

APPLICANT’S STATEMENT
SCHOLLS FERRY APARTMENTS
MODIFICATION OF AN APPROVED DESIGN REVIEW (DR2022-0046)

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LIST OF EXHIBITS

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- C PRELIMINARY SITE PLANS, ARCHITECTURAL FLOORPLANS, AND ELEVATIONS**
- D PRE-APPLICATION CONFERENCE SUMMARY (PA2024-00129)**
- E TVF&R PERMIT # 2022-0031 REFLECTING SITE REVISIONS DATED 04/03/2024**
- F LETTER OF CONSISTENCY FROM CLEAN WATER SERVICES FOR CWS FILE 20-000306**
- G SUPPLEMENTAL GRADING EXHIBITS**

I. PROPOSAL SUMMARY

GENERAL INFORMATION

Applicant and Property Owner:	Placid Holdings, Inc. Habib Matin, Secretary 2317 NW Birkendene Street Portland, OR 97229
Applicant's Representative:	Pacific Community Design, Inc. 12564 SW Main Street Tigard, OR 97223 (503) 941-9484 Contacts: Maureen Jackson, AICP Jaki Hunt, PE
Architect:	Sinan Gumusoglu Architecture, LLC 13175 SW Bull Mountain Rd. Tigard, OR 97224
Site Location:	15584 SW Scholls Ferry Rd. South of SW Scholls Ferry Road, east of SW Barrows Road, and west of SW Horizon Blvd
Map and Tax Lot:	2S105BA00200
Design Review III Size:	2.7 AC (117,458 sq. ft.)
City Land Use Classification:	TC-HDR Town Center High Density Residential
Neighborhood Association Committee:	Neighbors Southwest NAC
Community Plan:	Murray Scholls Town Center
Pre-Application Meeting Date:	March 6, 2024 (PA2024-00129)
Land Use Applications Requested:	Modification to Approved Design Review (DR2022-0046)

PROJECT DESCRIPTION & REQUEST

The applicant is requesting a modification to the approved Design Review (DR2022-0046) for a 2-building/ 96-unit multi-family residential development. The City's Planning Commission granted approval of the Design Review application on November 2, 2022.

The applicant will need to request an extension to the approved Design Review, which expires in November 2024. The client has been advised that approval of an extension requires the development to comply with the city's newly adopted Climate-Friendly and Equitable Communities (CFEC) standards. Modifications to the development are being proposed to comply with the CFEC standards, alter Building Number 2 to reduce the cost of wall construction, and relocate the trash enclosure to accommodate Waste Management's request the enclosure be more accessible to the serve vehicles.

Specifically, the modifications include:

- Reduction in the length of Building Number 2, from 192-feet to 168-feet long,
- Modification to the mix of units:
 - Approved with 48 1-bedroom units and 48 2-bedroom units,
 - Modified plan provides 8-studio units, 48 1-bedroom units, and 40 2-bedroom units.
- Change in number of vehicle parking spaces:
 - Approved plan provided 129-spaces,
 - The modified plan provides 119-spaces.
- The proposed development has been modified to comply with the city's new parking lot design and Climate-Friendly and Equitable Communities (CFEC) standards by adding EV charging capability and tree canopy coverage:
 - 48-spaces (40% of 119-spaces) have the capacity to provide Level 2 EV charging.
 - Over 40-percent of the surface parking area will have tree canopy coverage.
- The trash enclosure location is proposed to change to accommodate Waste Management's request that the enclosure to be more accessible for the service vehicles. This location will remain in the off-street parking area where the receptacles will not be visible from the public right-of-way and be screened from view.

The applicant is continuing to utilize the Design Guidelines in Table A in order to comply with the respective Design Standard. The use of the guidelines listed below is consistent with the original approval; no change are proposed that would alter the use of guidelines

Table A: Design Guidelines Utilized:

Design Standard:	Design Guideline:	Purpose:
60.05.15.1.D	60.05.35.1.E	More than 150 square feet of the ground floor on the western elevation of Building 1, and the northern and western elevations of Buildings 2 are designed with brick

Design Standard:	Design Guideline:	Purpose:
		veneer siding that is not articulated with architectural features.
60.05.15.4.A	60.05.35.4	No portion of the building elevations within 200-ft. of a public street or elevations containing primary building entrances are designed with double-wall construction.
60.05.15.6	60.05.35.6	Due to the geometry of the subject property, it is not feasible for the proposed buildings to occupy 35% percent of the street frontage.
60.05.25.13	60.05.45.11	Significant natural resources located on the southern portion of the site and the geometry of the property the proposed development, and access standards, preclude a minimum 20-ft. wide landscape buffer along the western property boundary.
60.05.30	60.05.50	A photometric plan and final lighting fixture cut sheets are not included in this submittal; therefore, the Lighting Design Standards of 60.05.30 cannot be met. Instead, a preliminary lighting design is provided to illustrate compliance with the applicable Lighting Design Guidelines of Section 60.05.50.

This narrative and the attached exhibits demonstrate compliance with the applicable criteria of the City of Beaverton Development Code.

II. COMPLIANCE WITH CITY OF BEAVERTON COMMUNITY DEVELOPMENT CODE CHAPTER 20 - LAND USES

20.20 MULTIPLE USE LAND USE DISTRICTS

20.20.15 Site Development Standards

Site Development Standards support implementing development consistent with the corresponding zoning district. All superscript notations refer to applicable regulations or clarifications as noted in footnotes below. [ORD 4584; June 2012] [ORD 4706; May 2017] [ORD 4774; January 2020] [ORD 4789; August 2020]

20.20.15 Multiple Use Development Standards										
Superscript Refers to Footnotes	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
A. Parcel Area										
1. Minimum	None	None	7,000	None	None	None	None	None	None	None
2. Maximum	None	None	None	None	None	None	None	None	None	None
B. Residential Density										
Refer to Sections 60.25.05 and 20.25.15										
1. Minimum for residential only project (per acre)	12	N/A	N/A	24	24	30' ¹ 24	30' ¹ 24	30' ¹ 24	N/A	N/A
2. Maximum for residential only projects (per acre)	40	N/A	N/A	40	36	None	None ²	None	N/A	N/A
C. Floor Area Ratio (FAR)										
Refer to Sections 60.25.10 and 20.25.15										
1. Minimum	0.30	0.40	0.30	0.50	0.30	0.40	0.40	0.60	0.35	None
2. Minimum with a PUD or DRBCP	0.20	0.30	0.20	0.35	0.20	0.30	0.30	0.0	0.25	0.0
3. Maximum	1.00 ⁴	None	None	1.00	0.60	2.00 ¹⁸ 1.00	1.20 ⁵ 1.00	None	2.00	0.50
4. Maximum with a PUD or DRBCP	None	None	None	2.00	1.00	None	None	None	None	None
D. Lot Dimensions										
1. Minimum Width	None	None	70	None	None	None	None	None	None	None
2. Minimum Depth	None	None	100	None	None	None	None	None	None	None
E. Yard Setbacks										
1. Front Minimum	0	10	0	0	0	0 ⁶	0 ⁶	0	None	None
2. Front Maximum On Major Pedestrian Route ⁷	Refer to Footnote Reference 7									
3. Front Maximum Not On Major Pedestrian Route										
With Ground Floor Residential	20	N/A	N/A	5	10	20	20	10	N/A	N/A
Without Ground Floor Residential	20	10	20	20	20	10	10	20	N/A	N/A
4. Side Minimum	None	10	10	None	None	None ⁶	None ⁶	None	None	None
5. Side Maximum	None	None	None	None	None	None	None	None	None	None
6. Rear Minimum	None	None	None	None	None	None ⁶	None ⁶	None	None	None
7. Minimum Side or Rear Yards Abutting Property Zoned Residential ⁸	20	75 ⁹	20	20	20	Abut Res / MU ¹⁰	Abut Res / MU ¹⁰	20	Abut Res ⁹	Abut Res ⁹
F. Building Height										
1. Minimum	Refer to 60.05.15.7. or 60.05.35.7., as applicable: Building Scale on MPR									

20.20.15 Multiple Use Development Standards

Superscript Refers to Footnotes	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
2. Maximum	80	60	50 ¹² 60	60	50	100 ^{19,20} 60	100 ¹³ 60	120	100	40

1. 30 units within 400 feet of LRT station platform, 24 beyond 400 feet
2. Within 120 feet of Washington County R5 zoning, the maximum residential density is 12 units per acre [ORD 4547; July 2010]
3. Footnote repealed and reserved. [ORD 4799; January 2021]
4. Maximum FAR for multiple use development involving residential use in RC-E zone, refer to Section 20.25.20.A.2
5. Maximum FAR 1.20 within 400 feet of LRT station platform, 1.00 beyond 400 feet
6. Where detached dwellings and duplexes on lots fronting common greens and shared courts are proposed, the following setbacks shall apply: Minimum front yard setback- 3 feet/ Minimum side yard setback- 3 feet/ Minimum alley width is 24 feet between buildings.
7. Under the conditions outlined in Section 60.05.15.6 of this Code, buildings in multiple use zones, except for multiple use zones in the Downtown Design District regulated by CHAPTER 70 - Downtown Design District, located on parcels that front on a designated Major Pedestrian Route shall be exempt from minimum and maximum setbacks. Front yard setbacks for parcels located on Major Pedestrian Routes shall be governed by the Design Review Design Standard specified in Section 60.05.15.6. Any deviation from that standard shall be reviewed through the Design Review Three application process and corresponding Design Review Guideline. [ORD 4799; January 2021]
8. Rear yard setback is applicable to only the portion of the rear yard which abuts a residential zone; otherwise the minimum rear yard setback is 0 feet.
9. 75 feet if abutting a residentially developed property, otherwise 20 feet.
10. Side or rear yards abutting Residential or Multiple Use zoning where the Multiple Use zoning designation allows residential development, the minimum setback shall equal the abutting zoning district's required rear yard setback.
11. Footnote repealed and reserved. [ORD 4799; January 2021]
12. Maximum height is 50 feet. Where residential use is above ground floor commercial, maximum height is 60 feet.
13. 100 feet height permitted for sites within 400 feet of LRT station platform, 60 feet permitted beyond 400 ft
14. Inclusive of antenna.
15. At-grade equipment shelters.
16. Applicable to all WCF towers, antenna arrays, and ground and/or roof-mounted equipment shelters
17. Footnote repealed and reserved. [ORD 4799; January 2021]
18. Maximum FAR 2.00 for sites within 1,320 feet of LRT station platform, 1.00 beyond 1,320 feet [ORD 4789; August 2020]
19. 100 feet permitted for sites within 1,320 feet of LRT station platform; 60 feet permitted beyond 1,320 feet [ORD 4789; August 2020]
20. Maximum building height of a building or portion of a building within 50 feet of a residentially zoned property, measured from the residential property line, is 35 feet or the maximum height permitted in the residential district, whichever is greater. [ORD 4789; August 2020]

Response: The 2.7-acre subject property is located within the TC-HDR zone designation. Modifications to the Design Review Three application approved for the Scholls Ferry Apartment project do not impact or alter the parcel area or lot dimensions.

Residential Density:

The project continues to provide 96 multi-dwelling units; therefore, no changes are proposed to the residential density previously approved.

FAR:

The approved multi-dwelling residential development is not subject to FAR development standards.

Yard Setbacks:

The applicant is proposing a multi-family development on a flag-lot located in the TC-HDR zone. The BDC defines the front lot line of a flag lot as the lot line that is most parallel to the closest to the street, excluding the pole portion of the flag lot. The flag-pole portion of the lot is adjacent to SW Scholls Ferry Road, to the north. According to BDC Section 60.05.55.2, Scholls Ferry Road is not a major pedestrian route.

The standards of BDC 20.10.15 state there is a minimum zero (0) foot front yard setback and a maximum front yard setback for development with ground floor residential not located on a major pedestrian route of ten (10) feet. As illustrated on the dimensioned site plan, Sheet 3 of Exhibit C, the proposed development is setback from the front lot line by 15.5-feet, exceeding the ten (10) foot maximum front yard setback standard. The applicant received approval of a Variance for this front yard setback, which will not be modified or impacted through this design review modification.

The development standards indicate there are no side-yard minimum or maximum setbacks and no rear-yard minimum setback for a site that does not abut residential zoned property. Twenty (20) foot minimum side and rear setbacks are required for yards that abut residentially zoned property. The subject site abuts property zoned TC-HDR on the east and property zoned Residential Mixed B (RMB) to the south and west. As illustrated on the dimensioned site plan, Sheet 3 of Exhibit C, the proposed multi-family development is setback from the eastern property line (side) by approximately 6 feet, the southern property line (rear) by over two-hundred feet, and the western property line (side) to Building 1 by approximately 32.5-feet, meeting the side and rear yard setback standards.

Building Height:

The proposed multi-dwelling buildings continue to meet the 50-foot maximum building height for developments within the TC-HDR zone as noted on Sheets A2.1 through A2.6 of Exhibit C.

20.20.20 Land Uses

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Multiple Use zoning districts.

[ORD 4576; January 2012] [ORD 4578; March 2012] [ORD 4706; May 2017] [ORD 4779; March 2020] [ORD 4782; April 2020] [ORD 4826; September 2022]

Table 20.20.A Multiple Use - Category and Specific Use		P=Permitted C=Conditional N=Prohibited Superscript Refers to Use Restrictions									
		RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
Residential											
1. Dwellings ⁷⁰	A. Single-Detached Dwelling	N ⁶	N	N	N ⁶	N ⁶	N ⁶	N ⁶	N	N ⁵	N ⁵
	B. Duplex	P C ¹	N	N	P	P	N ⁴	N ⁴	P ⁶⁶	N	N
	C. Triplex and Quadplex	P	N	N	P	P	P	P	P ⁶⁶	N	N
	D. Townhouse	P	N	N	P	P	P ⁴	P ⁴	P ⁶⁶	N	N
	E. Cottage Cluster	N	N	N	N	N	N	N	N	N	N
	F. Multi-Dwelling	P ⁴⁴	P ²	P ³	P ⁴⁴	P ⁴⁴	P ⁴⁴	P ⁴⁴	P ^{44, 66}	N	N
	G. Home Occupation	P	P	P	P	P	P	P	P	N	N
	H. Planned Unit Development	C	C	C	C	C	C	C	C ⁶⁶	C	C

44. For the purposes of this footnote, "Multi-dwelling" is inclusive of one or more units above a permitted or Conditionally approved non-residential use. [ORD 4822; June 2022]
70. Residential developments in the SCMCP area shall provide a variety of housing types consistent with the permitted and conditional uses of the applicable zone(s). The variety of housing shall be provided for sites: [ORD 4822; June 2022]
- Up to 15-acres (gross), a minimum of one (1) housing type;
 - Greater than 15-acres and up to 30-acres (gross), a minimum of two (2) housing types;
 - Greater than 30-acres (gross), a minimum of three (3) housing types;
 - For bullets a-c above, a minimum of 10 percent of each housing type shall be provided.

Response: The applicant is proposing modification to an approved Design Review Three project for multi-dwelling residential buildings permitted outright on the subject property located in the TC-HDR zoning district.

20.20.30 Other TC-MU and TC-HDR Zoning Requirements

- A Planned Unit Development approval pursuant to Section 40.15.15.4. shall be required for the following: [ORD 4584; June 2012]
 - Phased development projects; or
 - Development of sites greater than five acres.

Response: The applicant is proposing modification to an approved Design Review Three applicant on a site that is less than five acres in area; therefore, a planned unit development is not required.

20.25.05 Minimum Residential Density.

Response: No modification to the approved number of residential units is proposed. The Scholls Ferry Apartment project continues to provide 96 units.

