



Scholls Heights Apartments Land Use Narrative

Submitted to:
Holland Acquisition Co., LLC
c/o Holland Partner Group
1111 Main Street, Suite 700
Vancouver, WA 98660

Prepared By:
Otak, Inc.
808 SW Third Ave, Suite 800
Portland, OR 97204

November 30, 2021
Revised February 9, 2022
Revised March 28, 2022
Revised April 13, 2022

Project No. 19499.000

SITE INFORMATION

SUBJECT PROPERTY: 18865 SW Scholls Ferry Road
TLIDs 2S201000 4200 & 4201

SITE AREA: 11.48 ac

COMPREHENSIVE PLAN DESIGNATION: High Density Neighborhoods

ZONING DESIGNATION: Residential Urban High Density R1

APPLICANT/PROPERTY OWNER

APPLICANT: Holland Acquisition Co., LLC
c/o Holland Partner Group
1111 Main Street, Suite 700
Vancouver, WA 98660

Contact: Brian Cho
360.907.4602
bcho@hollandpartnergroup.com

OWNER: John Bierly
12150 SW Kobbe Drive
Beaverton, OR 97007

Contact: John Bierly
503.628.1472
jbscc@upwardaccess.com

PROJECT DEVELOPMENT TEAM

APPLICANT'S REPRESENTATIVE/
LAND USE PLANNER: Otak, Inc.
808 SW Third Avenue, Suite 800
Portland, OR 97204

Contact: Li Alligood, AICP
503.415.2384
li.alligood@otak.com

ARCHITECT: LRS Architects Inc.
720 NW Davis Street, Suite 300
Portland, OR 97209

Contact: Dean Masukawa
503.734.7080
dmasukawa@lrsarchitects.com

CIVIL ENGINEER: Contact: Kyle Childers, PE
503.415.2354
kyle.childers@otak.com

LANDSCAPE ARCHITECT: Gabriel Kruse, PLA
503.415.2371
gabe.kruse@otak.com

STORMWATER
ENGINEER: Contact: Rose Horton, PE
503.415.2374
rose.horton@otak.com

SURVEYOR: Contact: Mike Spelts, PLS
503.415.2321
mike.spelts.@otak.com

GEOTECHNICAL
ENGINEER: Terra Associates, Inc.
12220 113th Avenue NE, Suite 130
Kirkland, WA 98034
Contact: Zakeyo Ngoma
425.821.7777
zngoma@terra-associates.com

ENVIRONMENTAL
CONSULTANT: AKS & Associates, Inc.
12965 SW Herman Road, Unit 100
Tualatin, OR 97062
Contact: Stacey Reed, PE
503.956.2550
StaceyR@aks-eng.com

TABLE OF CONTENTS

| | Page |
|---|-----------|
| I. Requests | 1 |
| II. Project Description | 1 |
| III. Conformance with Previous Approvals | 2 |
| IV. Compliance with Beaverton Development Code Title 20 | 2 |
| A. 20.05. Residential Land Use Districts | 2 |
| B. 20.25 Density Calculations | 3 |
| V. Compliance with Beaverton Development Code Title 40 | 3 |
| A. 40.03. Facilities Review Committee | 3 |
| B. 40.20. Design Review | 8 |
| C. 40.90. Tree Plan | 10 |
| VI. Compliance with Beaverton Development Code Title 50 | 12 |
| A. 50.25 Application Completeness | 12 |
| B. 50.30. Neighborhood Review Meeting | 13 |
| VII. Compliance with Beaverton Development Code Title 60 | 15 |
| A. 60.05. Design Review Principles, Standards, and Guidelines | 16 |
| B. 60.30. Off-Street Parking | 31 |
| C. 60.35. Planned Unit Development | 34 |
| D. 60.55. Transportation Facilities | 36 |
| E. 60.65. Utility Undergrounding | 40 |
| F. 60.67. Significant Natural Resources | 41 |

Appendices

| | |
|------------|--|
| Appendix A | Application Forms and Checklists |
| Appendix B | Clean Water Services Service Provider Letter dated January 11, 2022 |
| Appendix C | Preliminary Stormwater Report dated March 18, 2022, by Otak, Inc. |
| Appendix D | Geotechnical Report dated November 9, 2021, by Terra Associates |
| Appendix E | TVF&R Service Provider Letter dated November 29, 2021 |
| Appendix F | Beaverton School District School Service Provider Letter dated November 19, 2021 |
| Appendix G | Beaverton Water Service Provider Letter dated November 30, 2021 |
| Appendix H | Neighborhood Meeting Materials |
| Appendix I | Preapplication Conference Summary dated September 1, 2021 |
| Appendix J | Design Exception Request for Turn Radius |
| Appendix K | Design Exception Request for Driveway Wing Removal |
| Appendix L | Lighting Cut Sheets |

Exhibits (Revised April 13, 2022)

| |
|---------------------|
| Architecture Sheets |
| Civil Sheets |
| Landscape Sheets |
| Lighting Sheets |

I. Requests

Type 3 Design Review and Tree Plan 2 approval is requested for a 216-unit multifamily residential development and associated site improvements.

II. Project Description

The site is within the South Cooper Mountain planning area north of Scholls Ferry Road and east of Tile Flat Road. The site is Lot 11 of Scholls Heights at South Cooper Mountain and part of the Scholls Heights at South Cooper Mountain Planned Unit Development (Scholls Heights PUD). The site is 11.48 acres in size. All required infrastructure (streets and utilities) has been or will be constructed as part of earlier phases of the Scholls Heights PUD. The proposed development includes 216 multifamily units at the northeast corner of SW Scholls Ferry Road and SW Tile Flat Road in the growing South Cooper Mountain plan area.

The proposal consists of eight (8) apartment buildings with associated circulation and common spaces, including a protected wetland and riparian corridor area with adjacent multi-use pathway. The residential units are composed of a mix of one-, two-, three-, and four- bedroom units, with laundry in each unit, secure indoor bike storage, a large mail area, public restrooms, active space for play or exercise, and quiet space for work or studying. The building programming is directly informed by market demand, including provision of modern amenities for residents.

The architectural design concept is driven by two main guiding principles. The first is a contemporary agrarian building form and aesthetic, a modern and sophisticated interpretation of regional agricultural vernacular architecture. The second references the ubiquitous geologic forces that have shaped the South Cooper Mountain area by breaking the site into smaller building segments, with the facades as a series of dynamic faceted forms.

The main guiding principles are accomplished in a variety of ways. The building uses a gabled roof form that is a contemporary nod to utilitarian buildings such as barns and sheds. A series of alternating faceted projecting bays and faceted recessed insets create architectural rhythm and an exciting sense of movement on the elevations, while also adding visual interest at the main roof eave line. The fenestration design uses punched openings at residential units that invite natural light and provide great views, while large windows at the clubhouse maximize transparency and activation of residential life. All primary building entrances are recessed to emphasize a sense of depth and protected overhead for year-round weather protection.

Building elevations use a combination of fiber cement horizontal lap siding with vertical joints, fiber cement panel with vertical trim to create a unique juxtaposition of linear patterns and an overall quilting effect. All fiber cement cladding is thoughtfully detailed and painted in a sophisticated palette of colors that break the building scale down into neighborhood-friendly segments while also complimenting the different cladding textures.

The site design situates the building footprints with reasonable setbacks that balance privacy for ground floor units while also confidently addressing the streetscape. The buildings wrap around a centrally located clubhouse with significant outdoor amenity space. This outdoor area includes a pool deck with swimming pool, spa, outdoor gas grills, flexible play space for kids, as well as a robust clubhouse to promote healthy recreation and resident interaction. Additional outdoor amenities include bike racks, a dog run, and site furnishings. The outdoor amenities were informed by the ongoing community engagement process and are enclosed by a low fence and gate, with the parking area providing more than the code-required number of spaces to accommodate diverse family needs and minimize parking impact on neighborhood streets. Stormwater is largely managed underground with two outfalls along the east site, and an extensive pedestrian circulation network connects the apartment community with the adjacent multi-use pathways and neighborhood to the north.

The proposed design strives to respect its natural surroundings, meaningfully contribute to the flourishing neighborhood, and serve as an example of high-quality housing for the city of Beaverton for years to come.

III. Conformance with Previous Approvals

Response: The subject site is located within the previously approved Scholls Heights Planned Unit Development (PUD). As such, development of the site is required to conform with previous land use approvals. Relevant land use approvals are noted below.

Scholls Heights PUD (CU2015-0006/DR2015-0071/LD2015-0013/TP2015-0008/ZMA2015-0006)

Response: This application approved a Planned Unit Development in seven (7) phases, including 216 dwelling units within the South Phase/Lot 11. The proposed development is within the South Phase and proposes 216 units. Design Review for the South Phase was deferred to a future application (herein).

The South Phase was required to provide 0.85 acres of active open space and a total of 3.42 acres of total open space to meet the needs of the approved dwelling units. Additional detail is provided in the responses to Section 60.05.25, below.

IV. Compliance with Beaverton Development Code Title 20

A. 20.05. Residential Land Use Districts

20.05.15. 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]

Response: The site is zoned R1. Compliance with the standards of the R1 zone is provided in Table 1, below.

Table 1. Development Standards

| Standard | R1 Zone | Proposed | Findings |
|---|------------------------------|----------------------------|-----------------------|
| Minimum Land Area | 1,000 square feet | 500,504 square feet | This standard is met. |
| Maximum Density | 216 units (per PUD decision) | 216 units | This standard is met. |
| Minimum Front Yard Setback (including street setback) | 10 feet | 10 feet | This standard is met. |
| Minimum Rear Yard Setback | 15 feet | 15 feet (east) | This standard is met. |
| Minimum Side Yard Setback (north) | 10 feet | 10 feet (north) | This standard is met. |
| Maximum Building Height | 65 ft. (per CU2017-0005) | 42 feet, 6 inches to ridge | This standard is met. |

20.05.20. 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 Residential Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.05.25.

