



MEMORANDUM

TO: Planning Commission

FROM: Scott Whyte, Senior Planner *sw*

DATE: June 17, 2015

SUBJECT: **Staff response to Planning Commission topics, the applicant's response and additional public testimony received for South Cooper Mountain High School (Case Files CU2015-0003, DR2015-0029, LD2015-0004 and ADJ2015-0005). Continued public hearing for June 24, 2015.**

The staff memorandum dated June 12, 2015 identifies additional written testimony received after the May 27 hearing and up to the date of June 3, 2015 (end of the seven day open record period). The same memorandum includes materials received from applicant on June 10, 2015.

This memorandum responds to Planning Commission topics and additional testimony received. This memorandum also responds to the applicant's materials received on June 10, which include revised plans and documents prepared in response to Planning Commission topics and public testimony of May 27. At the end of this memorandum, staff carries over the proposed conditions of approval identified in the Staff Report dated May 20, 2015. Staff notes that certain changes are proposed to some conditions. Staff has also added proposed conditions.

As the proposed project has been modified from the plan considered at the Planning Commission hearing of May 27, staff recommends that the Commission re-open the hearing to receive public testimony. Testimony should be limited to new evidence introduced into the record. Hereto, staff incorporates the findings as stated in the Staff Report dated May 20, 2015. The staff recommendation for approval, subject to conditions, remains unchanged.

Summary and findings prepared in response to topics raised during testimony and during deliberation by the Planning Commission for public hearing of May 27, 2015

The following topics were raised as part of public testimony and during the period of Planning Commission deliberation on May 27, 2015. The staff response and findings addressing these topics are contained herein. Staff also responds to additional testimony received through the seven-day period when the record remained open (from May 27 to June 3) and the applicant's additional testimony and documents received on June 10, 2015, titled *Beaverton School District Response to Planning Commission topics* (refer to herein as District Response - June 10).

Topic: School District Boundary

Summary: Testimony was provided on the status of the Beaverton and Hillsboro School District boundaries, observing that approximately half of the South Cooper Mountain area is in either school district. The point of the testimony was that Planning Commission action to approve the proposed high school would be premature until such time as the Beaverton School District boundary is moved to Tile Flat Road and all of the South Cooper Mountain area is located within the Beaverton School

District boundary. Testimony was also provided stating that the proposed high school is inconsistent with the South Cooper Mountain Community Plan on this matter.

Staff Response and Finding: The South Cooper Mountain Community Plan contains land use implementation policy No. 7 which reads as follows:

As a matter of policy and planning for neighborhood cohesiveness, the City encourages BSD and HSD to work toward an adjustment of the boundary that would result in all of the Community Plan area being served by BSD.

The Community Plan does acknowledge that having the entire South Cooper Mountain area in the Beaverton School District is a desirable outcome. However, the City does not have a role in determining the location of school district boundaries. Because of this, the City adopted the above quoted policy which encourages the two districts to work toward an adjustment in their service boundaries. To suggest that the Community Plan directs a boundary adjustment or the proposed project is inconsistent with the Community Plan is not supported by the record for the South Cooper Mountain Community Plan (SCM-CP).

Topic: Collector Road

Summary: Testimony was provided concerning the location and geometry of the new Collector Road located on the western edge of the school property. The location of the road as proposed is consistent with the SCM-CP. Early consideration of the SCM-CP had shown the Collector Road initially located in the center of the property owned by Mr. Bartholemy. At the time, the idea was to have the Collector Road form the spine of a main street commercial area on this property. Mr. Bartholemy requested that the road be moved to align with the property line shared by Mr. Bartholemy and the District.

New testimony received in response to the high school proposal (from Mr. Bartholemy's attorney, David Hunnicutt dated June 2, 2015) raises questions of consistency with Main Street Neighborhood policies. Mr. Hunnicutt's letter also raises other concerns (some unrelated to the Collector Street topic). Staff notes that the Main Street designation (Comprehensive Plan) shown on the SCM-CP land use map, applies to the Bartholemy property but not to the School District property.

Staff Response and Finding: Staff refers to page 67 of the District Response - June 10 and incorporates by reference the District's explanation as findings in response to this topic. In part, the District states that the Collector alignment (that part to be constructed by the District) will be solely located on District's property. The District also acknowledges that it would be possible for alignment of the Collector to be shifted west and partially constructed on the abutting property (Bartholemy property), but that this would also require an agreement. While the District states that it remains hopeful that an agreement may yet be achievable with Mr. Bartholemy, at this time the District has submitted preliminary utility and grading plans designed to accommodate the street as proposed, and land use applications are active based on this design. Proposed conditions of approval acknowledge this design.

On a separate but related topic, comments received from the Planning Commission expressed an interest in a wider sidewalk (along the school property) applied to the Collector. In response, staff notes that the Collector design and cross section provided by the District (for three-lane street improvement) meet current standards of the city's Engineering Design Manual. To change the design to provide wider sidewalks or change the planter width would require Engineering Design Manual standard modification, which is subject to separate approval criteria.

The commissioners also asked whether the Collector Street, as designed by the District's civil engineer, is feasible to continue west in the future to serve other properties within the SCM-CP. In response to this concern, staff refers to and incorporates (as findings) the discussion on page 46 of District Response - June 10. This includes an exhibit showing how the new Collector Road could be extended further west in the future, serving the access needs of other properties identified within the SCM-CP. Staff also refers to the Staff Report dated May 20 and findings therein that describe the need for a temporary easement. Staff also refers to proposed Condition No. 8 (Conditional Use). The City Engineer has testified for the record that improvements associated with the Collector, as proposed, are sufficient to ensure necessary future connections and continuations for implementing the SCM-CP.

