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EXHIBITS

- A City of Beaverton Land Use Application Forms
- B Tax Map
- C Pre-Application Conference Notes
- D Neighborhood Meeting Documentation
- E Land Use Decision - Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V
- F Recorded Final Plat
- G Lot & Tract Summary Table
- H As-Built Construction Documents
- I Architectural Plan Set
- J Elevation Summary Table
- K Lot 17 Additional Parking Plan
- L Landscaping Plan (Approved By Washington County)
- M Lighting Plan (As-Built)
- N Clean Water Services Pre-Screen Form
- O Condition of Approval Matrix – Compliance with Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V
- P Landscaping Plan (Lot 1 - 17, and Tracts B, C, D, and F)
- Q Lighting Plan (Lot 17 Additional Parking Area)
- R Draft Bylaws and CC&Rs of Denney Gardens HOA
- S Stormwater Parking Area Analysis

APPLICATION AND SUBJECT PROPERTY SUMMARY

Property Ownership	
Property Owner/Applicant	Mark Forker, Executive Director Willamette West Habitat for Humanity 5293 NE Elam Young Pkwy., Ste. 140 Hillsboro, OR 97124 Phone: 503.844.7606 Email: MarkForker@HabitatWest.org
Applicant's Representative	Ken Sandblast, AICP Westlake Consultants, Inc. 15115 SW Sequoia Parkway, Suite 150 Tigard, OR 97224 Phone: 503.684.0652 Email: ksandblast@westlakeconsultants.com
Tax Assessment Details	
Tax Lot Number	1S123BD/03100 through 05400
Tax Lot Size	2.39 acres
Site Address	9847 SW Denney Rd. Beaverton, OR 97008
Political Boundaries	
City	Beaverton
County	Washington County
Planning Information	
Zoning Designation	R5 - Urban Standard Density
Comprehensive Plan Designation	NR-SD - Standard Density
Community Plan	Raleigh Hills Garden Home
Neighborhood Association	Denney Whitford/Raleigh West
Urban Growth Boundary	Inside
Environmental Findings	
Flood Plain (FEMA 100 yr.)	Inside Tract G of Recorded Final Plat
Watershed	Fanno Creek-Tualatin River
Service Providers	
Fire Protection	Tualatin Valley Fire & Rescue District
Parks	Tualatin Hills Park and Recreation District
School District	Beaverton School District

Sewer	Clean Water Services
Water	Tualatin Valley Water District
Police	Beaverton Police Department
Sanitary Hauler	Waste Management of Oregon
Transit District	Tri-County Metropolitan (TriMet)

PUBLIC FACILITIES AND SERVICES

1. Existing Utilities: The subject property has a full range of urban services immediately available to serve the proposed development. Consistent with prior approval, all utilities have been extended through the subject property. As-Built Construction Documents are provided as Exhibit H. As the proposed townhomes are consistent with prior approval, no modifications to existing services or facilities are required to accommodate the proposed development. A Stormwater Parking Area Analysis for the impervious area proposed on Lot 17 is provided as Exhibit S.
2. Streets: The subject property abuts SW Denney Rd. to the south. Two private street tracts, Tract A and Tract E, built following Washington County approval, provide safe and efficient access and egress to all lots.
3. Police: The subject property is served by the Beaverton Police Department. The Beaverton Police Department at 4755 SW Griffith Dr. Beaverton, OR 97005, is approximately 2-miles from the subject property.
4. Fire and Rescue: The subject property is served by Tualatin Valley Fire & Rescue. Tualatin Valley Fire & Rescue Station No. 70 is located 1.7-miles from the subject property at 8299 SW Beaverton Hillsdale Highway Portland, OR 97225.
5. Transit: Tri-met provides bus transit via Route 56-Scholls Ferry Rd. to Portland. Stop ID No. 5182 is located approximately 600-feet from the subject property at the intersection of SW Scholls Ferry and SW Denney Rd.
6. Parks: Camille Park is a 12.81-acre park located 0.6-miles from the subject property, and offers covered picnic shelters, and recreational opportunities, such as tennis courts, as well as .46-miles of trails, providing passive recreational opportunities such as Oregon white oak habitat viewing. Access to the Fanno Creek Greenway on SW Denney Rd. is 0.6-miles from the subject property, providing access to the 1.8-mile stretch of trails between SW Denney Rd. and SW Scholls Ferry Rd, being just a portion of the Fanno Creek Greenway's 15-miles of recreational and commuter trails. Amenities include benches, picnic tables, boardwalks, bridges, and natural and paved trails, as well as passive recreational opportunities, such as wooded wetland, and wildlife viewing. Vista Brook park is a 4.15-acre park located 0.8-miles from the subject property. Vista Brook offers 0.37-miles of trails, as well as two half-court basketball facilities, tennis courts, and two playgrounds. Wonderland Park is a 3.01-acre park located 1.1-miles from the subject property, which provides 0.03-miles of trails, a playground, picnic benches, and a short walking path.

PROPOSAL SUMMARY

INTRODUCTION

The subject property, known as the Denney Gardens Subdivision, is located north of SW Denney Rd., west of SW Scholls Ferry Rd., and east of SW Rollingwood Dr. As depicted by Exhibit B, the subject property is identified as Tax Lot 03100 through 05400 of Tax Map 1S123BD.

The Denney Gardens Subdivision was approved and plated under Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V, as provided as Exhibit E. A copy of the Denney Gardens recorded final plat is provided as Exhibit F. The subject property was annexed into the City of Beaverton in 2005 by Ordinance No. 4342. The Denney Gardens subdivision was reviewed and approved by Washington County based on an intergovernmental agreement between Washington County and the City of Beaverton. The Final Land Division was approved by City of Beaverton Case File No. LD2007-0042. As per *Section 10.40.4* of the City of Beaverton *Community Development Code*, the previous Washington County approval of the Denney Gardens Subdivision continues to be approved and subject to the Conditions of Approval established by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V. As depicted by Exhibit O, the Denney Gardens subdivision maintains compliance with all applicable Conditions of Approval of Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V. No modifications of the recorded Denney Gardens final plat or existing public improvements are proposed by this Application.

The Denney Gardens subdivision was approved by Washington County for the construction of single-family attached townhomes. However, the subject property was annexed into the R5 zoning district of the City of Beaverton. Due to the subject property's complex land use history, and the varying jurisdictional approvals affecting the subject property, this Application requests Director's Interpretation as identified by *Section 40.25.15*, so as to resolve Code interpretation issues. As per Threshold No. 1, as defined by *Section 40.25.15.1.A.1.*, this Application requests the Director interpret the Development Code in writing.

Concurrently, this Application requests Design Review 2 procedure, so as to ensure the 16 proposed affordable single-family attached townhomes are designed and built in compliance with all applicable provisions of the City of Beaverton *Community Development Code*. As per the Pre-Application Conference Notes provided as Exhibit C, this Application qualifies as Design Review 2 as the proposed development is in compliance with all applicable City of Beaverton Design Review standards.

EXISTING CONDITIONS

The subject property is located north of SW Denney Rd., west of SW Scholls Ferry Rd., and east of SW Rollingwood Dr. The subject property has a change in elevation of approximately 16-feet. The portion of the subject property proposed for development, including Lot 1 through Lot 17, slopes at approximately 4% from north to south. Fanno Creek extends along the northern edge of the subject property; a tributary extends along the western edge of the subject property.

As depicted by the recorded Final Plat submitted as Exhibit F, the Denney Gardens Subdivision includes 17 Lots and 7 Tracts. Lot 1 through Lot 16 range in size from 753 S.F. to 970 S.F. Lot 17 is 5,358 S.F. A detached single-family dwelling previously sited on Lot 17 has since be demolished, due to dilapidation over the past decade.

