




STAFF REPORT

DATE: January 5, 2018

STAFF: Ken Rencher, Associate Planner 

PROPOSAL: **Jenkins Road Improvements**
PTF2017-0001 / SDM2017-0006 / TP2017-0006

LOCATION: SW Jenkins Rd., from SW 158th Ave. to SW Murray Blvd.

SUMMARY: Washington County is seeking approval of Public Transportation Facility, Tree Plan Two, and Sidewalk Design Modification applications for a project to widen SW Jenkins Rd. and install new sidewalks. The work will necessitate the removal of some trees from the Significant Natural Resource Area at the creek crossing.

APPLICANT: Washington County
Attn: Matthew Costigan
1400 Walnut St., MS # 18
Hillsboro, OR 97123

DECISION CRITERIA: Development Code Sections 40.03 *Facilities Review*, 40.57315.1.C *Public Transportation Facility*, and 40.58.15.C *Sidewalk Design Modification*, and 40.90.15.2.C *Tree Plan Two*.

DECISION: **Approval of PTF2017-0001 / SDM2017-0006 / TP2017-0006 (Jenkins Road Improvements)**, with conditions of approval as shown in Section E.

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS	PAGE
Section A: Facilities Review Committee Analysis and Recommendations	FR1-FR5
Section B: PTF2017-0001 Jenkins Road Improvements	PTF1-PTF3
Section C: SDM2017-0006 Sidewalk Design Modification	SDM1-SDM3
Section D: TP2017-0006 Tree Plan Two	TP1-TP4
Section E: Recommended Conditions of Approval	COA1-COA3

BACKGROUND AND KEY DATES

Application	Submittal Date	Submittal Complete	Final Decision* Date	120-Day** Deadline	240-Day*** Deadline
PTF2017-0001	April 28, 2017	October 24, 2017	January 5, 2018	February 21, 2018	June 21, 2018
SDM2017-0006	April 28, 2017	October 24, 2017	January 5, 2018	February 21, 2018	June 21, 2018
TP2017-0006	April 28, 2017	October 24, 2017	January 5, 2018	February 21, 2018	June 21, 2018

* Pursuant to Section 50.40.11.E of the Development Code, the decision of the Planning Director is final, unless appealed within 12 calendar days. The effective date of the decision, according to Section 50.90.2 shall be the date that the signed land use order is dated and mailed, unless appealed.

** State law (ORS 227.178) requires local jurisdictions to render a final written decision on land-use applications within 120 days from when the applications were deemed complete. Following this initial decision, there is a 12-day appeal period. If this decision is not appealed, the City of Beaverton Community Development Director or her designee will issue a final written decision on or shortly after the date shown above.

*** Pursuant to Section 50.25.9 of the Development Code, this is the latest date—with a continuance by the applicant—by which a final written decision on the proposal can be made.

EXHIBITS

Exhibit 1. Comments Received

Exhibit 1.1 Letter from David Welsh, CIDA, on behalf of Reser's Fine Foods

Exhibit 1.2 Letter from applicant in response to Exhibit 1.1

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Jenkins Road Improvements
(PTF2017-0001 / SDM2017-0006 / TP2017-0006)**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted applications as identified below:

Section 40.03.2

A. *The transportation facility, as proposed or modified, conforms to the Transportation System Plan.*

The applicant states that the proposed modifications to SW Jenkins Rd., which is identified as an Arterial Street on the City and County Transportation System Plans, are consistent with the Transportation System Plan. The proposed changes will provide the standard 5-lane cross-section for the Arterial Street, with modified sidewalks and planter strips in places.

The applicant's narrative presents findings that the proposed widening of SW Jenkins Rd. to 5 lanes, with sidewalks and buffered bicycle lanes complies with the applicable goals and policies of the Beaverton Transportation System Plan (TSP). Staff concurs with the applicant's findings.

Therefore, the Committee finds that the proposal meets the criterion for approval.

B. *There are safe and efficient vehicular and pedestrian circulation patterns within the project boundaries.*

For vehicles, the proposal widens the roadway to provide two travel lanes in each direction, and left- or right-turn lanes where needed. In some places, a landscaped median island will be constructed. For bicycles, the proposal adds 5' bike lanes buffered by 2' of pavement striping. For

pedestrians, the proposal maintains existing curb-tight sidewalks and installs new sections of 6-foot-wide curb-tight sidewalks to fill any gaps in the pedestrian circulation system. There are no street trees proposed with the project. Some of the existing trees on the south side of the street and at the intersection with SW Jay St. will be removed. Street lighting will be installed to meet Washington County illumination standards.