Finally, in response to Mr. Hunnicutt's written testimony raising questions of consistency with certain Main Street Neighborhood Plan policies (referring to his letter dated June 2, 2015), staff has reviewed these policies and finds nothing of substance that speaks to the location or improvement of the Collector Street. The District's proposal does not conflict with these policies.

Topic: Wetlands

Summary: Opponents contend that the wetlands on the subject site have been adopted into the City's Local Wetland Inventory (LWI) and, based on certain Plan policies and certain Design Review criteria, challenge the District's plans to encroach on the wetlands. Opponents also question the impact of the proposed wetland modification to downstream wetlands/property (Edmonds property).

Staff Response and Findings: Brian Wegener of Tualatin River Keepers testified that the wetlands on the subject site have been adopted into the City's Local Wetland Inventory (LWI). This statement is incorrect. To date, the SCM wetland inventory has not been approved by DSL, as required by OAR 141-086-0185 for an LWI to become applicable. It is therefore not part of the city LWI to date. In short OAR 141-086-0185 requires DSL approval of a LWI before it becomes effective.

Staff also refers to pages 32 through 38 of District Response - June 10. On page 32, the District carefully describes the present condition of Wetlands W-A. The District's athletic fields will impact only 2.52 acres of almost treeless (there are only three trees), shrubless wetland, whose dominant hydrology is "groundwater driven," meaning that it quickly dries out in the spring. The only seasonal water source is Washington County's stormwater facility, located along SW 175th Avenue to the east. This part of W-A stands in marked contrast to the balance of Wetland W-A, which is forested and contains two streams and which will not be impacted by the District's proposal.

Staff also incorporates as findings the memorandum prepared by the applicant's civil engineer, Harper Houf Peterson Reghellis, Inc., dated June 9, 2015, which responds to the Planning Commission comments and public testimony regarding downstream hydrology and stormwater management. In response to testimony expressing concerns about off-site hydrology, the District states that there will be no loss of water flowing downslope to the wetlands on adjacent properties. The District further notes that there will be slightly more water than currently flows there, though this will be used by the trees and shrubs that will be planted in the enhanced wetland and its buffer. The District explains that existing hydrology will still be augmented by the existing stormwater facility to the east and also by groundwater that will continue to flow to the wetland.

In addition to the statements and report supplement provided by the District, staff refers to Exhibit E of the District's materials, which was considered by the Commission on May 27, 2015. Exhibit E contains the document issued by Clean Water Services (CWS), specifically the Service Provider Letter dated March 9, 2015. Staff also refers to Exhibit K of the District's materials, also considered by the Commission on May 27, which contains the Natural Resource Assessment prepared by Pacific Habitat Services and dated February 12, 2015. In part, as noted above, the assessment

prepared by Pacific Habitat Services has determined the wetlands on-site to be in a degraded condition.

Another part of the Pacific Habitat Services report responds to applicable CWS approval criteria (for wetland encroachment/mitigation), which are described in Section 3.07.4.c of the CWS Design and Construction Standards. These criteria are referred to / titled "Tier 2 Alternative Analysis." In part, these criteria require findings that explain how there is no practicable alternative to the location of the development and also require findings that explain how the proposed encroachment provides public benefits. The criteria refer to CWS mitigation standards, as stated in Section 3.08 of the CWS Design and Construction Standards.

At this time, the District is seeking approval from DSL and USACE. Staff notes that the DSL/USACE review process is subject to a separate process which includes public notice. The impact of the activity on the public interest is evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act. While the CWS Service Provider Letter is a codified prerequisite before the city is able to deem any land use application complete (as directed under Section 50.25.1(F) of the Development Code), the city often requires other necessary agency approvals as a condition of approval. In this case, a proposed condition of approval bars any grading within the wetland areas until the applicant provides the necessary proof of approvals from DSL/USACE for partial wetland encroachment, limited to the area identified.

Staff finds that the District has answered to clear and objective approval criteria established in Section 3.07.4 (c) of CWS's Design and Construction Standards, applicable when development activity is proposed that would encroach upon existing wetlands. The CWS letter, dated March 9, 2015, approves the District's wetland encroachment and mitigation proposal, subject to conditions. There is no other expert testimony or professional assessment by a wetlands biologist that refutes the findings of the District's expert contained in the assessment report dated February 12, 2015.

The City of Beaverton and all other local governments of Washington County recognize the lead role of CWS in review of initial development proposals where grading and development activity are shown to impact sensitive areas, including wetlands. Most applicants develop property with the intent to retain the wetland and apply the buffer as required by CWS. This approach is not subject to the Tier 2 Alternative Analysis / approval criteria described above, and is not subject to a higher level of wetland mitigation.

CWS's exacting standards, together with those of the USACE and DSL, are sufficient to protect Wetland W-A in a manner consistent with the requirements of the CMP-CP. The CWS approval (through their Service Provider Letter) also establishes several conditions. In part these conditions require additional approval by DSL and the USACE. With CWS's conditions and the mitigation requirements of the federal and state governments, the District's proposal will meet the CMP-CP standard of "preserve and enhance."