CHAPTER 40 - APPLICATIONS

40.03 FACILITIES REVIEW COMMITTEE.

Consistent with Section 10.95.3. (Facilities Review Committee) of this Code, the Facilities Review Committee shall review the following Type 2 and Type 3 land use applications: all Conditional Use, Design Review Two, Design Review Three, Downtown Design Review Two, Downtown Design Review Three, Public Transportation Facility Reviews, Street Vacations, and applicable Land Divisions. Applicable land division applications are Replats, Partitions, Subdivisions, Fee Ownership Partitions, and Fee Ownership Subdivisions. In making a

recommendation on an application to the decision making authority, the Facilities Review Committee shall base its recommendation on a determination of whether the application satisfies all the following technical criteria. The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B., and all the following criteria have been met, as applicable: [ORD 4265; October 2003] [ORD 4404; October 2006] [ORD 4487; August 2008] [ORD 4799; January 2021]

1. All Conditional Use, Design Review Two, Design Review Three, Downtown Design Review Two, Downtown Design Review Three, and applicable Land Division applications: [ORD 4799; January 2021]
 - 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 proposed development will continue to provide adequate critical facilities and services including utilities and storm water management, transportation, and fire protection to serve the development as follows:

Utilities and Stormwater Management Facilities:

No alterations are being proposed to the water, sanitary sewer, or Temporary Buffer Impact Planting plans previously approved for the development.

The existing storm water system will be improved to provide stormwater treatment in accordance with Clean Water Services' standards, and the downstream waterway has sufficient capacity to convey expected peak flows from the developed site. Redesign of the surface parking to meet CFEC standards and reducing the size of Building 2 have results in less impervious surface area requiring treatment. A vegetated water quality swale is proposed just north of Building 2 and a subsurface stormwater detention facility is proposed to be located under the surface parking area with storm outfalls to the existing wetland. Details of the facilities are shown on the Preliminary Utility Plan, Sheet 5. Exhibit F of this submittal is a letter of consistency issued by Clean Water Services for the revised plan proposed in this modification application.

Vehicular Access and Parking:

No alterations are being proposed to the vehicle, pedestrian, or bicycle access to the site. The Circulation and ADA Access Plan, Sheet 7 of Exhibit C, and Preliminary Parking and Trash Enclosure Plan, Sheet 8 of Exhibit C, illustrates how street, bicycle and pedestrian access is safety provided to the development.

The Comprehensive Plan does not show a street system through the site; however, the street stub of SW Winterhawk Lane is signed for future extension and a public vehicle access easement exists across Tax Lot 2S105BA16800 allowing vehicle access from the site to SW Winterhawk Lane to the west and SW Bunting Street to the east.

The Preliminary Parking and Trash Enclosure Plan, Sheet 8 of Exhibit C, shows 119 vehicle parking spaces provided with 67 on-site surface parking spaces, 26 spaces in the ground floor garage of Building 1, and 26 spaces in the ground floor garage of Building 2.

Fire Protection:

The development was designed in accordance with local Fire Code, incorporating recommendations by the Tualatin Valley Fire and Rescue (TVFR) Fire Marshal to address the District’s access and fire suppression concerns. Exhibit E of this submittal is a copy of the TVF&R Permit number 2022-0031 that reflects the site revisions proposed in this application. The site continues to be accessible from the public right-of-way as shown on the circulation and parking plans, Sheets 7 and 8 in Exhibit C.

- 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 proposed development will continue to provide adequate essential facilities and services including pedestrian and bicycle access and facilities, transit, public schools, and police to serve the development as detailed below:

Pedestrian and Bicycle Access:

Direct walkway connections are provided between the primary entrances of the proposed buildings, parking areas, and resident amenities. Pedestrian connections are separated from adjacent vehicle parking and traffic with raised curbs, trees, and clearly marked crosswalks. Pedestrian access from the development to the public sidewalk system is made with a five (5) foot wide sidewalk ramp with handrails located on the western side of the pole portion of the lot.

The public access easement granted across the Trillium Woods Apartments property (Tax Lot 2S105BA00100) does not permit pedestrian access; however, bicycle and vehicle access from the development connections to SW Winterhawk Lane and SW Scholls Ferry Road. The pole portion of the site, north of the intersection of SW Winterhawk Lane and SW Bunting Street provides a pedestrian and bicycle connection to SW Scholls Ferry Road as illustrated on the Circulation and ADA Access Plan, Sheet 7 of Exhibit C. Short-term bicycle parking is provided near the primary entrances of Buildings 1 and 2 and a long-term space is located inside each residential unit.

Transit:

No Major Transit Stops are located adjacent to or within 300 feet of the proposed development. TriMet’s route 92-South Beaverton Express continues to serve the area with a stop located on SW Scholls Ferry Rd. east of SW Teal Blvd. Figure 6.3 of Beaverton’s Comprehensive Plan shows the site is adequately served by transit.

Schools:

The modifications proposed to the approved development does not impact or negate the service provider letter previously provided by the Beaverton School District.

Police:

The City of Beaverton Police Department will continue to serve the residents of the future development.

- C. The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses), or Section 20.25 and 70.15 if located within the Downtown Design District, 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) or Sections 20.25 and 70.15 if located within the Downtown Design District. [ORD 4799; January 2021]

Response: The applicant’s proposal complies with all applicable provisions of Chapter 20 as addressed in this statement.

- 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: The applicant’s proposal complies with all applicable provisions of Chapter 60 as addressed in this statement.

- 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: A management company will serve the proposed development providing the maintenance and improvements that are not subject to maintenance by the city or other local agencies, including but not limited to: private stormwater facilities, parking areas, recreation facilities, resident amenities, landscaping, garbage and recycling storage areas, and buildings.

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

Response: The Circulation and ADA Access Plan, Sheet 7 of Exhibit C, and Preliminary Parking and Trash Enclosure Plan, Sheet 8 of Exhibit C, illustrates how street, bicycle and pedestrian access is safety provided to the development. On-site improvements include clear vehicle and pedestrian paths. Safe and efficient internal walkways are designed with scored concrete to differentiate pedestrian connections where pedestrian pathways intersect vehicular drive aisles to limit conflict. Pedestrian connections are separated from adjacent vehicle parking and traffic with raised curbs, trees, and clearly marked crosswalks. Public improvements include connections to the public street and sidewalk network with clearly marked crosswalks and visible intersections.

Pedestrian access is available from the surface parking to each of the three buildings. An ADA accessible sidewalk ramp with handrails along the western boundary of the flag lot connects the development to the public sidewalks on SW Winterhawk Lane and SW Scholls Ferry. The public access easement granted across the Trillium Woods Apartments property (Tax Lot 2S105BA00100) does not permit pedestrian access; however, bicycle and vehicle access from the development connections to SW Winterhawk Lane and SW Scholls Ferry Road. The pole portion of the site, north of the new intersection provides a pedestrian and bicycle connection to SW Scholls Ferry Road as illustrated on the Circulation and ADA Access Plan, Sheet 7 of Exhibit C.

The TIA previously provided included a safety analysis of the new intersection. Vehicle access, drive aisles and connections to existing rights-of-way are designed in compliance with standards depicted in the Engineering Design Manual.

- 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: No modification to the vehicle, bicycle and pedestrian access provided to the development is proposed. The applicant will continue to provide shared bicycle and vehicle access to the development with a connection to SW Winterhawk Lane. The public access easement granted across the Trillium Woods Apartments property (Tax Lot 2S105BA00100) does not permit pedestrian access; however, bicycle and vehicle access from the development connections to SW Winterhawk Lane and SW Scholls Ferry Road. An ADA accessible sidewalk ramp with handrails along the western boundary of the flag lot connects the development to the sidewalks on SW Winterhawk Lane and SW Scholls Ferry.

- 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 development was designed in accordance with local Fire Code, incorporating recommendations by the Tualatin Valley Fire and Rescue (TVFR) Fire Marshal to address the District's access and fire suppression concerns. The proposed development will have adequate fire protection as per city codes and standards. Vehicle access from the site continues to be provided via SW Winterhawk Lane and SW Bunting Street. The layout of the proposed development continues to provide proper spacing, building access, and turning radii as per the standards of Tualatin Valley Fire & Rescue (TVFR). Exhibit E of this submittal is a copy of the TVF&R Permit number 2022-0031 that reflects the site revisions proposed in this application.

- 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 Circulation and ADA Access Plan, Sheet 7, and Preliminary Parking plan, Sheet 8 of Exhibit C illustrate pedestrian, bicycle, and vehicle access to the

development. Shared bicycle and vehicle access will be provided to the development with a connection to SW Winterhawk Lane. The public access easement granted across the Trillium Woods Apartments property (Tax Lot 2S105BA00100) does not permit pedestrian access; however, bicycle and vehicle access from the development connections to SW Winterhawk Lane and SW Scholls Ferry Road. The TIA previously provided for the approved project addressed this proposal. Improvements and connections to the abutting rights-of-way are designed in accordance to standards of this code and the Engineering Design Manual.

Lighting will be provided throughout the development along all sidewalk areas where pedestrian activity is expected, as well as all areas where vehicular activity is expected to maximize safety throughout the development. Pole lighting will be placed in vehicular areas, wall mounted lighting will be placed on buildings and pedestrian scale lighting will be provided for pedestrian pathways. A photometric plan and site lighting cut sheets illustrating compliance with the Technical Lighting Standards of Table 60.05-1 will be provided at time of site development review.

- 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 Grading Plan, Sheet 4 of Exhibit C, is designed to tie into grading of existing development and rights-of-way while providing accessible access routes and protect the significant natural resource located on the southern portion of the site. The Plan illustrates drainage patterns and location of the proposed subsurface stormwater detention facility, water quality swale, and storm outfalls to the wetland. Redesign of the surface parking to meet CFEC standards and reducing the size of Building 2 have results in less impervious surface area requiring treatment. Erosion control measures, including installation of retaining walls, will prevent adverse consequences of the grading process to protect existing adjacent properties, public right-of-way, public stormwater facilities, and the wetland located on the southern portion of the site. Exhibit F of this submittal is a letter of consistency issued by Clean Water Services for the revised plan proposed in this modification application.

- 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: The applicant's proposal complies with all ADA standards and facilitates pedestrian travel efficiently. Sidewalks with a minimum ten (10) foot wide unobstructed path are located at primary entrances of each building. Direct walkway connections are provided between the primary entrances of the proposed buildings, parking areas, and resident amenities. The proposal provides corner ramps at all intersections and uses ADA-compliant slopes and clearances. Two (2) ADA parking spaces are provided in the surface parking area and three (3) ADA spaces are provided in the ground floor parking garages. An ADA accessible sidewalk ramp with handrails along the western boundary of

the flag lot connects the development to the public sidewalk network. The pole portion of the site, north of the intersection of SW Winterhawk Land and SW Bunting Street provides ADA access to SW Scholls Ferry Road. The Circulation and ADA Access Plan, Sheet 7, and Preliminary Parking and Trash Enclosure Plan, Sheet 8 of Exhibit C show safe, continuous, and uninterrupted access routes provided.

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

Response: All materials specified in Section 50.25.1 will be submitted to the City as required.

40.90 TREE PLAN

Response: The applicant is not requesting a modification to the approved Tree Plan Two application (TP2022-0007).

40.95 VARIANCE

Response: The applicant is not requesting a modification to the approved Variance (VAR2022-0001).

CHAPTER 50 - PROCEDURES

50.40 Type 2.

Response: The applicant is requesting a modification to the previously approved Design Review Three for the Scholls Ferry Apartment project (PA2024-00129). The project continues to comply with all previously applied Design Standards and Guidelines and no additional Design Review Guidelines will be utilized for this modification; therefore, the applicant is requesting the modification be subject to the City's Type 2 review procedure. A pre-application meeting for the proposed modification was held on March 6, 2024 (PA2024-00129).

50.95 Modification of a Decision.

1. An applicant or successor in interest may file with the Director an application to modify a prior decision that was the subject of a Type 1, Type 2 or Type 3 procedure. In addition to other requirements, such an application to modify a prior decision shall describe the nature of the proposed change to the original decision and the basis for that change, including the applicable facts and law, together with the fee prescribed for that application type necessary to modify the prior decision. Such an application to modify a prior decision shall be subject to the approval criteria and development regulations in effect when the Director receives a complete application for the modification.

Response: This applicant is requesting to modify an approved Design Review (DR2022-0046) application that was subject to a Type 3 procedure. This statement describes the nature of the proposed changes in relation to the original decision and demonstrates how the proposal complies with applicable standards and requirements. Specifically, this statement and the enclosed exhibits demonstrate how the proposed modifications comply with the City's recently adopted Climate-Friendly and Equitable Communities (CFEC) standards. The applicable review fees will be paid upon submittal

of this application.

2. An application for modification is subject to pre-application conference and completeness review; provided, the Director shall only require an application for modification to contain information that is relevant or necessary to address the requested change or the facts and regulations on which it is based. An application for modification is not subject to the neighborhood review meeting requirement.

Response: A pre-application conference for the proposed modification was held on March 6, 2024. A copy of the meeting summary is provided in Exhibit D. This statement and the enclosed exhibits demonstrate how the proposed modifications comply with the applicable standards and regulations.

3. An application for modification does not extend the deadline for filing an appeal and does not stay appeal proceedings. An application for modification is subject to the 120 day requirement pursuant to ORS 227.178.

Response: This modification application does not extend the deadline for filing an appeal or stay an appeal proceeding. The applicant acknowledges the proposed modification is subject to the 120-day requirement.

4. Only a decision that approves or conditionally approves an application can be modified. A decision denying an application cannot be modified. Refer to Section 50.99.

Response: The applicant is requesting modification of a design review application that was approved with conditions.

5. Expedited Land Divisions and Preliminary Middle Housing Land Divisions are not eligible for modification of a decision. [ORD 4822; June 2022]

Response: The applicant is not requesting a modification to an expedited land division or preliminary middle housing land division.

6. An application for modification shall be subject to a Type 1, Type 2, or Type 3 procedure as determined by the Director.

Response: The applicant is requesting a modification to the previously approved Design Review Three for the Scholls Ferry Apartment project. The project continues to comply with all previously applied Design Standards and Guidelines and no additional Design Review Guidelines will be utilized for this modification; therefore, the applicant is requesting the modification be subject to the City's Type 2 review procedure.

7. The process type for an application to modify a decision shall be based upon the thresholds for the appropriate application listed in CHAPTER 40. In all cases, regardless of the thresholds listed in CHAPTER 40, when a proposed modification involves a condition of approval, that condition of approval can be modified or removed only by the same decision making authority that issued the original decision and through the same procedure that was followed to establish the condition to be modified. Modification or removal of a condition of approval shall only be granted if the decision making authority determines any one of the following:
 - A. The applicant or owner has demonstrated that a mistake of law or fact occurred, and that the mistake was substantial enough to warrant modification or removal of the condition to correct the mistake.

- B. The condition could not be implemented for reasons beyond the control of the applicant and the modification will not require a significant modification of the original decision.
- C. The circumstances have changed to the extent that the condition is no longer needed or warranted.
- D. A new or modified condition would better accomplish the purpose of the original condition.

Response: The applicant is requesting a modification to the previously approved Design Review Three (DR2022-0046) for the Scholls Ferry Apartment project. The project continues to comply with all previously applied Design Standards and Guidelines. No additional Design Review Guidelines will be utilized for this modification; therefore, the applicant is requesting the modification be subject to the City's Type 2 review procedure. The applicant is not requesting to modify a condition of approval.

CHAPTER 60 - SPECIAL REQUIREMENTS

60.05.15 BUILDING DESIGN AND ORIENTATION STANDARDS.

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

1. Building Articulation and Variety.

- A. Multi-dwellings in all Residential zones, and townhouses in the MR zone, shall be limited in length to two hundred (200) feet. [ORD 4542; June 2010][ORD 4822; June 2022]

Response: The subject property is located within the TC-HDR zone designation, a multiple-use zoning designation and not within a Residential zone; therefore, this standard is not applicable.

- 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]

Response: Permanent features designed to provide articulation and variety on the applicable building elevations will not be modified with this Design Review modification. The northern, western, and southern elevations of Building 1 are located within 200 feet from the intersection of SW Winterhawk and SW Bunting. The southern elevation of Building 1, and western elevation of Building 2 contain a primary building entrance. Therefore, this Design Standard applies to the northern, western, and southern elevations of Building 1 and northern and western elevations of Buildings 2.

Building elevations on all sides are articulated to avoid blank walls. Elevations are articulated with permanent architectural features that include extensive windows, recessed balconies and decks, covered main entrances, and variation of construction materials and colors. Brick veneer siding will be used at ground floor main entrances

and around garages. Main entrances and upper floors are designed with extensive windows. Northern and southern elevations of Building 1 and the eastern and western elevations of Building 2 are designed with horizontal fiber cement siding and fiber cement panel siding in an earth-tone shade. The eastern and western elevations of Building 1 and northern and southern elevation of Building 2 are designed with vertical metal panel siding. Each residential unit includes a recessed private patio and deck with metal guardrails. Main entrances the buildings are designed with metal canopies attached to brick walls for weather protection. Preliminary plans in Exhibit C demonstrate compliance with this standard.