The presence of street trees between the sidewalk and the vehicle lanes would improve the pedestrian experience. Wider sidewalks—6' is the required minimum along an Arterial Street—would improve the pedestrian experience. Having a separation between the sidewalk and the travel lanes would also improve the pedestrian experience. According to Metro's Regional Active Transportation Plan, "adding buffers of landscaping and trees along walking and bicycling routes helps clean the air, reduce noise pollution and make the experience more pleasant."

Where driveways and cross-streets intersect the pedestrian and bicycle travel areas, the crossings have been designed to meet the applicable engineering design standards. Where the applicant has proposed changes to the sidewalks, planter strips, and street trees that do not meet the City's standards, the applicant has applied for a Sidewalk Design Modification approval from the City.

Therefore, the Committee finds that by meeting the Conditions of Approval the proposal meets the criterion for approval.

- C. *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both required by the applicable provisions of Chapter 60 (Special Requirements) are in place.***

The applicant states that the proposed development is consistent with all applicable provisions of Chapter 60. Staff provide additional findings below.

Section 60.10 Development in Floodway

All of the work within the floodway of Cedar Mill Creek falls into one of the exceptions to the prohibition of development in the floodway, as set forth in Section 60.10.15.

Sheets 2B-14 through 2B16 of the applicant's 90% design engineering plans, as provided to the City on September 22, 2017, show that the travel lanes of the roadway will be at least one foot above the elevation of the 100-year flood plain, which meets the standards of Section 210.7 of the

Engineering Design Manual. As a Condition of Approval, the applicant shall provide a final engineering analysis of the grading and construction within the 100-year floodplain and the applicant's engineer shall certify in writing that the project as designed will meet the applicable City and Clean Water Services regulations concerning the floodplain.

Section 60.55 Transportation Facilities

Street, Bicycle, and Pedestrian Connection Requirements

The improvements include vehicle connections via two travel lanes in each direction, bicycle connections via a buffered bike lane in each direction, and pedestrian connectivity via new sidewalks on each side of the street.

Street Width

The proposed design generally includes two through lanes and a left turn lane, plus two buffered bike lanes within a curb-to-curb width of at least 74 feet and 6-foot-wide curb-tight sidewalks on each side for a total ROW width of at least 98 feet.

Therefore, the Committee finds that the proposal meets the criterion for approval.

- D. Adequate means are provided or proposed to be provided in a satisfactory manner, to ensure continued periodic maintenance and replacement of the following, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas and other facilities.**

The applicant states that the proposed improvements will be maintained by the applicable jurisdiction or responsible party. Washington County will maintain the roadway, street lighting, traffic signals, retaining walls, and slopes. Drainage piping and facilities within the City of Beaverton will be maintained by City staff. Sidewalks adjacent to the public right-of-way will be maintained by the adjacent property owners.

Therefore, the Committee finds the proposal meets the criterion for approval.

- E. The proposed transportation facility connects to the surrounding circulation systems in a safe, efficient, and direct manner.**

The applicant states that the proposed improvements to SW Jenkins Rd. will maintain the surrounding street network system and improve the

surrounding bicycle circulation system.

Therefore, the Committee finds that by meeting the Condition of Approval, the proposal meets the criterion for approval.

- F. *The proposed transportation facility or modification thereof will provide adequate fire equipment facility access and turnaround area, as well as adequate street lighting for crime and accident prevention as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.***

The proposed modifications will maintain the access to adjacent properties for firefighting vehicles. The wider roadway will allow emergency vehicles to more easily navigate the street.

The applicant states that the lighting upgrades proposed with this road improvement project should reduce the potential for crashes involving pedestrians and should reduce crime potential by increasing the lighting levels.

Therefore, the Committee finds the proposal meets the criterion for approval.

- G. *Grading and contouring are the minimum necessary to accommodate the proposed transportation facility, while mitigating adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The grading for the street improvements will primarily occur within the public right-of-way and within the confines of taxlot 1S108AB00100, which will be the storm water and flood control facility serving the street. At times grading will need to extend beyond the right-of-way, and where it does, easements will have been procured to accommodate the grading. The Conditions of Approval ensure that coordination between City, County, and CWS staff will result in an efficient and functional storm drainage system. Exhibit 1.2 contains additional drawings provided by the applicant that confirm that the grading associated with the project will not negatively impact the adjacent Reser's building.

Therefore, the Committee finds that by meeting the Conditions of Approval, the proposal meets the criterion for approval.