On a separate but related topic, written testimony submitted by David Hunnicutt, dated June 2, 2015, claims that that the wetland encroachment proposal is "...a dangerous precedent, for this application, the first major development action is the South Cooper Mountain area...(page 4)." However, staff finds the applicant's response to Clean Water Service criteria to be uniquely applied to the development of a public high school that is unlikely to occur elsewhere within the SCM-CP. In response to the CWS Tier 2 approval criteria, the District identifies Federal Title IX requirements and explains how additional ball fields are required so that both male and female students have fields for play and practice during school hours. This justification for wetlands encroachment is unique and will not apply to the residential and commercial projects subject to land use review in the future. Moreover, any future encroachment or impact to a wetland will be reviewed based on the merits of the specific request as is done everywhere in the community. Therefore, staff finds

that the District's wetland encroachment/mitigation proposal does not create any precedent.

The testimony received from Brian Wegener dated June 1, 2015 cites an irrelevant Design Review Standard from Section 60.05.25.12 of the Development Code (related to Natural Resources). As explained in the notices and Staff Report of May 20, 2015, only Design Guidelines are applicable to review of this development proposal (subject to Design Review 3 as applicable criteria only refer to Guidelines). The corresponding Design Guideline to the standard referred to by Mr. Wegener is found in Section 60.05.45.10, which also identifies wetlands but applies the passive word "should" instead of the mandate "shall," as described in the standard. The guideline reads, in part: "... *should be preserved, enhanced and integrated when reasonably possible into the development plan.*"

In summary, staff finds the evidence provided by the District to be persuasive and sufficient for findings that support the partial wetland encroachment / mitigation proposal. This conclusion is based on review of applicable approval criteria for Design Review 3 approval and with the codified lead role of the Clean Water Service District and their review of the District's wetland encroachment / mitigation plan that is based on clear and objective criteria. The proposed wetland encroachment will be subject to further review / approval by DSL/USACE (and recognized as a condition of city land use approval). The District's analysis, prepared by an expert wetlands biologist, has found that the encroached-upon wetland is in a degraded condition and that the District's mitigation plan will enhance and mitigate the remaining wetlands on-site. Lastly, staff notes the additional analysis prepared by the District's civil engineering firm that has determined there will be no reduction of water flowing downslope to the wetlands on adjacent properties.

Topic: Circulation within Parking Lots

Summary: During the period of Commission deliberation, questions were asked of the District regarding the anticipated direction of flow of students as they arrive to campus.

Staff Response and Finding: Staff refer to Figure 15 of the District Response – June 10. Figure 15 illustrates the flow pattern of vehicles and the queue length provided (745 feet or 30 vehicles) for student loading and unloading. According to the District, the school frontage where student pick/up drop off activity will take place will operate as one-way (counterclockwise). The District also explains how the remaining segments of the circulating aisle in the student parking lot will operate as two-way. Transportation staff has reviewed the plan and recommend a condition of approval that would require the outer ring in the student parking lot be signed for one-way (counterclockwise) direction (see proposed Condition No. 25 – revised). For football games and other large events, staff acknowledges that this circulation pattern could change if and when the vehicle connection between staff / student parking lots is opened. In that case, staff anticipates temporary signs and event staff to be available to direct vehicles and pedestrians accordingly.

In response to testimony and concerns about the anticipated directional flow of students arriving to school off-site, the District refers to another exhibit (Figure 10) that shows projected student trip distribution from all streets in the immediate vicinity of the school site.

Topic: View from abutting property to the west (Edmonds property)

Summary: The Commission received oral and written testimony from Scott Edmonds, owner and resident of the property located to the west of the proposed football stadium. Mr. Edmonds expressed concerns about the view of the stadium and lights. The Planning Commission requested information on the easterly view from the Edmonds property once the new high school and football stadium are constructed.

Staff Response and Finding: Staff refers to Page 29 of District Response - June 10 which includes an exhibit illustrating the view and the elements of the stadium that will be visible from the Edmonds property looking to the east. The exhibit shows simulated trees of varying height from this prospective.

Staff notes that some of trees shown to this plan are deciduous. While a mix of deciduous and evergreen trees is generally acceptable for most landscape plans, deciduous trees provide limited visual screening during certain seasons of the year. Staff refers to the Conditional Use criteria where the impacts of the use are to be evaluated and mitigated as necessary. The District's tree simulation exhibit also shows only one angle / perspective from one existing dwelling. In part, Criterion No. 5 of Conditional Use approval refers to use and findings that support "...*minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.*" Staff notes that the SCM-CP land use plan identifies High Density Residential to the Edmonds property. The same R-1 zoning that applies to the school property will likely apply to the Edmonds property. In that event, multi-family apartment/condominium buildings constructed near the school site could be four to five stories in height under the R-1 zone standard (60 feet).

To further screen the impact of stadium lighting on current and future residents of this area, staff proposes a condition of approval (of Conditional Use) that requires modification of the landscape plan. The modification proposal acknowledges the applicant's revised plan specific to that portion of the campus located along District/Edmonds property line where the stadium is proposed (see Attachment C hereto for landscape exhibit titled *Exhibit for Western Edge of Property*). The condition is proposed by staff for supportive findings in response to Criterion No. 5 of Conditional Use approval. The condition is also linked to Conditional Use approval so that it will run with the land, and recognize a purpose – being visual screening of stadium lights. Staff forwarded the plan revision to the City Arborist for comment. In review of the plan, the City Arborist notes that the Western Hemlock does not grow well and seldom survives the first year. The City Arborist also notes that the Eastern Red Bud is a small ornamental tree growing to only about 12 feet and that the Nyssa is a slow growing deciduous tree. The City Arborist recommends changing the Eastern Red Bud and Western Hemlock to Douglas fir and the Nyssa to Western Red Cedar. Staff has structured the proposed condition accordingly. If and when trees are removed in the future, the District would be required to replace accordingly.