The frontage of the subject property along SW Denney Rd. was improved following the approval of Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V. Access is provided to Lot 1 through Lot 17 via Tract A, a 7,700 S.F. tract, and Tract E, a 1,782 S.F. tract.

Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V open space totaled 60% of the subject property. The recorded Denney Gardens final plat includes five open space tracts, Tracts B, C, D, F and G, totaling 68,861 S.F. (66%) of the subject property. Tract G, is a 56,229 S.F. open space tract, on the northern and western side of the subject property. As previously conditioned by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V provided as Exhibit E, a pervious nature path has been constructed in Tract G which provides opportunities for passive wetland viewing, and serves as an alternative pedestrian connection between the proposed townhomes and SW Denney Rd.

The subject property has a full range of urban services immediately available to serve the proposed development, including water, sanitary sewer, and stormwater drainage services and facilities. Consistent with prior approval, all utilities have been extended through the subject property. As-Built Construction Documents are provided as Exhibit H. As the proposed townhomes are consistent with prior approval, no modifications of existing facilities and services are required to accommodate the proposed development. Documentation of compliance with all Conditions of Approval of Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V is provided as Exhibit O.

Stormwater management previously reviewed and approved by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V continues to be adequate to serve the proposed development. Previous Washington County review of stormwater management facilities accounted for runoff from 16 proposed townhomes, 2 private street tracts, and an existing dwelling on Lot 17. Since that time, the dwelling previously sited on Lot 17 has been demolished due to dilapidation over the years. Lot 17 is now proposed to serve as an alternative parking area. The previously approved stormwater management services are more than adequate to serve the proposed development. A Stormwater Parking Area Analysis for the impervious area proposed on Lot 17 is provided as Exhibit S.

ACCESS AND CIRCULATION

Following land use approval from Washington County, the street network was extended through the subject property. Access is provided to Lot 1 through Lot 11 and Lot 17 via Tract A. Access is provided to Lot 12 through Lot 16 via Tract E. The subject property has adequate arterial access and circulation available, having access to SW Denney Rd., SW Scholls Ferry Road, and Hwy 217. As previously conditioned by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V provided as Exhibit E, on-site sidewalks allow for the safe and efficient flow of pedestrian traffic on-site, and to the adjacent circulation system.

ADJACENT PARCELS

To the north of the subject property, north of Tract G, is Fanno Creek which separates the subject property from Tax Lot 00100 of Tax Map 1S123BD, an 11.46-acre industrial-zoned parcel, owned by the City of Beaverton. On the eastern boundary of the subject property, to the east of Tracts C and G, and Lots 2 and 3, is Tax Lot 01100 of Tax Map 1S123BD, a 1.01-acre parcel, which sites a single family detached dwelling in the R5 zoning district. On the western boundary of the subject property, to the west of Tract G, are single family detached dwellings in the R-5 zoning district. On the southern boundary of the subject property, to the south of Tract G, Tract F, and Lot 14 and Lot 15 is the existing public right-of-way, SW Denney Rd, which has a functional classification of Collector.

PROJECT DESCRIPTION

The Applicant, Habitat for Humanity Willamette West, owns the subject property, and intends to develop Lot 1 through Lot 16 with attached single-family townhomes, as previously approved by Washington County. This submittal package contains applications and supplemental information necessary to

demonstrate how the proposed development satisfies all Conditions of Approval established by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V, as well as all applicable standards of the City of Beaverton *Community Development Code*.

As previously mentioned, and as depicted by the recorded Final Plat provided as Exhibit F, the Denney Gardens subdivision includes 17 Lots and 7 Tracts. This Application proposes to construct affordable attached single-family townhomes on Lot 1 through Lot 16. When the Denney Gardens subdivision was platted, an existing single family detached dwelling was sited on Lot 17. Due to dilapidation over the past decade, the dwelling on Lot 17 has since be demolished. Lot 17 is now proposed to serve as an alternative parking area.

This Application proposes to site townhomes in groups of two and three, each having a total of three stories; two living floors over a garage, entry and bonus room, or two living floors over a garage, entry, bedroom and bathroom. As depicted by the Architectural Plan Set provided as Exhibit I, proposed townhomes on Lot 1 and Lot 2, and Lot 9 through Lot 16, include a two-car garage, and proposed townhomes on Lot 3 through Lot 8 include a one-car garage, and a one-car driveway. Consistent with prior approvals and the platted lot configuration, each proposed dwelling has access to the abutting public right-of-way. Access will be provided to eleven dwellings on Lots 1 through 11 via Tract A, and five dwellings on Lots 12 through 16 via Tract E. Furthermore, each proposed dwelling will be served by urban services, which were installed in accordance with the prior Washington County land use approval.

In summary, this Application proposes the following:

1. 16 affordable attached single-family townhomes on Lot 1 through Lot 16 designed in compliance with all applicable City of Beaverton Design Review standards.*
2. Landscaping associated with the proposed townhomes.**
3. An alternative parking area on Lot 17 to provide 10 additional parking spaces.***
4. Street lighting on Lot 17 – Street lighting was installed following Washington County approval, however additionally lighting is proposed for the alternative parking area of Lot 17.****
5. A playground and seating area to the south of Lot 1 and Lot 2 in Tract C (as previously approved by Washington County).
6. Sidewalks providing access to all proposed dwellings and the Denney Rd. public right-of-way (as previously approved by Washington County).
7. A seating feature to the north of Lot 3 through Lot 8 in Tract C. (as previously approved by Washington County).
8. A trailhead and barbecue area to the west of Lot 13 and Lot 14 in Tract F. (as previously approved by Washington County).

* This Application proposes minor changes to the architectural design approved by Washington County, so as to satisfy applicable City of Beaverton standards.

**The proposed landscaping plan has been modified slightly from the original Washington County approved landscaping plan, so as to satisfy applicable City of Beaverton standards.

*** When the subject property was review and approved for development by Washington County, there was an existing single-family detached dwelling on Lot 17. Since that time, due to dilapidation, the dwelling on Lot 17 has been demolished. This Application proposes Lot 17 serve as an additional parking area.

**** Street lighting approved by Washington County has been installed on the subject property. As this Application proposes Lot 17 serve as an additional parking area, additional lighting is proposed on Lot 17. A Lighting Plan for Lot 17 in compliance with all applicable City of Beaverton standards is provided as Exhibit Q.

Changes in architectural design previously approved by Washington County, include the following:

- First floor entries are proposed (rather than second floor entries).
- Provides options for 2, 3 or 4 bedroom townhomes (rather than exclusively 3 bedroom units).
- Increased variety in exterior building materials (see Architectural Plan Set, Exhibit I).
- Increased variety in roof forms, including partial gable, shed, full gable, cascading gable and double gable styles (see Architectural Plan Set, Exhibit I).
- Increased unit variety - proposing 5 different unit types (rather than 2 unit types) .
- 48 S.F. second floor balconies proposed (rather than second floor 56 S.F. entryways).
- Increased safety and feasibility of garages.
- Double-wall construction (so as to satisfy provisions of *Section 60.05.15.4.A*).

Variations in Proposed Unit Designs:

Unit-A (Lots 1, 2 and 12-13)

- 1,562 S.F.
- 4 bedrooms
- 3 bathrooms
- 36 S.F. covered entryway (1st floor)
- 48 S.F. deck (2nd floor)
- 2-car garage (375 S.F.)

Unit-A-Alternative (Lots 14 and 15)

- 1,538 S.F.
- 4 bedrooms
- 3 bathrooms
- 36 S.F. covered entryway (1st floor)
- 48 S.F. deck (2nd floor)
- 2-car garage (375 S.F.)