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

Response: The subject property is located within the TC-HDR zone designation, a multiple-use zoning designation. As previously stated, this Design Standard applies to the northern, western, and southern elevations of Building 1 and northern and western elevations of Buildings 2. Though the percentage of articulation for the Building elevations have slightly changed with this Design Review Modification, they are still in compliance with the 30% standard. The applicable elevations are designed to exceed 30% articulation and variety of architectural features. Permanent architectural features include: extensive windows, recessed balconies and decks, covered main entrances, and a variation of construction materials and colors. The table below calculates the percentage of articulation provided. Compliance with this standard is documented on Sheets A2.3, and A2.6 of Exhibit C.

Table B: Building Articulation Area and Percentage

Building Number	Elevation	Elevation Area	Total Articulation (Balconies, Windows, Doors, Offsets, Recessed Areas)	% Articulation
1	North	7,416 sf	3,585 sf	48%
1	West	3,356 sf	1,612 sf	48%
1	South	9,160 sf	4,107 sf	45%
2	North	3,180 sf	1,616 sf	50%
2	West	7,808 sf	3,717 sf	48%

2. **Fifty (50) percent in Commercial zones where glazing is less than thirty-five (35) percent pursuant to section 60.05.15.8.A.3.**

Response: The subject property is located within the TC-HDR zone designation, a multiple-use zoning designation not within a Commercial zone; therefore, this standard does not apply.

3. **Fifteen (15) percent in Industrial zones. [ORD 4462; January 2008]**

In Industrial zones, where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage wholesale or distribution activities, the above standards shall apply only to elevations visible from and within 100 feet of an adjacent public street, and elevations that include a primary building entrance or multiple tenant entrances. [ORD 4659; June 2015]

Response: The subject property is located within the TC-HDR zone designation, a multiple-use zoning designation not within an Industrial zone; therefore, this standard does not apply.

C. The maximum spacing between permanent architectural features shall be no more than: [ORD 4782; April 2020]

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

Response: The subject property is located within the TC-HDR zone designation, a multiple-use zoning designation. The buildings include articulation and variety such as offset walls, change in building material and color, recessed private patios and decks, and covered main entrances. Spacing between architectural features vary but do not exceed forty (40) feet between features. Sheets A2.3 and A2.6 of Exhibit C illustrate compliance with this standard.

2. Sixty (60) feet in Industrial zones.

Response: The subject property is located within the TC-HDR zone designation, a multiple-use zoning designation not within an Industrial zone; therefore, this standard does not apply.

3. Fifteen (15) feet in detached residential developments in Multiple Use zones for walls facing streets, common greens, and shared courts. [ORD 4542; June 2010]

Response: The applicant is proposing development of attached multi-family dwellings, not detached residential; therefore, this standard does not apply.

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: The applicant is proposing development of two multi-family attached residential buildings on a site located within the TC-HDR zone designation, a multiple-use zoning designation. The northern, western, and southern elevations of Building 1 and northern elevation of Building 2 are located within 200 feet from the intersection of SW Winterhawk and SW Bunting. The southern elevation of Building 1, and western elevation of Building 2 contain a primary building entrance. No building elevations front a common green or shared court.

More than 150 square feet of the ground floor on the western elevation of Building 1, and the northern and western elevations of Buildings 2 are designed with brick veneer siding that is not articulated with architectural features; therefore, the applicant demonstrated compliance with the corresponding Design Guideline 60.05.35.1.E, which is addressed later in this statement. This proposal continues to comply with the corresponding Design Guideline 60.05.35.1.E as previously approved.

2. Roof Forms.

Response: No modifications to the approved roof forms are proposed.

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 applicant is proposing development of attached multi-family dwellings on a site located within the TC-HDR zone designation, a multiple-use zoning designation. The primary entrances for Buildings 1 and 2 are designed with a canopy larger than 6 feet by four feet to provide weather protection. Sheets A2.1 and A2.2 of Exhibit C illustrate compliance with this standard. The proposal continues to comply with this standard.

4. Exterior Building Materials.

Response: No modifications to exterior building materials are proposed. Exterior Building Materials Design Standard continues to apply to the northern, western, and southern elevations of Building 1, and northern and western elevations of Building 2. Double wall construction is not proposed on the applicable elevations. The proposal continues to comply with the corresponding Design Guideline 60.05.35.4.A as previously approved.

5. Roof-mounted equipment.

Response: No modifications to roof-mounted equipment are proposed.

6. Building location and orientation along street in Commercial and Multiple Use Zones. [ORD 4584; June 2012]

Response: No modifications to the building location and orientation are proposed. Due to the geometry of the property, it is not feasible for the development to occupy 35-percent of Scholls Ferry street frontage; therefore, the proposed development continues to comply with the corresponding Design Guidelines 60.05.35.6 as previously approved.

7. Building Scale Along Major Pedestrian Routes.

Response: The subject property does not abut a major pedestrian route; therefore, this standard does not apply.

8. Ground Floor Elevations on Commercial and Multiple Use Buildings.

Response: The applicant is not proposing development of commercial or mixed-use buildings; therefore, this standard does not apply.

9. Compact Detached Housing Design. [ORD 4584; June 2012]

Response: The applicant is not proposing development of compact detached housing; therefore, this standard does not apply.

10. Ground floor elevations on eligible residential-only buildings. [ORD 4758; March 2019]

Response: The subject property is not located within the RC-OT zoning district; therefore, this standard does not apply.

60.05.20 CIRCULATION AND PARKING DESIGN STANDARDS.

Unless otherwise noted, all standards apply to all uses in all zoning districts except RMA, RMB, and RMC. In the RMA, RMB, and RMC districts, these standards apply to multi-dwellings, compact detached housing, and non-residential uses. In no case shall the standards apply to middle housing or single-detached dwellings (except compact detached housing) in the RMA, RMB, or RMC districts. [ORD 4822; June 2022]

1. Connections to the Public Street System.

Response: No modifications to the approved pedestrian, bicycle, or motor vehicle connections to the public street system are proposed.

2. Loading Areas, Solid Waste Facilities and Similar Improvements.

- A. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. [ORD 4531; April 2010]

Response: The trash enclosure location is proposed to change with this Design Review modification to accommodate Waste Management's request that the enclosure to be more accessible for the service vehicles. This location will remain in the off-street parking area where the receptacles will not be visible from the public right-of-way, and be screened from view. Locations and details of the trash enclosures are provided on Sheet 8 of Exhibit C. Proposed locations of utility vaults are shown on the Preliminary Utility Plan, Sheet 5 of Exhibit C. Final location of transformers, utility vaults, and ground-mounted mechanical equipment will be determined at the time of site development review. All on-site service areas will be screened from a public street.

- B. Except for manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts, all loading docks and loading zones shall be located in an area not visible from a public street, or shall be fully screened from view from a public street.

Response: A multi-family development is proposed on the subject property located within the TC-HDR zone designation, not an Industrial district; therefore, this standard does not apply.

- C. Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be fully sight-obscuring, shall be constructed a minimum of one foot higher than the feature to be screened, and shall be accomplished by one or more of the following methods:
1. Solid screen wall constructed of primary exterior finish materials utilized on primary buildings,
 2. A hedge with a minimum of ninety-five (95) percent opacity within two (2) years.
 3. Solid wood fence. [ORD 4531; April 2010] [ORD 4822; June 2022]

Response: The trash enclosure location is proposed to change with this Design Review modification to accommodate Waste Management’s request that the enclosure to be more accessible for the service vehicles. This location will remain in the off-street parking area where the receptacles will not be visible from the public right-of-way, and be screened from view. The trash enclosure is designed to be constructed with concrete masonry walls, steel framed gates with wood slats, and a sloped metal roof. Location and details of the trash enclosures are provided on Sheet 8 of Exhibit C. Transformers and utility vaults will be screened from public view. Proposed locations of utility vaults are shown on the Preliminary Utility Plan, Sheet 5 of Exhibit C. Finalized location of transformers and utility vaults will be made at time of site development permit. No loading zones or outdoor storage areas are proposed. Sheets 5 and 8 in Exhibit C illustrate compliance with this standard.

D. Screening from public view by chain-link fence with or without slats is prohibited.

Response: The applicant is not proposing to use chain-link fencing to screen the trash enclosure; therefore, this standard does not apply.

E. Screening of loading zones may be waived in Commercial and Multiple Use zones if the applicant demonstrates the type and size of loading vehicles will not detract from the project’s aesthetic appearance and the timing of loading will not conflict with the hours or operations of the expected businesses. [ORD 4584; June 2012]

Response: No loading zones are proposed to be in the multi-family development; therefore, this standard does not apply.

3. Pedestrian Circulation.

A. Pedestrian connections shall be provided to 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:

1. Where physical or topographic conditions, such as a grade change of ten (10) feet or more at a property line to an adjacent pedestrian facility, make connections impractical,
2. Where uses including manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in Industrial districts occur,
3. Where on-site activities such as movement of trucks, forklifts, and other large equipment would present potential conflicts with pedestrians, or
4. Where buildings or other existing development on adjacent lands physically preclude a connection now or in the future.

Response: The proposal continues to comply with the Pedestrian Circulation standards. No changes to the pedestrian circulation plan are proposed with this Design Review modification. Figures 6.1 and 6.2 of Beaverton’s Comprehensive Plan Transportation Element, Chapter 6, illustrate that no gaps in the pedestrian or bicycle systems have been identified for the subject property. Figure 6.3 shows the site is adequately served by transit. Figure 6.4 of the plan identifies SW Scholls Ferry Road as an arterial and SW Winterhawk, adjacent to the site, as a Neighborhood Route. Figure

6.5 identifies a high-priority motor vehicle 232 2035 TSP Project ID to widen Scholls Ferry Rd, from Teal to 175th, to 5-lanes including sidewalks and bike lanes and Figure 6.6 identifies Scholls Ferry with 4/5 lanes right-of-way planned. Table 6.1 and Table 6.2 detail 2035 TSP action plan that includes Project ID 232 to widen Scholls Ferry Rd, Teal to 175th within Washington County's jurisdiction, to 5-lanes including sidewalks and bike lanes. Table 6.3 and Figures 6.8 through 6.23 of the Plan do not identify any proposed street connections on or adjacent to site and no local connectivity recommendations are made.

Figures 6.1 through 6.23 of the Comprehensive Plan do not show a street system through the site; however, the street stub of SW Winterhawk is signed for future extension and a public vehicle easement exists across Tax Lot 2S105BA00100 allows vehicle access from the site to SW Winterhawk to the west and SW Bunting Street to the east.

The public access easement granted across the Trillium Woods Apartments property (Tax Lot 2S105BA00100) does not permit pedestrian access. Pedestrian and bicycle access is proposed from the development to connect to SW Winterhawk Lane and SW Scholls Ferry Road. An ADA accessible sidewalk along the western boundary of the flag lot connects the development to the public sidewalk network. Pedestrian access is available from the surface parking to each of the buildings and resident amenities. The Circulation and ADA Access Plan, Sheet 7 of Exhibit C, illustrates compliance with this standard.

- 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: Direct walkway connections will continue to be provided between the primary entrances of the proposed buildings, parking areas, and resident amenities. Pedestrian connection is made from the development to the public sidewalk system on SW Scholls Ferry and SW Winterhawk Lane via an ADA accessible sidewalk along the western boundary of the flag lot. Circulation will continue to comply with this standard as illustrated on the Circulation and ADA Access Plan, Sheet 7 of Exhibit C.

- 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: The subject site is a flag-lot with approximately thirty-five (35) feet of frontage along SW Scholls Ferry Road to the north. Pedestrian connection is made from the development to the public sidewalk system on SW Scholls Ferry and SW Winterhawk Lane via an ADA accessible sidewalk along the western boundary of the flag lot. Pedestrian walkways are provided to maintain compliance with this standard as illustrated on the Circulation and ADA Access Plan, Sheet 7 of Exhibit C.

- 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: The applicant is proposing to provide pedestrian connections through the on-site surface parking area. Pedestrian connections are separated from adjacent vehicle parking and traffic with curbs, trees, and clearly marked crosswalks. A 5-foot-wide sidewalk is located along the southern elevation of Building 1 and northern and western elevation of Building 2. Pedestrian connections continue to comply with this standard as illustrated on the Circulation and ADA Access Plan Sheet 7 of Exhibit C.

- 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 applicant is proposing to provide pedestrian connections through the on-site surface parking area. Scored concrete will be utilized to differentiate pedestrian connections from vehicular access aisles. A continuous walkway is provided. Pedestrian connections continue to comply with this standard as illustrated on the Circulation and ADA Access Plan Sheet 7 of Exhibit C.

- 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: Pedestrian walkways provided through the on-site surface parking area are designed to be a minimum of five (5) feet wide, paved with scored concrete or modular paving materials, and be ADA compliant. Accessible pedestrian connection is made from the development to the public sidewalk system on SW Winterhawk Lane and SW Scholls Ferry Road via an ADA accessible sidewalk along the western boundary of the flag lot. Pedestrian walkways continue to comply with this standard as demonstrated on the Circulation and ADA Access Plan Sheet 7 of Exhibit C.

4. Street Frontages and Parking Areas.

Response: The applicant is proposing a multi-family development on a flag-lot. Off-street surface parking is located on the flag portion of the lot and does not abut a public street; therefore, this standard is not applicable.

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.
 2. All uses in Commercial and Multiple Use zones, one for every ten (10) contiguous parking spaces. [ORD 4584; June 2012]
 3. All Conditional Uses in Residential zones one for every twelve (12) contiguous parking spaces. [ORD 4584; June 2012]
 4. All uses in Employment/ Industrial zones, one for every twelve (12) contiguous parking spaces. [ORD 4584; June 2012]

Response: The applicant is proposing development of attached multi-family dwellings on a site located within the TC-HDR zone designation, a multiple-use zoning

designation. The surface parking areas are designed with one landscaped planter island for every ten parking spaces at a minimum. The preliminary parking and planting plans, Sheets 8, L1.0 through L1.3 in Exhibit C, demonstrate continued compliance with this standard.

- B. The island shall have a minimum area of 70 square feet, and a minimum width of 6 feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet. If a pole-mounted light is proposed to be installed within a landscaped planter island, and an applicant demonstrates that there is a physical conflict for siting the tree and the pole-mounted light together, the decision-making authority may waive the planting of the tree, provided that at least seventy-five (75) percent of the required islands contain trees. Landscaped planter islands shall be evenly spaced throughout the parking area.

Response: All proposed landscaped planter islands are designed to be a minimum area of 70 square feet, a minimum of 6-feet wide, and curbed. Trees will be planted in the islands as detailed on the planting plans. Sheets 3, and L1.0 through L1.2 of Exhibit C demonstrate continued compliance with this standard.

- C. Linear raised sidewalks and walkways within the parking area connecting the parking spaces and on-site building(s) may be counted towards the total required number of landscaped islands, provided that all of the following is met:
 1. Trees are spaced a maximum of 30 feet on center on a minimum of one side of the sidewalk.
 2. The minimum unobstructed sidewalk width is five feet.
 3. The sidewalk is separated from the parking area by curbs, bollards, or other means on both sides.
 4. Trees are located in planting area with groundcover or planted in covered tree wells.
 5. Trees within the linear sidewalk area shall constitute no more than 50 percent of the total required number of trees within required landscaped planter islands. All remaining required trees shall be located within landscaped planter islands.

Response: The Design Review modification will continue to comply with the raised sidewalk and walkway standards above. The surface parking areas are designed with one landscaped planter island for every ten parking spaces at a minimum. Tree spacing and location will continue to comply with the above standard, as will the unobstructed sidewalk width of 5 feet, and sidewalk separation Sheets L1.0 through L1.2 of Exhibit C demonstrate compliance with this standard.