Response: the proposed development is multifamily residential development within the approved Scholls Heights Planned Unit Development. Multifamily residential uses are permitted outright in the R1 zone.

B. 20.25 Density Calculations

20.25.05. Minimum Residential Density.

A. *New residential development in all Residential, Commercial, and Multiple Use districts which permit residential development must achieve at least the minimum density for the zoning district in which they are located. Projects proposed at less than the minimum density must demonstrate on a site plan or other means, how, in all aspects, future intensification of the site to the minimum density or greater can be achieved without an adjustment or variance. If meeting the minimum density will require the submission and approval of an adjustment or variance application(s) above and beyond application(s) for adding new primary dwellings or land division of property, meeting minimum density shall not be required.*

For the purposes of this section, new residential development shall mean intensification of the site by adding new primary dwelling(s) or land division of the property. New residential development is not intended to refer to additions to existing structures, rehabilitation, renovation, remodeling, or other building modifications or reconstruction of existing structures.

Minimum residential density is calculated as follows:

- 1. Refer to the definition of Acreage, Net. Multiply the net acreage by 0.80.*
- 2. Divide the resulting number in step 1 by the minimum land area required per dwelling for the applicable zoning district to determine the minimum number of dwellings that must be built on the site.*
- 3. If the resulting number in step 2 is not a whole number, the number is rounded to the nearest whole number as follows: If the decimal is equal to or greater than 0.5, then the number is rounded up to the nearest whole number. If the decimal is less than 0.5, then the number is rounded down to the nearest whole number.*

Response: The site is in the R1 zone and part of the approved Scholls Heights PUD. As part of the original PUD approval, a density of 216 units was approved for the South Phase. As established by the original PUD approval, the maximum density of the South Phase is 216 units. This requirement is met.

C. *South Cooper Mountain Community Plan. Within the South Cooper Mountain Community Plan Table 2: Land Use Designations and Capacity Estimates outlines the density capacity expectations for development of land within the South Cooper Mountain Community Plan Area. The Land Use Implementation Policies of the Community Plan include policies that outline application of zoning and deviations from the capacity estimates of Table 2. [ORD 4652; February 2015]*

Response: The site is within the South Cooper Mountain Community Plan. Table 2 estimates the housing capacity of the Community Plan area at 3,530 dwelling units and establishes a minimum housing capacity of 2,900. According to data provided by City staff, 2,900 dwelling units have received land use approvals within the Community Plan area and an additional 373 are in process. The proposed development includes an additional 216 dwelling units, which brings the total number of approved dwelling units within the Community Plan area to 3,489.

V. Compliance with Beaverton Development Code Title 40

A. 40.03. Facilities Review Committee

Consistent with Section 10.95.4. (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, 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.

Response: The proposal is for a Design Review Three and is subject to this chapter.

40.03.1. All Conditional Use, Design Review Two, Design Review Three, and applicable Land Division applications:

A. *All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.*

Response: Chapter 90 of the Development Code defines “critical facilities” to be services that include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. Critical facilities and services are either in place or will be at the time of completion of development as described below and shown in Appendix K.

Public Water

Water service will be provided by two existing City of Beaverton 8-inch water mains located within Streets N and P adjacent to the project site to the north. A new water service connection to these existing 8-inch water mains will provide fire water and domestic service to the project, including hydrants. The water lines will extend south from Streets N and P and be located within the private parking lot drive aisles in front of Building 1 and Building 3, as well as Building 5 and Building 7. Private fire water and domestic water lines will be tapped at the Public Water Line connection located at Street P. The private water/fire systems will be routed to each building and are primarily located within the drive aisles. See Sheets C4.00 through C4.03 for utility locations. A Service Provider Letter from the City of Beaverton Water is provided as part of this application.

Public Sanitary Sewer

Sanitary sewer will be connected to the existing public 8-inch sewer main located within Street P to the north, adjacent to the project site. This 8-inch sanitary sewer line will be routed to each of the buildings and in general will be in the parking lot drive aisles. See Sheets C4.00 through C4.03 for utility locations. A Service Provider Letter from Clean Water Services (CWS) is attached as Appendix B.

Stormwater Drainage, Treatment, and Detention

The stormwater management system will include a conveyance system, vegetated swales, underground detention chambers, and a flow control manhole. A public stormwater line was constructed in the adjacent parcel to provide a public storm conveyance system to an outfall at the existing drainage to the southeast of the multifamily site. A Preliminary Stormwater Management Plan is included as Appendix C. This Preliminary Stormwater Management Plan outlines compliance with the CWS 2019 Design & Construction Standards. Conceptual utility plans are included as Sheets C4.00 through C4.03. A Service Provider Letter from CWS is attached as Appendix B.

Transportation

Access to the site is entirely from the north and is proposed from both Street O and Street P, thereby providing a natural loop with secondary access. Emergency vehicle access is provided to SW Scholls Ferry Road to the south; this connection will not be available for public access.

Internal circulation will be provided by private drive aisles and pedestrian pathways and connections to the adjacent rights-of-way. Multi-use pedestrian pathways are being constructed along the southern and western portion of the site along Scholls Ferry Road and Tile Flat Road, respectively. This construction of the pathways is a condition of approval of prior land use approvals and is expected to be in place prior to construction of this project. An additional multi-use pedestrian pathway is located along the border of the delineated wetland buffer, with a public easement proposed for the pathway. A Traffic Impact Analysis (TIA) was completed by Kittelson & Associates as part of the approved PUD; no additional traffic analysis is needed, as the proposed number of units and access points are consistent with prior approvals and conditions of approval.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). Primary and secondary emergency access is required throughout the proposed development for emergency vehicle access. The proposed emergency access is provided through SW Scholls Ferry Road. See Sheet FS1.0 for details. Fire hydrants will be installed as directed by City of Beaverton and TVF&R. A Service Provider Letter from TVF&R is included as Appendix E.

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: Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. Essential facilities and services are either in place or will be at the time of completion of development as described below.

Schools

The site is located within the Beaverton School District (BSD) boundaries and will be served by Hazeldale Elementary School; Highland Park Middle School; and Mountainside High School directly to the east. Per the Service Provider Letter dated November 19, 2021, the Beaverton School District has provided comments addressing the anticipated impacts of the subject project to the District. In summarizing their comments, the District has indicated that the proposal will result in a moderate impact to schools in the area and anticipates sufficient capacity to accommodate new students from the proposed development. See Appendix F for the Service Provider Letter from the Beaverton School District.

Transit Improvements

Currently, there is no transit service to the site. However, TriMet anticipates extending bus service west along Scholls Ferry Road to serve the South Cooper Mountain area in the next few years. Though the locations of future bus stops are unknown, it is likely that this extension would serve the proposed project, with likely location of future transit stop near the intersection of SW Scholls Ferry Road and SW Tile Flat Road.

Parks & Open Space

Though parks and open space are not identified as “essential facilities,” the site will be served by the Tualatin Hills Parks and Recreation District (THPRD). The entire Scholls Heights PUD, including this site, was annexed to the THPRD district in 2015. This application does not propose to modify the open space approved by the PUD within the South Phase, providing the required 3.42 acres of total open space and 0.85 acres of active open space. Private open space is also proposed on site and is addressed below.

Police Protection

The site will be served by the City of Beaverton Police Department.

Pedestrian & Bicycle Facilities in the Public Right-of-Way

SW Tile Flat Road to the west and SW Scholls Ferry Road to the south are being improved by others with sidewalks and striped bicycle lanes. Eventually, Streets O, P, and N to the north will also be improved with sidewalks and shared bicycle/vehicular improvements. Finally, the multi-use pathway located between the proposed development area and the delineated wetland buffer to the east is also proposed for improvements and associated public easement. The proposed development will not be constructing additional facilities in the public right-of-way.

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

Response: The proposed development is consistent with all applicable provisions of Chapter 20 as adjusted through the Planned Development approval process. Compliance with Chapter 20 is addressed above in Section IV of this narrative.

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: Relevant provisions related to this chapter include Section 60.30 Off-Street Parking and Section 60.55 Transportation Facilities. Further compliance with Chapter 60 is addressed below in Section VII of this narrative.

Off-Street Parking (Section 60.30)

According to this section, attached dwellings require between 1.25 and 1.75 off-street parking space per unit, depending on the number of bedrooms. As detailed in the responses to Section 60.30, below, the proposed building contains 216 attached dwelling units and require a total of 324 vehicle parking spaces. 324 spaces are required, and 382 spaces are proposed; therefore, this standard is met. Further compliance with Chapter 60 is addressed below in Section VII of this narrative.

Transportation Facilities (Section 60.55)

The existing surrounding streets include pedestrian and bicycle facilities that provide safe and efficient circulation and access to/from the site. The Traffic Impact Analysis prepared by Kittelson and Associates, Inc. for the prior land use approvals confirms that the trips generated by the proposed development of 216 units is the same as the trips anticipated by and vested with the Scholls Heights PUD. Further compliance with Chapter 60 is addressed below in Section VII of this narrative.

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: Two solid waste and recycling enclosures are provided on site: a trash compactor and recycling room is provided in the southeastern corner of the site, and a second enclosure is provided in the northwestern corner of the site. See Sheet C1.10 for locations and Sheet A6.0 for dimensions and elevations of these enclosures. Per direction from City staff, the northwestern enclosure is intended to be of adequate size to collect three days of service for up to half of the units (108 units). This enclosure will either be serviced by the solid waste and recycling hauler or maintenance staff could transfer the garbage and recycling to trash compactor in the main service building.

Per the minimum volume requirement estimation guide provided by the City, 10.69 yards of garbage service and 10.69 yards of recycling service and 108 gallons of source-separated glass per week would be required to serve 108 units; 21.39 yards of garbage service, 21.39 yards of recycling service, and 324 gallons (1.6 yards) of source-separated glass service would be needed. As shown on Sheet A6.0, the

smaller trash enclosure is sized to accommodate at least two four (4)-yard recycling containers and four (4) glass recycling bins.