Topic: Site Fencing

Summary: The Commission received oral and written and oral testimony from Scott Edmonds on the topic of site fencing (with primary concern about security). The Commission also commented on fencing to the extent that it might pose an obstacle to the wildlife corridor located in the northwest portion of the school site.

Staff Response and Finding: Staff refers to Page 24 of the District Response - June 10. In this part of the narrative the District explains how the existing fence along the District / Edmonds property line will be removed and replaced with new fencing as indicated on the figure titled *Fence and Gate Plan*, dated June 5, 2015. Along the Edmonds property, the District proposes a six-foot vinyl-coated fence. The same plan shows the fence extending north to a point that is near but not within sensitive areas. Other fences are proposed within the site interior, primarily intended for security and student safety. The District's plan shows no fencing to be introduced in the northwestern portion of the property. In another part of the narrative, the District refers to an exhibit that identifies the wildlife corridor. No fencing is proposed to this area.

Staff proposes a condition of approval (to Conditional Use approval) that would require the perimeter fence along the District/Edmonds property to remain in place after construction. The condition further recognizes this fence to include a gate that is to remain locked until such time that.

a pedestrian trail is provided for future connection between the new high school and the future development of the Edmonds property.

Topic: Building Design

Summary: The Commission commented on the proposed building design which is subject to Design Review 3 approval. In short, the Commission expressed concerns about possible non-compliance with certain Design Guidelines that describe the need for building articulation and variety in material elements. There were other questions related to durability of material elements and the overall appearance and functionality of the school building. The applicant answered questions related to the type of brick and other materials to be applied.

Staff Response and Finding: Staff refers to Page 71 of District Response - June 10 where the District's architect first describes the intent of the design (under title *Form Follows Function*). The District's architect then describes specific design revisions that have been introduced since the May 27 hearing. The District team will provide an overview of these revisions at the continued hearing of June 24. The District Response of June 10 includes a bullet summary of these revisions along with plan details submitted with the revised plan package.

Staff incorporates the District's statement as supplemental findings in response to applicable Design Review Guidelines (60.05 of the Development Code). Proposed Condition No. 70 requires construction to be completed in accordance with the Materials and Finishes form and Materials Board (marked "Exhibit B"). If the Planning Commission approves the plan, with revisions as proposed, staff recommends referring to these and other plan revisions in the motion to approve.

Topic: Width of the community trail along SW 175th Avenue and SW Scholls Ferry Road

Summary: Written testimony received from Tualatin Hills Parks and Recreation District dated May 27, 2015 asks the Planning Commission to consider a twelve foot wide pedestrian path along the site frontages of SW 175th Avenue and SW Scholls Ferry Road. In the same written testimony, the Park District also acknowledges that due to site constraints, the 12-foot sidewalk may not be practicable.

Staff Response and Finding: Staff refers to Page 28 of District Response of June 10 where the applicant explains that the proposed 10-foot wide pathway along the property frontage of SW 175th and SW Scholls Ferry Road is consistent with the Community Plan and THPRD's Trails Plan. Staff find that 10 feet is sufficient and consistent with sidewalk / trail design standards.

Topic: Written testimony received from the City of Tigard

Summary: On May 27, 2015, after the public hearing, staff received written testimony received from the City of Tigard (memorandum by Buff Brown, Senior Transportation Planner). Mr. Brown's memorandum was provided to the Commission as part of the Staff Memorandum dated June 12, 2015, along with other testimony received in the seven day open record period. Mr. Brown raises concerns about pedestrian travel to the new school from the south side of SW Scholls Ferry Road, where the City of Tigard is initiating several improvements associated with the River Terrace Community Plan. Mr. Brown's memorandum identifies several transportation improvements anticipated with future development associated with River Terrace.

Staff Response and Finding: Staff has forwarded Mr. Brown's memorandum to the City Traffic Engineer for further review and comment. The City Traffic Engineer is expected to attend the continued public hearing on June 24, and Mr. Brown has been invited to attend as well. Staff may provide additional findings at the hearing.

Topic: Plan clarifications

Summary: The Commission asked several plan clarification questions. These questions included but were not limited to: Which high schools are at capacity now? What are the hours of operation for athletic events – particularly football? How the number of fields were decided for this campus and clarifications to the lighting proposal applied to parking lots.

Staff Response and Finding: Staff refers to Pages 54 through 66 of the District Response – June 10, which responds to these and other questions. Staff incorporates these findings in support of the approval criteria identified in the Staff Report dated May 20, 2015.

Summary and Recommendation

Based upon the facts and findings of the Staff Report dated May 20, 2015, in addition to the testimony received on May 27, 2015 and the facts and findings contained herein, staff recommends **APPROVAL of South Cooper Mountain High School, case files CU2015-0003, DR2015-0029, LD2015-0004 and ADJ2015-0005 subject to conditions as revised in this memorandum dated June 17, 2015.**

Staff notes that some proposed changes to conditions reflect testimony received on May 27 (for example the request from THPRD for adjusted hours of outdoor activity which staff supports and shows modification accordingly). Because plan changes have been introduced for consideration at the continued hearing of June 24, staff further recommends referring to these plan revisions in any motion to approve the plan.