- D. Trees planted within required landscaped planter islands or the linear sidewalk shall be of a type and species identified by the City of Beaverton Street Tree List or an alternative approved by the City Arborist

Response: Trees planted in the landscape planter islands will continue to comply with the above standard. Trees will be of a type and species identified within the Beaverton Street Tree List. The landscape plans Sheets L1.0 through L1.2 of Exhibit C demonstrate continued compliance with this standard.

- E. A new development that adds more than one-half acre of new surface parking (newly constructed parking and/or paved parking area that was removed and replaced) to a lot shall provide trees and sidewalks along driveways or a minimum

of 30 percent tree canopy coverage over the additional parking lot area. Lots meeting Section 60.30.15.10.c are exempt from this requirement. Tree canopy coverage shall be calculated according to Section 60.30.15.10.c. For the purposes of this standard, surface parking shall include the perimeter of all parking spaces including maneuvering areas and interior parking lot landscaping. For the purposes of this standard, a driveway shall mean a vehicular maneuvering area that connects the street to a parking lot or parking lots on the site but that does not provide direct access to parking spaces. Instead, a driveway provides access to drive aisles, and those drive aisles provide direct access to parking spaces. For the length of the driveway or driveways, excluding segments where access to drive aisles, loading area access, loading berths, or other vehicle maneuvering areas intersect with or otherwise interrupt the driveway's planting/pedestrian area, the following shall be provided:

1. One tree from the city's adopted street tree list with an expected tree crown of at least 15 feet for every 25 feet of driveway. The expected tree crown measurement shall use the anticipated crown area of the proposed tree at maturity but no more than 15 years after planting. For driveway segments of sufficient length to require more than one tree, the trees shall be planted in a continuous shared planter strip unless site conditions involving drive aisles, pedestrian walkways, or utilities shown in the application interrupt the landscape planter strip. The trees' expected canopies at maturity but no more than 15 years after planting shall be contiguous (with gaps of less than 3 feet between expected canopies). Trees planted to meet this standard shall be planted and maintained consistent with 2021 ANSI A300 standards.

Response: This Design Review modification includes updated landscape plans in order to comply with the above Tree Canopy criteria. Trees will be planted along driveways in accordance with the spacing standards and will be tree varieties that reach maturity no more than 15 years after planting in order to provide contiguous canopy cover. The landscape plans Sheets L1.0 through L1.2 of Exhibit C demonstrate compliance with this standard.

2. Pedestrian walkways along at least one side of the driveway designed consistent with Section 60.05.20.3.D through F. [ORD 844; August 2023]

Response: Pedestrian walkways are provided on the west side of the driveway and connect to both buildings, open space areas and the parking lot. Pedestrian connections continue to comply with Section 60.05.20.3.D through F as demonstrated earlier in this report and illustrated on the Circulation and ADA Access Plan Sheet 7 of Exhibit C.

6. Off-Street parking frontages in Multiple Use zones. [ORD 4584; June 2012]

Response: The applicant is proposing a multi-family development on the flag-lot. Off-street surface parking is located on the flag portion of the lot and does not front a public street; therefore, this standard does not apply.

7. Sidewalks Along Streets and primary Building Elevations in Commercial and Multiple Use Zones. [ORD 4584; June 2012]

- A. A sidewalk is required on all streets. Except where approved through Sidewalk Design Modification (40.58), the sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide. [ORD 4531; April 2010]

Response: A five (5) foot wide sidewalk exists along Scholls Ferry Road north of the site. Scholls Ferry Road, maintained by Washington County, received Sidewalk Design

Modification approval with CIP Work (SDM2013-0008). The Design Review modification does not propose changes to this sidewalk design. Dimensioned Site Plan, Sheet 3 in Exhibit C, illustrates continued compliance with this standard.

- B. A sidewalk or walkway internal to the site is required along building elevations that include a primary building entrance, multiple tenant entrances or display windows. The sidewalk shall be a minimum of ten (10) feet wide, and provide an unobstructed path at least five (5) feet wide at building entrances, and along elevations containing display windows. Sidewalks shall be paved with scored concrete or modular paving materials. If adjacent to parking areas, the sidewalk shall be separated from the parking by a raised curb. [ORD 4531; April 2010]

Response: This Design Review modification will continue to comply with the above sidewalk criteria. Sidewalks at the primary entrance of each building are ten (10) feet wide and provide an unobstructed path of at least five (5) feet. The sidewalks are designed to be paved with scored concrete or modular paving materials. The sidewalk along the western pole portion of the lot and southern elevation of Building 1 and northern and western elevations of Building 2 is separated from vehicle parking and drive aisles by a raised curb. No sidewalks are located in front of garage entrances. No display windows are proposed in the multi-family residential development. The Circulation and ADA Access Plan, Sheet 7 in Exhibit C, demonstrate continued compliance with this standard.

- C. Residential development fronting common greens and shared courts, and detached units fronting streets are exempt from these standards of 7. B above, and are subject to the Engineering Design Manual. [ORD 4542; June 2010] [ORD 4576; January 2012]

Response: The applicant is not proposing any shared courts or common greens within the multi-family residential development; therefore, this standard does not apply.

8. Connect On-Site buildings, parking, and other improvements with Identifiable streets and drive aisles in Residential, Commercial, and Multiple Use Zones. [ORD 4584; June 2012]

Response: No modifications to the approved connections to on-site buildings, parking, and other improvements to streets or drive aisles are proposed with this Design Review modification.

9. Ground floor uses in parking structures.

Response: This Design Review modification does not include any parking structures; therefore, this standard is not applicable.

60.05.25 LANDSCAPE, OPEN SPACE, AND NATURAL AREAS DESIGN STANDARDS.

Unless otherwise noted, all standards apply to all uses in all zoning districts except RMA, RMB, and RMC. In the RMA, RMB, and RMC districts, these standards apply to multi-dwellings, compact detached housing, and non-residential uses. In no case shall the standards apply to middle housing or single-detached dwellings (except compact detached housing) in the RMA, RMB, or RMC districts. [ORD 4822; June 2022]

1. Minimum landscape requirements for residential developments consisting of two (2) or three (3) units of Attached Housing or Compact Detached Housing. [ORD 4584; June 2012]

Response: The applicant is proposing development of attached dwellings comprising more than three (3) units; therefore, this standard does not apply.

2. **Minimum landscape requirements for residential developments consisting of four (4) to seven (7) units of Attached Housing or Compact detached Housing. [ORD 4584; June 2012]**

Response: The applicant is proposing development of attached dwellings comprising more than seven (7) units; therefore, this standard does not apply.

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 proposed development provides more than eight (8) attached dwellings; therefore, subject to the standards of 60.05.25.3. The gross site area of the subject property is 117,458 square feet (2.7-acres); therefore, the minimum landscape requirement for the proposed multi-family residential development comprised of ninety-six (96) units is 17,619 square feet. This Design Review modification continues to comply with the landscape requirement. The modified site plan provides 23,623 square feet or 20% of the site area as demonstrated on the Landscape Area Calculation Sheet, Sheet 9 in Exhibit C.

2. **For developments that are part of a Planned Unit Development, provisions of Section 60.35.15.4. shall apply. [ORD 4486; July 2008]**

Response: The applicant is not proposing a Planned Unit Development; therefore, this standard does not apply.

- B. **At least twenty-five (25) percent of the total required open space area shall be active open space.**

Response: The total required open space of 17,619 square feet for the proposed development requires 4,404 square feet, or 25%, of active open space. The development is designed to meet this standard with 4,488 square feet of active open space. Active open space consists of a community amenity deck on the western side of Building 2 and an open space area between Buildings 1 and 2. The Landscape Area Calculation, Sheet 9 in Exhibit C, and Amenity Space Plan, Sheet L2.1 in Exhibit C, demonstrate continued compliance with this standard.

- 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: The site includes an environmentally sensitive wetland and wetland buffers located on the southern portion of the site. This Design Review modification proposes to relocate the water quality swale that serves the development to the northern edge of Building 2. The natural resource area located in the southern portion

of the site and the water quality swale is included in the minimum common open space requirement. The Landscape Area Calculation, Sheet 9 in Exhibit C, demonstrates continued compliance with this standard.

- 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: Vehicular circulation and parking areas were not counted toward the minimum landscape requirement. The Landscape Area Calculation, on Sheet 9 in Exhibit C, demonstrates continued compliance with this standard.

- 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: While ground floor units are designed with private decks, they are not used to calculate common open space. The Landscape Area Calculation, Sheet 9 in Exhibit C, demonstrates continued compliance with this standard.

- 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: The common open space to serve the proposed development is not located adjacent to a public street, it is located on the western edge of Building 2 and between Buildings 1 and 2. The Landscape Area Calculation, Sheet 9 in Exhibit C, demonstrates continued compliance with this standard.

- 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] [ORD 4584; June 2012]

Response: All areas identified as common open space (the amenity deck west of Building 2 and open space between Buildings 1 and 2) are larger than 640 square with dimensions greater than 20 feet. The Landscape Area Calculation and Amenity Space Plan, Sheets 9 and L2.1 of Exhibit C, demonstrate continued compliance with this standard.

- H. In phase developments, common open space shall be provided in each phase of the development consistent with or exceeding the requirements for the size and number of dwelling units proposed.

Response: The applicant does not propose to phase development; therefore, this standard does not apply.

- 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. Community Building; [ORD 4822; June 2022]
6. Tennis courts;
7. An indoor or outdoor sports court; or
8. An indoor or outdoor swimming and/ or wading pool.
9. Plaza

Response: The Design review modification does not propose changes to the active open space amenities. The development is designed with two exterior areas of active open space. An open space area with seating is located between Buildings 1 and 2 and an amenity deck is located on the west south side of Building 2. The amenity deck is designed with a gas fireplace, benches, planters, shade structure, and trash receptacle. Continued compliance with this standard is illustrated on the layout and landscaping details provided on Sheets L1.0 through L2.1 of Exhibit C.

In addition to the exterior active open space, Building 2 is designed to include a community room and exercise room as shown on Sheet A1.3 of Exhibit C. These spaces are less than 640 square feet in area; therefore, are not included in the common open space area requirement calculation.

- 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: The decision-making authority has approved the active common open space for the development, included in approval DR 2022-0046. The active common open space is separated into two areas, a 2,520 sq. ft. amenity deck, located west of Building 2, and a 1,968 sq. ft. open space area located between Buildings 1 and 2. Details provided on Sheets L1.0 through L2.1 and A1.3 of Exhibit C, demonstrate the applicant continues to comply with active common open space requirements.

4. Additional minimum landscape requirements for Attached Housing and Compact Detached Housing. [ROD 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: All areas and required open space not occupied by structures, walkways, vehicle drive aisles and parking area will be landscaped. This Design review modification continues to comply with this standard is illustrated on Sheets L1.0 and L1.1 of Exhibit C.

- 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: Landscaping of the proposed development is designed with trees, shrubs, and ornamental grass. This Design Review modification includes an updated planting list for trees, which continues to comply with this standard. Sheets L3.1 and L3.2 of Exhibit

C provide a planting plan, details, and notes for the temporary buffer impacts to be enhanced. Continued compliance with this standard is illustrated on Sheets L1.0 through L1.2 of Exhibit C.

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

Response: This Design Review modification does not include shared courts within this multi-family development; therefore, the vehicular drive aisles and parking areas have not been calculated into the required minimum landscape area.

- D. All street-facing building elevations shall have landscaping along their foundation, excluding buildings that are placed at the property line or setback less than 12-inches from the property line. 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 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: [ORD 4782; April 2020]
1. The landscaped area shall be at least three (3) feet wide; and,
 2. For every three (3) linear 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: This Design Review modification continues to comply with the above standard, which applies to the western elevation of Building 1 and northwest corner of Building 2, which may be visible from the intersection of SW Winterhawk and SW Bunting. The entire length of the western elevation of Building 1 provides vehicle access with a garage entrance to ground floor parking. The entire northwest corner of Building 2 provides pedestrian access to the primary entrance which leads to the community center, leasing office, meeting room and exercise room. Continued compliance with this standard is illustrated on the Planting Plan, Sheets L1.0 and L1.1 of Exhibit C.

- 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.

Response: The minimum landscape requirement for the proposed multi-family residential development is 17,619 square feet; therefore, 22 trees are required to be provided. The Design Review modification has been updated to include landscaped areas that are designed to have a total of 80 trees, exceeding the minimum planting requirement. The planting plan, legend and planting details, Sheets L1.0 through L1.3 of Exhibit C, demonstrate continued compliance with this standard.

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.

Response: The minimum landscape requirement for the proposed multi-family residential development is 17,619 square feet; therefore, 44 evergreen shrubs are

required to be provided. The landscaped areas are designed to have a total of 753 total shrubs. Evergreen shrubs include: 139 Emerald Green Arborvitae exceeding the minimum planting requirement. The planting plan, legend and planting details, Sheets L1.0 through L1.3 of Exhibit C, demonstrate continued compliance with this standard.

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: Portions of landscaped area not occupied by trees or shrubs will be planted with ornamental grass. The landscape plans, Sheets L1.0 through L1.3 of Exhibit C, demonstrate continued compliance with this standard.

Sheets L3.1 and L3.2 of Exhibit C provide a native grass mix planting plan, details and notes for the temporary buffer impacts to be enhanced.

- 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]
 1. Brick pavers, or stone, scored, or colored concrete; and,
 2. One (1) tree having a minimum mature height of twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,
 3. Street furniture including but not limited to benches, tables, chairs, and trash receptacles; and, [ORD 4542; June 2010]
 4. Pedestrian scale lighting consistent with the City's Technical Lighting Standards.

Response: This Design Review modification does not propose pedestrian plazas within the multi-family residential development; therefore, this standard does not apply.

5. Minimum landscape requirements for non-residential developments and Mixed-Use Development. [ORD 4542; May 2010] [ORD 4584; June 2012]

Response: The applicant is proposing a multi-family residential development; therefore, this standard does not apply.

6. Common Greens. Common greens are intended to serve as a common open space amenity for residents. The following standards apply to common greens for compact detached housing: [ORD 4584; June 2012][ORD 4782; April 2020]

Response: This Design Review modification does not propose common greens within the multi-family residential development; therefore, this standard does not apply.

7. Shared Courts for compact Detached Housing. Shared courts are intended to serve pedestrians and vehicles within the same circulation area, while ensuring that all can use the area safely. See Figure 3. Special paving and other street elements should be designed to encourage slow vehicle speeds and to signify the shared court's intended use by pedestrians as well as vehicles. See Figure 4. Access from a shared court is

limited to ensure low traffic volumes that can allow a safe mixing of pedestrians and vehicles. Shared courts are limited to zones intended for more intense development to facilitate efficient use of land while preserving the landscape-intensive character of lower-density zones. The following standards apply to shared courts: [ORD 4584; June 2012][ORD 4782; April 2020]

Response: The applicant is not proposing shared courts within the multi-family residential development; therefore, this standard does not apply.

8. **Retaining Walls.** Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet used in site landscaping or as an element of site design shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination of the foregoing, and shall be incorporated into the overall landscape plan, or shall be screened by a landscape buffer. Materials used on retaining walls should be similar to materials used in other elements of the landscape plan or related buildings, or incorporate other landscape or decorative features exclusive of signs. If screening by a landscape buffer is utilized, a buffer width of at least five (5) feet is required, landscaped to the B3-High Screen Buffer standards.

Response: Retaining walls are proposed to be constructed as shown on the Grading Plan, Sheet 4.1 of Exhibit C. The applicant proposes to use cast-in-place walls with formed shadow lines to provide an element of design. The walls are incorporated into the landscaping plan. The landscape plans, Sheets L1.0 through L1.1 and detail on Sheet L2.2 in Exhibit C, demonstrate continued compliance with this standard.

9. Fences and Walls.

- A. **Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone, rock, or brick, or other durable materials.**

Response: A six (6) foot tall wood-paneled screening fence proposed to be installed along the western edge of the proposed development. A detail of the screening fence is provided on Sheet L2.1 of Exhibit C. Durable retaining walls are incorporated into the landscaping plan. The landscape plans, Sheets L1.0 through L1.1 and detail on Sheet L2.2 in Exhibit C, demonstrate continued compliance with this standard.

- B. **Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material. Slats may not be required when visibility into features such as open space, natural areas, parks and similar areas is needed to assure visual security, or into on-site areas in industrial zones that require visual surveillance.**

Response: The applicant is not proposing to include chain-link fencing in this Design Review modification; therefore, this standard does not apply.