- H. Access and facilities for physically handicapped people are maintained and/or incorporated into the subject transportation facility, with particular attention to providing continuous, uninterrupted access routes.**

The applicant states that there will be ADA-compliant sidewalks along both sides of the street, for the entire length of the project. Where new sidewalk ramps are required, they will be built to be accessible.

Therefore, the Committee finds the proposal meets the criterion for approval.

- I. The application includes all required submittal materials as specified in Section 50.25.1 of the Development Code.**

The application was initially submitted on April 28, 2017 and was deemed complete on October 24, 2017. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds that the proposal meets the criterion for approval.

ANALYSIS AND FINDINGS FOR PUBLIC TRANSPORTATION FACILITY

Section 40.57.05. Public Transportation Facility; Purpose

The purpose of the Public Transportation Facility application is to establish a process for review of new construction or significant expansion of major transportation facilities.

Section 40.57.15.1.C. Approval Criteria:

In order to approve a Public Transportation Facility application, the Decision Making Authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

- 1. The proposal satisfies the threshold requirements for a Public Transportation Facility application.***

The applicant's proposal for the widening of SW Jenkins Rd. meets the threshold requirements for a Public Transportation Facility application because it will involve the acquisition of new right-of-way and, potentially, construction activities outside of a public right-of-way or easement.

Therefore, staff finds the proposal meets the criterion for approval.

- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant has paid the applicable fee for a Public Transportation Facility application.

Therefore, staff finds the proposal meets the criterion for approval.

- 3. The proposal contains all applicable application submittal requirements specified in Section 50.25.1 of the Development Code.***

The applicant has submitted all the materials required by Section 50.25.1 of the Development Code.

Therefore, staff finds the proposal meets the criterion for approval.

- 4. The proposal meets all applicable design standards for the classification of the subject road as specified by the Engineering Design Manual and Standard Drawings unless the applicable provisions have been modified by the City Engineer by separate process.***

The proposal is to widen an Arterial Street that is under the maintenance and operational jurisdiction of Washington County. The applicant has designed the project to meet applicable County standards for the roadway. Sidewalks are proposed to be designed to an alternative to the City's standards and the applicant has applied for a Sidewalk Design Modification to alter the minimum width and remove the planter strip called for in the City and County street design standards.

The engineer representing Reser's Fine Foods has expressed concern that the preliminary drawings seem to show additional fill being placed on the Reser's property near the existing distribution facility. Because the building is constructed with its foundation approximately 17 feet below ground and the lowest finished floor approximately 14 feet below the surface, the concern is that any additional fill material may impose an additional load on the structure. As a Condition of Approval, the applicant shall provide construction documents that show that any new areas of fill will not have a negative impact on the existing adjacent building. This review is a normal component of the City's Site Development Permit review process.

Therefore, staff finds that by meeting the Conditions of Approval, the proposal will meet the criterion for approval.

5. ***The alignment of the new or extended public transportation facility is consistent with the general location shown in the Comprehensive Plan Transportation Element.***

The proposed widening project does not significantly alter the location or alignment of the existing roadway. This is consistent with the Comprehensive Plan.

Therefore, staff finds the proposal meets the criterion for approval.

6. ***Any interim improvements have been designed to accommodate future improvement of the facility to ultimate standards.***

The applicant states that the proposed roadway improvements will result in SW Jenkins Rd. being constructed to its designated ultimate width of five lanes, with bike lanes and sidewalks. The funding for the project limits the ability of the County to acquire sufficient right-of-way from the adjacent property owner(s). A future project could replace the existing and proposed sidewalks with sidewalks separated by a landscaped planter strip with street trees, though this is unlikely to occur.

Therefore, staff finds that the proposal meets the criterion for approval.

7. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted the necessary land use applications in the proper sequence. The applicant will submit a Site Development permit in its proper sequence as the project progresses.

Therefore, staff finds the proposal meets the criterion for approval.

RECOMMENDATION: Based on the facts and findings presented, staff can recommend approval of **PTF2017-0001 (Jenkins Road Improvements)**, subject to the conditions of approval found in Section E of this report.

ANALYSIS AND FINDINGS FOR SIDEWALK DESIGN MODIFICATION APPROVAL

Section 40.58.05. Sidewalk Design Modification Application; Purpose

The purpose of the Sidewalk Design Modification application is to provide a mechanism whereby the City's street design standards relating to the locations and dimensions of sidewalks or required street landscaping can be modified to address existing conditions and constraints as a specific application. For purposes of this section, sidewalk ramps constructed with or without contiguous sidewalk panels leading to and away from the ramp shall be considered sidewalks. This section is implemented by the approval criteria listed herein.