Attachments & Exhibits

- Attachment A Conditions of Approval, CU2015-0003**
If the Planning Commission approves the proposed Conditional Use, staff recommends the conditions identified in Attachment A.
- Attachment B Conditions of Approval, DR2015-0029, LD2015-0004 and ADJ2015-0005**
If the Planning Commission approves the proposed Design Review 3, Preliminary Partition and Major Adjustment applications, staff recommends the conditions identified in Attachment B.
- Attachment C Exhibit showing proposed modification of western perimeter landscape.**

Recommended Conditions of Approval
South Cooper Mountain High School
CU2015-0003

If the Planning Commission approves the proposed Conditional Use for South Cooper Mountain High School, staff recommends adopting following conditions of approval:

[Changes to proposed conditions of approval identified in the Staff Report dated May 20, 2015 are shown ~~struck-through~~ (for removed text) and in ***bold italic*** (for new)].

1. Final decision shall expire automatically two (2) years from the effective date of decision unless the approval is enacted either through construction or establishment of use within the two (2) year time period.
2. The Conditional Use permit shall run with the land and shall continue to be valid upon a change of ownership of the site unless otherwise specified in conditions attached to the permit.
3. This staff report, these conditions and accompanying land use order shall be recorded with the Washington County Recorder's Office.
4. All outdoor field activity and events, including but not limited to games, practices and band rehearsals shall be limited to following hours:
 - 7:00 a.m. to 10:00 p.m. weekdays (~~Monday through Friday~~) ***seven days a week (Sunday through Saturday)***
 - ~~10:00 a.m. to 8:00 p.m. Saturdays and Sundays~~
5. All luminaires intended for outdoor sport fields, including the football stadium, shall be turned off from 10:00 p.m. to 7:00 a.m., all days of the week. This condition shall not apply to pole-mounted or other luminaires intend for lighting outdoor parking or pedestrian pathways. This condition does not apply to Friday evenings when home football games are scheduled at the high school campus.
6. To ensure on-site parking availability, the school shall not schedule other events that overlap with home football games.
7. The property owner shall not remonstrate against reconfiguration of the drive access provided to the west parking lot from the collector street. The access is to be perpendicular to the tangent of the curve of the collector street at the point of connection. The property owner shall also ensure that the driveway maintains safe and adequate visibility at the intersection of the drive aisle and the collector street.
8. The property owner shall grant a temporary access easement to the benefit of the abutting property identified as tax lot 1S060000403. The size and location of the temporary access easement shall be determined by the City Transportation Engineer and be of sufficient size and location to provide safe and efficient access to the collector street. The temporary access easement may be terminated when the collector street is in its final alignment and providing access to the same property.
9. Illumination of the high school property shall not exceed 0.5 foot-candle power as measured at the lot line of residential properties surrounding the campus.

- 10. A six-foot vinyl-coated perimeter fence, to the location as depicted in the plan submitted for Commission consideration on June 24, is to remain in place after construction. The fence is to include a gate that shall remain locked until such time that a pedestrian trail is provided for future connection thereto. The fence is to replace existing with agreement from the abutting property owner.**

 - 11. Landscape for the school campus along western perimeter near the stadium is to be consistent with the tree planting plan titled "Exhibit for Western Edge of Property" and is to be modified to include the City Arborist recommended change where Eastern Red Bud and the Western Hemlock are changed in favor of Douglas fir and the Nyssa is changed to Western Red Cedar. To minimize the visual impact of illumination from stadium lighting, these trees are to remain as part of the approved landscape plan for posterity. If and when these trees are removed in the future, the District shall be required to replace in accordance the modified landscape plan.**
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Recommended Conditions of Approval
South Cooper Mountain High School
DR2015-0029, LD2015-0004 and ADJ2015-0005

If the Planning Commission approves the proposed Design Review Three, Preliminary Partition and Major Adjustment applications to allow construction of a high school, the Facilities Review Committee recommends adopting the following conditions of approval:

[Changes to proposed conditions of approval identified in the Staff Report dated May 20, 2015 are shown ~~struck-through~~ (for removed text) and in ***bold italic*** (for proposed new text)].

A. Prior to issuance of a site development permit and any work beyond tree removal and site grading, 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 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 as set out in Ordinances 2050, 4010+rev., and 4417; 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./JJD)
4. Have the ownership of the subject property guarantee all public improvements, additional site grading, all storm water management (quality and quantity) facilities, all required CWS plantings/mitigation, and parking lot drive aisle 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./JJD)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. 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)
7. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer meeting the standards set by the City Engineer. The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)
8. Provide final utility plans that show construction of a minimum 24-inch diameter public waterlines as shown on the preliminary plans (crossing the site to the westerly property line and along the entire length of the 175th Avenue frontage). Water system development charge credits against new building permits can be granted for any extra-capacity improvements as

determined and administered by the City Utilities Principal Engineer. (Site Development Div./JJD)