- C. **Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.**

Response: No masonry walls are proposed with this Design Review modification; therefore, this standard does not apply.

- D. **For manufacturing, assembly, fabricating, processing, packing, storage and wholesale and distribution activities which are the principle use of a building in**

Industrial districts, the preceding standards apply when visible from and within 200 feet of a public street.

Response: The subject property is located within the TC-HDR zone designation, a multiple-use zoning designation not within an Industrial zoning district; therefore, this standard does not apply.

E. Fences and walls:

1. May not exceed three feet in height in a required front yard along streets, except required above ground stormwater facilities fencing which may be four feet in height in a required front yard, and eight feet in all other locations. [ORD 4659; June 2015]
2. May be permitted up to six feet in a required front yard along designated Collector and Arterial streets.
3. [ORD 4576; January 2012] For detached housing along streets and housing facing common greens and shared courts in Multiple Use zones, 3 feet high fences and walls are permitted in front of the building, and on corner lots abutting a street, along the side of the building. Higher fences and walls are permitted on corner lots along the side of the building beginning within 15 feet of the back end of the building nearest to the property line.

Response: The subject property is a flag-lot. No fences or walls are proposed to be placed along street frontages; therefore, this standard is not applicable.

10. Minimize significant changes to existing on-site surface contours at residential property lines. [ORD 4782; April 2020]

- A. Where grading is proposed, the requirements listed in Section 60.15.10 shall apply.**

Response: Compliance with the requirements of Section 60.15.10 is demonstrated in the following section of this report.

- B. Notwithstanding the requirements of subsection A. above, grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified Significant Individual Tree, identified Historic Tree, or a tree within an identified Significant Grove or Significant Natural Resource Area located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.**

Response: This Design Review modification does not propose changes to the recommendations and requirements of the previously submitted and approved arborist report of the original Design Review application. Abutting the site to the east is Tract A of Progress Ridge. The Significant Tree Resource NX-4 located on the southern portion of the subject property extends to Tract A. A retaining wall along the eastern boundary of the development is located and designed to minimize impact to the adjacent property. The previously submitted arborist report in Exhibit I of the approved Design Review reflects consideration to the trees located in Tract A on and adjacent to the property line. The report provided recommendations to reduce impacts and notes that the project arborist will oversee excavation activities.

As stated on Page 6 of the report, Tree 562 located in Tract A, *“Tree 562 will have an existing garage demolished within its recommended root protection zone. The project arborist shall be onsite to oversee demolition of the garage adjacent to tree 562 to*

ensure the existing soil grade is not disturbed during demolition. Following demolition, the tree protection fencing shall be installed as shown.”

Construction access may also be necessary within the tree protection zone of trees 511 and 562 in Tract A. Page 6 of the arborist’s report recommends *“To minimize compaction from construction foot traffic, a 12 inch layer of wood chips over geotextile fabric should be placed in the work are shown in Attachment 1. The fabric and wood chips should be immediately removed after construction.”*

The arborist report had been previously provided in Exhibit I of the approved Design Review which demonstrated compliance with this standard.

- 11. Integrate Water Quality, Quantity, or Both Facilities. Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.**

Response: Redesign of the surface parking to meet CFEC standards and reducing the size of Building 2 have results in less impervious surface area requiring treatment. This Design Review modification includes a proposed change to the location of the approved vegetated water quality swale. The swale has been relocated to the northern edge of Building 2. Water treated in this swale is then piped to the subsurface stormwater detention facility located under the surface parking area with storm outfalls to the existing wetland. These facilities are not located between a street and front of an adjacent building. Details of the facilities shown on the Preliminary Utility Plan, Sheet 5, and the Temporary Buffer Impacts Planting Plan, Sheets L3.1 and L3.2 of Exhibit C, demonstrate continued compliance with this stan.

- 12. Natural Areas. Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and significant tree groves, shall preserve and maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements. [ORD 4531; April 2010]**

Response: According to the City of Beaverton Comprehensive Plan, Volume III, the subject property is encumbered by NX-4 Significant Tree Resource, Class I Riparian Wildlife Habitat, and Significant Local wetland. According to the Wetland Delineation Report conducted by PBS Engineering and Environmental, the 2.7-acre site contains 0.45-acre Wetland A on the southern portion of the property. This Design Review modification does not propose any impacts to Wetland A. The location of the proposed development in relation to the wetland and the buffer are illustrated on the Dimensioned Site Plan, Sheet 3 of Exhibit C. There continues to be no grading, construction, or encroachments proposed within Wetland A.

Small areas of rock, and rip-rap, for permanent stormwater outfalls have been approved as an allowed use in the buffer. Temporary encroachment was approved along the north edge of the buffer to allow construction of the retaining wall. The retaining wall is proposed as a means to eliminate permanent encroachments into the buffer. Details of the planting plan for the temporary buffer impacts to be enhanced are provided on Sheets L3.1 and L3.2 of Exhibit C which demonstrate continued compliance with this

standard A CWS Service Provider Letter for the encroachments into the buffer (Vegetated Corridor) was previously submitted with the approved Design Review.

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. For purposes of this Section, a landscape buffer is required along the property lines between different zoning district designations. A landscape buffer is required for non-residential land uses and parks in Residential zoning districts. Both buffering standards and side and rear building setback requirements shall be met. Only landscaping shall be allowed in the landscape buffer areas. Buffer areas and building setback standards are measured from the property line, they are not additive. Where a yard setback width is less than a landscape buffer width, the yard setback width applies to the specified buffer designation (B1, B2, or B3 as appropriate). A landscape buffer width cannot exceed a minimum yard setback dimension. In addition, the buffer area and landscape standard are intended to be continuously applied along the property line, except as authorized under Section 60.05.45.10. [ORD 4584; June 2012][ORD 4782; April 2020]

A. Applicability of buffer standards:

1. The buffer standards shall not be applicable to single-detached dwellings or middle housing dwellings or developments on individual parcels. [ORD 4822; June 2022]
2. The buffer standards shall not apply to areas where emergency access is required.
3. The buffer standards shall not apply to areas where a public utility easement exists. This exemption only applies to trees and does not exempt the requirement of shrubs and ground cover.
4. The buffer standards shall not apply along property lines where a non-residential use is already buffered by a natural feature or an open space dedication, if such a natural buffer or dedication is at least 40 feet in width, or if the width of the natural feature or open space dedication and the density and quality of landscaping meet or exceed the applicable landscape buffer standard.
5. The buffer standards shall not apply where required for visual access purposes as determined by the City Traffic Engineer or City Police. This exemption only applies to trees and shrubs and does not exempt the requirement of ground cover. [ORD 4531; April 2010]

B. B1-Low screen buffer: This buffer is intended to provide a minimal amount of transitional screening between zones. This buffer consists of 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet; and 2) live ground cover consisting of low-height plants, or shrubs, or grass proportionately spaced between the trees with actual spacing for low height plants or shrubs dependent upon the mature spread of the vegetation. 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 buffer area. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B1 buffer required for across the street. [ORD 4782; April 2020]

C. B2-Medium screen buffer: This buffer is intended to provide a moderate degree of transitional screening between zones. This buffer consists of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet; 2) evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting planted proportionately between the required evergreen trees. 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. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. 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. Deciduous trees having a minimum two-inch caliper at time of planting may be planted in the B2 buffer required for across the street. [ORD 4782; April 2020]

- D. B3-High screen buffer: his buffer is intended to provide a high degree of visual screening between zones. This buffer consists of minimum six (6)-foot high fully sight obscuring fences or walls with an adjoining landscape area on the interior of the fence when the fence is proposed within three (3) feet of the property line. If the fence is proposed to be setback from the property line more than three feet, the landscaping shall be on the exterior of the fence within a landscape area a minimum of five (5) feet in width, with adequate provision of access and maintenance of the landscaped area. The height of the fence shall be measured from the property on which the fence is to be located, and, if located on a wall, shall be in addition to the height of the wall. The landscape area shall be planted with one (1) tree having a minimum planting height of six (6) feet for every thirty (30) linear feet, filled between with evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting. 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. Actual spacing for low height plants or shrubs or evergreen shrubs shall be dependent upon the mature spread of the selected vegetation. 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. [ORD 4782; April 2020]
- E. Changes to buffer widths and standards: Required buffer widths and buffer standards are the minimum requirements for buffering and screening. Changes in buffer widths and standards shall be reviewed through the public hearing process, except for the following:
1. A request for a reduction in the buffer width when a B2 or B1 buffer standard is required and the reduction in buffer width is five (5) feet or less, shall be reviewed through administrative authorization provided that the next highest buffer standard is implements.

Requests for changes in buffer widths and buffer standards shall only be authorized in review of the Design Review Guidelines for Landscape buffering and screening (Section 60.05.45.11.).

Response: The subject property is located within the TC-HDR zone designation. Properties that abut the site on the north and east are also zoned TC-HDR. According to Table 60.05-2 minimum landscape buffer requirements are not applicable along the northern and eastern property lines.

Properties that abut the site on the south and west are zoned Residential Mixed B (RMB). According to Table 60.05-2 the minimum landscape buffer adjacent to these properties is a twenty (20) foot wide B3-high screen buffer. The 20-foot minimum buffer requirement corresponds to the minimum side and rear yard setbacks development standards for TC-HDR that abuts residential zoned property.

Due to the significant natural resources located on the southern portion of the site and the geometry of the property, the proposed development, which meets access standards, does not meet the minimum landscape and buffering design standards along the western property boundary. The applicant proposed an alternative to the buffer width and standards to the western property boundary which was allowed through the Design Review Guideline Section 60.05.45.11, addressed later in this statement. This Design Review modification does not propose changes to this approved guideline compliance.

F. Landscaping buffering installation: All required buffering shall be installed prior to occupancy permit issuance.

Response: The applicant will install the required landscaping prior to issuance of an occupancy permit in accordance with this standard.

G. Pedestrian plazas in buffer areas: For non-residential development in non-residential zoning districts, in which the building is proposed to be placed at the required front yard buffer line, concrete or brick pavers shall be authorized in place of required live groundcover, or bark, or grass, for the length of the building for the front yard only; provided that required trees are still installed, the paved area is connected to the public sidewalk, and pedestrian amenities including but not limited to benches or tables, are provided. [ORD 4584; June 2012]

Response: No pedestrian plazas are proposed to be located within the buffer area for this multi-family residential development; therefore, this standard does not apply.

14. Community Gardens

Response: No community gardens are proposed within the multi-family residential development; therefore, this standard does not apply.

15. South Cooper Mountain Community Plan Open Space and Natural resources [ORD 4822; June 2022]

Response: The project site is not located within the South Cooper Mountain Community Plan area; therefore, this standard does not apply.

60.05.30 LIGHTING DESIGN STANDARDS.

Response: No modifications to the previously approved preliminary lighting design which comply with the applicable Lighting Design Guidelines of Section 60.05.50 are proposed.

60.05.35 BUILDING DESIGN AND ORIENTATION GUIDELINES.

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

1. Building articulation and variety. [ORD 4584; June 2012]

Response: More than 150 square feet of the ground floor on the western elevation of Building 1, and the northern and western elevations of Buildings 2, are not articulated with architectural features required by the building articulation and variety design Standard 60.05.15.1.D; therefore, the applicant continues to comply with the corresponding Design Guideline.

- E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided (Standards 60.05.15.1.B, C, and D) [ORD 4542; June 2010]

Response: This Design Review modification does not propose any changes to the previously approved elevation materials design. The applicant received Design Review approval for development of two multi-family attached residential buildings on a site located within the TC-HDR zone designation, a multiple-use zoning designation. The northern, western, and southern elevations of Building 1 are located within 200 feet from the intersection of SW Winterhawk and SW Bunting. The southern elevation of Building 1, and western elevation of Building 2 contain a primary building entrance.

More than 150 square feet of the ground floor on the western elevation of Building 1, and the northern and western elevations of Buildings 2 are designed with brick veneer siding that is not articulated with architectural features; however, all building elevations are designed to exceed 30% articulation and variety of architectural features (see Table B. of this statement). Permanent architectural features include extensive windows, recessed balconies and decks, covered main entrances, and a variation of construction materials and colors as illustrated on Sheets A2.1 through A2.6 of Exhibit C.

Main entrances and upper floors are designed with extensive windows. The project proposes a blend of mainly three materials; Formed metal wall panels, fiber cement siding, and brick to break up the façade, imparting a rhythm of color and shadow line reveals that give the façade a dynamic movement.

Main entrances and upper floors are designed with extensive windows. The northern and southern elevations of Building 1 and the eastern and western elevations of Building 2 are designed with horizontal fiber cement siding and fiber cement panel siding in an earth-tone shade. The eastern and western elevations of Building 1 and northern and southern elevation of Building 2 are designed with vertical metal panel siding. Each residential unit includes a recessed private patio and deck with metal guardrails. Main entrances of the buildings are designed with metal canopies attached to brick walls for weather protection. Areas of brick veneer siding used at ground floor main entrances and around garages are designed to provide areas of visual relief.

4. Exterior building materials.

Response: No portion of the building elevations within 200-feet of a public street or elevations containing primary building entrances are designed with double-wall construction; therefore, this Design Review modification demonstrates continued compliance with the corresponding Design Guideline.

- A. Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, wood, terra cotta,

and tile are encouraged. Windows are also encouraged, where they allow views to interior activity areas or displays. (Standards 60.05.15.4.A and B)

Response: This Design Review modification does not propose changes to the exterior building materials and finishes. The project was approved for a blend of mainly three materials; formed metal wall panels, fiber cement siding, and brick to break up the façade, imparting a rhythm of color and shadow line reveals that give the façade a dynamic movement. The formed metal panels are vertically mounted at a width of 12 inches using concealed fasteners. The durability of the 22-gauge sheet metal which has 50-year warranty, also provides a low-maintenance finish desired by this standard. Using a higher gauge steel with reveals gives the panel a three-dimensional form that makes it inherently more rigid and reduces unsightly oil caning that can sometimes occur with a lighter gauge flush metal panel siding.

Combining the appearance and workability of wood, proposed prefinished fiber cement siding provides the look of wood without the drawbacks of natural wood cladding. Built to last, fiber cement siding offers the rich textures of wood while providing color stability and withstanding extreme weather elements. It exudes modern refinement and works well in both modern and vintage designs. The siding pairs perfectly with glass, metal and block panels, adding a touch of warmth to the coolness of these materials. Fiber cement siding is as versatile as it is durable. Hidden fasteners provide a clean and beautiful look. The rain screen system also creates a pocket of air between the siding and substrate, reducing the potential for moisture build-up.

6. Building location and orientation in Commercial and Multiple Use zones. [ORD 4584; June 2012] [ORD 4706; May 2017]

Response: Due to the geometry of the subject property, it is not feasible for the development to meet the location and orientation Design Standards of 60.05.15.6; therefore, the applicant continues to utilize the applicable Design Guideline, as follows.

- A. Buildings should be oriented toward and located within close proximity to public streets and public street intersections. The overall impression should be that architecture is the predominant design element over parking areas and landscaping. Property size, shape and topographical conditions should also be considered, together with existing and proposed uses of the building and site, when determining the appropriate location and orientation of buildings. (Standards 60.05.15.6.A and B) [ORD 4462; January 2008] [ORD 4531; April 2010] [ORD 4706; May 2017]

Response: The location and orientation of the approved development on the flag-lot continues to be driven by the grade of existing development and rights-of-way and preservation of the wetland. The primary entrance of Building 2, which includes the community center, leasing office, meeting room, and exercise room, is located in the northwestern corner of the building, and is oriented to be clearly visible from the main drive aisle. Building 1 is oriented south towards Building 2, providing a view of the amenity deck, vegetated swale, and abutting wetlands. The architecture of the buildings is the predominant design element of the site.

- B. On Class 1 Major Pedestrian Routes, the design of buildings located at the intersection of two streets should consider the use of a corner entrance to the building. (Standards 60.05.15.6.B and D) [ORD 4531; April 2010]

Response: The subject property is a 2.7-acre (117,458 sq. ft.) flag-lot located in the TC-HDR zone with frontage on Scholls Ferry Road. According to BDC Section 60.05.55.2, Scholls Ferry Road is not a major pedestrian route; therefore, this Design Guideline continues not to be applicable.

