NOTICE OF DIRECTOR'S DECISION

DATE:	May 13, 2015
TO:	All Interested Parties
FROM:	Scott Whyte, Senior Planner SW
PROPOSAL:	**South Cooper Mountain High School – Early Grading and Tree Removal, Case Files TP2015-0001 and DR2015-0002**
LOCATION:	The site is located on the northwest corner of SW Scholls Ferry Road and SW 175th Avenue. Specifically Tax Lots 205 and 800 on Washington County Tax Assessor's Map 2S1-06.
SUMMARY:	The applicant seeks Tree Plan 2 (TP2) and Design Review Compliance Letter (DRCL) approval to allow tree removal and early grading on property where a new high school is proposed. The subject property, approximately 49 acres in size, contains a total of 341 trees. For mass grading purposes, all trees are proposed for removal except for one black walnut tree located at the southeast corner of the property and two trees located within a portion of existing wetlands located in the northwest corner of the property. Of the 338 trees to be removed, 150 are Community Trees (ten inches or more in diameter) as defined by the Development Code. The 188 other trees to be removed are exempt from City review. One tree identified for removal is located within a portion of wetland area that is proposed for modification under separate land use action. The proposal for tree removal is subject to Tree Plan 2 approval. The proposal to change the existing grade of the property is subject to DRCL approval.
APPLICANT:	Beaverton High School, Attn: Leslie Imes 16550 SW Merlo Road Beaverton, OR 97006
APPLICANT REPRESENTATIVE:	Angelo Planning Group, Attn: Serah Breakstone 921 SW Washington Street, Suite 468 Portland, OR 97205
DECISION:	**APPROVAL** of **South Cooper Mountain High School – Early Grading and Tree Removal** - subject to conditions identified at the end of this report.

ANALYSIS AND FINDINGS FOR
TREE PLAN TWO APPROVAL
South Cooper Mountain High School - Early Grading and Tree Removal

Approval criteria for Tree Plan 2 are found in Section 40.90.15.2.C of the Development Code. The applicant responds to these criteria in the narrative prepared by Angelo Planning Group, April 2015.

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.***

   Facts and Findings: According to the applicant, the proposal satisfies two threshold requirements for Tree Plan 2 described under Section 40.90.15.2.A. Applicable thresholds include the following:

   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, except as allowed in Section 40.90.10.1.*

   3. *Commercial, Residential, or Industrial zoning district: Removal of up to and including 75% of the total DBH of non-exempt surveyed tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.*

   The applicant explains how proposed mass grading will require removal of more than five Community Trees thereby meeting the threshold No. 1. The applicant also explains how proposed grading will require removal of one tree located within a Significant Natural Resource Area (SNRA). The applicant also notes that removal of this one tree would comprise 39% of the total tree area located within the SNRA (measured by diameter at breast height or DBH).

   Staff concurs that tree removal satisfies both thresholds (1 and 3) thus requiring the application for Tree Plan 2. Where Threshold No. 3 refers to *Sensitive Areas as defined by Clean Water Services*, staff refers to Chapter 1 of the CWS Design and Construction Standards that defines *Sensitive Areas* to include *Existing and created wetlands* (1.03.55.a.1).

   Staff also notes that grading associated with this application for Tree Plan 2 is not to encroach upon any portion of wetlands found on-site as determined by the report prepared by Pacific Habitat Services, Inc. dated October 13, 2014. The report by Pacific Habitat Services delineates two wetland areas within the subject site. These wetlands are referred to as Wetland A and Wetland B. Staff refers to Figure 6 of the Pacific Habitat Services report demarking the location of Wetlands A and B. Wetland A is the larger of the two at approximately 3.33 acres and located in the north portion of the site. Wetland B, at approximately 0.16 acres, is located in the south and western portion of the site.

   Therefore, staff find that 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.***

Facts and Findings: The applicant submitted the required fees.

Therefore, staff finds that the proposal satisfies the criterion.

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.***

Facts and Findings: According to the applicant, proposed removal of trees from the subject site is not necessary to observe good forestry practices and therefore not applicable. Staff concur.

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

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

Facts and Findings: In response to Criterion No. 4, the applicant explains how tree removal is necessary in order to accommodate development of a new high school. The applicant also refers to the recently adopted South Cooper Mountain Community Plan that identifies the location of a future high school. The applicant also explains how the District's facility planning indicates that a new high school will be needed in this location to serve existing and future residents in the area.