9. 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)
 10. Submit a copy of the notification of proposed revisions to the Oregon Department of Environmental Quality (DEQ) for the previously issued 1200-C General Permit (DEQ/CWS/City Erosion Control Joint Permit). (Site Development Div./JJD)
 11. Submit a copy of issued permits or other required approvals as needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (prior to any work within or affecting a jurisdictional wetland). (Site Development Div./JJD)
 12. Provide final construction ready plans and a full design storm water report demonstrating proposed provision of treatment and on-site detention as generally depicted on the submitted preliminary utility plan and drainage reports. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event. On all plan sheets that show grading and elevations, the 100 year inundation level and path of system overflow shall be identified. (Site Development Div./JJD)
 13. Submit a revised grading plan showing that each proposed building has a minimum finished floor elevation that is at least two feet higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities and any storm water conveyance crossing the project area. This land-use approval shall provide for minor grade changes less than two vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)
 14. Submit to the City a certified impervious surface determination of the entire site 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. In addition, changes in specific types of impervious area totals, in square feet, shall be given for roofs, parking lots and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surfaces, the new impervious surface area created, and total final impervious surfaces areas on the entire site or individual tax lots if applicable. (Site Development Div./JJD)
 15. Pay storm water system development charge (overall system conveyance) for any net, new impervious surface area created on site. (Site Development Div./JJD)
 16. Have obtained the City Building Official's courtesy review approval of the proposed building plans private site plumbing plan including fire suppression systems, backflow prevention measures, and regulated utility service locations outside the proposed building pads. (Site Development Div./JJD)
 17. Provide plans for LED street lights along the site's public street frontages (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director). (Site Development Div./JJD)
 18. Provide plans for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. No utility service lines to the structures shall remain overhead on 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./JJD)
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19. Provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development Div./JJD)
 20. Land use approvals shall expire after two (2) years from the date of approval unless prior to that time a construction permit has been issued and substantial construction pursuant thereto has taken place, or an application for extension is filed pursuant to Section 50.93, or that authorized development has otherwise commenced in accordance with Section 50.90.3.B. (Planning/SW)
 21. Provide plans that show dedication of right-of-way (ROW) and half-street improvements for 5-lane arterial streets to the Washington County A-2 standard for the area between the curbs. The ROW areas outside of the curbs shall be designed to City of Beaverton Arterial Street standards, as modified to include an on-street regional trail, as required.(Transportation / KR)
 22. Provide plans that show dedication of right-of-way and street improvements for a new collector street along the west edge of the property with sufficient width to accommodate two 12' travel lanes, and a 5' bike lane between the curbs, and a 6.5' stormwater swale and 6' sidewalk outside of the curb on the school side of the new street. (Transportation / KR)
 23. Provide plans that show that the LIDA facilities will include suitable street trees. (Transportation / KR)
 24. Provide plans that show that the vehicular cross-connection between the parking lots can support the weight of a fire fighting apparatus (not less than 12,500 pounds point load or wheel load, and 75,000 pounds live load or gross vehicle weight.) Additionally, the plans need to show that the sections of curbs immediately adjacent to the cross-connection are standard mountable curbs, as shown in Drawing # 201 of the City's Engineering Design Manual (Transportation / KR)
 25. Provide a modified site plan that shows pavement differentiation where pedestrian pathways cross drive aisle per Beaverton Development Code, Section 60.05.20.3.E. Note that ADA ramps may be required where pathways cross drive aisles as determined by the Building Official. Revise pedestrian crossings through the student/visitor parking area (Sheet L211) to show pathway and connections constructed with scored concrete or modular paving patterns, in addition to providing student/visitor crossing signs. **All vehicle directional signage to the student/visitor parking lot shall accommodate one-way counter-clockwise directional flow.** (Transportation/KR)
 26. Provide plans that show the installation of a new traffic signal at the intersection of the new collector street with SW Scholls Ferry Rd. (Transportation / KR)
 27. Provide plans that show the installation of a new traffic signal at the new school access on SW 175th Avenue. (Transportation / KR)
 28. Provide plans that shows the modification of the traffic signal on SW Scholls Ferry Road and 175th Avenue to accommodate the roadway improvements. (Transportation / KR)
 29. Provide plans showing walkways along the north side of the stadium to accommodate the Beaverton Police Department Tactical Response Vehicle. For the pathway shown as an ambulance route on Sheet L101, the applicant shall provide an opening in the fence that will adequately accommodate a standard ambulance and ensure that the pavement is designed to support the load of an ambulance's weight. (Transportation/KR)
 30. Ensure compliance with necessary fire access, firefighting water supplies including hydrants. Plans for Site Development are to show the location of all necessary improvements related to fire apparatus access, firefighting water supplies, hydrants and other emergency service features are provided as directed in the document prepared by Tualatin Valley Fire & Rescue dated April 22, 2015 (TVF&R/JF)
 31. The required fire flow for the building shall not exceed 3,000 gallons per minute (GPM) or the available GPM in the water delivery system at 20 psi, whichever is less as calculated using IFC,
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Appendix B. A worksheet is available from the Fire Marshal's Office (OFC B105.3). Please provide a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 psi residual pressure as well as fire flow calculation worksheets. Please forward copies to both TVF&R as well as the City of Beaverton Building Services. (Fire / JF)