The applicant will retain ownership of the site and will be responsible for maintenance of the site. The applicant contracts with a valet trash and recycling service at all their garden apartment communities, including the Scholls Heights Apartments. Pickup frequency is four times per week and includes both trash and recycle from residents' doorsteps.

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

Response: A network of roadways has been developed surrounding the site to safely move people among destinations within the neighborhood and beyond. The three street frontages of the proposed development have been improved, or will be improved, with a public street network that includes sidewalks and bicycle facilities. The proposed development will connect to those existing facilities.

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

Response: The proposed on-site vehicular circulation system provides vehicular access to and from Streets N, O and P to the north. Pedestrian circulation systems connect the main building entrances with the on-site pedestrian network and the adjacent sidewalk network of SW Scholls Ferry Road, SW Tile Flat Road and Streets N, O and P to the north.

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: Fire protection will be provided by TVF&R. Specific details regarding fire flow and hydrant placement will be reviewed by TVF&R during site development and building permit stages. Preliminary locations have been approved as noted on the TVF&R SPL included as Appendix E.

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: All streets and public facilities are designed in accordance with adopted City codes and standards except where design modifications or exceptions have been requested. The existing street frontages include streetlights, which will provide protection from crime and accident. Development permits will be submitted for life and safety review prior to site development.

J. Grading and contouring of the development site are 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: Site grading is subject to the standards of Subsection 60.15.10 Grading. Compliance with 60.15.10 is detailed in the responses to that section, below. Compliance with Section 210 of the EDM will be reviewed with the Site Development Permit for the development. See Sheets C2.00 through C2.11 for details.

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 site circulation networks are designed in accordance with the City of Beaverton's EDM to provide accessibility as required. Any required on-site pedestrian routes will meet the standards of the American with Disabilities Act (ADA). ADA ramps will be provided within the development to facilitate accessible travel.

L. *The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code.*

Response: This application includes all required submittal materials specified in this section.

B. 40.20. Design Review

40.20.10. Applicability.

1. *The scope of Design Review shall be limited to the exterior of buildings, structures, and other development and to the site on which the buildings, structures, and other development are located. [ORD 4584; June 2012]*
2. *Considering the thresholds for the Design Review Compliance Letter, Design Review Two, or Design Review Three applications and unless exempted by Section 40.20.10.3. (Design Review) approval shall be required for the following: [ORD 4584; June 2012]*
[...]
 - B. *All uses listed as Permitted and Conditional Uses in the R4, R2, and R1 Residential zoning districts. [ORD 4584; June 2012]*

Response: The applicant requests Type 3 Design Review approval for a new multifamily residential community, which is a permitted use in the R1 zone.

40.20.15. Application.

There are three (3) Design Review applications which are as follows: Design Review Compliance Letter, Design Review Two, and Design Review Three.

[...]

2. *Design Review Two*

- A. *Threshold. An application for Design Review Two shall be required when an application is subject to applicable design standards and one or more of the following thresholds describe the proposal:*
[...]
3. *New construction of attached residential dwellings excluding duplexes, in any zone where attached dwellings are a Permitted or Conditional Use. [ORD 4410; December 2006]*
[...]

Response: Design Review approval is requested for the proposed multifamily residential buildings and clubhouse. Attached multifamily residential dwellings are permitted outright in the R1 zone, and Design Review Two is required. However, the proposed development does not meet all the applicable design standards; therefore, Design Review Three is required.

[...]

3. *Design Review Three.*

- A. *Threshold. An application for Design Review Three shall be required when an application is subject to applicable design guidelines and one or more of the following thresholds describe the proposal:*
[...]
9. *A project meeting the Design Review Two thresholds which does not meet an applicable design standard.*

Response: As noted above, the proposed development meets Design Review Two thresholds but does not meet an applicable design standard, and Design Review Three is requested.

- B. *Procedure Type. The Type 3 procedure, as described in Section 50.45. of this Code, shall apply to an application for Design Review Three. The decision-making authority is the Planning Commission.*

Response: Acknowledged.

- C. *Approval Criteria. In order to approve a Design Review Three application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*
1. *The proposal satisfies the threshold requirements for a Design Review Three application.*

Response: The proposal satisfies the threshold of 3.A.7 and 3.A.9 above. This criterion is met.

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

Response: The City application fees have been submitted with this application.

3. *For proposals meeting Design Review Three application thresholds numbers 1 through 6, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).*

Response: The proposal does meet application thresholds 1 through 6 and the criterion is addressed below.

4. *For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:
[...]*

Response: The proposal is not an addition to or modification of an existing development. This criterion is not applicable.

5. *For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP. [ORD 4584; June 2012]*

Response: The proposal is not a DRBCP proposal. This criterion is not applicable.

6. *For proposals meeting Design Review Three Application Threshold numbers 7 or 8, where the applicant has decided to address a combination of standards and guidelines, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) except for the Design Standard(s) where the proposal is instead subject to the applicable corresponding Design Guideline(s).*

Response: The proposal meets threshold number 7 and 9 and the applicant has decided to address a combination of standards and guidelines for the proposed development. Consistency with Section 60.05 is addressed in Section VII of this narrative. This criterion is met.

7. *For proposals meeting Design Review Three Application Threshold numbers 7 or 8, where the applicant has decided to address Design Guidelines only, the proposal is consistent with the applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines).*

Response: The proposal meets threshold numbers 7 and 9 and the applicant has decided to address a combination of standards and guidelines. Consistency with Section 60.05 is addressed in Section VII of this narrative. This criterion is met.

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

Response: All applications and documents will be submitted to the City in the proper sequence.

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

Response: The application has been made by the owner of the property and includes the required information. This criterion is met.

C. 40.90. Tree Plan

40.90.15. Application.

2. Tree Plan Two.

- A. *Threshold. An application for Tree Plan Two shall be required when none of the actions listed in Section 40.90.10. apply, none of the thresholds listed in Section 40.90.15.1. apply, and one or more of the following thresholds apply:*
 1. *Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1.*

Response: The applicant proposes to remove more than five (5) Community Trees (greater than 10-inch diameter) as part the development proposal; therefore, Tree Plan Two review is triggered. The applicant is requesting Tree Plan Two review concurrent with the Design Review application, with associated approval criteria addressed below.

- C. *Approval Criteria. In order to approve a Tree Plan Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:*
 1. *The proposal satisfies the threshold requirements for a Tree Plan Two application.*

Response: The applicant proposes to remove more than five (5) Community Trees (greater than 10-inch diameter) as part the development proposal; therefore, Tree Plan Two review is triggered.

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

Response: The applicant has paid all fees related to the application, including those required for Tree Plan Two review.

3. *If applicable, removal of any tree is necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards on the subject.*

Response: The applicant's landscape architect has indicated that no trees are being removed based on any other reason than to accommodate physical development where no reasonable alternative exists.

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

Response: The applicant's landscape architect has indicated that no trees are being removed based on any other reason than to accommodate physical development where no reasonable alternative exists. This includes accommodation of overall site development and utility installation, as well as to meet development standards, such as minimum density, protection of wetlands and provision of multi-modal transportation facilities, such as driveways and pedestrian facilities. Any alternative to complete tree removal would significantly and negatively affect the development potential of the high-density site; therefore, reasonable alternatives for tree retention do not exist.

5. *If applicable, removal of any tree is necessary because it has become a nuisance by virtue of damage to property or improvements, either public or private, on the subject site or adjacent sites.*

Response: The applicant's landscape architect has indicated that nuisance considerations and health of retained trees are not applicable to the proposed removal of the trees; instead, the trees proposed for removal are required to accommodate physical development, with no reasonable alternative existing for tree retention.

6. *If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.*
7. *If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, or to eliminate conflicts with structures or vehicles.*

Response: The applicant's landscape architect has indicated that nuisance considerations and health of retained trees are not applicable to the proposed removal of the trees, nor are the criterion associated with SNRA or Significant Groves, as none exist on the site. Instead, the trees proposed for removal are required to accommodate physical development, with no reasonable alternative existing for tree retention.

8. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in a reversal of the original determination that the SNRA or Significant Grove is significant based on criteria used in making the original significance determination.*

Response: The applicant's landscape architect has indicated that nuisance considerations and health of retained trees are not applicable to the proposed removal of the trees, nor are the criterion associated with SNRA or Significant Groves, as none exist on the site. Instead, the trees proposed for removal are required to accommodate physical development, with no reasonable alternative existing for tree retention.

9. *If applicable, removal of a tree(s) within a SNRA or Significant Grove will not result in the remaining trees posing a safety hazard due to the effects of windthrow.*

Response: The applicant's landscape architect has indicated that nuisance considerations and health of retained trees are not applicable to the proposed removal of the trees, nor are the criterion associated with SNRA or Significant Groves, as none exist on the site. Instead, the trees proposed for removal are required to accommodate physical development, with no reasonable alternative existing for tree retention.

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

Response: The proposal and associated plans are based on the requirements of Section 60.60, including the 60.60.25. Only Community Trees are being removed; therefore, tree mitigation is not required. Also, no SNRA or Significant Groves exist on the site.

11. Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

Response: The proposal and associated plans are based on the grading and contouring of the site necessary for the proposed development. None of this grading includes adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system. See Grading Plan, Utility Plan and Storm Water Report for details on erosion control, grading and proposed storm water design.

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

Response: All required documents are included with the Tree Plan application, including a Tree Plan and those items indicated in the application checklist. See Sheet L1.00 for details.

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

Response: All required documents are included with the Tree Plan application, including a Tree Plan and those items indicated in the application checklist. See Sheet L1.00 for details.