The applicant further identifies the programing requirements of the new high school, describing the area necessary for athletic fields, campus buildings and parking. According to the applicant, there is no reasonable alternative for development of this site that would allow trees to be preserved. The applicant explains how the District evaluated several different concepts for the layout of the campus and that all scenarios necessitated significant tree removal. The applicant refers to Exhibit D of the materials submitted for early grading/tree removal that shows three primary alternatives that were considered for campus development. According to the applicant, these alternatives demonstrate that a high school campus will fill the site under any development scenario.

In response the applicant's statement, staff notes that all alternative site plans (Exhibit D) show the same number of athletic fields and facilities, together with the same amount of building area and parking spaces. If building area, parking and number of athletic fields / facilities are a constant figure, staff concurs with the applicant that there is no reasonable alternative for campus development that would allow a substantial number of trees to be preserved. Because athletic fields and facilities require a level surface area and minimum dimensions, the ability to retain existing grades on sloped property becomes an insurmountable challenge. While the focus of this proposal is for early grading absent the development plan (considered under separate land use review) staff does not see a reasonable development alternative that preserves a substantial number of healthy trees on-site.

Therefore, staff find that the proposal meets the 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.***

Facts and Findings: The proposal does not include removal of trees due to nuisance by virtue of damage to property or other improvements. Trees are being removed to facilitate development of the site.

Therefore, staff find that the 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.***

Facts and Findings: In response to Criterion No. 6, the applicant explains how removal of trees from the subject site is necessary in order to accommodate construction of a new high school. The applicant further identifies critical facilities associated with the development plan that will include necessary street frontage improvements to SW Scholls Ferry Road and SW 175th Avenue. The applicant also explains the programing requirements of a high school that include a large building, multiple athletic fields and adequate parking intended to serve the anticipated number of students and staff. The applicant also refers to Exhibit D of the materials submitted for early grading/tree removal where different concepts for site layout were considered.

As stated in response to Criterion No. 4, staff concurs with the applicant's analysis if building area, parking and number of athletic fields / facilities are a constant figure. Where Criterion No. 6 refers to *installation of public utilities, street widening, and similar needs,* staff supports tree removal as necessary to accomplish these elements of the development plan. In addition to the necessary street frontage improvements to be accomplished for SW Scholls Ferry Road and SW 175th Avenue, the applicant's development plan will require a portion of a new Collector Street (unnamed) that will be extended north from SW Scholls Ferry Road. This Collector Street is identified as part of the South Cooper Mountain Community Plan and its construction will necessitate tree removal in the western-most portion of the site where Wetlands B is located.

While the focus of this early grading proposal is absent consideration of the campus development plan, staff does not see a reasonable alternative that preserves a substantial number of healthy trees on-site. Staff notes that some trees along the western boundary of the property (north of the Collector Street location) can be saved. As a condition hereto the applicant's tree inventory table (prepared by Teragan & Associates dated January 13, 2015) is to be revised to show Black Locust trees (#s 545, 546 and 547) to be saved as these trees are shown along the western site boundary, north of the planned Collector Street location. The same table is to recognize trees not identified to the inventory but found on field visit. These trees are to be identified to Sheets C112 and C162 and shown to be saved. The same table is to show all Douglas Fir trees located along the western property line (#s596, 649, 651, 653, 659) to be saved unless the owner of the abutting property agrees to removal.

Staff supports removal of the Douglas Fir trees located along the western property line as these trees pose an obstacle for constructing the necessary Collector Street (referred to above) consistent with city standards. These trees are topped and the arborist report by Teragan found them to be in poor condition. As part of the early grading proposal, these Douglas Fir trees are

to remain. However, staff supports removal when the property abutting owner agrees to removal. Other conditions call for fencing and barricades around the two areas of the school property where wetlands and respective buffers have been identified, consistent with Sheet C150 on the applicant's plan where the limits of mass grading are shown.

Therefore, staff find by meeting the conditions of approval, the proposal meets the 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.***

Facts and Findings: According to the applicant, this criterion is not applicable as removal of tress is not necessary to enhance tree health or eliminated conflicts with existing structures or vehicles. Staff concur.

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

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***

Facts and Findings: The applicant does not provide a response to Criterion No. 8. In response to Criterion No. 8, staff refers to the scope of this proposal and applicant's plans that show portions of the site where wetlands are located. As previously stated, these wetlands will not be impacted by the early grading proposal.