- C. On a Class 1 Major Pedestrian Routes, building entrances should be oriented to streets, or have reasonably direct pedestrian connections to streets and pedestrian and transit facilities. (Standards 60.05.15.6.C and D) [ORD 4565; October 2005]

Response: The subject property is a 2.7-acre (117,458 sq. ft.) flag-lot located in the TC-HDR zone with frontage on Scholls Ferry Road. According to BDC Section 60.05.55.2, Scholls Ferry Road is not a major pedestrian route; therefore, this Design Guideline continues not to be applicable.

- D. Primary building entrances should be oriented toward and located in close proximity to public streets and public street intersections. Property size, shape and topographical conditions should also be considered. (Standard 60.05.15.6.E) [ORD 4706; May 2017]

Response: The approved design of development on the flag-lot, including location and orientation of the buildings, continues to be driven by the grade of existing development and rights-of-way and preservation of the wetland located on the site. The primary entrance of Building 2, which includes the community center, leasing office, meeting room, and exercise room, is located in the northwestern corner of the building and oriented to be clearly visible from the main drive aisle. The primary entrance for Building 1 is oriented south towards Building 2, providing a view of the amenity deck, vegetated swale, and abutting wetlands.

60.05.45 LANDSCAPE, OPEN SPACE, AND NATURAL AREAS DESIGN GUIDELINES

Response: The approved development continues not to meet the minimum 20-foot-wide landscape buffer required on the western property boundary, Design Standard 60.05.25.13; therefore, this Design Review modification continues to utilize the applicable Design Guideline as follows.

11. Landscape Buffering and Screening.

- A. A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13) [ORD 4531; April 2010]

Response: This Design Review modification is for an approved multi-family residential development on the subject property zoned TC-HDR. Properties that abut the site on the west are zoned Residential Mixed B (RMB). The approved development will continue to be designed with fencing and a landscape buffer along the western property boundary to provide visual screening and horizontal separation between the

multi-family residential development and the single-family dwellings in Bob's Windsor Park.

Adjacent to the surface parking area, the landscape buffer includes a 6-foot-tall wood-paneled screening fence, an evergreen hedge, and willow oak trees. At maturity, the evergreen hedge will be approximately 20-feet in height and the willow oak trees can be 80-feet in height. The western boundary of the site west of Building 1 is buffered by the 6-foot-tall wood-paneled fence, a 3-foot-wide planter strip, a 5-foot-wide ADA accessible sidewalk with ramps and handrails, and a 6-inch-high raised curb. Adjacent to the drive aisle in the pole portion of the site, the buffer is designed to include the 6-foot-tall fence, a 5-foot-wide ADA accessible sidewalk with handrails, a 5-foot-wide planter, and 6-inch curb. The planter strip is designed with bowhall maple trees. The pole portion of the site, north of the intersection of SW Winterhawk Lane and SW Bunting Street will continue to provide a pedestrian and bicycle connection to SW Scholls Ferry Road. The accessway is landscaped with shrubs, ground cover, and Japanese stewartia trees. Landscape plans, details and profiles of the buffer are provided on Sheets L1.0 through L1.2 of Exhibit C.

- B. When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13) [ORD 4531; April 2010]**

Response: The approved multi-family residential development is a permitted use on the subject property zoned TC-HDR and does not conflict with existing uses on surrounding properties. The site is located east of single-family developments of Bob's Windsor Park. Compatible with surrounding development, the fencing and landscape buffer width previously approved along the western property boundary remains appropriate.

A 6-foot- tall wood-paneled screening fence proposed to be installed along the western edge of the proposed development. In addition to the fence, a 6-foot-wide planter with an evergreen hedge and willow oak trees, a 6-inch-high raised curb, and landscaped planter islands buffer the western edge of the surface parking area. The western boundary of the site west of Building 1 is buffered by the 6-foot-tall wood-paneled fence, a 3-foot-wide planter, a 5-foot-wide ADA accessible sidewalk with ramps and handrails, and a 6-inch-high raised curb. Adjacent to the drive aisle in the pole portion of the site, the buffer is designed to include the 6-foot-tall fence, a 5-foot-wide ADA accessible sidewalk with handrails, a 5-foot-wide planter, and 6-inch curb. The planter strip is designed with bowhall maple trees. The pole portion of the site, north of the intersection of SW Winterhawk Lane and SW Bunting Street continues to provide a pedestrian and bicycle connection to SW Scholls Ferry Road. The accessway is landscaped with an evergreen shrubs, ground cover, and Japanese stewartia trees. Landscape plans, details and profiles of the buffer are provided on Sheets L1.0 through L1.2 of Exhibit C.

- C. Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.13)

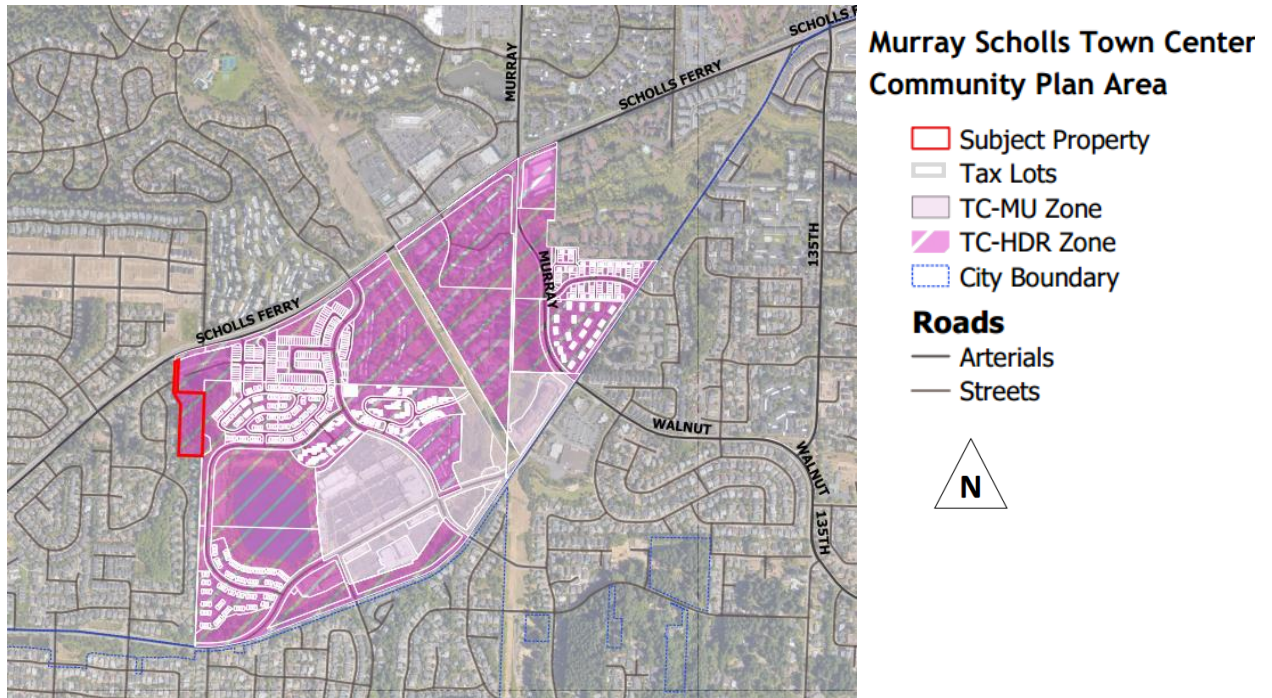
Response: A 6-foot-tall wood-paneled screening fence proposed to be installed along the western edge of the proposed development. In addition to the fence, a 6-foot-wide planter with an evergreen hedge and willow oak trees, a 6-inch-high raised curb, and landscaped planter islands buffer the western edge of the surface parking area. At maturity, the evergreen hedge will be approximately 20-feet in height and the willow oak trees can be 80-feet in height. The western boundary of the site west of Building 1 is buffered by the 6-foot-tall wood-paneled fence, a 3-foot-wide planter, a 5-foot-wide ADA accessible sidewalk with ramps and handrails, and a 6-inch-high raised curb. Adjacent to the drive aisle in the pole portion of the site, the buffer is designed to include the 6-foot-tall fence, a 5-foot-wide ADA accessible sidewalk with handrails, a 5-foot-wide planter, and 6-inch curb. The planter strip is designed with bowhall maple trees. The pole portion of the site, north of the intersection of SW Winterhawk Lane and SW Bunting Street continues to provide a pedestrian and bicycle connection to SW Scholls Ferry Road. The accessway is landscaped with shrubs, ground cover, and Japanese stewartia trees. Landscape plans, details and profiles of the buffer are provided on Sheets L1.0 through L1.2 of Exhibit C.

- D. When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E). [ORD 4531; April 2010] [ORD 4576; January 2012]

Response: The applicant is proposing a Design Review modification to a previously approved multi-family development on the subject property, a flag lot, located within the Murray Scholls Town Center Community Plan area and zoned TC-HDR. As illustrated in Figure 1. below, the subject property is the only flag lot located within the TC-HDR zone in the Murray Scholls Town Center Community Plan area. The flag portion of the lot measures 232-feet at the widest point (east-west) and approximately 533-feet long (north-south). Development of the 2.7-acre site is encumbered by 0.45-acres of wetlands.

Due to the significant natural resources located on the southern portion of the site and the geometry of the property the proposed development, which meets access standards the applicant has been approved to change the buffer width and buffer standard along the drive aisle and surface parking area adjacent to the western property boundary. There continues to be no development proposed in the wetland located on the southern portion of the site. The existing wetland and mature significant tree grove trees located east of Lots 1 and 2 of Bob's Windsor Park provides a natural buffer between the single-family dwellings and approved development.

Figure 1. Murray Scholls Town Center Community Plan Area



60.05.50. Lighting Design Guidelines.

Unless otherwise noted, all guidelines apply to all uses in all zoning districts, except RMA, RMB, and RMC. In RMA, RMB, and RMC, these guidelines apply only to multi-dwellings, compact detached housing, and non-residential uses. [ORD 4822; June 2022]

1. Lighting should be utilized to maximize safety within a development through strategic placement of pole-mounted, non-pole mounted and bollard luminaires. (Standards 60.05.30.1 and 2)

Response: No modifications are proposed to the previously approved preliminary lighting plan. Lighting will be provided within the surface parking area, along sidewalks, around development amenities, and primary entrances of each building to maximize safety with pole-mounted, wall-mounted, and bollard lighting.

2. Pedestrian scale lighting should be an integral part of the design concept except for industrial projects. Poles and fixtures for pole-mounted lighting should be of a consistent type throughout the project. The design of wall-mounted lighting should be appropriate to the architectural design features of the building. (Standard 60.05.30.2)

Response: No modifications are proposed to the previously approved preliminary lighting plan. Pedestrian scale lighting will be provided with bollard lighting along the sidewalk located in the pole portion of the site and within the amenity deck. Down lights are provided at primary entrances of the buildings. Pole and wall mounted lights illuminate the surface parking, trash, and open space areas.

3. Lighting should minimize direct and indirect glare impacts to abutting and adjacent properties and streets by incorporating lens shields, shades or other

measures to screen the view of light sources from residences and streets. (Standards 60.05.30.1 and 2)

Response: No modifications are proposed to the previously approved preliminary lighting plan. The lighting design minimizes direct and indirect glare impacts. The pole, bollard, wall, and down lights are strategically located, sized, and shielded throughout the development to minimize glare on adjacent properties. In addition, a 6-foot-tall wood-paneled screening fence, evergreen privet hedge and landscaping area will shield light from the surface parking area in the western portion of the site.

4. On-Site lighting should comply with the City's Technical Lighting Standards. (Standards 60.05.30.1 and 2.) Where the proposal does not comply with Technical Lighting standards, the applicant should describe the unique circumstance attributed to the use or site where compliance with the standard is either infeasible or unnecessary. [ORD 4531; April 2010]

Response: No modifications are proposed to the previously approved preliminary lighting plan. Lighting for the project will be designed to meet the City's Technical Lighting Standards. A photometric plan and site lighting cut sheets illustrating compliance with this standard will be submitted at time of site development.

60.15 LAND DIVISION STANDARDS

Response: The applicant is requesting approval of a Design Review modification that approved through a Design Review III application that proposed grading of the subject property which complied to the standards of 60.15.10 according to Section 60.05.25.10.A

1. Exemptions. The following improvements will be exempted from the on-site surface contour grading standards specified in Section 60.15.10.3.:
 - A. Public right-of-way road improvements such as new streets, street widening, sidewalks, and similar or related improvements.
 - B. Storm water detention facilities subject to review and approval of the City Engineer.
 - C. On-site grading where the grading will take place adjacent to an existing public street right-of-way, and will result in a finished grade that is below the elevation of the subject public street right-of-way; provided such grading is subject to the approval of the City Engineer, who may require appropriate erosion and sediment control mitigation measures.

Response: This Design Review modification includes a Grading Plan, Sheets 4.1 and 4.2 of Exhibit C, and supplemental grading exhibit with cross section, Exhibit G, which demonstrates the project grading continues to meet the existing grade of public rights-of-way and support the proposed stormwater detention facilities as shown on the Preliminary Utility Plan, Sheet 5 of Exhibit C.

2. On-site surface contouring. When grading a site within twenty-five (25) feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe the following:
 - A. 0 to 5 feet from property line: Maximum of two (2) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]

- B. More than 5 feet and up to and including 10 feet from property line: Maximum of four (4) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
- C. More than 10 feet and up to and including 15 feet from property line: Maximum of six (6) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
- D. More than 15 feet and up to and including 20 feet from property line: Maximum of eight (8) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
- E. More than 20 feet and up to and including 25 feet from property line: Maximum of ten (10) foot slope differential from the existing or finished elevation of the abutting property, whichever is applicable. [ORD 4584; June 2012]
- F. Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, above, the slope after grading (post-development) shall not exceed the pre-development slope.
- G. The on-site grading contours standards above apply only to the property lines of the parent parcel of a development. They do not apply to internal property lines within a development. [ORD 4584; June 2012]

Response: Abutting the site to the west is property zoned Residential Mixed B (RMB). Updated supplemental grading exhibits with cross sections are provided in Exhibit G to demonstrate the proposed modifications continue to comply with this standard.

3. Significant Trees and Groves. Notwithstanding the requirements of Section 60.15.10.3, above, grading within 25 feet of a significant tree or grove, where the tree is located on- or off-site, shall observe the following:
 - A. 0 to 10 feet from the trunk of a significant tree or grove: No change in pre-development ground elevation;
 - B. More than 10 feet, and up to and including 25 feet, from the trunk of a significant tree or grove, or to the outside edge of the tree’s drip line, whichever is greater: Maximum 10% slope gradient difference from the pre-development ground elevation;
 - C. Based on a recommendation of the City Arborist, the decision making body may require additional setbacks and/or other tree protection measures to protect the public health, safety and welfare.

Response: Abutting the site to the east is Tract A of Progress Ridge. The Significant Tree Resource NX-4 located on the southern portion of the subject property extends to Tract A. A retaining wall along the eastern boundary of the development, located and designed to minimize impact to the adjacent property.

The applicant will comply with the recommendations of the previously submitted and approved arborist report to reduce impacts to the trees located in Tract A on and adjacent to the property line.

60.30 OFF-STREET PARKING

60.30.05 Off-Street Parking Requirements.

When provided, parking spaces shall be designed and maintained by the owner of the property in accordance with the requirements of Sections 60.30.05 to 60.30.20. [ORD 4844; August 2023]

1. Open Air Beaverton.
2. Bicycle Parking. [ORD 3965; November 1996] Bicycle parking shall be required for quadplexes, townhouses (with 4 or more units), cottage clusters, multi-dwellings, all

retail, office and institution developments, and at all transit stations and park and ride lots which are proposed for approval after November 6, 1996. The number of required bicycle parking spaces shall be provided according to Section 60.30.10.5. All bike parking facilities shall meet the specifications, design and locational criteria as delineated in this section and the Engineering Design Manual. [ORD 4397; August 2006] [ORD 4822; June 2022]]

Response: This Design Review modification for the approved multi-family development continues to provide off-street vehicle and bicycle parking spaces for residents on site in accordance with Section 60.30.10.