Section 40.58.15.1.C. Approval Criteria

In order to approve a Sidewalk Design Modification application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that the following criteria are satisfied:

- 1. *The proposal satisfies the threshold requirements for a Sidewalk Design Modification application.***

Section 40.58.15.1.A.1 Threshold: *An application for Sidewalk Design Modification shall be required when the following threshold applies:*

1. The sidewalk width, planter strip width, or both minimum standards specified in the Engineering Design Manual are proposed to be modified.

The applicant's submittal modifies the sidewalk width and planter strip width to vary from what would be required by the City of Beaverton's Engineering Design Manual (EDM) standards for an Arterial Street.

In order to fit the five-lane cross-section into the existing urban landscape, the street will, in portions of the project, have sidewalks that lack the planter strip and street trees. Additionally, where the EDM requires curb-tight sidewalks along Arterial Streets to be at least 7 feet in width, the applicant has proposed to construct 6-foot sidewalks instead. The applicant also proposes to leave in place existing sidewalks, where applicable.

Therefore, staff find the proposal meets the criterion for approval.

- 2. *All City application fees related to the application under consideration by the decision making authority have been submitted.***

The City of Beaverton received the appropriate fee for the Sidewalk Design Modification application.

Therefore, staff finds the proposal meets the criterion for approval.

3. **One or more of the following criteria are satisfied:**
 - a. **That there exist local topographic conditions, which would result in any of the following:**
 - i. **A sidewalk that is located above or below the top surface of a finished curb.**
 - ii. **A situation in which construction of the Engineering Design Manual standard street cross-section would require a steep slope or retaining wall that would prevent vehicular access to the adjoining property.**
 - b. **That there exist local physical conditions such as:**
 - i. **An existing structure prevents the construction of a standard sidewalk.**
 - ii. **An existing utility device prevents the construction of a standard sidewalk.**
 - iii. **Rock outcroppings prevent the construction of a standard sidewalk without blasting.**
 - c. **That there exist environmental conditions such as a Significant Natural Resource Area, Jurisdictional Wetland, Clean Water Services Water Quality Sensitive Area, Clean Water Services required Vegetative Corridor, or Significant Tree Grove.**
 - d. **That additional right of way is required to construct the Engineering Design Manual standard and the adjoining property is not controlled by the applicant.**

The applicant states that the narrow width of the existing roadway corridor, along with the existing vegetation and trees, precludes the acquisition of the additional right-of-way necessary for standard sidewalk and planter strip construction. In addition, in portions of the project, there is a Clean Water Services (CWS) water quality sensitive area associated with Cedar Mill Creek abutting the roadway, and constraining further widening. The area south of SW Jenkins is largely designated a Significant Grove and installation of a planter strip could result in removal of additional trees from the grove. The applicant states that the reason for the modification is to minimize the impact on Nike, the adjacent property owner.

Therefore, staff finds that the proposal meets the criterion for approval.

4. **The proposal complies with provisions of Section 60.55.25 Street and Bicycle and Pedestrian Connection Requirements and 60.55.30 Minimum Street Widths.**

The applicant states that with the approval of the sidewalk design modification application, the proposed street widening project will meet the intent of the provision of Section 60.55.25 *Street, Bicycle and Pedestrian Connections* and 60.55.30 *Minimum Street Widths*.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

5. ***Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted all documents related to this request for a Sidewalk Design Modification application.

Therefore, staff finds the proposal meets the criterion for approval.

6. ***The proposed Sidewalk Design Modification provides safe and efficient pedestrian circulation in the site vicinity.***

Staff cite the findings prepared herein in response to the Facilities Review approval criteria as adequate for supportive findings in response to Criterion No. 6 of SDM approval.

Therefore, staff finds the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **SDM2017-0006 (Jenkins Road Improvements)** subject to the applicable conditions identified in Section E.

**TP2017-0006
ANALYSIS AND FINDINGS FOR
TREE PLAN TWO**

Section 40.90.05 Tree Plan Applications; Purpose

Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.

Section 40.90.15.2.C Approval Criteria

In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Tree Plan Two application.*

The applicant proposes to remove approximately 160 total trees over the entire scope of the project. However, only 75 of these trees are within the Significant Grove or the Significant Natural Resource Area (SNRA). Some of these 75 will be within the proposed right-of-way for the road, and are therefore exempt from protection under the provisions of Section 40.90.10.12 of the Development Code.