Staff notes that the subject property does not contain a Significant Grove as recognized through past city inventories (adopted). Figure 12 of the South Cooper Mountain Community Plan, identifies natural resources of the plan and shows *Wetland/Probable Wetland* and *Riparian Wildlife Habitat Class III* to occupy the same area identified by Pacific Habitat Services as Wetland A.

As mentioned herein, the applicant's Tree Plan 2 proposal would remove one tree from Wetland A. This tree (an Oregon Ash) is identified as Tree No.1587 according to the applicant's inventory (Teragan report). In the subject case, where encroachment to Wetland A is subject to separate land use review, through other case files referred to herein, staff proposes a condition where Tree No. 1587 is to be removed only upon subsequent approval of plans for site development that show partial fill of Wetland A. Staff proposes this condition because the method of removing this tree is unknown. Certain machinery is expected to be used for mass grading and tree removal purposes. This machinery should not be used for removing Tree No. 1587 until the plan for partial fill to this area has been approved.

Staff notes that the applicant has obtained the required Service Provider Letter from Clean Water Services (CWS) - Case File reference 15-0000148. The letter includes a plan that shows no grading to Wetlands A and B and no encroachment thereto. A separate Service Provider Letter from CWS has been issued for the applicant's campus development plan which is not subject to this review.

Therefore, staff find by meeting the conditions of approval, the proposal meets the

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.***

Facts and Findings: The applicant does not provide a response to Criterion No. 9. In response to Criterion No. 9, staff refers to the scope of this proposal and applicant's plans that show portions of the site where wetlands where found and will not be impacted by early grading.

In the subject case, staff does not find this criterion to be applicable. The removal of one tree to sensitive areas (primarily Wetlands A) will not impact to other trees identified to remain as part of Wetland A or off-site trees part of the natural resources area to the west as identified by the South Cooper Mountain Plan. Trees in Wetland A are shown spaced apart; removing one tree therein will cause no subsequent impact to other trees intended to remain.

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

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

Facts and Findings: The applicant responds to provisions under Section 60.60 and 60.67 of the Development Code in pages 12 through 16 of the narrative prepared for early grading and tree removal (Angelo Planning Group, April 2015). Staff incorporates the response thereto as findings in response to Criterion No. 10.

In part, the applicant's response to Section 60.60 explains how two trees will remain within Wetland A (that portion not subject to fill) and that a walnut tree (southeast corner of the site) will be preserved. The applicant also refers to the private arborist report (Teragan) submitted as part of the materials package for Tree Plan 2. Page five of the Teragan report identifies several tree protection recommendations, one being fencing. In response to Section 60.67, the applicant acknowledges designated wetlands on-site and clarifies that no grading therein will occur as part of the early grading proposal.

The City Arborist has reviewed the tree removal plan and concurs with the tree protection recommendations identified in the Teragan report. As a condition of approval, all tree protection recommendations identified by the Teragan report (pages 5, 6 and 7) are to be executed in the field. This will require all fencing and barricades around the two areas of the school property where wetlands and respective buffers have been identified. Conditions of approval further require field verification by the City Arborist prior to grading, and fence location adjustments as determined necessary.

Therefore, staff find by meeting the conditions of approval, the proposal meets the 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.***

Facts and Findings: According to the applicant, grading of the site has been designed to accommodate a future high school campus and no adverse impacts to the above elements are anticipated. The applicant refers to the Mass Grading Plan Sheets (C200 through C216) and explains how the plan meets applicable grading standards as described in Section 60.05.25 of the Development Code.

Staff concurs with the applicant's response. Staff also acknowledges the intent for temporary stockpiling of fill intended to be introduced to a portion of Wetlands A (through separate land use action). Staff also acknowledges the written testimony received from Scott and Nancy Edmonds, property owners to the west (letters dated March 30, 2105 and May 5, 2015) in addition to the written testimony received from Brian Wegener of Tualatin River Keepers (dated February 6, 2015 and April 30, 2015). These letters identify concerns related to the stockpiling of fill as described in the early grading plan. In their letter of May 5, the Edmonds identify concerns that pertain to erosion control and dust control, in addition to removal of trees that will alter shade, wind and the buffering of noise from the east. The Edmonds letter and letter received from Brian Wegner of Tualatin River Keepers (April 3) raise concerns as to stockpiling of fill in proximity to Wetlands A.