VI. Compliance with Beaverton Development Code Title 50

A. 50.25 Application Completeness

1. *A complete application is one which contains the information required by the Director to address the relevant criteria, development requirements, and procedures of this Code. Non-Discretionary Annexation Related Zoning Map Amendment and Discretionary Annexation Zoning Map Amendment applications processed by the City shall be determined to be complete upon submittal of a valid annexation petition or executed annexation agreement. All other complete application shall consist of the requisite number of copies of the following: [ORD 4265; October 2003]*
 - A. *A completed original application form provided by the Director and application checklist provided by the Director, signed by:*
 1. *The applicant.*
 2. *If the applicant is not the owner, the owner of the property, or the authorized agent of the property owner. If an authorized agent, a written statement made by the owner of the property shall be submitted stating that the agent is authorized to sign on the owner's behalf.*
 3. *If the applicant is exercising its statutory authority to condemn property, the representative of the public agency accompanied by written documentation of such condemnation or intent to condemn the property.*
 4. *Property owner signatures are not required for City initiated Type 4 Text Amendment applications and City initiated Type 1, Type 3, and Type 4 Zoning Map Amendments. [ORD 4265; October 2003]*

Response: The proposed development includes the subject site. This submittal includes completed application forms and checklists signed by the applicant, the property owner, and the applicant's representative.

- B. *A written statement, supported by substantial evidence, that identifies the criteria and development regulations considered relevant to the application, states the facts alleged to show that the application complies with applicable criteria and development regulations, and explains*

why the application should be approved based on the criteria and development regulations and facts set forth in the application. In addition to addressing applicable criteria and development regulations relevant to the application type, the written statement shall address all the applicable technical criteria specified in Section 40.03. (Facilities Review Committee) of the Code. [ORD 4265; October 2003] [ORD 4404; October 2006] [ORD 4487; August 2008] [ORD 4584; June 2012]

- C. *The Director may require an applicant to submit information in addition to that required on the form to aid in deciding whether an application satisfies applicable criteria and development regulations. The Director shall attempt to identify additional necessary information in the pre-application conference.*

Response: This narrative is the written statement and addresses the criteria and development regulations applicable to the proposal.

- D. *The information required by Section 50.30.4. regarding Neighborhood Meeting requirements, if applicable.*

Response: The Neighborhood Meeting information is included as Appendix H.

- E. *For a Type 2, Type 3, or Type 4 application, a copy of the pre-application conference summary.*

Response: The September 1, 2021, pre-application conference summary is included as Appendix I.

- F. *Documentation from service providers, as determined by the Director, stating that essential and critical facilities are available can be made available or will not be adversely affected by the proposal.*

Response: An SPL from the Beaverton Water Department is included as Appendix G; an SPL from CWS is included as Appendix B; an SPL from TVF&R is included as Appendix E; and an SPL from the Beaverton School District is included as Appendix G. No additional SPLs were requested by the City.

- G. *The applicable fee in effect at the date of submittal.*

Response: The applicable fee has been submitted with the application.

B. 50.30. Neighborhood Review Meeting

- The purpose of the Neighborhood Review Meeting is to allow neighbors, representatives from the Neighborhood Association Committee (hereinafter referred to as NAC), and interested persons an opportunity to become familiar with the proposal and to identify any associated issues. The Neighborhood Review Meeting is intended to assist in producing applications that are responsive to neighborhood concerns, and to reduce the likelihood of delays and appeals. The City expects an applicant to take into consideration the reasonable concerns and recommendations of the neighborhood when preparing an application. The City expects the neighbors and NAC to work with the applicant to provide reasonable concerns and recommendations.*
- Prior to submittal of an application subject to a Type 3 procedure, the applicant shall provide an opportunity to meet with neighboring property owners, residents and businesses (hereinafter collectively referred to as "neighbors") as well as representatives from the NAC within whose boundaries the site is located or within the notice radius to review the proposal. The applicant shall not be required to hold more than one Neighborhood Review Meeting provided such meeting is held within six months prior to submitting an application for one specific site. This requirement does not apply to applications required by Design Review Three threshold number 7 (Section 40.20.15.3.A.7.) or applications for Quasi-Judicial Zoning Map Amendment (Section 40.97.15.1.), Discretionary*

Response: The applicant attended the regularly scheduled October 20, 2021, meeting of the Neighbors Southwest (NSW) Neighborhood Association Committee (NAC). This meeting was held virtually due to the ongoing pandemic. The applicant team presented the proposed development and responded to questions from attendees. See Appendix H for meeting materials.

3. *Procedures.*

A. *Except as otherwise provided in this section, the applicant shall select the meeting time and place according to the preference indicated by the relevant NAC. Preference should be given to a regularly scheduled meeting time of the NAC in which the project is located. The starting time selected shall be limited to a weekday evening after 6:00 p.m. or a weekend at any reasonable time and shall not occur on a National holiday. The meeting shall be held at a location open to the public and in compliance with the Americans with Disabilities Act within the boundaries of the NAC or at a similar location within the City of Beaverton.*

A sign at least 22" x 28" in size with minimum 2" lettering shall be placed at the main entrance of the building where the meeting will take place at least one hour prior to the meeting. Such sign will announce the meeting, that the meeting is open to the public, and that interested persons are invited to attend. This sign shall be removed upon conclusion of the meeting by the applicant.

Response: Because the meeting was virtual, no sign was posted at the building entrance and the location was available to anyone to attend.

B. *The applicant shall send by regular mail a written notice announcing the Neighborhood Review Meeting to: the Director, property owners within 500 feet of the property involved in the anticipated application and to representatives of all NACs and Washington County's Community Participation Organizations (CPO) whose boundaries are within 500 feet of the subject property. The notice shall include the date, time and location of the meeting and briefly discuss the nature and location of the proposal. The notice shall be mailed not less than 20 calendar days prior to the meeting date. The Director shall maintain on file in the Community Development Department, current addresses of NAC Officers and/or representatives and related NAC information, including regularly scheduled or monthly meeting dates, times and locations.*

The mailing list shall be based on the most recent property tax assessment rolls of the Washington County Department of Assessment and Taxation. At the request of the applicant, and upon payment of the applicable fee, the City will provide the required mailing list.

Response: The applicant prepared a mailing based on data provided by Metro (RLIS), which includes the most recent property tax assessment rolls of the Washington County Department of Assessment and Taxation. A written notice was sent to the people listed on the labels, the NSW NAC, and the Community Development Director. See Appendix H.

C. *Not less than 20 calendar days prior to the Neighborhood Review Meeting, the applicant shall post a notice on the property which is subject of the proposed application. The notice shall be posted within 50 feet of an adjoining public right-of-way in a manner that can be read from the right-of-way. The notice shall state that the site may be subject to a proposed development and shall set forth the name of the applicant and a telephone number where the applicant can be reached for additional information. The site shall remain posted until the conclusion of the Neighborhood Review Meeting. The applicant may purchase a second sign from the City or create a sign to post at the Neighborhood Review Meeting location. [ORD 4312; July 2004]*

Standard signs are available from the City upon payment of a fee. The City will not be responsible for posting of any signs.

Response: The applicant posted a sign at the subject site 20 days prior to the neighborhood meeting. The applicant's phone number and e-mail address were provided on the sign. See Appendix H.

- D. *At the Neighborhood Review Meeting, the applicant shall describe the proposed application to persons in attendance. The attendees may identify any issues that they believe should be addressed in the proposed application and recommend that those issues be submitted for City consideration and analysis. [ORD 4462; January 2008]*
- E. *At the Neighborhood Review Meeting, the applicant shall take notes of the discussion on the proposed application. After the meeting and before submitting an application to the City, the applicant shall send a copy of the meeting notes to the Chairperson of the NAC in which the project is to be located by certified mail.*

Response: At the virtual NAC meeting, the applicant described the proposed application, responded to questions from attendees, and took notes at the discussion. The applicant sent an electronic copy and a certified mail copy of the notes to the Chairperson of the NSW NAC on November 16, 2021. See Appendix H for details.

- 4. *To comply with this section, an applicant shall submit the following information with the application:*
 - A. *A copy of the notice sent to surrounding property owners and the NAC Representatives as described in Section 50.30.3.B.*
 - B. *A copy of the mailing list used to send out meeting notices as described in Section 50.30.3.B.*
 - C. *A written statement containing the information posted on the property as described in Section 50.30.3.C.*
 - D. *An affidavit of mailing and posting notices as described in Sections 50.30.3.A through C.*
 - E. *Copies of written materials and 8.5" x 11" size plans presented at the Neighborhood Review Meeting.*
 - F. *Notes of the meeting, including the meeting date, time, and location, the name and address of those attending, and a summary of oral and written comments received.*
 - G. *A certified mail receipt indicating mailing of the meeting notes to the Chairperson of the NAC.*

Response: The above-listed information has been submitted with the application as Appendix H.

VII. Compliance with Beaverton Development Code Title 60

Response: Design Review approval is requested for the proposed multifamily residential building. Where Design Standards cannot be met for the proposed development, the corresponding Design Guidelines are addressed instead. Table 2 below identifies the subject standards and corresponding design guidelines addressed in their place.

Table 2. Design Guidelines Addressed in Place of Standards

| Standard | Corresponding Design Guideline | Item Addressed |
|--------------|--------------------------------|--|
| 60.05.15.1.A | 60.05.35.1.A-B | Buildings more than 200 ft. in length. |
| 60.05.15.1.C | 60.05.35.1.E | Permanent architectural features |
| 60.05.15.1.D | 60.05.35.1.E | More than 150 feet of blank wall |
| 60.05.20.5.A | 60.05.40.5 | Landscape planter island every 8 contiguous spaces |
| 60.05.25.10 | 60.05.45.8 | Grading at the perimeter of properties |

A. 60.05. Design Review Principles, Standards, and Guidelines

60.05.15. Building Design and Orientation Standards.

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

1. Building articulation and variety.

- A. Attached residential buildings in Residential zones shall be limited in length to two hundred (200) feet.

Response: The subject site is zoned R1, therefore, this standard is applicable. As depicted in Appendix J, the length of some of the buildings exceeds 200' on some frontages. Therefore, the standard is not met, and the corresponding Design Guidelines 60.05.35.1.A and B. are addressed below. See Sheets A1.0 through A9.0 in Appendix J for details.