Unit-B (Lots 9 and 10)

- 1,522 S.F.
- 3 bedrooms
- 2 bathrooms
- 48 S.F. covered entryway (1st floor)
- 48 S.F. deck (2nd floor)
- 2-car garage (380 S.F.)

Unit-C (Lots 3-8)

- 1,637 S.F.
- 4 bedrooms
- 3 bathrooms
- 32 S.F. covered entryway (1st floor)
- 1-car garage (249 S.F.) and 1-car driveway

Unit-D (Lot 11)

- 1,247 S.F.
- 2 bedrooms
- 2 bathrooms
- 48 S.F. covered entryway (1st floor)
- 48 S.F. deck (2nd floor)
- 2-car garage (380 S.F.)

COMPLIANCE WITH BEAVERTON COMMUNITY DEVELOPMENT CODE

The following narrative and supporting Exhibits depict how the proposed development satisfies all applicable standards of the City of Beaverton *Community Development Code*, as well as Conditions of Approval mandated by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V, without a need for a Modification of a Decision.

After reviewing the City of Beaverton *Community Development Code*, this Application found provisions of the following Sections to be applicable to the proposed development.

City of Beaverton Community Development Code

CHAPTER 10 GENERAL PROVISIONS

10.40. ANNEXATION

10.60. BURDEN OF PROOF

CHAPTER 20 LAND USES

CHAPTER 40 PERMITS AND APPLICATIONS

40.03. FACILITIES REVIEW COMMITTEE

40.20. DESIGN REVIEW

40.25. DIRECTOR'S INTERPRETATION

CHAPTER 50 PROCEDURES

50.05. INITIATION OF AN APPLICATION

50.20. PRE-APPLICATION CONFERENCE

50.30. NEIGHBORHOOD REVIEW MEETING

50.40. TYPE 2

CHAPTER 60 SPECIAL REQUIREMENTS

60.05. DESIGN REVIEW DESIGN PRINCIPLES, STANDARDS AND GUIDELINES

60.30. OFF-STREET PARKING.

60.30 PARK AND RECREATION FACILITIES AND SERVICES PROVISION

60.40. SIGN REGULATIONS.

60.45. SOLAR ACCESS PROTECTION

60.60. TREES AND VEGETATION

60.65. UTILITY UNDERGROUNDING

CHAPTER 10 GENERAL PROVISIONS

10.40. ANNEXATION

4. [ORD 4224; August 2002] *Development, uses, or both which have received approval from the former jurisdiction shall continue to be approved and subject to the conditions of approval established by the former jurisdiction, if any. After the effective date of either Annexation Related Zone Change application, any change to any development or uses annexed into the City shall be subject to the City zoning regulations in effect at the time of the proposed change.*

RESPONSE: As per Section 10.40.4, the Washington County approval of the Denney Gardens subdivision continues to be approved and subject to the Conditions of Approval established by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V. As depicted by Exhibit O the proposed development satisfies all applicable Washington County Conditions of Approval. No modifications are proposed to the Denney Gardens recoded final plat, or existing public improvements. The proposed development satisfies the overall intent of the previous Washington County approval, subject to minor changes in architectural design and materials, so as to satisfy applicable City of Beaverton design standards.

10.60. BURDEN OF PROOF

RESPONSE: This Application acknowledges the provisions of this Section.

CHAPTER 20 LAND USES

RESPONSE: This Application is not seeking any modifications to the approved and recorded Denney Gardens Subdivision Plat. The previous Washington County April 2006 Staff Report provided findings summarizing compliance with the applicable code and land division standards. As per *Section 10.40.4* of the City of Beaverton *Community Development Code*, the prior Washington County findings remain effective, and therefore the proposed development maintains full compliance, either through actions already taken with the construction of site improvements and recording of the final plat, and/or through compliance with previously adopted Conditions of Approval. In summation, based on the prior adopted findings attached hereto, and the recorded plat, this Application has demonstrated compliance with all applicable land division standards and approval criteria.

CHAPTER 40 PERMITS AND APPLICATIONS

40.03. FACILITIES REVIEW COMMITTEE

1. All Conditional Use, Design Review Two, Design Review Three, and applicable Land Division applications:
A. All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.

RESPONSE: The Denney Gardens Subdivision includes adequate access to critical facilities and services, including access to water, sanitary sewer, and stormwater facilities and services. Furthermore, the proposed development is provided adequate access to fire protection services. The provisions of this Section are satisfied.

B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.

RESPONSE: The Denney Gardens Subdivision includes adequate access to essential facilities and services, including on-site pedestrian circulation facilities, and adequate police protection, as well as access to nearby schools and the transit network. The provisions of this Section are satisfied.

C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).

RESPONSE: The proposed development was approved and plated under Washington County Case File Number 05-513-PLA/PD/S/D(R)/FP/W/V, as provided as Exhibit E. A copy of the recorded Denney Gardens Final Plat is provided as Exhibit F. This Application is not seeking any modifications to the recorded Denney Gardens Final Plat. The April 2006 Washington County Staff Report provided findings summarizing compliance with all applicable code and land division standards. As per *Section 10.40.4* of the City of Beaverton *Community Development Code*, the prior Washington County findings remain effective. Therefore the Applicant believes that full compliance is maintained either through actions already taken with the construction of site improvements and recording of the Final Plat, and/or through compliance with the adopted Conditions of Approval. The provisions of this Section are satisfied.

D. The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.

RESPONSE: As demonstrated by this narrative and supporting Exhibits, the proposed development is consistent with all applicable provisions of *Chapter 60*. The provisions of this Section are satisfied.

E. Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.

RESPONSE: As demonstrated by Exhibit R, Draft Bylaws and CC&Rs of the Denney Gardens Home Owners' Association, this Application proposes satisfactory means of the continued maintenance of private common facilities and areas. The provisions of this Section are satisfied.

F. There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.

RESPONSE: Following Washington County approval, the existing street network was extended through the subject property to allow for the safe and efficient flow of vehicular and pedestrian traffic on-site. The provisions of this Section are satisfied.

G. The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.

RESPONSE: The existing on-site vehicular and pedestrian circulation system connects to the surrounding circulation system in a safe and efficient manner via the Denney Rd. public right-of-way. The provisions of this Section are satisfied.

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

RESPONSE: The proposed townhomes and existing and proposed public facilities are designed in accordance with applicable City codes and standards. Furthermore, the proposed development provides adequate fire protection services. The provisions of this Section are satisfied.

I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.

RESPONSE: The proposed townhomes and existing and proposed public facilities are designed in accordance with applicable City codes and standards. Furthermore, the proposed development provides adequate protection from crime and accident, as well as protection from hazardous conditions. The provisions of this Section are satisfied.

J. Grading and contouring of the development 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.

RESPONSE: The provisions of this Section are not applicable as this Application does not propose grading.

K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

RESPONSE: Existing facilities on-site, as well as proposed improvements, are designed to accommodate the physically handicapped. Access routes are provided via the on-site sidewalk network. Furthermore, the proposed design includes the option for scored concrete at pedestrian crosswalks for increased safety. The provisions of this Section are satisfied.

L. The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]

RESPONSE: This Application includes all applicable submittal materials required by *Section 50.25.1*. The provisions of this Section are satisfied.

40.20. DESIGN REVIEW

40.20.15. Application

2 Design Review Two

A. Threshold. An application for Design Review Two shall be required when an application is subject to applicable design standards and one or more of the following thresholds describe the proposal:

3. New construction of attached residential dwellings excluding duplexes, in any zone where attached dwellings are a Permitted or Conditional Use. [ORD 4410; December 2006]

RESPONSE: As this Application proposes single family attached residential townhomes and is consistent with all applicable Design Review standards, the proposed development satisfies Threshold A.3., and qualifies as a Design Review Two application. The provisions of this Section are satisfied.