Staff also acknowledges the written testimony received from Robert Bierma (email of April 24, 2015) that raises concerns about tree removal (mostly the necessity). Staff also acknowledges the written testimony received from Vicki Fink (e-mail April 27, 2015) that supports protecting the existing walnut tree.

To mitigate adverse effect(s) on neighboring properties and abutting sensitive areas (primarily Wetland A) staff proposes a condition of approval that requires protective fencing along the western boundary of the school property and where Wetlands A and B (a buffers thereto) are shown. Conditions of approval also call for erosion control best management practices, which includes the placement of silt fencing for this purpose. Staff also notes that the proposal for stockpiling of fill is explicitly shown (at two-foot contour intervals) to an extended slope of one foot (vertical) for every two feet (horizontal) that will taper toward abutting properties and Wetland B to the west and Wetland A to the north. The City Site Development Engineer has reviewed the fill stockpile proposal to determine that adverse effects of erosion, wind/dust will be mitigated by sloping the fill in this manner, in concert with conditions of approval hereto.

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

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

Facts and Findings: The submitted tree plan proposal contains all applicable submittal requirements necessary to be deemed complete by the city.

Therefore, staff find that the proposal meets the 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.***

Facts and Findings: The applicant has submitted this Tree Plan Two application in concert with the Design Review Compliance Letter application. The applicant decided to submit these applications ahead of other land use applications that will be heard separately by the Planning Commission on May 27, 2015. Other land use applications include a Conditional Use (CU2015-0003) for the educational institution use, Design Review Three (DR2015-0005) for the school building and sport facilities, a Major Adjustment (ADJ2015-0005) for exceeding the R-1 zone building height limit and Preliminary Partition (LD2015-0005) to merge two parcels following a separate Street Vacation proposal through Washington County.

For mass grading purposes, this application for Tree Plan 2 and the associated application for Design Review Compliance Letter have been submitted together in sequence. Mass grading cannot be accomplished without tree removal. Therefore, as a condition of approval, the Tree Plan 2 and DRCL applications must be approved concurrently. The applicant is to receive approval for both application prior to the city issuing a site development permit that allows grading activity.

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

RECCOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **TP2015-0001 (South Cooper Mountain High School – Early Grading and Tree Removal)** subject to the conditions (1 through 20) identified at the end of this notice.

ANALYSIS AND FINDINGS FOR
DESIGN REVIEW COMPLIANCE APPROVAL
South Cooper Mountain High School - Early Grading and Tree Removal

Approval criteria for Design Review Compliance Letter (DRCL) are found in Section 40.20.15.1.C of the Development Code. The applicant responds to these criteria in the narrative prepared by Angelo Planning Group, April 2015.

Section 40.20.15.1.C Approval Criteria
In order to approve a Design Review Compliance Letter 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 Design Review Compliance Letter application.***

   Facts and Findings: According to the applicant, this proposal will change the existing grade on the site. Staff acknowledges a threshold description in Section 40.20.15.1.A - *Changing of existing grade* and similar description under Section 40.20.10.2 (Applicability of Design Review) of the Development Code.

   Therefore, staff finds that 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.***

   Facts and Findings: The applicant paid the required fees for the Design Review Compliance Letter application.

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

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

   Facts and Findings: In review of the materials received, staff finds the proposal to contain all applicable submittal requirements identified in Section 50.25.1.

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

4. ***The proposal meets all applicable Site Development Requirements of Sections 20.05.15., 20.10.15., 20.15.15., and 20.20.15. of the Development Code unless the applicable provisions are subject to an Adjustment, Planned Unit Development, or Variance application which shall be already approved or considered concurrently with the subject proposal.***

   Facts and Findings: According to the applicant, the proposal is for site grading and tree removal only. The applicant also states that no development is being proposed as part this of this

application. Staff concurs and notes that the site development requirements of Chapter 20 would be applicable if buildings were part of the proposal. As these elements are part of a separate land use application process, staff finds that Criterion No. 4 does not apply.

Therefore, staff finds the criterion to be not applicable.

5. ***The proposal, which is not an addition to an existing building, is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).***

Facts and Findings: In response to Criterion No. 5, the applicant states that the proposal is not an addition to an existing building. The applicant also refers to the direction received from city staff as applicable design standards (related to the project scope). Specifically, the applicant refers to the standard in Section 60.05.25.10 of the Development Code (related to site grading). The applicant states that the plans demonstrate compliance with this standard.