- 1. Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period...*
- 2. Removal of up to and including 85% of the total DBH of non-exempt surveyed trees found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services [applies to the SC-MU portion of the site (Nike Woods)].*
- 3. Removal of up to and including 75% of the total DBH of non-exempt surveyed trees found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services [applies to the IND portion of the site (Reser's)].*

The applicant proposes to remove trees from the SNRA and from the Significant Grove adjacent to the right-of-way, and will not exceed the removal threshold for a Tree Plan Three application.

Therefore, staff find that the proposal meets this criterion for approval.

- 2. All City application fees related to the application under consideration by the decision making authority have been submitted.***

The applicant has paid the required fee for a Tree Plan Two application.

Therefore, staff find that the proposal meets this criterion for approval.

- 3. If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.***

The trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the widening of the road.

Therefore, staff find that this criterion for approval does not apply.

- 4. If applicable, removal of any tree is necessary to accommodate physical development where no reasonable alternative exists.***

The removal of the trees is necessary to accommodate the ultimate curb-to-curb width of the Arterial Street, as specified in the City and County Transportation System Plans. There are also some trees that need to be removed to accommodate the construction of the drainage and water quality facilities associated with this project.

Therefore, staff find that the proposal meets this criterion for approval.

- 5. If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.***

Property damage or other nuisances are not the reason the trees are being removed. Trees are being removed to facilitate construction of the wider road.

Therefore, staff find that this criterion for approval does not apply.

- 6. If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.***

The applicant states that three of the community trees must be removed in order to accommodate improvements to SW Jenkins Road. Staff concurs that city standards for street improvements necessitate the removal of the trees for a public purpose.

Therefore, staff find that the proposal meets this criterion for approval.

7. *If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, [or] to eliminate conflicts with structures or vehicles.*

The removal of the trees adjacent to the road is necessary to eliminate conflicts with vehicles and because the trees would not be expected to survive the construction associated with the road widening project.

Therefore, staff find that the proposal meets this criterion for approval.

8. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.*

The vast majority of the trees within the Significant Grove on the Nike property will remain. The SNRA determination is based on the associated wetland and riparian area. Nothing in this proposal will reverse the original determinations of significance.

Therefore, staff find that the proposal meets this criterion for approval.

9. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.*

The removal of the trees along portions of the grove's northern boundary are required to accommodate the roadway. The remaining trees in the grove will continue to provide adequate protection against windthrow.

Therefore, staff find that the proposal meets this criterion for approval.

10. *The proposal is consistent with all applicable provisions of Section 60.60 Trees and Vegetation and Section 60.67 Significant Natural Resources.*

The applicant states that the proposal is consistent with all applicable provisions of Sections 60.60 and 60.67 of the Development Code. There is no additional mitigation required, based on the number of remaining trees in the Significant Grove.

Therefore, staff find the proposal meets this criterion for approval.

- 11. *Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

The applicant states that grading and contouring of the site is designed to accommodate the proposed road, and to mitigate adverse effects on neighboring properties, utility systems, and drainage areas.

Therefore, staff find that the proposal meets this criterion for approval.

- 12. *The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.***

The applicant submitted the applications on April 28, 2017, and resubmitted them on October 10, 2017. The submittal package was deemed complete on October 24, 2017. In reviewing the submitted materials, staff find that all applicable application submittal requirements, identified in Section 50.25.1, are contained within this proposal.

Therefore, staff finds that the proposal meets this criterion for approval.

- 13. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.***

The applicant has submitted this Tree Plan Two application and the associated Public Transportation Facility and Sidewalk Design Modification applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all three (3) applications at once.

Therefore, staff finds that the proposal meets this criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **TP2017-0006 (Jenkins Road Improvements)** subject to the applicable conditions identified in Section E.

CONDITIONS OF APPROVAL

- A. Prior to start of work on the project and issuance of the site development permit, the applicant shall:**
1. 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. / JJD)
 2. 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 (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / JJD)
 3. Submit a letter documenting that the County guarantees that the proposed project improvements, for which the City will ultimately be responsible to maintain, are to be constructed to City standard and that upon project completion copies of the as-built drawings (both mylar and electronic) for the project will be supplied to the City all as per Ordinance 4417 mandates. (Site Development Div. / JJD)
 4. Submit any required easements for storm drainage and sanitary sewer improvements, for which the City will ultimately be responsible to maintain, are to be constructed to City standard and that upon project completion copies of the as-built drawings (both mylar and electronic) for the project will be supplied to the City all as per Ordinance 4417 mandates. (Site Development Div./ JJD)
 5. 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 Div./JJD)
 6. Submit a copy of correspondence and any approvals needed from the Tualatin Valley Water District for work affecting or in close proximity to the District's water lines. (Site Development Div. / JJD)
 7. 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. / JJD)