B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Design Review Two. The decision making authority is the Director.

RESPONSE: This Application and supporting documentation demonstrate compliance with Type 2 procedure as governed by *Section 50.40*. The provisions of this Section are satisfied.

C. Approval Criteria. [ORD 4365; October 2005] In order to approve a Design Review 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 Design Review Two application.

RESPONSE: This Application includes documentation of compliance with all requirements applicable to Design Review 2 applications. The provisions of this Section are satisfied.

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

RESPONSE: All applicable fees have been remitted with this Application. The provisions of this Section are satisfied.

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

RESPONSE: This Application includes all applicable submittal requirements as specified by *Section 50.25.1*. The provisions of this Section are satisfied.

4. The proposal is consistent with all applicable provisions of Sections 60.05.15. through 60.05.30. (Design Standards).

RESPONSE: As demonstrated via this narrative and supporting documentation, the proposed design is consistent with all applicable provisions of *Section 60.05.15* through *Section 60.05.30*. The provisions of this Section are satisfied.

D. Submission Requirements. An application for a Design Review Two shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Design Review Two application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

RESPONSE: The appropriate land use form, signed by the owner of the subject property, and including all applicable information is provided as Exhibit A. The provisions of this Section are satisfied.

E. Conditions of Approval. The decision making authority may impose conditions on the approval of a Design Review Two application to ensure compliance with the approval criteria.

F. Appeal of a Decision. Refer to Section 50.65.

G. Expiration of a Decision. Refer to Section 50.90.

H. Extension of a Decision. Refer to Section 50.93.

RESPONSE: This Application acknowledges the provisions of these Sections.

40.25. DIRECTOR'S INTERPRETATION

40.25.15. Application.

There is a single Director's Interpretation application which is subject to the following requirements.

1. Director's Interpretation.

A. Threshold. An application for Director's Interpretation shall be required when one or more of the following thresholds apply:

1. A request that the Director interpret the Development Code in writing.

2. A request that the Director provide a determination of nonconforming status of a lot, structure, or use in writing.

RESPONSE: The Denney Gardens subdivision was approved and platted by Washington County for the construction of single-family attached townhomes. However, in 2005 the subject property was annexed into the R5 zoning district of the City of Beaverton. Due to the varying jurisdictional approvals affecting the subject property, this Application requests the Director's Interpretation as identified by *Section 40.25.15*, to resolve Code interpretation issues concurrent with approval of the proposed Design Review 2 Application. As per Threshold No. 1, as defined by *Section 40.25.15.1.A.1.*, this Application requests the Director interpret the Development Code in writing. The provisions of this Section are satisfied.

B. Procedure Type. The Type 2 procedure, as described in Section 50.40. of this Code, shall apply to an application for Director's Interpretation. The decision making authority is the Director.

RESPONSE: The proposed Director's Interpretation shall be reviewed through Type II procedure concurrent with the proposed Design Review 2 Application. The provisions of this Section are satisfied.

C. Approval Criteria. In order to approve a Director's Interpretation 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 Director's Interpretation application.

RESPONSE: This Application satisfies applicable requirements of Threshold No. 1, as defined by *Section 40.25.15.1.A.1.* The provisions of this Section are satisfied.

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

RESPONSE: All applicable fees have been remitted with this Application. The provisions of this Section are satisfied.

3. That the interpretation is consistent with the City's Comprehensive Plan and other provisions within the Development Code. [ORD 4584; June 2012]

RESPONSE: This Application demonstrates that the proposed development is consistent with prior land use approval issued by Washington County, as well as all applicable Design Review standards of the City of Beaverton. The provisions of this Section are satisfied.

4. When interpreting that a use not identified in the Development Code is a Permitted, Conditional, or Prohibited Use, that use must be substantially similar to a use currently identified in the subject zoning district or elsewhere in the Development Code. [ORD 4584; June 2012]

RESPONSE: As per Section 10.40.4, the Washington County approval of the Denney Gardens subdivision continues to be approved and subject to the Conditions of Approval established by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V. As depicted by Exhibit O the proposed development satisfies all applicable Washington County Conditions of Approval. No modifications are proposed to the Denney Gardens recoded final plat, or existing public improvements. Therefore the Applicant believes that full compliance is maintained either through actions already taken with the construction of site improvements and recording of the Final Plat, and/or through compliance with the adopted Conditions of Approval. The provisions of this Section are satisfied.

The proposed development satisfies the overall intent of the previous Washington County approval, subject to minor changes in architectural design proposed to satisfy applicable City of Beaverton design standards. Accordingly, this Application requests Director's Interpretation to review proposed changes in architectural design and materials, to ensure compliance with applicable City design standards. Minor changes in architectural design are detailed on Page 8 of this narrative.

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

RESPONSE: This Application includes all applicable submittal requirements as specified by Section 50.25.1. The provisions of this Section are satisfied.

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

RESPONSE: All applicable land use application forms are provided as Exhibit A. The provisions of this Section are satisfied.

D. Submission Requirements. An application for a Director's Interpretation shall be made by the owner of the subject property, or the owner's authorized agent, on a form provided by the Director and shall be filed with the Director. The Director's Interpretation application shall be accompanied by the information required by the application form, and by Section 50.25. (Application Completeness), and any other information identified through a Pre-Application Conference.

RESPONSE: All applicable land use application forms are provided as Exhibit A. All information required by the Director's Interpretation application form is included in this submittal. All information required by Section 50.25 is provided with this submittal, in addition to all other information requested by the Pre-Application Conference Notes provided as Exhibit C. The provisions of this Section are satisfied.

CHAPTER 50 PROCEDURES

50.05. INITIATION OF AN APPLICATION

[Omitted for Brevity]

RESPONSE: In satisfaction of *Section 50.05.1.A.*, this Application is filed by Willamette West Habitat for Humanity, the owner of the subject property. The provisions of this Section are satisfied.

50.20. PRE-APPLICATION CONFERENCE

[Omitted for Brevity]

RESPONSE: The Applicant attended a Pre-Application Conference on August 2, 2017. Pre-Application Conference notes are provided as Exhibit C. The provisions of this Section are satisfied.

50.25. APPLICATION COMPLETENESS

[Omitted for Brevity]

RESPONSE: In satisfaction of *Subsection 50.25.1.A.*, appropriate land use application forms are provided as Exhibit A. In satisfaction of *Subsection 50.25.1.B.*, this narrative serves as a written statement documenting compliance with all applicable criteria and development regulations. This Application acknowledges the provisions of *Subsection 50.25.1.C.* In satisfaction of *Subsection 50.25.1.D.*, documentation of the neighborhood meeting hosted on August 17, 2017 is provided as Exhibit D. In satisfaction of *Subsection 50.25.1.E.*, a copy of the Pre-Application Conference notes is provided as Exhibit C. In satisfaction of *Subsection 50.25.1.F.*, documentation of Clean Water Services that water quality will not be adversely affected by the proposed development is provided as Exhibit N. In satisfaction of *Subsection 50.25.1.G.*, all applicable fees are remitted with this Application. The provisions of this Section are satisfied.

50.30. NEIGHBORHOOD REVIEW MEETING

RESPONSE: The Applicant hosted a neighborhood meeting on August 17, 2017. Documentation of the Neighborhood Meeting is provided as Exhibit D. The provisions of this Section are satisfied.

50.40. TYPE 2

RESPONSE: This Application proposes Type 2 review in accordance with all applicable provisions of *Section 50.40.* The provisions of this Section are satisfied.