- 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:

1. Thirty (30) percent in Residential zones and all uses in Commercial and Multiple Use zones.

Response: There are two existing public streets adjacent to the site: SW Scholls Ferry Road and SW Tile Flat Road. Future public streets N, O, and P will be constructed north of the site. The buildings are within 200' of and visible from each of these streets. At least 30 percent of each building elevation is devoted to permanent architectural features including windows, bays, changes in plane and changes in material type. See Sheets A1.0 through A9.0 for details.

The street-facing elevations and the elevation containing the primary building entrances use architectural features designed to provide articulation and variety. Fenestration design includes a variety of residential windows at the apartment units to create visual interest on the elevations. A series of alternating faceted projecting bays and faceted recessed insets create architectural rhythm on the elevations and interest at the roof line. Primary building entrances are recessed into the building massing to create a sense of depth and a welcoming entrance for residents and guests. Each primary building entry is covered by an overhead canopy to provide year-round weather protection. Building elevations use a combination of horizontal fiber cement siding with vertical joints, and fiber cement panel with vertical trim to create an interesting juxtaposition of patterns. The exterior fiber cement cladding is painted in a sophisticated palette of colors that break the building scale down into neighborhood-friendly segments while also complimenting the cladding textures.

[...]

- C. The maximum spacing between permanent architectural features, both vertically and horizontally, shall be no more than:

1. Forty (40) feet in Residential zones, and all uses in Commercial and Multiple Use zones.

[...]

Response: The R1 zone is a residential zone, and these standards are applicable to the proposed building. Building plans and elevations are included in Appendix J as Architectural Sheets A1.0 through A9.0.

Each of the elevations is well-articulated and includes a variety of permanent architectural features. The spacing between permanent architectural features on all buildings does not exceed 40 feet. However, there is a lack of clarity about how this standard is applied, and as a result, corresponding Design Guideline 60.05.35.1.E is addressed below in Design Review Guidelines.

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.

Response: The residential building elevations face two streets, and there are areas of blank wall that exceed 150 square feet in area. Therefore, corresponding Design Guideline 60.05.35.1.A is addressed below in Design Review Guidelines.

2. Roof forms.

Response: Overall, the roof massing is broken up using gables. These gables frame key elements such as balconies and breezeway entrances. When viewed from the street, a variety of hip and gable roofs provide visual interest to the building. Lower pitch gables are used at the ends of the buildings, while steeper pitch gables are located over the balconies and breezeway entrances.

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

Response: All sloped roofs have a minimum 4/12 pitch. This standard is met.

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

Response: The proposed building is a residential use in a residential zone and this standard is applicable. All sloped roofs are to have eaves, exclusive of rain gutters, that project from the building wall at least 12 inches. This standard is met.

C. All roofs with a slope of less than 4/12 pitch shall be articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches or architecturally treated, such as with a decorative cornice.

Response: All roofs with a slope of less than 4/12 pitch are articulated with a parapet wall that projects vertically above the roof line by 12 inches. This is to allow for roof membrane termination. These parapets are unoccupied and planned to hold no rooftop equipment. This standard is met.

[...]

3. Primary building entrances.

Response: Overall, the primary building entrances to the apartments are provided through two open breezeways. These breezeways are identified with steep gable roofs and columns framing each entry. The entire breezeway is covered, providing rain and sun protection at each entry door. The patios at the ground floors provide a secondary entrance into each unit, with the primary entrances provided through each breezeway. These breezeways are identified with double gable roofs and columns framing each entry.

- 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: All primary building entrances are covered and a minimum of six (6) feet wide and four (4) feet deep. The main street-facing building entrances are provided by the breezeways that extend the entire width of the buildings. The breezeways provide weather protection to every entry door. The covered areas within the breezeways are 8-feet wide and run the entire width of the building, thereby providing substantial weather protection. This standard is met.

4. *Exterior building materials.*

Response: Overall, durable and permanent exterior siding is proposed as fiber cement board and batten, fiber cement lap siding, and simulated stone veneer. Large vinyl windows allow light and views for the residents. Masonry is used as a grounding material at the building base. Simulated stone veneer with a stacked stone appearance provides slight variation in color and a rich texture. The stone veneer is focused on key elements, such as breezeway entries and exterior decks.

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

Response: The proposed building is in the R1 zone, and this standard is applicable. All walls of the building are double wall construction. This standard is met.

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

Response: The proposed residential development is permitted outright in the R1 zone and this standard is not applicable.

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

Response: The proposed residential development is permitted outright in the R1 zone and this standard is not applicable.

5. *Roof-mounted equipment.*

- A. *All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties in one of the following ways:*
1. *A parapet wall; or*

2. *A screen around the equipment that is made of a primary exterior finish material used on other portions of the building; or*
3. *Setback from the street-facing elevation such that it is not visible from the public street(s); or*
4. *Screened from view by another building.*

Response: No roof-mounted equipment is proposed. HVAC systems for the apartments and clubhouse will be handled via through the wall units or condensers located on the ground. Through the wall, PTAC units will be flush with the exterior siding, and the grill painted to match the adjacent wall color. Electrical panels are in a closet at the breezeways. The clubhouse HVAC and electrical will be located inside the building. This standard is met.

6. *Building location and orientation along streets in Commercial and Multiple Use zones.*
[...]

Response: The proposed development is in the R1 zone. These standards are not applicable.

60.05.20. Circulation and Parking Design Standards.

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

1. *Connections to the public street system.*
 - A. *Pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation system and adjacent existing and planned streets as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element.*

Response: The Comprehensive Plan Transportation Element has not yet incorporated the South Cooper Mountain plan area. The site frontages have been constructed with public streets that include pedestrian, bicycle, and motor vehicle facilities. The on-site circulation provides direct connections between building entrances and the streets, as well as direct connections to the multiuse trail on the eastern portion of the site. See Sheets C3.10 and C3.11 for details. This standard is met.

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.*

Response: Two solid waste facilities are proposed on site: a main service area in the southeast portion of the site and a smaller service area in the northwestern portion of the site. This main service area will serve as a waste/recycling disposal and storage area. This area includes a trash compactor. The area is screened by a concrete wall and metal gate, therefore will not be visible from the nearby Scholls Ferry Road. In addition, parking and landscape areas are also proposed between the service area and the property line at Scholls Ferry Road.

A second solid waste and recycling enclosure is proposed in the northwestern corner of the site near Building 7. This enclosure is proposed to be screened from view from Street O by a concrete wall and evergreen landscaping, and it will be located behind the project monument sign. See Sheet L2.00. All other storage is provided within the proposed buildings. The location of utility vaults is not known at this time; screening will be provided for utility vaults, as required.

- 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: The proposed development is residential. This standard is not applicable.

- 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. *Solid hedge wall with a minimum of ninety-five (95) percent opacity within two (2) years.*
 3. *Solid wood fence.*

Response: No loading docks or loading zones are proposed. One main service area is proposed at the southeast portion of the site. This area will serve as a waste/recycling disposal and storage area. The area is screened by a concrete wall and metal gate, therefore will be fully sight-obscuring. See Sheet A6.0 for elevations. A second solid waste and recycling enclosure will be located at the northwestern corner of the site, near Building 7. This enclosure will be constructed of CMU block and metal gates and will obscure the view of the interior. The exact location of transformer and utility vaults will be determined during permit design in coordination with the utility providers and will be screened using one of the described methods. These standards will be met.

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

Response: The use of chain-link fence is not proposed.

3. *Pedestrian circulation.*

- A. *Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system and on-site buildings, parking areas, and other facilities where pedestrian access is desired. Pedestrian connections shall be provided except when one or more of the following conditions exist:*
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 Comprehensive Plan Transportation Element has not yet incorporated the South Cooper Mountain plan area. Multi-use pathways have been constructed along the frontages of both Scholls Ferry Road and Tile Flat Road. As shown in Sheet C110, on-site pedestrian connections are provided to connect each building entrance to the public way, and a robust pedestrian network is proposed for the site. This standard is met.

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

Response: As shown in Sheets 3.00 through 3.11, on-site pedestrian connections are provided to connect each primary building entrance to the adjacent public streets. This standard is met.

- 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: Both site frontages exceed 300 feet. Parking is not located between the building(s) and the street. Reasonably direct walkways are provided every 300 feet (or less) along both Scholls Ferry Road and Tile Flat Road frontages from the main building entrances. See Sheets 3.00 through 3.11 for locations of pedestrian connections to adjacent Scholls Ferry Road and Tile Flat Road rights-of-way and associated sidewalks. In addition, direct sidewalk connections are provided from the on-site pedestrian network, including primary building entrances, to the sidewalks proposed along Streets N, O and P. This standard is met.

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: Pedestrian connections are between the building, the parking lot, and the multiuse trail along the eastern site boundary. These connections are physically separated from vehicle parking and traffic using curbing and landscaping. This standard is met.

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: Where pedestrian walkways cross driveways or vehicular access aisles, the paving material will be scored concrete to distinguish it from the primary paving material. See Sheets 3.00 through 3.11 for details. This standard is met.

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) contain stricter standards for any pedestrian walkway, the ADA standards shall apply.

Response: Pedestrian walkways are a minimum of 5 feet wide unobstructed, and they will be paved with scored concrete. Walkways also meet ADA standards. This standard is met.