60.30.10 Number of Required Parking Spaces.

Except as otherwise provided under Section 60.30.10.11., off-street vehicle, bicycle, or both parking spaces shall be provided as follows:

1. **Parking Calculation for Maximum Parking.** Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted. Non-surface parking, such as tuck-under parking, underground and subsurface parking, and parking structures shall be exempted from the calculations in this section. [ORD 4844; August 2023]

Response: Modifications to the surface parking area are proposed to comply with the City's new off-street parking lot design standards; however, the development continues to provide ample vehicle parking for residents and visitors of the development and meets the bicycle parking requirement standards.

2. **Climate-Friendly and Equitable Communities (CFEC) Parking Maximums.** For developments on parcels where any part of the parcel is within a Metro Title 6 Regional Center, within a Metro Title 6 Town Center, within three-quarters mile of a rail transit stop, or within one-half mile of the centerline of a frequent transit corridor shall comply with the applicable limits in Section 60.30.10.2.A through D. A frequent transit corridor is a corridor with bus service, considering all bus routes that travel along that corridor, arriving with a scheduled frequency of at least four times an hour during peak service. If Table 60.30.10.5.A and Section 60.30.10.2.A through D have different parking maximums, the stricter, lower number of maximum permitted vehicle parking spaces allowed shall apply.

Response: Modifications to the off-street parking of the previously approved Design Review have been made to comply the City's new parking lot design and Climate-Friendly and Equitable Communities (CFEC) standards.

- A. **Parking maximums shall be no higher than 1.2 off-street parking spaces per studio dwelling unit and two off-street parking spaces per non-studio dwelling unit in a multi-dwelling development. These maximums shall include visitor parking; and**

Response: The maximum permitted vehicle parking calculation provided in the following section reflects 1.2 off-street parking spaces for each of the 8 studio units, 1.8 off-street parking spaces for the 1-bedroom units, and 2.0 spaces for each of the 2-bedroom units provided in the multi-dwelling development.

- B. **Parking maximums for the following commercial and retail uses listed in Sections 20.05.20, 20.10.20, 20.15.20, 20.20.20, and 70.15.20, regardless of the use categories listed in Table 60.30.10.5.A, shall be no higher than 5 spaces per 1,000 square feet of floor area: Animal Care; Care, except for Residential Care Facilities; Financial Institutions; Marijuana uses, except Marijuana Processing;**

Meeting Facilities; Office; Retail, except for Eating and Drinking Establishments; Rental Business; Personal Service Business; Service Business/Professional Services; Vehicles, except major Automotive Service, Minor Automotive Service, Heavy Equipment Sales, Sales or Lease, Trailer, Recreational Vehicle or Boat Storage, Trailer Sales or Repair, and Vehicle Storage Yard; and

Response: This is a Design Review modification for a previously approved multi-family development; no commercial or retail uses are proposed therefore this standard does not apply.

- C. For each individual lot with a building or buildings totaling more than 65,000 square feet of floor area, surface parking shall not consist of more area than the floor area of the building or buildings. For the purposes of this standard, the surface parking area shall include parking spaces, drive aisles, drive-through lanes, and maneuvering areas for passenger vehicles but shall not include paved areas not for use by passenger vehicles, such as loading areas or outdoor storage of goods and materials. [ORD 4844; August 2023]

Response: The total floor area of the multi-dwelling development consists of 101,617 square feet and the surface parking area consists of only 28,730 square feet; therefore, the proposed project complies with the parking area requirements. This calculation is provided on the Preliminary Parking & Trash Enclosure Plan, Sheet 8 in Exhibit C.

3. Parking Categories.

- A. **Vehicle Categories.** Contained in the table at Section 60.30.10.5 are vehicle parking ratios for maximum permitted number of vehicle parking spaces that may be provided for each land use. [ORD 4471; February 2008] [ORD 4584; June 2012] [ORD 4686; June 2016] [ORD 4844; August 2023]
 1. **Minimum number of required parking spaces.** No minimum parking is required for any use. [ORD 4844; August 2023]

Response: The multi-family development complies with the maximum parking requirement as demonstrated in this report.

2. **Parking Zone A.** Parking Zone A reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone A areas include those parcels that are located within one-quarter mile walking distance of bus transit stops that have 20-minute peak hour transit service or one-half mile walking distance of light rail station platforms that have 20-minute peak hour transit service.

Response: The subject property is located more than ¼-mile walking distance of a bus transit stop and more than ½-mile walking distance of a light rail station; therefore, the site is not located in Parking Zone A.

3. **Parking Zone B.** Parking Zone B reflects the maximum number of permitted vehicle parking spaces allowed for each listed land use. Parking Zone B areas include those parcels that are located within one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both, or have a greater than 20-minute peak hour transit service. Parking Zone B areas also include those parcels that are located at a distance greater than one-quarter mile walking distance of bus transit stops, one-half mile walking distance of light rail station platforms, or both.

Response: The subject property is located more than ¼-mile walking distance of a bus transit stop and more than ½-mile walking distance of a light rail station; therefore, the site is located in Parking Zone B.

4. **Dual parking zones.** If a parcel is partially located within Parking Zone A, then the use(s) located on the entire parcel shall observe the Parking Zone A parking ratios. Specifically exempted from this requirement are parcels located within the Regional Center-East zoning district. In the cases in the Regional Center-East zoning district where parcels are bisected by the boundary of Parking Zones A and B, the applicable maximum parking ratios may be averaged, and that average may be applied over the whole parcel. [ORD 4107; May 2000]

Response: The subject property is located entirely within Parking Zone B.

- 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: According to 60.30.10.5.B multi-dwelling structures require a minimum of one (1) short-term bicycle parking space for every twenty (20) dwelling units and one (1) long-term bicycle parking for every unit.

1. **Short-Term parking.** Short-term bicycle parking spaces accommodate persons that can be expected to depart within two hours. Short-term bicycle parking shall be located on site within 50 feet of a primary entrance, or if there are site, setback, building design, or other constraints, bicycle parking shall be located no more than 100 feet from a primary entrance in the closest available area to the primary entrance as determined by the decision-making authority. [ORD 4844; August 2023]

Response: The applicant is providing short-term bike parking with bike racks located within 50-feet of the primary entrance of Building 2 as illustrated on Sheet L2.1 of Exhibit C.

2. **Long-Term parking.** Long-term bicycle parking spaces accommodate persons that can be expected to leave their bicycle parked longer than two hours. Cover or shelter for long-term bicycle parking shall be provided. School buildings are exempted from the requirement to cover long-term bicycle parking.

Response: This Design Review modification does not propose changes to the amount of long-term bicycle parking provided. The applicant is providing one long-term bike parking space in each of the 96 residential units as illustrated on Sheets A1.1 through A1.5 of Exhibit C.

3. **Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings.** [ORD 4302; June 2004]

Response: This Design Review modification does not propose changes to the design of bicycle parking storage and location. Short and long-term bicycle parking continues to be designed, located, and lit to the standards of the Engineering Design Manual and Standard Drawings. Long-term bike parking is located within the building, therefore covered. Detail of the bike racks providing short-term bicycle parking is shown on Sheet L2.2 in Exhibit C.

4. Ratios. In calculating the required number of vehicle and bicycle parking spaces, fractions equal to or more than 0.5 shall be rounded up to the nearest whole number. In calculating the required number of vehicle and bicycle parking spaces, fractions less than 0.5 shall be rounded down to the nearest whole number. [ORD 3965; November 1996] [ORD 4844; August 2023]

Response: Calculation of the bicycle and vehicle parking space requirements are calculated as required by 60.30.10.4.

5. Uses Not Listed. For uses not specifically mentioned in this section, the requirements for off-street parking facilities for vehicles and bicycles shall be determined with a Parking Requirement Determination (Section 40.55.15.1). [ORD 4224; August 2002]

Response: The applicant has received approval for the Scholl’s Ferry multi-family attached residential development. Tables 60.30.10.5.A and B. provide vehicle and bicycle parking requirements for this use.

6. Parking Tables. The following tables list the maximum permitted vehicle (Table 60.30.10.5.A) and required minimum bicycle parking requirements (Table 60.30.10.5.B) for listed land use types. [ORD 4584; June 2012] [ORD 4782; April 2020] [ORD 4844; August 2023]

Table 60.30.10.5.A. - PARKING RATIO REQUIREMENTS FOR MOTOR VEHICLES		
Land Use Category	Maximum Permitted Parking Spaces	
	Zone A	Zone B
Multi-Dwelling		
One bedroom (per unit)	1.8	1.8
Two bedrooms (per unit)	2.0	2.0
Three or more bedrooms (per unit)	2.0	2.0

Response: The applicant is proposing development of a multi-dwelling development that will provide 96 dwelling units, 8 studios, 48 1-bedroom units, and 40 2-bedroom units; therefore, the maximum number of vehicle parking spaces permitted is 180 spaces.

Maximum Permitted Vehicle Parking:

Attached Dwelling Units		
8 Studio Units at 1.2 spaces per unit*	=	10 spaces
48 One-bedroom Units at 1.8 spaces per unit	=	86 spaces
40 Two-bedroom Units at 2.0 spaces per unit	=	80 spaces
Maximum Permitted Vehicle Parking	=	176 spaces

**Per Section 60.30.10.2.A. “Parking maximums shall be no higher than 1.2 off-street parking spaces per studio dwelling units and two off-street parking spaces per non-studio dwelling unit in a multi-dwelling development. These maximums shall include visitor parking.*

The proposed multi-family development complies with the maximum vehicle parking requirement by providing 119 vehicle parking spaces as detailed below:

Vehicle Parking Provided:

On-Site Surface Parking Areas		
Standard Parking Spaces	=	65 spaces
ADA	=	2 spaces
Ground Floor Garage Parking Available in Building 1		
Standard Parking Spaces	=	24 spaces
ADA Spaces	=	2 spaces
Ground Floor Garage Parking Available in Building 2		
Standard Parking Spaces	=	25 spaces
ADA Spaces	=	2 spaces
Total Surface and Garage Vehicle Parking Spaces Provided	=	119 spaces

Table 60.30.10.5.B. - PARKING RATIO REQUIREMENTS FOR BICYCLES		
Land Use Category	Minimum Required Bicycle Parking Spaces	
	Short Term	Long Term
Multi-Dwelling Structure	2 spaces or 1 space per 20 dwelling units	1 space per dwelling unit

Response: The applicant is proposing development of a multi-dwelling development that will provide 96 dwelling units requiring 5 short-term bike parking spaces and 96 long-term bike parking spaces as calculated below:

Short-term Bike Parking Required:

Attached Dwelling Units		
96 Units at 2.0 Space/ 20 dwelling units	=	5 spaces

Short-term Bike Parking Required = 5 spaces

Long-term Bike Parking Required:

Attached Dwelling Units		
96 Units at 1.0 Space/ unit	=	96 spaces

Long-term Bike Parking Required = 96 spaces

The applicant is proposing to provide 5 short-term and 96 long-term bike parking spaces as detailed below:

Short-term Bike Parking Provided:

Exterior Short-term Bike Parking:		
Bike Racks Around Site	=	5 spaces

Short-term Bike Parking Provided = 5 spaces

Long-term Bike Parking Provided:

Residential Long-term Bike Parking:		
1-space in each of the 96 units	=	96 spaces

Long-term Bike Parking Provided = 96 spaces

- 7. Residential Parking Dimensions.** For all residential uses, any provided parking space shall not be less than 8 1/2 feet wide and 18 1/2 feet long. In RMA, RMB and RMC, parallel parking spaces may also be used to meet minimum required parking spaces

and shall not be less than 8 feet wide and 20 feet long. (See also Section 60.30.15. (Off-Street Parking Lot Design) for other standards.) [ORD 4312; July 2004] [ORD 4822; June 2022] [ORD 4844; August 2023]

Response: All parking spaces will be constructed to continue to comply with the minimum dimensions that are outlined in this standard. Dimensions of the off-street parking area are shown on Sheet 3 of Exhibit C.

8. Parking Space Calculation.

- A. **Multiple Uses.** In the case of multiple uses, the total requirements for off-street vehicle and bicycle parking facilities shall be the sum of the requirements for the various uses computed separately. [ORD 4844; August 2023]
- B. Bicycle spaces which only meet the requirements of one establishment may serve more than one establishment on the same site, with the approval of a Shared Bicycle Parking application, provided that sufficient evidence is presented which shows that the times of peak bicycle parking demand for the various establishments do not coincide, and that adequate bicycle parking will be available at all times when the various establishments are in operation. [ORD 4844; August 2023]

Response: This Design Review modification continues to provide only residential use for the approved proposed multi-family residential development; therefore, this standard does not apply.

9. Location of Vehicle Parking.

- A. For parking areas that meet one of the thresholds in subsections 1 or 2, below, parking spaces shall be so located and served by an access that their use will require no backing movements or other maneuvering within a street or right-of-way other than an alley. [ORD 4822; June 2022]

Response: Vehicle parking spaces to serve the development are located within the on-site surface parking area and parking garages that do not require backing movements or maneuvering within a street or right-of-way.

- B. In the RMA, RMB, and RMC zones parking and loading spaces for single-detached dwellings and middle housing may be located in side and rear yards and up to two parking spaces may be located in the front yard of each lot. [ORD 4584; June 2012] [ORD 4822; June 2022]

Response: The subject property is located within the TC-HDR zone designation; therefore, this requirement does not apply.

- C. For middle housing outside the RMA, RMB, and RMC zones, and other types of housing in any zone, parking in the front yard is allowed for each dwelling unit in the driveway area and shall be hard surfaced. [ORD 4822; June 2022]

Response: The subject property is located within the TC-HDR zone designation; therefore, this requirement does not apply.

10. Open Air Beaverton. [ORD 4819, January 2022]

Response: The proposed project is not subject to the Open Air Beaverton program standards.

11. Compact Cars. Compact car parking spaces may be allowed as follows:

- A. For residential uses, proposed vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. [ORD 4844; August 2023]
- B. For uses other than residential uses, twenty percent (20%) of the provided vehicle parking spaces for long term or designated employee parking lots may be compact spaces. The Facilities Review Committee may recommend allowing more than twenty percent (20%) of the provided parking spaces to be used for compact car parking when the applicant shows that more compact car spaces are appropriate. [ORD 4224; August 2002] [ORD 4844; August 2023]
- C. Compact car parking spaces shall be generally grouped together and designated as such. [ORD 3228; December 1981]

Response: This Design Review modification does not propose compact parking spaces; therefore, this requirement is not applicable.

12. Carpool and Vanpool Parking Requirements. [ORD 3965; November 1996]

Response: The proposal is a multi-family residential development not industrial, institution, or office development; therefore, this requirement does not apply.

60.30.15 Off-Street Parking Lot Design.

All off-street parking lots shall be designed in accordance with City Standards for stalls and aisles as set forth in the following drawings and tables:

A = Parking Angle

B = Stall Width

C = Stall Depth (no bumper overhang)

D = Aisle Width

E = Stall Width (parallel to aisle)

F = Module Width (no bumper overhang)

G = Bumper Overhang

H = Backing Area

I = Module Intermesh

NOTE:

- 1) For one (1) row of stalls use "C" plus "D" as minimum bay width.
- 2) Public alley width may be included as part of dimension "D", but all parking stalls must be on private property, off the public right-of-way.
- 3) For estimating available parking area, use 350 sq. ft. per vehicle for stall, aisle and access areas.
- 4) The stall width for self-parking of long duration is 8.5 feet; for higher turnover self-parking is 9.0 feet; and for supermarkets and similar facilities (shoppers and packages) is 9.5-10 feet.
- 5) The minimum aisle width for two-way traffic and for emergency vehicle operations area is 24 feet. The minimum aisle width for emergency vehicle access (one way traffic) is 20 feet. Except as permitted in Section 60.30.15. Note 8(c). [ORD 4822; June 2022]
- 6) Where appropriate, bumper overhang area is provided (extruded curbs), "G" can be subtracted from "C" to determine stall depth. Dimensions of required recreational vehicle spaces are 10 feet by 25 feet.

Response: The Dimensioned Site Plan, Sheet 3 in Exhibit C, and the parking stall details provided on the Preliminary Parking & Trash Enclosure Plan, Sheet 8 in Exhibit C, demonstrate compliance with the off-street parking lot dimensions.