CHAPTER 60 SPECIAL REQUIREMENTS

60.05. DESIGN REVIEW DESIGN PRINCIPLES, STANDARDS AND GUIDELINES

60.05.10. Design Principles. The following design principles are general statements to guide the development of the built environment, the appearance of that development, and the effect of that development on the existing surroundings. The design guidelines and standards implement these principles. [ORD 4584; June 2012]

1. Building Design and Orientation. Design buildings that enhance the visual character of the community and take into account the surrounding neighborhoods, provide permanence, and create a sense of place. In Residential, Commercial and Multiple Use districts, design buildings that contribute to a safe, high quality pedestrian-oriented streetscape.

RESPONSE: The proposed townhomes are designed to enhance the visual character of the community, while providing tasteful, yet attainable residential housing options. The proposed development has access to public transit, as well as the vehicular and pedestrian network, and is located in the vicinity of other existing single-family attached and multi-family developments. There are existing single-family attached dwellings located at 10317 SW Denney Rd. approximately 0.2-miles from the subject property.

Additionally, there is a multi-family development located approximately 0.3-miles from the subject property at 6840 SW 104th Ave. Furthermore, public open space on the subject property creates a sense of place and permanence in the neighborhood, by preserving 56,229 S.F. (54%) of the subject property in Tract G, which abuts the SW Denney Rd. public right-of-way, and provides opportunities for passive uses, such as wetland viewing. The provisions of this Section are satisfied.

3. Circulation and Parking Design. Provide integrated multi-modal circulation and parking improvements that are safe and convenient, connect to surrounding neighborhoods and streets, and serve the needs of development.

RESPONSE: Existing improvements on the subject property include two street tracts which provide vehicular access to Lot 1 through Lot 17. As depicted by Exhibit H, As-Built Construction Documents, on-site sidewalks provide access to all proposed dwellings in satisfaction of previous Washington County Conditions of Approval, as well as all applicable City of Beaverton design standards. Proposed sidewalks allow for the safe and efficient flow of pedestrian traffic on the subject property.

Furthermore, as conditioned by the previous Washington County land use approval a pervious nature path has been constructed in Tract G which connects the proposed development to the SW Denney Rd. public right-of-way. As depicted by Exhibit H, As-Built Construction Documents, vehicular access to SW Denney Rd. is provided along the subject property's southern boundary. Pedestrian access to SW Denney Rd. is provided at two locations along the subject property's southern boundary. The provisions of this Section are satisfied.

4. Landscape, Open Space, and Natural Areas Design. Create landscape areas that contribute to the aesthetics of the community, conserve, protect, enhance or restore natural features and the natural environment, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents, customers, employees, and the community. Whenever possible, utilize native vegetative species which are disease and drought tolerant.

RESPONSE: The recorded Denney Gardens final plat includes 5 open space tracts, Tracts B, C, D, F and G, totaling 68,861 S.F. (66%) of the subject property. Tract G, is a 56,229 S.F. open space tract, on the northern and western side of the subject property.

As conditioned by previous Washington County land use approval provided as Exhibit E, a pervious nature path has been constructed in Tract G which provides opportunities for passive wetland viewing. Furthermore, this Application proposes the following: landscaping associated with the proposed townhomes; a playground and seating area to the south of Lot 1 and Lot 2 in Tract C; a seating feature to the north of Lot 3 through Lot 8 in Tract C; and a trailhead and barbecue area to the west of Lot 13 and Lot 14 in Tract F. The provisions of this Section are satisfied.

5. Lighting Design. Provide exterior lighting for buildings, parking lots, pedestrian pathways, vehicular areas, pedestrian plazas, public open spaces to ensure public safety and convenience, and to minimize excessive illumination on environmentally sensitive areas, adjoining properties, and streets.

RESPONSE: Adequate street lighting was installed following Washington County land use approval. Existing street lighting is depicted by the As-Built Construction Documents provided as Exhibit H. This Application proposes exterior aesthetic lighting on the proposed townhomes, and safety lighting in the proposed parking area on Lot 17. As demonstrated by the Lighting Plan provided as Exhibit Q, proposed lighting on Lot 17 is designed to ensure safety and convenience, while minimizing impacts to neighboring properties. The provisions of this Section are satisfied.

60.05.15. Building Design and Orientation Standards

Unless otherwise noted, all standards apply in all zoning districts.

1. Building articulation and variety.

A. Attached residential buildings in Residential zones shall be limited in length to two hundred (200) feet. [ORD 4542; June 2010]

RESPONSE: In satisfaction of Section 60.05.15.1.A, and as depicted by the Architectural Plan Set provided as Exhibit I, the longest proposed unit is 60-feet in length. The provisions of this Section are satisfied.

B. Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the street-facing elevation(s) and the elevation(s) containing a primary building entrance or multiple tenant entrances devoted to permanent architectural features designed to provide articulation and variety. These permanent features include, but are not limited to windows, bays and offsetting walls that extend at least eighteen inches (18”), recessed entrances, loading doors and bays, and changes in material types. Changes in material types shall have a minimum dimension of two feet and minimum area of 25 square feet. The percentage of the total square footage of elevation area is: [ORD 4584; June 2012]

1. Thirty (30) percent in Residential zones, and all uses in Commercial and Multiple Use zones. [ORD 4584; June 2012]

RESPONSE: As depicted by the Architectural Plan Set provided as Exhibit I, and the Elevation Summary Table provided as Exhibit J, at least 30% of the total square footage of proposed elevation areas within 200-ft of the Denney Gardens public right-of-way are devoted to permanent architectural features designed to provide articulation and variety. Proposed design features include: recessed areas, front porches, windows and shutters, doors, raised decks, and variation in siding, in addition to other architectural features on street-facing and main entry elevations. The provisions of this Section are satisfied.

C. The maximum spacing between permanent architectural features shall be no more than:

1. Forty (40) feet in Residential zones, and all uses in Commercial and Multiple Use zones. [ORD 4584; June 2012]

RESPONSE: The proposed townhomes are 20-feet in width, thus maximum spacing of permanent architectural features is no more than 40-feet. Furthermore, as depicted by the Architectural Plan Set provided as Exhibit I, the proposed design utilizes a combination of repeating elements and unique features to create a balance between unity of overall design, as well as individuality of units. The provisions of this Section are satisfied.

D. In addition to the requirements of Section 60.05.15.1.B. and .C., detached and attached residential building elevations facing a street, common green or shared court shall not consist of undifferentiated blank walls greater than 150 square feet in area. Building elevations shall be articulated with architectural features such as windows, dormers, porch details, alcoves, balconies or bays. [ORD 4542; June 2010]

RESPONSE: As depicted by the Architectural Plan Set provided as Exhibit I, this Application does not propose blank walls greater than 150 S.F. The proposed design utilizes architectural features, such as recessed areas, changes in materials, and doors and windows, so as to minimize blank walls. The provisions of this Section are satisfied.

2. Roof forms.

A. All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.

RESPONSE: All proposed roof forms have a minimum of 5/12 pitch. The provisions of this Section are satisfied.

B. Sloped roofs on residential uses in residential zones and on all uses in multiple use and commercial zones shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches. [ORD 4584; June 2012]

RESPONSE: All proposed roof forms include a minimum of 12-inch eave overhangs. The provisions of this Section are satisfied.

3. Primary building entrances.

A. Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.

RESPONSE: The proposed units include two basic entry designs, Units B, C, and D include a primary entrance recessed from the building façade; recessed entryway is approximately 4-feet by 12-feet, or 48 S.F.. Unit-A and Unit-A-Alt provide a roof overhang measuring 2-feet in depth by 9-feet in width, in addition to a second floor overhang which provides an additional 2-feet in depth and 19-feet in width of weather protection area. Thus, Unit-A and Unit-A-Alt primary entryways include 4-feet by 9-feet, or 36 S.F. area of weather protection. The provisions of this Section are satisfied.