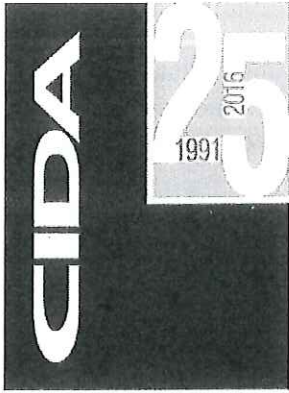
8. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div. / JJD)
9. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report, demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2017-015 in regard to water quality treatment. (Site Development Div. / JJD)
10. Provide a final engineering analysis of the grading and construction work proposed within the 100-year floodplain and floodway as necessary to allow for a public notice to be published in a local newspaper by the City Engineer for the proposed floodplain modifications. The applicant's engineer shall certify in writing that the project as designed will meet the requirements of City Code and Clean Water Services Resolution and Order 2017-015 as the refer to the 100 year floodplain, prior to this notice being sent. The public notice and a 10 day appeal period shall occur after final approval of the site development permit plans by the City Engineer and Planning Director. (Site Development Div. / JJD)
11. Have a professional architect, engineer, or surveyor submit plans and specifications to the City Engineer and City Building Official verifying that all at-risk elements of the new construction are either elevated or floodproofed as appropriate per City Code, FEMA requirements, IBC Appendix G (Flood-resistant Construction), and as determined by the City Engineer and City Building Official to at least one foot above the base flood elevation. (Site Development Div. / JJD)
12. Have obtained the City Building Official's approval of the utility plans and issuance of site plumbing permits for any private plumbing proposed to be constructed or relocated including private fire suppression systems, backflow prevention measures, and regulated utility service locations. (Site Development Div. / JJD)
13. Provide plans showing a Contech Inc. Stormfilter system (for treatment of piped surface water runoff) with a minimum of 3.0 cartridges per tributary impervious acre. Plans shall also show a trash capture water quality pre-treatment unit (ex: sumped, lynch-type catch basin, sedimentation structure, or other City of Beaverton approved equivalent as determined by City Engineer) located in front any Stormfilter vaults or ahead of piped detention systems. Plans shall also show a high flow bypass system to bypass surface water runoff high flows (flows greater than the 5-year design storm) around any Stormwater vaults. For any impervious area

determined to not be practical to be piped to a Stormfilter, a fee in lieu of stormwater quality provision will be assessed. (Site Development Div. / JJD)

14. Provide plans for street lights (Option C unless otherwise approved by the City Public Works Director) and for the removal of any Option A streetlights in the project area within the City limits. (Site Development Div. / JJD)
15. Provide plans showing a City or County standard commercial driveway apron (portland cement concrete driveway approach) at the intersection of any private, common driveway and a public street. (Site Development Div. / JJD)
16. Submit plans that show that any new fill material will not impose an additional load on an adjacent building or its foundation. (Planning Div. / KR)

B. Prior to final acceptance of the project by the City, the applicant shall:

17. 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 Div. / JJD)
18. Provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacturer's recommendations and a pre-paid service contract for a one year period from the date of performance acceptance for the project's proprietary storm water treatment systems by CONTECH or other qualified maintenance provider as determined by the City Engineer. (Site Development Div. / JJD)



15895 SW 72ND AVE
SUITE 200
PORTLAND, OR 97224
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November 30, 2017

EXHIBIT 1.1

RECEIVED

DEC 04 2017

City of Beaverton
Planning Services

City of Beaverton Planning Department
Attn: Ken Rencher
PO Box 4755
Beaverton, Oregon 97076

RE: Jenkins Road Improvements; Case File Numbers PTF2017-0001, SDM2017-0006 and TP2017-Tree Plan Two

CIDA Project Number: 160154.01

Dear Mr. Rencher,

CIDA has received a "Notice of Development Proposal" for the Jenkins Road Improvements. CIDA has worked on behalf of Reser's Fine Foods for many years and very familiar with the property surrounding Jenkins Road. We have several concerns with this development:

1. It is our understanding that the bridge across Cedar Mill Creek will be modified and the Cedar Mill Creek channel will be enlarged. To mitigate this, it appears that there is a plan to develop a flood plain mitigation site adjacent to SW 153rd Drive. There are two issues that this plan needs to address to assure that Reser's will not continue to experience flooding on their site. First, allowing more water to enter Reser's property by enlarging the channel at Jenkins Road is not acceptable and will negatively impact Reser's operation. Secondly, we have a flood plain mitigation site on the Reser's property and it requires significant maintenance to keep it functioning. Because of our experience with that pond, there must be some assurances from Washington County as part of the approval that the mitigation area will be properly and continuously maintained and that if Reser's experiences flooding as a result of this development, Washington County will pay for the cleanup of the parking lot, building surfaces, building interior damage, other structures and the loss of commerce from the Outlet Store and truck maintenance facility. All of these will be impacted by this development.
2. There is concern that the flood plain mitigation area has not been designed to meet the volume of water that may be allowed through the channel widening at the Jenkins bridge. There is presently a task force, Cedar Mill Creek Flood Remediation Collaborative, reviewing the flooding in the Cedar Mill Creek area, until that study is complete; there is significant concern that the values used for determining the flood impacts are not be valid. There has already been discussion, by a subcommittee,

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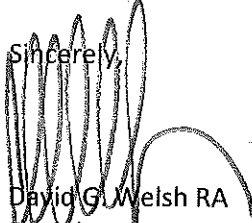


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regarding increased rain intensity over the last several years and if that proves true, and WHPacific is using old data, there is legitimate concern with the widening. Until the task force is able to determine the reality of the Cedar Mill Creek flooding issue the bridge channel widening must not occur.

3. It is unclear how the area designated for the flood plain mitigation plan will address grades, meet Section 60.60 of the Beaverton Development Code, and meet other City Ordinances that govern tree preservation and protection.
4. We are concerned that the grading will affect the existing Reser's Truck Maintenance Facility. There is significant heavy truck traffic along the north property line of Reser's property that may be impacted by the grading proposed.
5. From the WHPacific drawings, it appears that there is fill to be placed on Reser's property along the Reser's Distribution facility. Depending on the extent of the fill, it may cause structural damage to the existing distribution building. The existing building's finish floor is approximately 14 feet below grade with the foundation system another three feet below the finish floor. The angle of repose of the weight of the additional fill will affect the existing structure. We require that this be analyzed to assure Reser's that the fill will not affect the existing structure.

This project has significant impact on Reser's property and its operation. The concerns listed are legitimate concerns and must be addressed by Washington County.

Sincerely,

David G. Weish RA
Founder

Cc: Paul Leavy, Mark Reser

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INTERIORS



December 20, 2017

EXHIBIT

1.2

David Welsh
CIDA
15895 SW 72nd Avenue, Suite 200
Portland, OR 97224

**SUBJECT: SW JENKINS ROAD PROJECT: SW 158TH AVE TO SW MURRAY
BLVD PROJECT NO. 100240**

**RE: CITY OF BEAVERTON CASE FILE: PTF2017-0001, SDM2017-0006,
AND TP2017-0006 RESPONSE TO LETTER OF CONCERN**

Dear Mr. Welsh,

The County received your letter dated November 30, 2017 that was submitted in response to the Notice of Development Proposal for the above reference project. In your letter you listed several concerns. This letter includes a specific response to each of these as follows:

- 1. It is our understanding that the bridge across Cedar Mill Creek will be modified and the Cedar Mill Creek channel will be enlarged. To mitigate this, it appears that there is a plan to develop a flood plain mitigation site adjacent to SW 153rd Drive. There are two issues that this plan needs to address to assure that Reser's will not continue to experience flooding on their site. First, allowing more water to enter Reser's property by enlarging the channel at Jenkins Road is not acceptable and will negatively impact Reser's operation. Secondly, we have a flood plain mitigation site on the Reser's property and it requires significant maintenance to keep it functioning. Because of our experience with that pond, there must be some assurances from Washington County as part of the approval that the mitigation area will be properly and continuously maintained and that if Reser's experiences flooding as a result of this development, Washington County will pay for the cleanup of the parking lot, building surfaces, building interior damage, other structures and the loss of commerce from the Outlet Store and truck maintenance facility. All of these will be impacted by this development.**

**Department of Land Use and Transportation · Engineering and Construction Services Division
Capital Project Management Section**
1400 SW Walnut Street, MS 18, Hillsboro, OR 97123-5625
Phone: (503) 846-7800 · Fax: (503) 846-7810

Response:

- You are correct that the bridge opening will be enlarged. This is necessary to achieve a no-rise in the floodplain certification. Hydraulics analysis and a report have been completed for a number of storms (10 year, 50 year and 100 year). This analysis confirms that the floodplain elevation after construction of the new bridge will be nearly identical, and sometimes slightly lower than the floodplain elevation that currently exists today.
 - The proposed elevation of the new roadway will be higher than the existing roadway. During larger storms, the creek will back up behind the bridge/pedestrian rail barrier on the north side of Jenkins instead of flowing uncontrolled over the roadway.
 - Please understand that this project will not solve the flooding issue that Resers have been experiencing. With or without the road project, the maintenance to keep the Reser's property flood plan mitigation site will need to continue. This is because when creek flow slows down, the silt load drops out. That is also true on the Nike property. The regional solution being developed by the Cedar Mill Creek Flood Remediation Collaborative will strive to address this, but that is beyond the scope of the Jenkins Road project.
- 2. There is concern that the flood plain mitigation area has not been designed to meet the volume of water that may be allowed through the channel widening at the Jenkins bridge. There is presently a task force, Cedar Mill Creek Flood Remediation Collaborative, reviewing the flooding in the Cedar Mill Creek area, until that study is complete; there is significant concern that the values used for determining the flood impacts are not be valid. There has already been discussion, by a subcommittee, regarding increased rain intensity over the last several years and if that proves true, and WHPacific is using old data, there is legitimate concern with the widening. Until the task force is able to determine the reality of the Cedar Mill Creek flooding issue the bridge channel widening must not occur.**

Response:

- The flood plain mitigation area located in the southwest corner of Jenkins and 153rd was developed to exceed the volume of fill being placed in the 100 year floodplain due to the road footprint being widened (cut/fill balance). This mitigation area will also serve as a detention basin for street runoff that will outfall in this area.
- You are correct that there is the Cedar Mill Creek Flood Remediation Collaborative (Oregon Solutions) effort. Their work is currently in progress and has been meeting on a monthly basis since July 2017. Staff from both Washington County and Clean Water Services has been participating in these meetings in an effort to identify a long term solution. See web site: http://orsolutions.org/osproject/cedar-mill-creek-flood-remediation-collaborative_

- The schedule of the road construction is independent of the Collaborative effort timeframe. The goal of the road project is to provide additional traffic capacity in this area where it currently lacks. The Jenkins Road project is scheduled for construction in 2018 while the Collaborative effort will take longer to complete. To delay this project until the Collaborative effort is complete would just postpone adding traffic capacity improvements within the immediate area.
3. **It is unclear how the area designated for the flood plain mitigation plan will address grades, meet Section 60.60 of the Beaverton Development Code, and meet other City Ordinances that govern tree preservation and protection.**

Response:

Tree preservation and protection is being addressed as part of the land use process. The County will address the City of Beaverton requirements through mitigation and/or preservation.

4. **We are concerned that the grading will affect the existing Reser's Truck Maintenance Facility. There is significant heavy truck traffic along the north property line of Reser's property that may be impacted by the grading proposed.**

Response:

The roadway widening and grading have been designed to provide access off of Jenkins Road to the Truck Maintenance Facility, similar to the access from SW 158th Avenue that was designed to maintain truck access to the Reser's facility. The County and its design consultant will work with Resers and CIDA to confirm that trucks can enter and exit the driveway driveways. If there are particular areas of concerns or issues, please provide more specifics so that these can be incorporated into the design if needed.

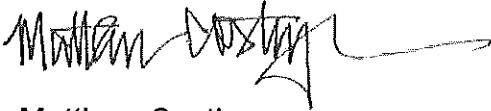
5. **From the WHPacific drawings, it appears that there is fill to be placed on Reser's property along the Reser's Distribution facility. Depending on the extent of the fill, it may cause structural damage to the existing distribution building. The existing building's finish floor is approximately 14 feet below grade with the foundation system another three feet below the finish floor. The angle of repose of the weight of the additional fill will affect the existing structure. We require that this be analyzed to assure Reser's that the fill will not affect the existing structure.**

Response:

Yes, fill is being proposed along the north side of Reser's Distribution Facility. The road widening design includes a graded slope (3H:1V) to maintain a more natural appearance with existing landscaping instead of building a small retaining wall. The County has had its design consultant review the structural loading from this additional fill, and they do not see that as being significant. Cross-sections of

the additional fill in the area of concern have been developed to confirm their findings - see attached.

Should you have questions regarding this matter, please contact me at (503) 846-7825 or via email at matthew_costigan@co.washington.or.us.

A handwritten signature in black ink, appearing to read "Matthew Costigan", with a long horizontal flourish extending to the right.

Matthew Costigan
Sr. Project Manager

c: K. Rencher, City of Beaverton
P. Levy, Resers Fine Foods
File 100240