Staff note that the standard in Section 60.05.25.10 pertains to site grading within twenty-five feet of a property line within or abutting any residentially zoned property. The standard describes maximum slope differentials at given distances from residential property. Staff confirm that the applicant's plans for mass grading (with existing and finished grades shown at two-foot slope contour intervals) meet the standards prescribed under Section 60.05.25.10.

While the proposal meets city standards for maximum slope differentials, staff also acknowledges the intent for temporary stockpiling of fill. Staff acknowledges written testimony received from Scott and Nancy Edmonds, property owners to the west (letters dated March 30, 2105 and May 5, 2015) in addition to the written testimony received from Brian Wegener of Tualatin River Keepers (dated February 6, 2015 and April 30, 2015). These letters identify concerns related to the stockpiling of fill. In their letter of May 5, the Edmonds identify concerns that pertain to erosion control and dust control. The Edmonds letter and letter received from Brian Wegner of Tualatin River Keepers (April 3) also raise concerns as to stockpiling of fill in proximity to Wetlands A.

As stated in the findings for Tree Plan 2 approval, staff proposes a condition of approval, where the applicant will be required to provide protective fencing along the north and western boundaries of school property. Hereto staff incorporates the findings as stated in response to Criterion No. 11 of Tree Plan 2 approval. As a condition of approval, the application will be required to place protective fencing along the western boundary of the school property and where Wetlands A and B (a buffers thereto) are shown. Conditions of approval also call for erosion control best management practices, which includes the placement of silt fencing for this purpose.

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

6. ***If applicable, the proposed addition to an existing building, and only that portion of the building containing the proposed addition, complies with the applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) as they apply to the following:***
   - ***a. Building articulation and variety. (Section 60.05.15.1.).***
   - ***b. Roof forms. (Section 60.05.15.2.).***
   - ***c. Exterior building materials. (Section 60.05.15.4.).***
   - ***d. Foundation landscaping requirements. (Section 60.05.25.4.D.).***
   - ***e. Screening roof-mounted equipment requirements.(Section 60.05.15.5.).***

f. Screening loading areas, solid waste facilities and similar improvements. (Section 60.05.20.2.).
g. Lighting requirements. (Section 60.05.30.).
h. Pedestrian circulation

Facts and Findings: The applicant states that the proposal is not an addition to existing building and therefore the criterion does not apply. Staff concurs.

Therefore, staff find the criterion not applicable.

7. ***The proposal complies with all applicable provisions in Chapter 60 (Special Regulations).***

Facts and Findings: In response to Criterion No. 7 the applicant refers to the direction received from city staff where the design standard identified in Section 60.05.25.10 of the Development Code (related to grading) was the only applicable provision from Chapter 60. According to the applicant, the plans demonstrate compliance with this standard.

As previously stated in response to Criterion No. 5 (above) the standard in 60.05.25.10 pertains to site grading within twenty-five feet of a property line within or abutting any residentially zoned property. As explained in response to Tree Plan 2 approval criteria, the early grading proposal is subject to concurrent application review. Staff refers to the facts and findings as contained therein which respond to provisions related to tree protection and mitigation standards (Sections 60.60.20 and 60.60.25 of the Development Code which are found in Chapter 60). Where tree removal is necessary for the mass grading proposal, staff finds these provisions to be applicable but subject to separate yet concurrent evaluation through Tree Plan 2. As a condition of approval, the applicant will need both approvals (Design Review and Tree Plan 2) before the city issues a permit to begin grading activity.

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

8. ***Except for conditions requiring compliance with approved plans, the proposal does not modify any conditions of approval of a previously approved Type 2 or Type 3 application.***

Facts and Findings: The applicant states that this proposal does not modify any conditions of approval from a previously approved Type 2 or 3 application. Staff concurs.

Therefore, staff finds the criterion not applicable.

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

Facts and Findings: The applicant has submitted this Design Review application in concert with the Tree Plan 2 application. The applicant decided to submit these applications ahead of other land use applications that will be subject to separate review. Other land use application include case files CU2015-0003, DR2015-0029, ADJ2015-0005 and LD2015-0005, identified under separate notice which will be heard by the Planning Commission on May 27, 2015.

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

RECCOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **DR2015-0002 (South Cooper Mountain High School – Early Grading and Tree Removal)** subject to the conditions (1 through 20) identified at the end of this notice.