4. *Street frontages and parking areas.*

A. Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards:

- 1. A minimum six (6)-foot wide planting strip between the right-of-way and the parking area. Pedestrian walkways and vehicular driveways may cross the planting strip. Trees shall be planted at a minimum 2 1/2 inch caliper at a maximum of thirty (30) feet on center. Planting strips shall be planted with an evergreen hedge that will provide a 30-inch high screen and fifty (50) percent opacity within two years. The maximum height shall be maintained at no more than thirty-six (36) inches. Areas not covered by trees or hedge shall be landscaped with live ground cover. Bumper overhangs which intrude into the planting strip shall not impact required trees or hedge; or*
- 2. A solid wall or fence 30 to 36 inches in height parallel to and not nearer than four (4) feet from the right-of-way line. The area between the wall or fence and the street line shall be landscaped with live ground cover. Pedestrian walkways and vehicular driveways may cross the wall or fence.*

Response: As shown on Sheets 3.00 through 3.11, a portion of the parking lot abuts the Street O, SW Scholls Ferry Road and SW Tile Flat Road rights-of-way; therefore, this standard is applicable. The edges of these parking areas vary in location from approximately 10-20 feet from the right-of-

way. As shown on Sheets L2.00 through L2.03, this area will be landscaped with a combination of trees, evergreen shrubs, and ground cover. This standard is met.

5. *Parking area landscaping.*

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

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

Response: The site is zoned R1, and these standards are applicable. As shown in Sheets L2.00 through L4.00, landscaped planter islands are provided at regular intervals within the parking lot. However, portions of the parking areas exceed 8 contiguous parking spaces. The corresponding Design Guideline 60.05.40.5 is addressed below in Design Review Guidelines.

- 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: Each landscaped planter island provided in the parking lot exceeds 70 square feet in area and 6 feet in width and has curbs on all sides. Except for three (3) islands, each island of the other forty-one (41) parking lot islands is planted with at least one tree with a minimum mature height of 20 feet. The three islands not meeting the standard are addressed in the Design Guidelines below. Large, central landscape islands with large trees have also been provided to enhance landscaping. See Sheets L2.00 through L4.00 for details. This standard is met.

- 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: Though there are raised sidewalks and walkways within the parking area, they are not proposed to be counted toward the required landscape islands. This standard is not applicable.

- 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: All proposed trees are on the City of Beaverton Street Tree List. This standard is met.

6. *Off-Street parking frontages in Multiple Use zones.*

[...]

Response: The subject site is zoned R1, a residential zone. This standard is not applicable.

7. *Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones.*
[...]

Response: The subject site is zoned R1, a residential zone. This application does not propose any development in a Commercial or Multiple Use Zone. This standard is not applicable.

8. *Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Commercial, and Multiple Use zones.*
- A. *Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets consistent with the standard as described under Section 60.05.20.8.B., unless one of the following is met:*
1. *The parking lot drive aisle is less than 100 feet long;*
 2. *The parking lot drive aisle serves 2 or less residential units; or*
 3. *The parking lot drive aisle provides direct access to angled or perpendicular parking stalls.*

Response: The project proposes a significant on-site network for both vehicles and pedestrians, connecting the site with the adjacent transportation system. The drive aisles on-site do not intentionally provide a link between streets, just on-site circulation with 2 ingress/egress access points. The proposed parking lot drive aisles are more than 100 feet long, serve more than 2 units and perpendicular parking is proposed; therefore, the proposal does qualify for an exception to any requirement for private street design. This standard is met.

- B. *Private streets, common greens, and shared courts shall meet the following standards:*
1. *Private streets serving non-residential uses and residential uses having five or more units shall have raised curbs and minimum five (5) foot wide unobstructed sidewalks on both sides.*

Response: No private streets are proposed. This standard is not applicable.

2. *Private streets serving less than five (5) residential units shall have raised curbs and a minimum five (5) foot wide unobstructed sidewalk on at least one side.*

Response: No private streets are proposed. This standard is not applicable.

3. *When common greens and shared courts are utilized, an unobstructed walkway a minimum of five (5) feet wide shall be provided within the common green or shared court.*

Response: No common greens or shared courts are proposed with the proposed development. This standard is not applicable.

[...]

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

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

[...]

3. *Minimum landscape requirements for residential developments consisting of eight (8) or more units of Attached Housing or Compact Detached Housing.*
- A. *Common open space shall consist of active, passive, or both open space areas, and shall be provided as follows:*
- [...]
2. *For developments that are part of a Planned Unit Development, provisions of Section 60.35.15.4. shall apply.*

Response: The subject site is part of the Scholls Heights PUD, which addressed the provisions of Section 60.35.15.4 and common open space requirements for the overall PUD area. No revisions to the approved open space are proposed with this project. The subject site is providing the required

0.85 acres of active open space and 3.42 acres of total open space for the South Phase. The common open space requirement for this site has been met.

[...]

H. In phased 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 proposed development is part of the South Phase of the Scholls Heights PUD. Per CU2017-0005, the South Phase is required to provide 0.85 acres of active common open space and 3.42 acres of total open space, with no further common open space needed at the subject site to meet the requirements of the South Phase. This standard is met.

- I. Active common open spaces shall be included in all developments, and shall include at least two (2) of the following improvements:*
- 1. A bench or other seating with a pathway or other pedestrian way;*
 - 2. A water feature such as a fountain;*
 - 3. A children's play structure;*
 - 4. A gazebo;*
 - 5. Clubhouse;*
 - 6. Tennis courts;*
 - 7. An indoor or outdoor sports court; or*
 - 8. An indoor or outdoor swimming and/or wading pool.*
 - 9. Plaza*

Response: As noted above, 0.85 acres of active common open space is required with this development. These standards are applicable, and active common open spaces being provided on site primarily include the amenities associated with the clubhouse. These amenities include an outdoor pool area, a children's play area and structure, bench seating, and barbeque area.

[...]

- 4. Additional minimum landscape requirements for Attached Housing and Compact Detached Housing:*
- A. All front yard areas and all required open space areas not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped.*

Response: All front yard areas and unpaved areas are proposed to be landscaped. Refer to Sheets L2.00 through L4.00 for details. This standard is met.

- 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: Landscape plantings are proposed to cover the landscape area. Gravel, rock, and bark are limited to less than 25 percent of the landscape area. See Sheets L2.00 through L4.00 for details. This standard is met.

- C. For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a shared court, shall not be considered landscape area.*

Response: The landscaped area calculations do not include the land proposed for parking or vehicular circulation. This standard is met.

- 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 facade that provide access for pedestrians or vehicles to the building, or for plazas adjacent to the building. The foundation landscaping shall meet the following minimum standards:

- 1. The landscaped area shall be at least three (3) feet wide; and,*

Response: This standard is applicable to all street-facing elevations. The street-facing elevations on both SW Scholls Ferry Road and Tile Flat Road are landscaped with trees, shrubs and groundcovers, as are the street facing elevations along Street O. This standard is met.

- 2. For every three (3) lineal feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted; and,*

Response: As shown on Sheets L2.00 through L4.00, evergreen shrubs with a minimum mature height of 24 inches are provided, for at least every three linear feet of foundation along all proposed buildings.

- 3. Groundcover plants shall be planted in the remainder of the landscaped area.*

Response: Groundcover plants are planted in the remainder of the foundation landscape area. This standard is met.

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 proposed development provides roughly 223,444 square feet of landscaping, and 286 trees. The development includes 1 tree for every 800 feet of landscape area (minimum). This standard is met.

- 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 proposed development provides roughly 223,444 square feet of landscaping, and 1,462. The development includes 1 shrub for every 400 feet of landscape area. This standard is met.

- 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: Live ground cover plantings are planned for the areas surrounding trees and shrubs landscape area. Gravel, rock, and bark are limited to less than 25 percent of the landscape area. This standard is met.

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. [...]

Response: No hard surface pedestrian plazas are proposed.

[...]

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: A number of retaining walls are proposed along the east side of the project at the back of Buildings 1 and 3, adjacent to the wetlands and multi-use trail. Retaining walls range in height, with a maximum height of approximately 10 feet. There is approximately 1,380 lineal feet of total wall anticipated on this project. Additional landscape walls are located at the west side of Building 2, the clubhouse pool, and the south side of the pedestrian path to Scholls Ferry Road, south of Building 3. Portions of the proposed retaining walls exceed 50 feet in length and are visible from the right-of-way. All portions of walls exceeding 50 feet in length will be textured. See Sheets C2.00-C2.03, Grading Plans, for wall locations and Sheet L4.01 for proposed wall texture. This standard is met.

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.*
- 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.*
- C. *Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.*
- 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.*
- 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.*
 - 2. May be permitted up to six feet in a required front yard along designated Collector and Arterial streets.*
 - 3. 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: Retaining walls are proposed at the southern and southeastern portion of the site. The retaining walls vary in height, with a maximum of 10 feet. Portions of proposed retaining walls exceed 50 feet in length and are visible from the right-of-way. All portions of walls exceeding 50 feet in length will be textured as shown on Sheet L4.01.

Fencing is proposed to enclose the dog run and the play area and pool deck adjacent to the clubhouse. Split rail fencing is proposed around the wetland area in the eastern portion of the site. As shown in Sheet L4.02, the dog run fencing is a chain link fence. Slats are not proposed as it is important to maintain

visibility into and out of the area for safety. As shown in Sheet L4.02, the proposed pool area fence consists of vertical metal pickets for a durable and elegant design. No fencing is proposed within the required yards. This standard is met.

10. *Minimize significant changes to existing on-site surface contours at residential property lines.*
A. *Where grading is proposed, the requirements listed in in Section 60.15.10.2 shall apply .*

Response: There are no identified significant groves or trees, or identified historic trees, located on abutting properties with tree root zones within 25 feet of the subject site's property lines. The standards of 60.15.10.2 are addressed in Section VII of this narrative.

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: Stormwater detention and treatment facilities are a combination of belowground detention basins and water quality treatment swales (LIDA). None of these facilities have slopes greater than 2:1 or are located between the street and the building. This standard is not applicable.

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.*

Response: The site does not contain any City-adopted natural resource features; therefore, this standard is not applicable. However, there is an existing wetland on the site, with a wetland delineation provided for the Scholls Heights PUD that was submitted to DSL in 2017 and approved under DSL File 2016-0284. This concurrence is valid through July 18, 2022. In addition, the associated Significant Riparian Corridor is also preserved and maintained, with all development activities avoiding any encroachment into the 50-foot vegetated corridor riparian buffer.