4. Exterior building materials.

A. For attached residential uses in Residential zones and all residential uses in Multiple Use zones, a minimum of seventy-five (75) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances shall be double wall construction. [ORD 4542; June 2010] [ORD 4584; June 2012]

RESPONSE: As depicted by the Architectural Plan Set provided as Exhibit I, the proposed design incorporates double wall construction on at least 75% of each elevation which is visible from and within 200-feet of a public right-of-way, or public open space, including primary building entrances. The provisions of this Section are satisfied.

B. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones (except detached residential uses fronting streets, common greens and shared courts), a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances may be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard. The remaining elevation area for all applicable uses in all applicable zones shall be architecturally treated. Appropriate methods of architectural treatment shall include, but are not limited to, scoring, changes in material texture, and the application of other finish materials such as wood, rock, brick or tile wall treatment. [ORD 4542; June 2010] [ORD 4576; January 2012] [ORD 4584; June 2012]

RESPONSE: The provisions of this Section are not applicable as this Application does not propose plain, smooth, unfinished concrete, concrete block, plywood or sheet pressboard.

C. For Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless pigmented, textured, or both. In Industrial districts, foundations may extend up to four (4) feet above the finished grade level. [ORD 4584; June 2012]

RESPONSE: The provisions of this Section are not applicable, as this Application does not propose exposed foundation materials above finished grade.

5. *Roof-mounted equipment.*

[Omitted for brevity]

RESPONSE: The provisions of this Section are not applicable as this Application does not propose roof-mounted equipment.

7. *Building scale along Major Pedestrian Routes.*

[Omitted for brevity]

RESPONSE: The provisions of this Section are not applicable as the subject property has frontage on SW Denney Rd., which is not identified as a major pedestrian route.

60.05.20. Circulation and Parking Design Standards

Unless otherwise noted, all standards apply in all zoning districts.

1. *Connections to the public street system.*

[Omitted for brevity]

RESPONSE: The provisions of this Section are not applicable as following Land Use Approval from Washington County (provided as Exhibit E), site utilities and the extension of the existing street network were constructed. As-Built Construction Documents are provided as Exhibit H.

2. *Loading areas, solid waste facilities and similar improvements.*

[Omitted for brevity]

RESPONSE: The provisions of this Section are not applicable as no loading areas, solid waste facilities, outdoor storage areas, or other similar improvements which require screening from the public view are proposed by this Application.

3. *Pedestrian circulation.*

A. Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist:

[Omitted for Brevity]

RESPONSE: As demonstrated by Exhibit H, As-Built Construction Documents, existing on-site improvements provide pedestrian connection to the surrounding transportation network. Sidewalks provide for the safe and efficient flow of pedestrian traffic to proposed townhomes, open space tracts, the alternative parking area located on Lot 17, and the Denny Rd. public right-of-way. The provisions of this Section are satisfied.

B. A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.

RESPONSE: As demonstrated by Exhibit H, As-Built Construction Documents, the Denney Gardens subdivision provides for the safe and efficient flow of pedestrians, including two points of access onto SW Denney Rd.: (1) walkway connection between primary entrances and sidewalks, which provide access to SW Denney Rd; (2) a nature path through Tract G, which provides pedestrian connection between the proposed units and SW Denney Rd. The provisions of this Section are satisfied.

C. A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage or for every eight aisles of vehicle parking if parking is located between the building and the

street. A reasonably direct walkway shall also be provided to any accessway abutting the site. This standard may be waived when topographic conditions, man-made features, natural areas, etc. preclude walkway extensions to adjacent properties.

RESPONSE: As demonstrated by Exhibit F, Recorded Final Plat, the subject property includes 190-feet of frontage on SW Denney Rd, requiring one pedestrian connection. The Denney Gardens subdivision provides two points of access onto SW Denney Rd. The provisions of this Section are satisfied.

D. Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.

RESPONSE: This provision is not applicable as no pedestrian connections are proposed through parking lots. Pedestrian connections on-site are separated from vehicular circulation and parking areas by curbs and where feasible, landscaping strips.

E. Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided, and shall be composed of a different paving material than the primary on-site paving material.

RESPONSE: The proposed design includes the option for scored concrete at pedestrian crosswalks. The provisions of this Section are satisfied.

F. Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance and shall be paved with scored concrete or modular paving materials. In the event that the Americans with Disabilities Act (ADA) contains stricter standards for any pedestrian walkway, the ADA standards shall apply. [ORD 4531; April 2010]

RESPONSE: The proposed design includes scored concrete sidewalks which satisfy all applicable accessibility requirements regarding material, slope and transitions. The provisions of this Section are satisfied.

5. Parking area landscaping.

A. Landscaped planter islands shall be required according to the following:

1. Residential uses in residential zones, one for every eight (8) contiguous parking spaces.

RESPONSE: As the alternative parking area proposed on Lot 17 does not include 8 or more contiguous parking spaces, the provisions of this Subsection are not applicable.

60.05.25. Landscape, Open Space, and Natural Areas Design Standards.

Unless otherwise noted, all standards apply in all zoning districts.

3. Minimum landscape requirements for residential developments consisting of eight (8) or more units of Attached Housing or Compact Detached Housing. [ORD 4584; June 2012]

A. Common open space shall consist of active, passive, or both open space areas, and shall be provided as follows:

1. A minimum of 15% of the gross site area shall be landscaped as defined in Section 60.05.25.4. [ORD 4584; June 2012]

RESPONSE: The landscape plan previously approved by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V, depicts vegetated corridor planting for sensitive areas located in Tract G.

Exhibit P of this Application is a landscape plan prepared by a certified landscape architect with Laurus Designs, LLC. The proposed planting plan satisfies all applicable provisions of *Section 60.05.25.4*. The proposed landscaping plan includes plantings to be installed within front yard areas, and within all open space areas not occupied by structures, walkways, driveways, or parking spaces, including planting

adjacent to future dwellings and the additional parking area on Lot 17, as well as within Tracts B, C, D and F.

If overall landscaping areas are calculated to include 56,229 S.F. Tract G of the existing Denney Gardens final plat, landscaping totals 67,097 S.F. (64%) of the subject property. If the percentage of the site landscaped is calculated excluding Tract G, and is based solely on landscaping provided on Lot 1 through Lot 17, and Tracts B, C, D and F, landscaping totals 10,868 S.F. of 47,879 S.F. (22%) of the subject property. The provisions of this Section are satisfied.

B. At least twenty-five (25) percent of the total required open space area shall be active open space. [ORD 4515; September 2009] [ORD 4542; June 2010] [ORD 4584; June 2012]

RESPONSE: The recorded Denney Gardens final plat includes 68,861 S.F. (66%) of open space. No changes to the recorded lot and tract configuration are proposed by this Application. In accordance with previous Washington County land use approval provided as Exhibit E, this Application proposes active use features including a playground and seating area to the south of Lot 1 and Lot 2 in Tract C, a 7,878 S.F. open space tract. Additionally, this Application proposes a trailhead and barbecue area to the west of Lot 13 and Lot 14 in Tract F, a 3,659 S.F. open space tract. The provisions of this Section are satisfied.

C. For the purposes of this Section, environmentally sensitive areas shall be counted towards the minimum common open space requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum common open space requirement.

RESPONSE: Environmentally sensitive areas are identified on the subject property, and protected within Tract G. The Denney Gardens Subdivision includes 5 open space tracts totaling, 68,861 S.F. (66%) of the subject property. The provisions of this Section are satisfied.

D. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a common green or shared court, shall not be considered common open space. [ORD 4542; June 2010]

RESPONSE: In satisfaction of this provision, this Application does not propose to consider vehicular circulation and parking areas as common open space. The provisions of this Section are satisfied.