CONDITIONS OF APPROVAL

TP2015-0001 and DR2015-0002

A. The following conditions apply to both applications for early grading and tree removal.

1. Tree plan 2 and Design Review Compliance Letter must both be approved prior to the city issuing a site development permit that allow mass grading and tree removal.

2. The applicant early grading plan, with contours shown in Sheets C200 through C216, Exhibit A hereto, shall be executed in the field after required protective fencing is place.

3. Tree No.1587 (Oregon Ash) according to the applicant's inventory, located in Wetland A, is to remain until subsequent approval of the plans for site development, under separate land use consideration, that show partial fill of this area.

B. Prior to any work starting on site and issuance of the site development permit for tree removal and site grading only, the applicant shall:

4. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. Plans submitted for site development shall be consistent with the slope contours and height of fill stockpiling as shown in the approved land use plan for TP2015-0001 and DR2015-0002, Exhibit A, hereto. Plans shall also employ erosion control best management practices, including the placement of silt fencing for erosion control purposes. (Site Development Div./JJD)
5. 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)
6. 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)
7. Have the ownership of the subject property guarantee all site grading, erosion control best management practices, the estimated cost of fully re-establishing vegetation (should the full permit issuance be delayed), and gravel vehicle access locations 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)
8. 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)

9. Submit to the City a copy of issued permits or other approvals as needed from Washington County for the proposed grading work within and all construction access locations onto the affected County road right of ways (SW 175th Avenue and SW Scholls Ferry Road). (Site Development Div./JJD)

10. 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)

11. Submit a copy of issued permits or other approvals needed from the Clean Water Services District as a part of the City's plan review process. (Site Development Div./JJD)

12. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the 2006 plan format per requirements for sites 5 acres or larger adopted by the Oregon DEQ and Clean Water Services. The public review and comment period administered by DEQ shall be complete and the permit granted prior to issuance of the City site development permit. (Site Development Div./JJD)

13. Install all fencing and barricades around all trees designated to remain in the immediate area of construction, consistent with the tree protection provisions of Section 60.60.20 of the Development Code, unless modified in agreement with the City Arborist. All trees located along the western property line of the subject property are to remain for early grading purposes. Prior to Site Development Permit issuance, the applicant's tree inventory table (Teragan & Associates) is to be revised to show Black Locust trees (#s 545, 546 and 547) to be saved. The same table is to recognize trees not identified to the inventory but found on field visit. These trees are to be identified to Sheets C112 and C162 and shown to be saved. The same table is to show all Douglas Fir trees located along the western property line (#s596, 649, 651, 653, 659) to be saved unless the owner of the abutting property agrees to removal. In that event, a document demonstrating consent for removal is to be provided before removing these trees. Plans showing compliance with these standards, including placement of orange tree fencing to further delineate the limits of mass grading shall be provided prior to Site Development Permit issuance. A fence placement plan and section detail is to be included with the Site Development plan set. (Planning/SW)

14. Install all fencing and barricades around the two areas of the school property where wetlands and respective buffers have been identified, consistent with Sheet C150 where the limits of mass grading are shown. Sheet C150 and all other plan section sheet shall also be revised accordingly to recognize additional trees along the western property line to be saved consistent with the above condition. (Planning/SW)

15. Prior commencing site grading, the applicant shall contact the City Arborist (Pat Hoff) for field verification of the above fencing plan. Fence placement shall be adjusted as directed by the City Arborist. (Planning/SW)

16. Ensure all tree protection recommendations identified by the applicant's project arborist, Todd Prager, on pages 5, 6 and 7 of the document titled *Tree Plan for South Cooper Mountain High School* (Teragan & Associates dated January 13, 2015) are incorporated to the Site Development plans and documents and executed before, during and after construction as these recommendations describe. (Planning/ SW)

17. Ensure that Design Review and Tree Plan approval has not expired. In accordance with Section 50.90.1 of the Development Code, Design Review approval shall expire after one year 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)

C. Prior to release or modification of the performance security, the applicant shall:

18. Obtain the issuance of full site development permit for the proposed high school, public utilities, and all associated improvements from the Site Development Division or have otherwise completely stabilized the site with either full vegetation and/or installation of long-term erosion control best management practices. (Site Development Div./JJD).
19. Submitted record drawings (paper and PDF), stamped and signed by the professionals of record, of the completed (to date of submittal) grading and tree removal to the City for archival purposes.
20. Have 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).