)
3. 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. / SAS)
4. 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. / SAS)

5. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and 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. / SAS)
6. 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 Div. / SAS)
7. 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. (Site Development Div. / SAS)
8. 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. / SAS)
9. 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. / SAS)
10. 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. / SAS)
11. 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. / SAS)

12. 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. / SAS)
13. Provide plans for the placement of underground utility lines within the site for services to the proposed generator site. 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. / SAS)
14. 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. / SAS)

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

15. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / SAS)
16. 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. / SAS)

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

17. 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. / SAS)

18. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / SAS)
19. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / SAS)
20. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / SAS)
21. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A," except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / SR)
22. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B," except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / SR)

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

23. Have completed the site development improvements 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. / SAS)
24. 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. (Site Development Div. / SAS)
25. A 2-year Maintenance Security will be required at 25 percent of the cost to construct any City-owned and maintained public improvements, grading, storm water management facilities, and 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 be released 2 years after project acceptance following the correction of any identified defects. (Site Development Div. / SAS)

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

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

Dated this 25th day of May, 2023.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2934 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 June 5th, 2023.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

STEVE REGNER
Senior Planner



JENNIFER NYE
Chair

JANA FOX
Current Planning Manager