E. Individual exterior spaces such as outdoor patios and decks constructed to serve individual units shall count toward the common open space requirement, with the following restrictions: [ORD 4584; June 2012]

- 1. Only a maximum of 120 square feet per unit may count toward the requirement. [ORD 4584; June 2012]*
- 2. Only patios and decks provided on the ground floor elevation level may count toward the requirement. [ORD 4584; June 2012]*

RESPONSE: The provisions of this Section are not applicable as this Application does not propose to count individual exterior spaces towards the common open space requirement.

F. Common open space shall not abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, unless that common open space shall be allowed adjacent to these street classifications where separated from the street by a constructed barrier at least three (3) feet in height.

RESPONSE: As depicted by Exhibit F, Tract F and Tract G of the recorded Denney Gardens final plat abut SW Denney Rd., which has a functional classification of collector. There is an existing fence greater than 3-feet in height which separates both Tract F and Tract G from the public right-of-way. The provisions of this Section are satisfied.

G. Common open space shall be no smaller than 640 square feet in area, shall not be divided into areas smaller than 640 square feet, and shall have minimum length and width dimensions of 20 feet. [ORD 4515; September 2009]

RESPONSE: The recorded Denney Gardens final plat includes 5 open space tracts, Tract B, C, D, F, and G, which range in size from 380 S.F. to 56,229 S.F. No changes to the recorded lot and tract configuration are proposed by this Application. The provisions of this Section are satisfied.

I. Active common open spaces shall be included in all developments, and shall include at least two (2) of the following improvements:

- 1. A bench or other seating with a pathway or other pedestrian way;*
- 2. A water feature such as a fountain;*
- 3. A children's play structure;*
- 4. A gazebo;*
- 5. Clubhouse;*
- 6. Tennis courts;*
- 7. An indoor or outdoor sports court; or*
- 8. An indoor or outdoor swimming and/or wading pool.*
- 9. Plaza*

RESPONSE: As conditioned by the Washington County approval provided as Exhibit E, this Application proposes active use features including a playground and seating area to the south of Lot 1 and Lot 2 in Tract C, and a trailhead and barbecue area to the west of Lot 13 and Lot 14 in Tract F. No changes to the recorded lot and tract configuration are proposed by this Application. The provisions of this Section are satisfied.

J. The decision-making authority shall be authorized to consider other improvements in addition to those provided under subsection I, provided that these improvements provide a similar level of active common open space usage.

RESPONSE: This Application acknowledges this provision.

4. Additional minimum landscape requirements for Attached Housing and Compact Detached Housing. [ORD 4584; June 2012]

A. All front yard areas and all required open space areas not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped. [ORD 4542; May 2010] [ORD 4584; June 2012]

RESPONSE: The landscape plan previously approved by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V, depicts vegetated corridor planting for sensitive areas located in Tract G.

Exhibit P of this Application is a landscape plan prepared by a certified landscape architect with Laurus Designs, LLC. The proposed planting plan satisfies all applicable provisions of *Section 60.05.25.4*. The proposed landscaping plan includes plantings to be installed within front yard areas, and within all open space areas not occupied by structures, walkways, driveways, or parking spaces, including planting adjacent to future dwellings and the additional parking area on Lot 17, as well as within Tracts B, C, D and F. The provisions of this Section are satisfied.

B. Landscaping shall include live plants or landscape features such as fountains, ponds or other landscape elements. Bare gravel, rock, bark and similar materials are not a substitute for plant cover, and shall be limited to no more than twenty-five (25) percent of the landscape area.

RESPONSE: As demonstrated by Landscaping Plan provided as Exhibit P, proposed landscaping includes live plants. Bark, rock, gravel, and similar materials are limited to less than 25% of landscape areas. The provisions of this Section are satisfied.

C. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a shared court, shall not be considered landscape area. [ORD 4515; September 2009] [ORD 4542; June 2010]

RESPONSE: In satisfaction of this provision, this Application does not propose to count vehicular circulation or parking areas towards landscape area requirements. The provisions of this Section are satisfied.

D. All street-facing building elevations shall have landscaping along their foundation. When a porch obstructs a foundation, landscaping shall be installed along the outer edge of the porch. This landscaping requirement shall not apply to portions of the building facade that provide access for pedestrians or vehicles to the building, or for plazas adjacent to the building. The foundation landscaping shall meet the following minimum standards:

- 1. The landscaped area shall be at least three (3) feet wide; and,*
- 2. For every three (3) lineal feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted; and,*
- 3. Groundcover plants shall be planted in the remainder of the landscaped area.*

RESPONSE: The Landscaping Plan provided as Exhibit P satisfies all applicable provisions of this Subsection.

E. The following minimum planting requirements for required landscaped areas shall be complied with. These requirements shall be used to calculate the total number of trees and shrubs to be included within the required landscape area:

- 1. One (1) tree shall be provided for every eight hundred (800) square feet of required landscaped area. Evergreen trees shall have a minimum planting height of six (6) feet. Deciduous trees shall have a minimum caliper of 1.5 inches at time of planting.*
- 2. One (1) evergreen shrub having a minimum mature height of forty-eight (48) inches shall be provided for every four hundred (400) square feet of required landscaped area.*
- 3. Live ground cover consisting of low-height plants, or shrubs, or grass shall be planted in the portion of the landscaped area not occupied by trees or evergreen shrubs. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area.*

RESPONSE: The Landscaping Plan provided as Exhibit P satisfies all applicable provisions of this Subsection.

*F. A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement. When a shared court is utilized in a residential development in a Multiple Use zone, hard surface areas shall not exceed seventy-five (75) percent of the minimum landscaping requirement. A hard surface area shall be comprised of the following: [ORD 4542; June 2010] [ORD 4584; June 2012]
[Omitted for Brevity]*

RESPONSE: The provisions of this Section are not applicable as no pedestrian plazas are proposed by this Application.

13. *Landscape buffering and screening. All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2. and the following standards.*

[Omitted for Brevity]

RESPONSE: The subject property is designated R-5 zoning, and abuts R-5 zoning designations to east, west and south. The subject property abuts a commercial development to the north. As per *Section 60.05.25.13.A.4*, buffer standards do not apply along property lines where there is an open space dedication at least 40-feet in width. As Tract G, a 56,229 S.F. open space tract, abuts the existing commercial development to the north of the subject property, the provisions of this Subsection are not applicable to the proposed development.

60.05.30. Lighting Design Standards.

Unless otherwise noted, all standards apply in all zoning districts.

1. Adequate on-site lighting and minimal glare on adjoining properties. [ORD 4584; June 2012]

RESPONSE: Exhibit M depicts the as-built lighting on the subject property as approved by Washington County. A lighting plan for the proposed lighting on Lot 17 is provided as Exhibit Q. In satisfaction of *Section 60.05.30.1.*, existing and proposed lighting promotes minimal glare on adjoining properties. The provisions of this Section are satisfied.

A. Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.

RESPONSE: Existing and proposed lighting is consistent with all applicable provisions of the City's *Technical Lighting Standards*. The provisions of this Section are satisfied.

B. Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.

RESPONSE: There are existing street lights which are adequate to serve the existing vehicular circulation areas, and proposed pedestrian circulation areas on the subject property. As depicted the lighting plan provided as Exhibit Q, additional lighting is proposed in the alternative parking area on Lot 17. The provisions of this Section are satisfied.

C. Lighting shall be provided in pedestrian plazas, if any developed.

RESPONSE: The provisions of this Section are not applicable as this Application does not propose any pedestrian plazas.

D. Lighting shall be provided at building entrances.

RESPONSE: All proposed units include lighting at building entrances in satisfaction of this provision. The provisions of this Section are satisfied.

E. Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.

RESPONSE: This Application acknowledges that canopy lighting must be recessed and may not be visible from public rights-of-way. The provisions of this Section are satisfied.

2. Pedestrian-scale on-site lighting.

A. Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:

1. Fifteen (15) feet in height for on-site pedestrian paths of travel.

RESPONSE: On-site pedestrian path lighting does not exceed 15-feet in height. The provisions of this Section are satisfied.

2. Twenty (20) feet in height for on-site vehicular circulation areas for residential uses in Residential zoning districts.

RESPONSE: On-site vehicular circulation area lighting does not exceed 20-feet in height. The provisions of this Section are satisfied.

5. The height of the poles for on-site pedestrian ways and onsite vehicular circulation areas shall be measured from the site's finished grade.

RESPONSE: This Application acknowledges this provision.

7. The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.

RESPONSE: Pole-mounted luminaries are finished or painted with a non-reflective color. This provision is satisfied.

B. Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.

RESPONSE: All non-pole-mounted luminaries satisfy all applicable provisions of the City's Technical Lighting Standards. The provisions of this Section are satisfied.

C. Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of forty-eight (48) inches.

RESPONSE: This Application acknowledges this provision.

60.30. OFF-STREET PARKING.

60.30.05. Off-Street Parking Requirements.

Parking spaces shall be provided and satisfactorily maintained by the owner of the property for each building or use which is erected, enlarged, altered, or maintained in accordance with the requirements of Sections 60.30.05. to 60.30.20.

RESPONSE: As detailed via this narrative and supporting documentation adequate parking is provided to serve the proposed development, and will be maintained by current and future owners of the subject property, in accordance with the requirements of Section 60.30.05. through Section 60.30.20. The provisions of this Section are satisfied.

1. Availability. Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.

RESPONSE: Sufficient parking for each proposed dwelling is provided on the subject property, and will be available to future residents. The provisions of this Section are satisfied.

2. Vehicle Parking. Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.

RESPONSE: This Application proposes adequate vehicle parking for each proposed dwelling, in accordance with Section 60.30.10.5. The provisions of this Section are satisfied.

60.30.10. Number of Required Parking Spaces.

2. Parking Categories

B. Bicycle Categories. The required minimum number of short-term and long-term bicycle parking spaces for each land use is listed in Section 60.30.10.5.

RESPONSE: As stipulated by *Section 60.30.10.5.B Parking Ratio Requirements for Bicycles*, bicycle parking requirements are not applicable to single family attached dwellings.

5. Parking Tables

[Omitted for Brevity]

RESPONSE: Unit-B and Unit-D styles (Lots 9-11) are two-bedroom dwellings, and thus require 1.5-parking spaces per unit. All other proposed unit designs (Lots 1-8 and 12-16) are three or more bedroom dwellings, and thus require 1.75 parking spaces per unit. Accordingly, as per *Section 60.30.10.5.A Parking Ratio Requirements for Motor Vehicles*, the proposed development requires a total of 27.25 parking spaces.

As per Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V, the Denney Gardens subdivision was previously conditioned to provide 3 parking spaces per dwelling unit, for a total of 48 parking spaces. As proposed, units on Lot 1 and Lot 2, and Lot 9 through Lot 16 provide two parking spaces in a garage. An alternative dwelling design of units on Lot 3 through Lot 8 provides one parking space in a garage and one parking space in a driveway. Furthermore, six on-street parking spaces are provided on the eastern boundary of the handle portion of Tract A, in addition to ten off-street parking spaces provided in the alternative parking area on Lot 17. Thus, in satisfaction of the City Beaverton parking standards, as well as the previous Washington County decision affecting the subject property, the proposed development provides a total of 48 parking spaces. The provisions of this Section are satisfied.

8. Residential Parking Dimensions. For all residential uses, any required parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. (See also Section 60.30.15. (Off-Street Parking Lot Design) for other standards.) [ORD 4312; July 2004]

RESPONSE: As depicted by the Lot 17 Parking Plan provided as Exhibit K, proposed parking spaces are a minimum of 8.5-feet in width and 18.5-feet in length. The provisions of this Section are satisfied.

10. Location of Vehicle Parking.

A. All required off-street parking spaces shall be provided on the same property upon which the use requiring the parking is located. By approving a Parking Determination application for Shared Parking, the Decision Making Authority may permit the required off-street parking spaces to be located on any property within 500 feet of the property upon which the use requiring the parking is located for uses within Residential, Commercial, and Industrial zoning districts, or on any lot within any distance for uses within Multiple Use zoning districts. [ORD 4107; May 2000] [ORD 4224; August 2002] [ORD 4462; January 2008] [ORD 4706; May 2017]

RESPONSE: All proposed parking is provided in a safe and efficient manner, and is conveniently located on the subject property. The provisions of this Section are satisfied.

60.30.15. Off-Street Parking Lot Design.

[Omitted for Brevity]

RESPONSE: This Application proposes that Lot 17 of the Denney Gardens plat serve as an alternative parking area. Proposed parking stalls are configured at 90-degree angles. As depicted by the Lot 17 Parking Plan provided as Exhibit K, in satisfaction of *Section 60.30.15*, stalls are a minimum of 8.5-feet in width, and 18.5-feet in length, and the proposed drive aisle is at least 24-feet in width. The provisions of this Section are satisfied.

60.30.20. Off-Street Parking Lot Construction.

Every parcel of land hereafter developed for use as a parking area shall conform to the requirements of the Engineering Design Manual and Standard Drawings. [ORD 3293; November 1982] [ORD 4302, June 2004] [ORD 4332; January 2005]

RESPONSE: This Application proposes that Lot 17 of the Denney Gardens plat serve as an alternative parking area. Proposed parking stalls, and drive aisles are designed in compliance with all applicable provisions of the *Engineering Design Manual and Standard Drawings*. The provisions of this Section are satisfied.

60.33. PARK AND RECREATION FACILITIES AND SERVICES PROVISION

[Omitted for Brevity]

RESPONSE: In satisfaction of the provisions of this Section, the subject property is identified as within the Tualatin Hills Parks & Recreation District. The provisions of this Section are satisfied.

60.40. SIGN REGULATIONS.

RESPONSE: The provisions of this Section are not applicable, as no signage is proposed by this Application.

60.45. SOLAR ACCESS PROTECTION

60.45.15. Solar Balance Point.

RESPONSE: As per *Section 60.45.15.5.A*, the proposed development is exempt from *Section 60.45.15.3*, and *Section 60.45.15.4*, as the lots created by the recorded Denney Gardens final plat were not required to comply with the provisions of *Section 60.45.10* when they were created.

60.60. TREES AND VEGETATION

60.60.20. Tree Protection Standards during Development.

RESPONSE: All existing trees on the subject property are preserved by existing open space tracts. Siting of the proposed dwellings does not require the removal of any existing trees. Future development of the subject property will satisfy all applicable provisions to ensure adequate protection of existing trees and vegetation. The provisions of this Section are satisfied.

60.65. UTILITY UNDERGROUNDING

RESPONSE: Critical facilities and services adequate to serve the subject property, including the installation of utilities, were completed following land use approval from Washington County. Existing utilities on the subject property are adequate to serve the proposed development. The provisions of this Section are satisfied.

SUMMARY AND REQUEST

This Application has presented substantial evidence to demonstrate that the proposed Design Review 2 and Director's Interpretation application complies with all applicable standards and approval criteria of the City of Beaverton *Community Development Code*, as well as previous Conditions of Approval mandated by Washington County Case File No. 05-513-PLA/PD/S/D(R)/FP/W/V. This Application thereby respectfully requests approval of the proposed development.