32. The minimum number and distribution of fire hydrants available to a building shall not be less than listed in Appendix C, Table C 105.1. (Fire / JF)
33. The angles of approach and departure for fire apparatus road shall not exceed eight degrees (OFC 503.2.8, NFPA 1901). (Fire / JF)
34. Submit plans showing ground cover plantings are installed at a maximum of 30 inches on center and 30 inches between rows. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum 4 inch size container, or a 2-1/4 inch container if planted 18 inches on-center. (Planning/SW)
35. Submit plans showing all new landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning/SW)
36. Obtain a Washington County **Facility Permit** as directed in the document prepared by Washington County Land Use and Transportation dated May 6, 2015. A copy of issued permits or other approvals as needed from Washington County is to be provided to the city for all the proposed work within the affected County road right of ways (SW 175th Avenue and SW Scholls Ferry Road). (Site Development Div. / JJD)
37. Submit plans showing a minimum of 122 bike parking spaces and ensure that all spaces are lighted to at least the minimum standard of 0.5 foot-candles, visible, and conveniently located for staff and students riding bikes. (Transportation / KR)
38. Submit plans showing designation and adequate signing for at least 3% of the total parking spaces on the site as reserved for carpool or vanpool parking. The reserved parking spaces shall be the closest spaces to the primary employee or student entrance(s), besides the ADA-compliant parking spaces. (Transportation / KR)
39. Submit plans showing all pedestrian walkways are lighted to at least the minimum standard of 0.5 foot-candles. (Transportation / KR)
40. Submit plans showing signage to mark the regional community trails on the site that complies with Tualatin Hills Park and Recreation District standards. (Transportation / KR)

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

42. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
 43. 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./JJD)
 44. The proposed project shall comply with the State of Oregon Building Code in effect as of date of application for the building permit. This currently includes the following: The 2009 edition of the International Building Code as published by the International Code Conference and amended by the State of Oregon (OSSC); The 2009 edition of the International Residential Code as published by the International Code Conference and amended by the State of Oregon (ORSC); 2009 International Mechanical Code as published by the International Code Council and amended by the State of Oregon (OMSC); the 2009 edition of the Uniform Plumbing Code as
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published by the International Association of Plumbing and Mechanical Officials and amended by the State of Oregon (OPSC); the 2011 edition of the National Electrical Code as published by the National Fire Protection Association and amended by the State of Oregon; and the 2009 International Fire Code as published by the International Code Council and amended by Tualatin Valley Fire and Rescue (IFC). The 2014 OSSC, OMSC and IFC will take effect July 1, 2014. Permit applications received prior to September 30, 2014 may use either 2011 or 2014 OSSC, OMSC and IFC. (Building / BR)

45. Applications for plan review must include the information outlined in the Tri-County Commercial Application Checklist. Incomplete applications will not be accepted. (City policy) (Building / BR)
 46. The City offers phased permits, for foundation/slabs, structural frame, shell and interior build-out (TI). An applicant desiring to phase any portion of the project must complete the Tri-County Commercial Phased Project Matrix or each phased portion. This form is available at the Building Division counter or may be printed from the Forms/Fee Center at www.beavertonoregon.gov Note: Except private site utilities (potable water, sanitary and storm sewer lines), Excavation and Shoring, Site Utilities and Grading are not permits issued by the Building Division and therefore area not part of part of the City's phased permit process. (Building / BR)
 47. Plan submittals may be deferred as outlined in the Tri-County Deferred Submittals list. Each deferred submittal shall be identified on the building plans. No work on any of the deferred items shall begin prior to the plans being submitted, reviewed and approved. (Building / BR)
 48. Unless they are identified as a deferred submittal on the plans, building permits will not be issued until all related plans and permits have been reviewed, approved, and issued (i.e., mechanical, plumbing, electrical, fire sprinkler systems, fire alarm systems, etc. (City policy) (Building / BR)
 49. Projects involving new buildings and additions are subject to System Development fees. (Building / BR)
 50. A separate plumbing permit is required for installation of private on-site utilities (i.e., sanitary sewer, storm sewer, water service, catch basins, etc. If the applicant desires to install those types of private utilities during the same period as the "Site Development" work, a separate plumbing application must be submitted to the Building Services Division for approval. (Building / BR)
 51. The proposed building(s) shall be accessible to persons with disabilities. (Chapter 11, OSSC) (Building / BR)
 52. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be determined in accordance with residual pressure (OFC Appendix B Table B105.2). The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi. (Fire / JF)
 53. Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B) Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1) This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
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54. The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.
55. A Knox Box for building access is required for this building. Please contact the Fire Marshal's Office for an order form and instructions regarding installation and placement. (OFC 506.1)
56. Include a lighting plan as part of the building plans, where the parking area under the building is illuminated consistent with City lighting technical standards in 60.05-1 of the Development Code. (Planning/SW)
57. Pay a proportional share of the cost to improve the intersection of SW 175th Ave. and SW Kemmer Rd. to Washington County. The current estimate of the cost to improve the intersection is \$2.5 million, with the high school's share estimated at \$314,379. (Transportation / KR)

C. Prior to Final Plat approval, the applicant shall:

58. Have submitted a copy of the final vacation order from Washington County for the old alignment of 175th Avenue. (Site Development Div./JJD)
59. Show granting of any required on-site easements, **including but not limited to the temporary easement benefiting Tax Lot 1S060000403**, on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed rights of way and easements are of sufficient width to meet current City standards in relation to the physical location of the substantially completed site development and frontage improvements. (Site Development Div./JJD)
60. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording concurrently with the final plat at Washington County. (Site Development Div./JJD)
61. Record to the final plat, as required by Washington County, the dedication of additional right-of-way to provide a minimum of **49 feet** from centerline of SW Scholls Ferry Road and SW 175th Avenue, and dedication of additional right-of-way to provide adequate corner radius at the intersection of SW Scholls Ferry Road/SW 175th Avenue Road and the new Collector street. The final plat shall include a provision of a non-access reservation along SW 175th Avenue and SW Scholls Ferry Road frontage, except at the accesses approved in conjunction with this land use application. (Wash. Co / NV)
62. Dedicate all right-of-way shown on the approved Site Development Permit plans. (Transportation)