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.*

A. *Applicability of buffer standards:*

1. *The buffer standards shall not be applicable to individual single-family buildings on individual parcels.*
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.*

[..]

Response: The subject site is zoned R1 and abuts the R2 zoning district to the north and the R4 zoning district to the east. As such, a 10-foot B1 buffer is required along the northern and eastern property lines, with the associated landscape buffering proposed along the north property line where the site abuts adjacent property. However, a natural feature (wetland) is in the eastern portion of the site, with a width greater than 40 feet. Therefore, no landscape buffering is required along the eastern property line. See Landscape Plan, See Sheets L2.00 through L4.00 for buffer details.

The Scholls Ferry Road frontage is approximately 880 feet, with 53 trees provided. The Tile Flat Road frontage is approximately 410 feet, with 25 trees provided. The O Street frontage is approximately 271 feet, with 5 new trees provided. Therefore, this standard is met.

14. Community Gardens

- A. *Fences. Community Gardens shall have a fence constructed of a durable materials commonly used in the construction of fencing. Fences shall be a minimum of four (4) feet in height. Coated chain link may be permitted. Temporary construction fencing, erosion control fencing, tree protection fencing and other temporary fencing materials shall not be permitted.*
- B. *Parking. Parking must be available in the general vicinity of the garden, on-street parking spaces may count toward this requirement.*
- C. *Size. Community gardens shall not exceed one acre in size.*

Response: No community gardens or garden beds are proposed on site. These standards are not applicable.

60.05.30. Lighting Design Standards.

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

- 1. *Adequate on-site lighting and minimal glare on adjoining properties.*
 - A. *Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.*
 - B. *Lighting shall be provided in vehicular circulation areas and pedestrian circulation areas.*
 - C. *Lighting shall be provided in pedestrian plazas, if any developed.*
 - D. *Lighting shall be provided at building entrances.*
 - E. *Canopy lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way.*

Response: Lighting for the proposed development is provided in vehicular parking and circulation areas, pedestrian circulation areas, and at building entrances. Sheet E001 describes the location, illumination, pole height, wattage, and light levels for the proposed development. The proposed lighting plan will provide illumination for all on-site pedestrian pathways that are being proposed as part of this project. These standards are met.

- 2. *Pedestrian-scale on-site lighting.*
 - A. *Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of:*
 - 1. *Fifteen (15) feet in height for on-site pedestrian paths of travel.*
 - 2. *Twenty (20) feet in height for on-site vehicular circulation areas for residential uses in Residential zoning districts.*
 - 3. *Thirty (30) feet in height for on-site vehicular circulation areas in non-residential zoning districts.*
 - 4. *Fifteen (15) feet for the top deck of non-covered parking structures.*
 - 5. *The height of the poles for on-site pedestrian ways and on-site vehicular circulation areas shall be measured from the site's finished grade.*
 - 6. *The height of the poles on the top deck of non-covered parking structures shall be measured from the finished floor elevation of the top deck.*
 - 7. *The poles and bases for pole-mounted luminaires shall be finished or painted a non-reflective color.*

Response: Subsections 1, 2, 5, and 7 are applicable to this proposal. As shown and noted on Sheet E001, pole-mounted luminaires in vehicular circulation and parking areas are all less than 20 feet tall. Pedestrian paths of travel are located within the parking lot and adjacent to the building, and any pedestrian pole mounted luminaires proposed in these areas are less than 15 feet tall. These standards are met.

DESIGN REVIEW GUIDELINES

Response: Where Design Standards cannot be met for the proposed development, the corresponding Design Guidelines are addressed instead. Table 2 is provided again for convenience, and the applicable corresponding Design Guidelines are addressed below Table 2.

Table 2. Design Guidelines Addressed in Place of Standards

| Standard | Corresponding Design Guideline | Item Addressed |
|--------------|--------------------------------|--|
| 60.05.15.1.A | 60.05.35.1.A-B | Buildings more than 200 ft. in length |
| 60.05.15.1.C | 60.05.35.1.E | Permanent architectural features |
| 60.05.15.1.D | 60.05.35.1.E | More than 150 feet of blank wall |
| 60.05.20.5.A | 60.05.40.5 | Landscape planter island every 8 contiguous spaces |
| 60.05.25.10 | 60.05.45.8 | Grading at the perimeter of properties |

60.05.35. Building Design and Orientation Guidelines.

Response: Overall, building lengths are broken into smaller segments that are under 200'. Various segments range in length, with some buildings over 200 ft. long. Each end of the building and the breezeways are emphasized by taller gable roof features, while the middle of the building is set back with a lower ridge. Simulated stone veneer is provided at the first floor to provide a base to the building. The exterior walls step from 0-15 feet along the entire length of the building, creating breaks along the entire elevation. These breaks provide depth, interest and shadowing effect. Entries are located along each building elevation to allow pedestrian access to and through the building.

The street-facing elevations and the elevation containing the primary building entrances use architectural features designed to provide articulation and variety. Fenestration design includes a variety of residential windows at the apartment units and large windows at common areas to create visual interest on the elevations of the clubhouse. A series of alternating faceted projecting bays and faceted recessed insets create architectural rhythm on the elevations and interest at the roof line. Primary building entrances are recessed into the building massing to create a sense of depth and a welcoming entrance for residents and guests. Each primary building entrance is provided through the covered breezeways, providing year-round weather protection. Building elevations use a combination of horizontal fiber cement siding with vertical joints, and fiber cement panel with vertical trim to create an interesting juxtaposition of patterns. The exterior fiber cement cladding is painted in a sophisticated palette of colors that break the building scale down into neighborhood-friendly segments while also complimenting the cladding textures.

Additional responses to Guidelines are addressed below.

- A. *Residential buildings should be of a limited length in order to avoid undifferentiated building elevations, reduce the mass of individual buildings, and create a scale of development that is pedestrian friendly and allow circulation between buildings by pedestrians. (Standard 60.05.15.1.A).*

Response: The overall mass of each apartment building is broken down through a series of wall planes. The exterior walls step in and out to highlight or downplay building masses. Furthermore, the roof

massing and colors complement this articulation. The use of darker and heavier colors/ materials on the exterior of the building create a pedestrian friendly scale. Window patterns break up the exterior walls.

B. Building elevations should be varied and articulated to provide visual interest to pedestrians. Within larger projects, variations in architectural elements such as: building elevations, roof levels, architectural features, and exterior finishes should be provided. (Standards 60.05.15.1.A and B)

Response: There are four (4) different building plans and color schemes providing a varied pedestrian experience through the site, that along with multiple exterior finishes differentiate each building on site.

C. To balance horizontal features on longer building elevations, vertical building elements, such as building entries, should be emphasized. (Standard 60.05.15.1.B)

Response: The horizontal “layer cake” effect is balanced by the vertical massing and use of exterior materials. Roof forms also highlight vertical features, such as breezeways and decks.

D. Buildings should promote and enhance a comfortable pedestrian scale and orientation. This guideline does not apply to buildings in Industrial districts where the principal use of the building is manufacturing, assembly, fabricating, processing, packing, storage, wholesale or distribution activities. (Standard 60.05.15.1.B).

Response: Ground floor windows, the use of stone at the ground level and lap siding all provide a comfortable pedestrian scale. Three-story buildings with highly articulated exterior walls reduce the overall mass, which relates to a pedestrian scale.

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).

Response: Each wall visible to adjacent streets has articulated exterior walls, balconies and windows. Details such as trim bands, railing and battens provide a rich and varied exterior.

60.05.40. Circulation and Parking Design Guidelines.

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

[...]

5. Parking area landscaping. Landscape islands and a tree canopy should be provided to minimize the visual impact of large parking areas. (Standards 60.05.20.5.A through D)

Response: Landscaped planter islands are provided within the surface parking lot and are generally provided for every eight (8) contiguous spaces; however, some of the parking areas exceed this number. Except for three (3) islands, each of the other 41 landscaped island is planted with one deciduous tree to provide canopy cover for the parking areas, as well as shrubs and ground cover plantings. Due to conflicts with utilities and associated spacing requirements, it is not possible to provide a tree for every island, despite any preference on the part of applicant or staff. The dispersal of tree islands throughout the parking area, as well as the choice of tree and vegetation type, provide robust canopy cover, thereby insuring mitigation of any perceived visual impact of the parking areas. In addition, most of the parking areas are not visible from adjacent properties or rights-of-way, as the proposed buildings block views from adjacent areas to the interior landscaped parking areas. See Sheets L2.00 through L4.00 for details.

60.05.45. Landscape, Open Space and Natural Areas Design Guidelines.

[...]

8. *Changes to existing on-site surface contours at residential property lines. The perimeters of properties should be graded in a manner to avoid conflicts with abutting residential properties such as drainage impacts, damage to tree root zones, and blocking sunlight. (Standard 60.05.25.10) [ORD 4576; January 2012]*

Response: The site grading meets Standard 60.05.25.10 with the exception of the northeastern and eastern property line, where retaining walls are proposed along the project boundary adjacent to the R2 zone to the north and along the R1-zoned CWS tract to the east. See Sheet C2.01. The retaining walls along the R2 project boundary range from 0 ft. to 7.8 ft. in height, and are buffered to the north by trees and landscaping. This section of the retaining wall is adjacent to an open area and will not impact the drainage of the property to the north or block sunlight for adjacent homes or trail users.

The retaining wall along the eastern boundary of the site ranges in height up to 3.7 ft. and provides a flat surface for the multi-use trail adjacent to the wetland buffer. The retaining wall provides physical protection for the natural resource area while providing visual access to the wetland.

B. 60.15 Land Division Standards

1. *Applicability. The on-site surface contour grading standards specified in Section 60.15.10.3. are applicable to all land use proposals where grading is proposed, including land division proposals and design review proposals, as applicable. This Section does not supersede Section 60.05.25. (Design Review) and the exemptions listed in Section 60.15.10.2. will apply equally to design review proposals.*

Response: This application requests design review approval, and these standards are applicable.

