

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

After recording return to:
City of Beaverton, City Recorder:
P.O. Box 4755
Beaverton, OR 97076

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| IN THE MATTER OF A REQUEST FOR APPROVAL OF A |) | ORDER NO. 2418 |
| PRELIMINARY SUBDIVISION APPLICATION FOR THE CREATION |) | LD2015-0009 ORDER APPROVING |
| OF FOUR PARCELS FROM ONE PARCEL (135 TH & DAVIES 4-LOT |) | 135TH & DAVIES 4-LOT SUBDIVISION |
| SUBDIVISION). MISSION HOMES, APPLICANT. |) | |
| |) | |

The matter came before the Planning Commission on August 5, 2015, on a request for approval of a Preliminary Subdivision application for the creation of four parcels from one parcel. The subject property is located at 13455 SW Davies Road, at the northeast corner of the intersection of SW 135th Avenue and SW Davies Road, and is specifically identified as Tax Lot 5600 on Washington County Assessor’s Map 1S1-28AB.

Pursuant to Ordinance 2050 (Development Code), Section 50.45 the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated July 29, 2015, as amended, and the findings contained therein, as applicable to the approval criteria contained in Section 40.45.15.5.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED THAT LD2015-0009** is **APPROVED** based on the testimony, reports and exhibits, and evidence presented during the public hearing on the matter and based on the facts, findings, and conclusions found in the Staff Report dated July 29, 2015, as amended, and this Land Use Order, and subject to the condition of approval as follows:

A. Prior to 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./WKP)
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./WKP)
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./WKP)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development Div./WKP)
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./WKP)

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./WKP)
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./WKP)
8. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. 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 in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./WKP)
9. Provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot's area to another lot's area shall not be considered a direct plumbing service. (Site Development Div./WKP)
10. Submit a design for the grading surrounding, adjacent, and within the storm water quality facility designed by a civil engineer or structural engineer for the expected hydrological conditions of the pond/rain gardens. Some minor changes to the grading appear to be needed in order to provide an adequate containment of the pond/rain gardens. This may require other minor modifications to the proposed storm water management facilities as reflected within the land-use application submittal. This land-use approval shall provide for such minor surface modifications (examples: revised grading or addition of small retaining walls, structure relocation, and interior grade changes less than two vertical feet variance) in the proposed facility without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./WKP)
11. Submit a revised grading plan showing that each lot has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities and show a safe overflow route. (Site Development Div./WKP)

12. Submit to the City a certified impervious surface determination of the proposed project's new impervious area proposed for any common areas and common private driveways prepared by the applicant's engineer, architect, or surveyor. Any home demolition is credited at one equivalent surface unit (2640 square feet per existing lot with one or more single family homes). (Site Development Div./WKP)
13. Pay storm water system development charges (overall system conveyance and winter detention) for the new impervious area proposed for any common areas or private streets. (Site Development Div./WKP) (Site Development Div./WKP)
14. Provide plans for the placement of underground utility lines within the site to the existing home, and for services to the proposed new home site. No overhead services shall remain on the site. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./WKP)
15. 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./WKP)
16. Provide plans showing street trees at appropriate spacing on all street frontages. (Site Development Div./WKP)
17. Provide plans showing Finish Floor Elevations (FFE) of all new homes meet plumbing code requirements to have the FFE on all new homes 2' above the downstream manhole lid elevation. An additional manhole may need to be added to meet this requirement. (Site Development Div./WKP)
18. Provide plans showing a City standard commercial driveway apron (may be modified to have six foot wings) at the intersection of any private, common driveway and a public street. (Site Development Div./WKP)
19. Submit a revised plan that shows the proposed common driveway at a maximum width of 40 feet. (Transportation/KR)
20. Submit the required joint-use and maintenance agreement documentation for common driveways per Beaverton Engineering Design Manual Sections 210.12 K and L. (Transportation/KR)

21. Apply for and receive approval of an Engineering Design Modification request to allow the shared driveway to be closer than 50 feet to the intersection of SW 135th Ave. and SW Davies Rd. (Transportation/KR)
22. FIRE HYDRANTS – ONE- AND TWO-FAMILY DWELLINGS & ACCESSORY STRUCTURES: Where a portion of a structure is more than 600 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the structure(s), on-site fire hydrants and mains shall be provided. (OFC 507.5.1) A fire hydrant is required within 600 feet of all portions of the future structures. Fire flow is required to be at least 1,000 gpm at 20 psi. (TVF&R/JF)
23. Ensure that all associated applications, including Preliminary Subdivision, Tree Plan, and Zoning Map Amendment have been approved and are consistent with the submitted plans. (Planning Division/JF)

B. Prior to final plat approval, the applicant / developer shall:

24. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./WKP)
25. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./WKP)
26. Show granting of any required on-site easements 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 easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./WKP)
27. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits for each parcel, ready for recording concurrently with the final plat at Washington County. (Site Development Div./WKP)
28. Demonstrate all lots meet ordinance standards for lot size, dimension and frontage. The final plat shall be fully dimensioned and indicate the square footage of each lot. (Planning Division/JF)

29. Provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning Division/JF)
30. Pay all required City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/JF)
31. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning Division/JF)
32. Submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/JF)
33. Should CC&R's be proposed, they shall be reviewed and approved by the City of Beaverton. (Planning Division/JF)

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

34. Have recorded the final plat with Washington County and provided the City with the final recorded copy. Have met all conditions of approval for recording of the final plat. (Site Development Div./WKP)
35. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./WKP)
36. 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 site development permit issuance. (Site Development Div./WKP)
37. 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./WKP)

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

38. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development Div./WKP)
39. 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./WKP)

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

40. 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./WKP)
41. 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./WKP)
42. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment/replacement of the vegetation and restoration of full function within the surface water management facility areas, as determined by the City Engineer. If the plants are not well established or the facility not properly functioning (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record or landscape architect that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Engineer prior to release of the security. (Site Development Div./WKP)

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

AYES: Wilson, Kroger, Doukas, Maks, Nye, Overhage, and Winter.
NAYS: None.
ABSTAIN: None.
ABSENT: None.

Dated this 18th day of August, 2015.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2418 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton's Community Development Department's office by no later than 4:00 p.m. on August 28, 2015.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:



JANA FOX
Associate Planner

APPROVED:



MIMI DOUKAS
Chair



SANDRA MONSALVE, AICP
Planning Manager