D. Prior to each final building permit inspection or occupancy permit issuance, the applicant shall:

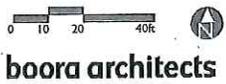
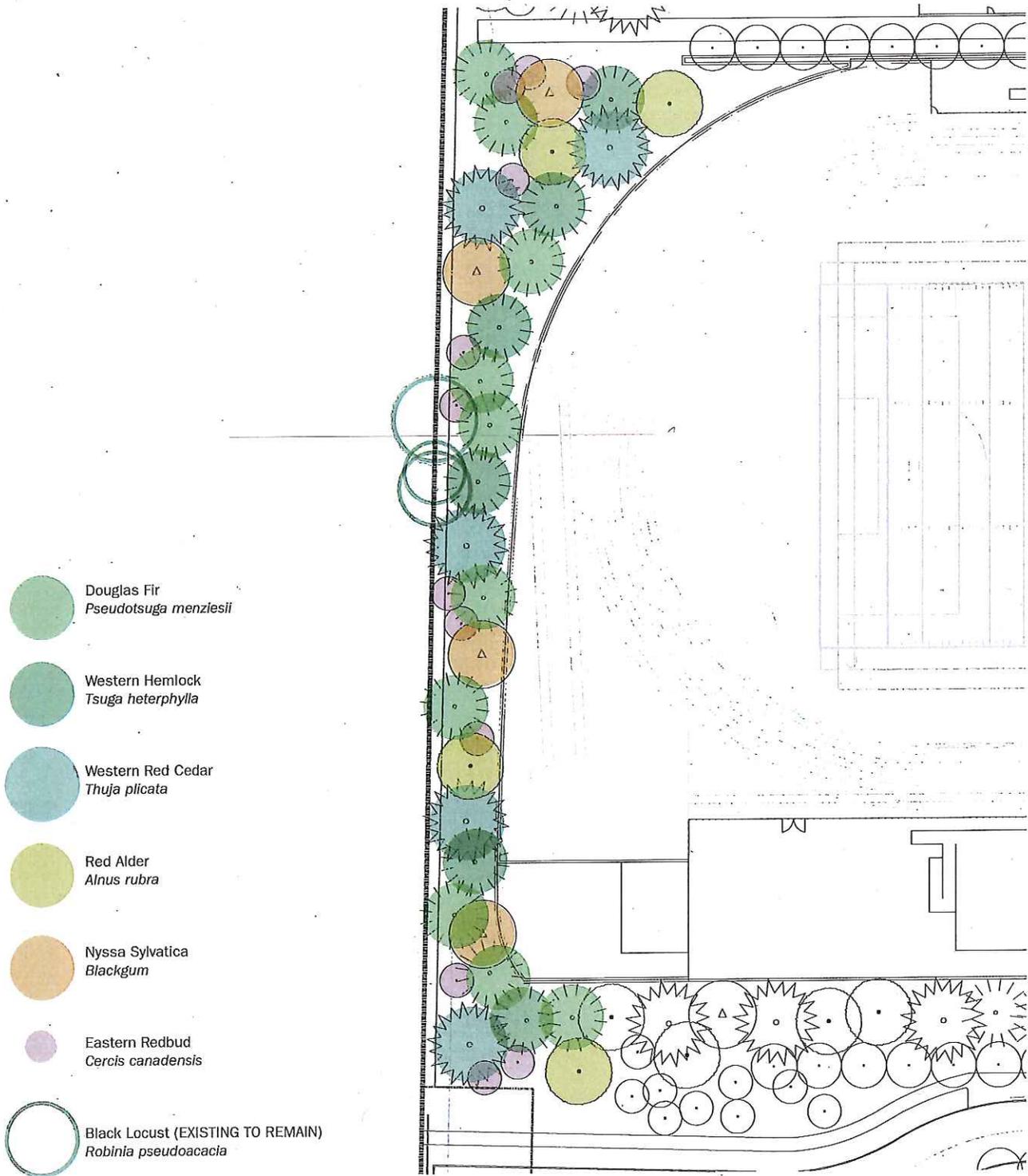
63. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
 64. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
 65. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
 66. Have placed underground all 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./JJD)
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67. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
68. 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 for the specific building, as determined by CWS. (Site Development Div./JJD)
69. Ensure all site improvements, including landscaping are completed in accordance with landscape plans (L Sheets) marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/SW)
70. 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/SW)
71. Ensure construction of all exterior lighting is completed in accordance with the approved plans (E-Sheets) marked "Exhibit C" and fixture details, except as modified by the decision making authority in conditions of approval (On file at City Hall). Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line.
72. Ensure deciduous or evergreen shrubs are installed at a minimum, using one-gallon containers or 8 inch burlap balls with a minimum spread of 12 inches to 15 inches. (Planning/SW)
73. Ensure existing landscaping (to remain on-site) is replaced if impacted by construction. (Planning/SW)

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

74. 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)
 75. Submit any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
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Exhibit Showing Proposed Modification of Western Perimeter Landscape Plan



boora architects

PLANTING EXHIBIT FOR WESTERN EDGE OF PROPERTY