- 7) Parking lots in conjunction with government and public buildings, as defined by Chapter 11 of the International Building Code, are to include parking for the handicapped as required in that chapter. [ORD 3494; March 1986] [ORD 4365; October 2005] [ORD 4697; December 2016] [ORD 4844; August 2023]

Response: This project is a multi-family residential development; therefore, this standard is not applicable.

- 8) Single Detached and Middle Housing in RMA, RMB and RMC zones: [ORD 4822; June 2022]
 - a. Parallel parking spaces shall be a minimum of 8 feet wide and 20 feet long. For parallel parking spaces located within the driveway, the driveway width shall conform to drive aisle widths, outlined in Section 60.30.15. Note 8(c). Parallel parking spaces count towards parking maximums. [ORD 4844; August 2023]
 - b. Driveways shall meet the minimum driveway standards in the Engineering Design Manual.
 - c. Drive aisles shall have a minimum width of 22 feet for two-way traffic or 20 feet for one-way traffic.

Response: This subject property is not located within an RMA, RMB, or RMC zone; therefore, these requirements are not applicable.

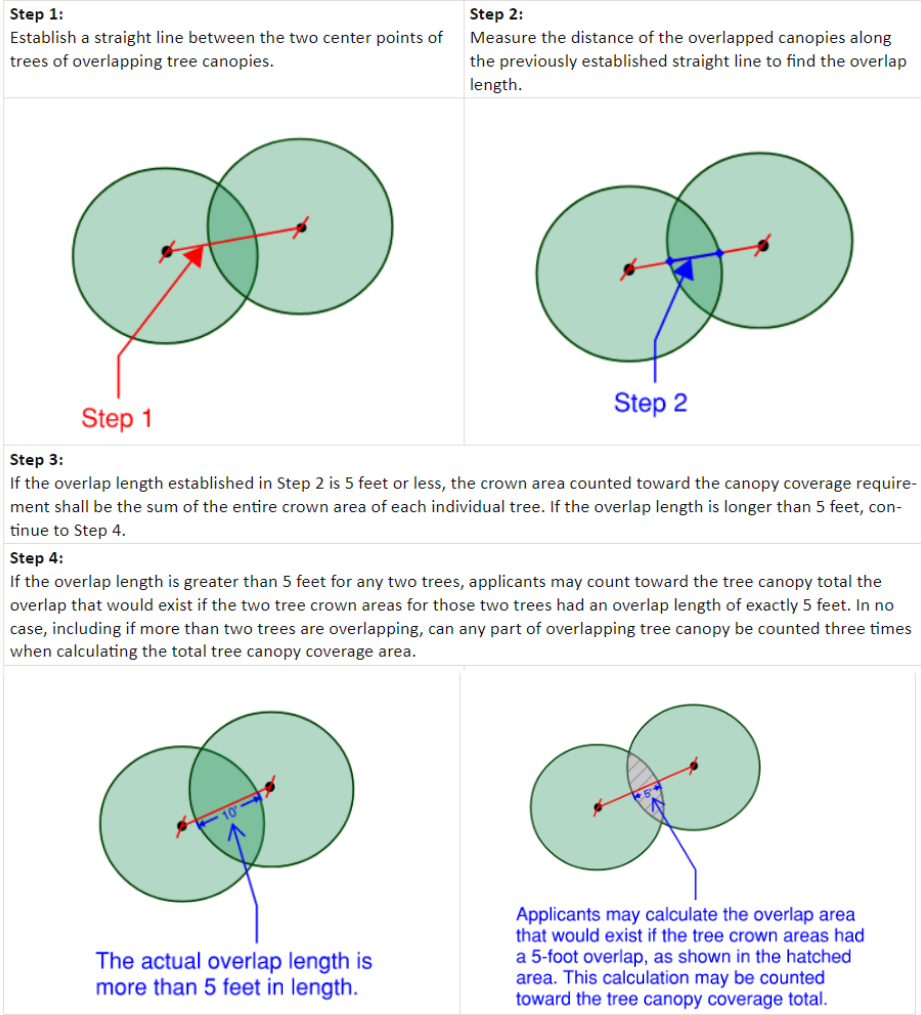
- 9) Newly constructed multi-dwelling residential buildings with five or more residential dwelling units and newly constructed multiple-use buildings consisting of privately owned commercial space and five or more residential dwelling units shall provide sufficient electrical service capacity, as defined in ORS 455.417, to accommodate no less than 40 percent of all vehicle parking spaces serving the residential units. For the purposes of calculating which spaces serve residential units, applicants shall provide sufficient electrical capacity to 40 percent of parking spaces on the entire site or designate which vehicle parking spaces will be dedicated for residential use, install signage indicating that those spaces are for residential use only, and provide sufficient electrical capacity to 40 percent of the parking spaces designated for residential use. Townhouses are not included for purposes of determining the applicability of this regulation. [ORD 4844; August 2023]

Response: As noted on the Preliminary Parking & Trash Enclosure Plan, Sheet 8 in Exhibit C, the multi-dwelling development will provide electric vehicle charging capacity to serve 48-spaces (40% of the 119 spaces provided).

- 10) A new development that adds more than one-half acre of new surface parking (newly constructed parking and/or paved parking area that was removed and replaced) to a lot or parcel shall provide one of the features in a through c below. Surface parking area to determine the one-half acre threshold shall be measured around the perimeter of all parking spaces, vehicle maneuvering areas, and interior parking lot landscaping. The parking area calculation shall be a cumulative calculation for all parking areas on the lot or parcel:

- a. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new parking space. Existing solar panels present on the site that will be retained on the site after development may count toward this requirement if they meet this standard. Panels may be located anywhere on the site. In lieu of installing solar panels on site, the developers may pay \$1,500 per new parking space in the development into a previously established city or county fund dedicated to equitable solar or wind energy development or a fund at the Oregon Department of Energy designated for such purpose if such a fund exists;
- b. Actions to comply with OAR 330-135-0010; or
- c. Tree canopy covering at least 40 percent of the additional parking lot area at maturity but no more than 15 years after planting. For the purposes of this tree canopy standard, the parking lot area shall include the area of parking stalls and vehicle maneuvering areas (including but not limited to all drive aisles and drive-through lanes) and shall not include loading areas, areas designated for outdoor storage (except outdoor storage of vehicles related to Vehicle Sales, Lease or Rental uses), and parking lot area covered with solar panels). The following standards apply:
 - i. Tree canopy coverage shall be calculated based on the total crown area of existing trees to remain on the site after development plus proposed trees to be planted within the parking area. For existing trees that will remain on the site after development, the calculation may use the actual crown area of any existing trees or the anticipated crown area of any existing trees at maturity but no more than 15 years after planting. For proposed trees, the calculation shall use the anticipated crown area of proposed trees at maturity but no more than 15 years after planting. For the purposes of the calculation, tree canopy that covers fully enclosed buildings shall not count toward the canopy coverage. Tree canopy over the parking lot area defined above, interior parking lot landscaping, perimeter parking lot landscaping, and carports shall count toward canopy coverage. For the purposes of the calculation, when expected and/or existing canopies overlap they can be counted twice when the overlap is 5 feet or less. The measurement is the length of the line segment within the overlap area between tree canopy centers. For areas that overlap more than 5 feet, applicants may count toward the tree canopy total the overlap that would exist if the two tree crown areas for those two trees had an overlap length of exactly 5 feet. In no case, including if more than two trees are overlapping, can any part of overlapping tree canopy be counted three times when calculating the total tree canopy coverage area (see Figure 60.30.15.10, Tree Canopy Overlap Measurement).
 - ii. Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building and maintenance phases.
 - iii. Trees planted to meet this standard shall be planted and maintained consistent with 2021 ANSI A300 standards.

Figure 60.30.15.10 Tree Canopy Overlap Measurement



Response: The off-street parking lot of the multi-dwelling project has been modified to provide at least 40-percent of tree canopy coverage over the surface parking area. The Tree Canopy Cover Exhibit, Sheet L1.2 in Exhibit C, illustrates how the anticipated 15-year tree canopy of 13,400 square feet over the 32,707 square foot surface parking area, or coverage of 41%. This tree plan will be developed in coordination with PGE, and trees will be planted and maintained in accordance with the 2021 AINSI A300 standards.

60.50.05 Accessory Uses and Structures. (Other than Accessory Dwelling Units) [ORD 4048; July 1999]

1. Structures or uses incidental and subordinate to the uses allowed as Permitted and Conditional Uses in any zone are allowed as accessory uses and structures subject to the provisions of this section. [ORD 4462; January 2008] [ORD 4474; March 2008] [ORD 4498; January 2009]

Response: This Design Review modification proposes to relocate the trash enclosure that services the development to accommodate Waste Management’s request that the enclosure to be more accessible for the service vehicles.

2. All accessory buildings must comply with the following provisions:

- A. **Size.** For lots ten thousand (10,000) square feet or less, the combined footprint of all accessory structures may not exceed five hundred (500) square feet. For lots greater than ten thousand (10,000) square feet, the combined footprint may not exceed seven hundred (700) square feet. However, regardless of size, the lot coverage by all accessory structures shall be no more than twenty-five (25) percent of a rear yard area; [ORD 4474; March 2008]

Response: This Design Review modification relocates the trash enclosure in the surface parking area to serve the multi-family residential development located on a 2.7-acre (117,458 sq. ft.) lot. The enclosure is designed and sized for collection twice-a-week. The trash enclosure is approximately 610 square feet meeting the size requirements for an accessory structure as illustrated on Sheets 8 in Exhibit C.

- B. **Height.** Accessory structures shall not exceed one story and shall be no greater than fifteen (15) feet in height. Community buildings associated with cottage cluster developments are exempt from this height limitation, and are instead subject to height limits in Section 20.05.15.G; [ORD 4474; March 2008] [ORD 4822; June 2022]

Response: The trash enclosure does not exceed fifteen (15) feet in height as illustrated on Sheet A-2.7 of Exhibit C.

- C. They shall not be allowed in a required front yard, unless indicated in Section 60.50.05.3; [ORD 4844; June 2022]

Response: The standards of BDC 20.20.15 state there is a minimum zero (0) foot front yard setback for development located in the TC-HDR zone. The trash enclosure is not located within a front yard setback.

- D. They shall not be located within six (6) feet of main building for residential lots. Required separation distances for commercial, multiple use, and industrial zoned lots shall be determined by the applicable Building Code; [ORD 4424; August 2002] [ORD 4474; March 2008]

Response: The trash enclosure continues to be more than six (6) feet from the buildings and is designed to comply with applicable Building Code.

- E. **Setbacks.** A structure with a height of eight feet or less shall be located no closer than three (3) feet to any lot line nor built over an easement. For each foot of height, or fraction thereof, in excess of eight feet, the accessory structure shall be set back one additional foot from all lot lines; [ORD 3293; November 1982] [ORD 4424; August 2002] [ORD 4474; March 2008]

Response: The trash enclosure is proposed to be relocated more than three (3) feet from property lines and not located over an easement.

- F. They shall cause no encroachment upon or interference with the use of any adjoining property or public right-of-way;

Response: The location of the trash enclosure does not encroach on the adjacent property or public right-of-way.

- G. **Attached accessory structures.** When an accessory structure is attached to the main structure, such accessory structure shall be considered as part of the main structure. Attached means wall-to-wall or any permanent attachment, as determined by the Director; [ORD 4474; March 2008]

Response: This Design Review modification does not propose any attached accessory structures for this development.

- H. They shall be built in accordance with the applicable building codes as determined by the Building Official. [ORD 3293; November 1982] [ORD 4474; March 2008]

Response: The trash enclosure is designed and will be built in accordance with applicable Building Code.

3. Examples of residential accessory uses. The following types of accessory structures or similar structures as determined by the Planning Director shall be permitted in districts where residential use types are allowed:

Response: With this Design Review modification, the applicant proposes to relocate a trash enclosure on the site to serve the multi-family residential development.

4. Non-residential accessory uses. Accessory uses customarily associated with the principal commercial or industrial use shall be permitted where these commercial and industrial use types are authorized. [ORD 4474; March 2008]

Response: This Design Review modification is for an approved residential development; therefore, this requirement is not applicable.

5. A conflict of interpretation concerning whether a use or structure is an accessory use or structure shall be resolved in accordance with the provisions of Section 10.20.

Response: The applicant proposes to relocate a trash enclosure on-site, an accessory structure, on the site to serve the multi-family residential development.

60.50.10. Height Regulations

The height limitations contained in this Code do not apply to normal appurtenances placed on or extending above the roof level, such as spires, belfries, cupolas, chimneys, antennas, ventilators, elevator housing, or other structures; provided, however, that no structure shall be erected which fails to comply with any applicable state or federal law or regulation. Antennas for wireless communication facilities are not exempted by this section from the applicable height regulations as specified in this Code. [ORD 3293; November 1982] [ORD 4107; May 2000] [ORD 4248; May 2003] [ORD 4498; January 2009]

Response: This Design Review modification does not propose a change to the previously approved building height. According to BDC 20.20.15 the maximum building height for developments within the TC-HDR zone is fifty (50) feet. The applicant was approved to build multi-family buildings that do not exceed the maximum height limit of fifty (50) feet measuring the building height from the average grade plan line to the tallest point of the building (see Sheets A2.1 through A2.6 of Exhibit C). Note, elevator housing does extend above the roof level as allowed by this code section. Design and construction of the elevator housing will comply with applicable state and federal regulations. Compliance with these regulations will be demonstrated at time of building permit.

60.50.20 Fences.

Fences in any district may be constructed at the lot line; provided, however, that fences shall comply with all applicable sight clearance standards established in the Engineering

Design Manual and meet the following standards: [ORD 3162; April 1980] [ORD 3287; October 1982] [ORD 4365; October 2005] [ORD 4782; April 2020]

1. Fences and walls shall not exceed the following height:
 - A. Six (6) feet in a required front yard along designated Collector and Arterial streets.
 - B. Three (3) feet in height in a required front yard along all other street classifications.
 - C. Four (4) feet in height in a required front yard for required above ground stormwater facilities.
 - D. Eight (8) feet in height for all other yards.

Response: This Design Review modification does not propose changes to the previously approved fencing. A six (6) foot tall wood-paneled screening fence will be installed along the western edge of the proposed development. A detail of the screening fence is provided on Sheet L2.1 of Exhibit C.

60.55 TRANSPORTATION FACILITIES

Response: This Design Review modification continues to comply with the Transportation Facilities criteria. The Circulation and ADA Access Plan, Sheet 7 of Exhibit C, and Preliminary Parking Plan, Sheet 8 of Exhibit C illustrate pedestrian, bicycle, and vehicle access to the development.

An ADA accessible sidewalk along the western boundary of the flag lot connects the development to the public sidewalk network. Shared bicycle and vehicle access will be provided to the development with connections to SW Winterhawk Lane and SW Bunting Street. A TIA providing a safety analysis of the proposal and new intersection was previously submitted. Emergency vehicle access is provided to the site from SW Bunting Street and SW Winterhawk Lane, which was approved by as approved by TVF&R on Permit 2019-0031. Improvements and connections to the abutting rights-of-way are designed in accordance with standards of this code and the Engineering Design Manual. Necessary permits will be obtained from the applicable agency or jurisdiction prior to development with the public rights-of-way. Right-of-way dedication will occur in accordance with applicable jurisdictional requirements.

60.60 TREES AND VEGETATION

Response: The applicant continues to remove trees as previously approved. Tree protection for preserved trees will continue to be provided in accordance with the Tree Protection Recommendations made by the project arborist. No tree mitigation is proposed. The applicant will provide a fee in-lieu payment as previously approved.

60.65 UTILITY UNDERGROUNDING

Response: No changes to the previously approved proposal to underground all on-site and pre-existing utilities are proposed.

60.67 SIGNIFICANT NATURAL RESOURCES

Response: The previously approved Design Review III and Type 3 Tree application accounted for temporary buffer impacts to be enhanced and tree removal. No modifications or alterations to impacts to the natural resources or trees are proposed.

IV. CONCLUSION

This narrative and the attached exhibits demonstrate compliance with the applicable provisions of the City of Beaverton Development Code; therefore, the applicant respectfully requests approval of the proposed modification to the approved Design Review (DR2022-0046).