2. *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: The site is adjacent to existing rights-of-way to the south and west, and those property lines are exempt from these standards. The northern property line is adjacent to a residentially zoned site and a future public right-of-way and is exempt from these standards. The northeastern and eastern property lines are subject to these standards.

3. *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:*

Response: The site abuts the R2 zone to the north and the R1 zone to the east.

- 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]*

Response: There are retaining walls within 5 ft. of the northeastern and northern property lines. As a result, there is more than 2 ft. differential between the subject site and the abutting properties. Design Guideline 60.05.45.8 is addressed in Section A above.

4. *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: There are no mapped significant trees or groves on- or off-site. These standards are not applicable.

C. 60.30. Off-Street Parking

60.30.05. Off-Street Parking Requirements.

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

1. *Availability. Required parking spaces shall be available for parking operable passenger automobiles and bicycles of residents, customers, patrons and employees and shall not be used for storage of vehicles or materials or for parking of trucks used in conducting the business or use.*
2. *Vehicle Parking. Vehicle parking shall be required for all development proposed for approval after November 6, 1996 unless otherwise exempted by this ordinance. The number of required vehicle parking spaces shall be provided according to Section 60.30.10.5.*
3. *Bicycle Parking. Bicycle parking shall be required for all multi-family residential developments of four units or more, 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.*

Response: Vehicle parking is required and will be provided. Bicycle parking is required for the proposed development and will be provided per these requirements.

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. Parking ratios are based on spaces per 1,000 square feet of gross floor area, unless otherwise noted.*
2. *Parking Categories.*
 - A. *Vehicle Categories. Contained in the table at Section 60.30.10.5. are vehicle parking ratios for minimum required parking spaces and maximum permitted number of vehicle parking spaces to be provided for each land use, except for those uses which are located in the RC-OT zoning district which are governed by Section 60.30.10.6. These requirements reflect the parking requirements of Title 4 of Metro's Regional Transportation Functional Plan.*
 - 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.*
 1. *Short-Term parking. Short-term bicycle parking spaces accommodate persons that can be expected to depart within two hours. Short-term bicycle parking is encouraged to 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.

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.
3. Bicycle parking shall be designed, covered, located, and lighted to the standards of the Engineering Design Manual and Standard Drawings.

Response: Required vehicle and bicycle parking spaces for the proposed development were calculated as shown in Tables 3 and 4 below and as described on Sheets C3.00 through 3.03. Required long-term bicycle parking is provided as covered bike parking, both within upper floor balconies, as well as wall-mounted racks provided at ground floor storage closets.

Table 3. Required Off-Street Vehicle Parking Spaces

| Use Category | Required Ratio | Units/GSF | Required Spaces | Proposed Spaces | Comments |
|--------------------|----------------|------------|-----------------|-----------------|----------------------|
| Attached Dwellings | | | | | |
| 1 Bedroom | 1.25/du | 48 | 60 | | |
| 2 Bedroom | 1.5/du | 120 | 180 | | |
| 3 Bedroom | 1.75/du | 24 | 42 | | |
| 4 Bedroom | 1.75/du | 24 | 42 | | |
| Total | | 216 | 324 | 382 | Meets the standards. |

Table 4. Required Bicycle Parking Spaces

| Use Category | Required Spaces | | Proposed Spaces | | Comments |
|---|-----------------|------------|-----------------|------------|------------------------|
| | Short Term | Long term | Short Term | Long Term | |
| Multi-dwelling Structure of 4 or more units | 1 sp/20 du | 1 sp/du | | | Exceeds the standards. |
| Total | 11 | 216 | 16 | 216 | |

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

Response: As shown on Sheets C3.00 through 3.03, the required parking spaces have been designed to these dimensions. This standard is met.

[...]

10. Location of Vehicle Parking.

- A. All parking spaces provided shall be on the same lot upon which the use requiring the parking is located. Upon demonstration by the applicant that the required parking cannot be provided on the same lot upon which the use is located, the Director may permit the required parking spaces to be located on any lot within 200 feet of the lot upon which the use requiring the parking is located.

Response: All required parking spaces are provided on the same lot as the proposed building. This standard is met.

- B. Except for single-family and duplex dwellings, groups of more than two 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.

Response: Each of the parking areas has been designed so that the use of the parking spaces will require no backing movements or other maneuvering within a street or right-of-way.

- C. *In R10, R7, R5 and R4 zones parking and loading spaces may be located inside and rear yards and may be located in the front yard of each dwelling unit only if located in the driveway area leading to its garage.*

Response: The subject site will be zoned R1. This standard is not applicable.

[...]

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

- A. *For residential uses, required vehicle parking spaces shall be provided at standard size pursuant to Section 60.30.10.8. Parking in excess of the required parking may be provided as compact parking subject to Section 60.30.10.7. [ORD 4471; February 2008]*

Response: Eighteen (18) compact parking stalls are proposed and are not counted toward minimum parking requirements. See Sheet C1.10.

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:[...]

Response: The off-street parking lots have been designed in accordance with City Standards.

D. 60.35. Planned Unit Development

60.35.15. Open Space.

1. *Open Space Requirement. A Planned Unit Development shall provide baseline open space of an area equal to at least twenty percent (20%) of the subject site.*
2. *Exemptions. Properties within the South Cooper Mountain Community Plan Area are exempt from the open space requirements in Section 60.35.15.1, but shall provide all community features, including but not limited to, trails, habitat benefit areas, and scenic views identified in the South Cooper Mountain Community Plan, as identified in Section 60.35.25.*

Response: The site is within the South Cooper Mountain Community Plan Area, and the open space requirements for the subject site are based on the conditions of approval in the prior land use decision. Based on the exemption listed above, the applicant is providing the required amount of both active open space and overall open space. The required amount of total open space is 3.42 acres, with 4.60 acres of total open space proposed. The required amount of active open space is 0.85 acres, with 0.85 acres of active open space proposed. In addition, the applicant is providing a multi-use pathway and a protected habitat benefit area as part of the buffered delineated wetland and riparian corridor.

3. *Open Space Standards. Open space shall be land that is available for the creation of active and/or passive areas, or resource areas that provide visible and accessible open space to the proposed community.*
 - A. *The following resource areas may count towards passive open space requirements: Significant trees and/or groves, habitat benefit areas, view corridors, steep slopes, water quality facilities, environmentally sensitive areas including wetlands and any buffers required by Clean Water Services or other regulatory body, and other resources as deemed appropriate by the decision maker.*

Response: The project proposal includes a significant wetland area that is proposed for protection and is included in the calculation for open space. In addition, the applicant is providing a multi-use pathway and a protected habitat benefit area as part of the buffered delineated wetland and riparian corridor.

B. *Open space shall be easily accessible, physically or visually, to all members of the planned community via a minimum thirty (30) foot wide street frontage or access easement;*

Response: The applicant is providing a multi-use pathway and a protected habitat benefit area as part of the buffered delineated wetland and riparian corridor. This multi-use pathway is within a public easement and is connected to public sidewalks to the north of the site at Streets N and O, as well as to the south of the site at SW Scholls Ferry Road. The open space and multi-use pathway are also integrated into the overall pedestrian network within the site, thereby providing physical access to the site. In addition, many of the units will have views of the open space area.

C. *No more than sixty (60) percent of the gross land dedicated to active open space may have slopes greater than five (5) percent. Additional reductions to this standard may be granted by the Planning Commission based on the context of the proposed amenities and existing site conditions.*

Response: No portions of the active open space areas contains slopes greater than 5 percent.

D. *Open space areas shall have a dedicated meter and underground irrigation system to ensure adequate water supply during establishment period (3-years) and during periods of drought for all newly planted areas. Resource areas are exempt from this criterion.*

Response: Except for designated resource areas, open space areas are proposed for irrigation. See Sheet L5.00 for details on location of irrigation system.

E. *For developments ten (10) acres or greater, at least twenty-five (25) percent of the total required open space area shall be active open space and subject to the provisions of 60.35.15.4.*

Response: Twenty-five (25) percent of the total required open space area is designated as active open space, subject to the provisions of 60.35.15.4.

F. *For the purpose of this Code, open space does not include:
[...]*

Response: None of the prohibited areas listed in Subsection F, above, is included in the open space calculation.

4. *Active Open Space. Active open space areas are outdoor common areas that may be a gathering spots, community rooms, play areas, overlooks, or any areas that consist of active uses for owners, residents, or the community at large. Active open space shall meet the following criteria:*
- A. *Active open space that is provided outdoors shall be no smaller than either the minimum lot size requirement of the underlying zoning district with a minimum width 40 feet. For properties in multiple use zoning districts with no minimum lot size active open space areas shall be a minimum of 5,000 square feet in area. The Planning Commission may modify this requirement to accommodate trails, overlooks, and other types of recreational features which serve the residents of the development.*

Response: None of the proposed active opens space areas are less than 40 feet in width. However, trails are included in the active opens space calculations, with trail widths less than 40 feet, and the applicant requests that the Planning Commission modify this requirement to accommodate proposed trails, overlooks, and other types of recreational features which serve the residents of the development. The subject property is not in a multiple use zone; therefore, the 5,000 square-foot minimum open space area does not apply.

B. *Active open space may abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan, when separated from the street by a constructed barrier, such as a fence or wall, at least three (3) feet in height.*

Response: The proposed dog run is considered active open space and abuts SW Tile Flat Road, an arterial. A six (6)-ft. chain link fence is proposed to enclose this area. This standard is met.41

C. *Active Open Space shall be physically accessible to all residents of the development.*

Response: The applicant is providing a multi-use pathway and a protected habitat benefit area as part of the buffered delineated wetland and riparian corridor. This multi-use pathway is within a public easement and is connected to public sidewalks to the north of the site at Streets N and O, as well as to the south of the site at SW Scholls Ferry Road. The open space and multi-use pathway are also integrated into the overall pedestrian network within the site, thereby providing physical access to the site.

D. *Active open space shall include physical improvements to enhance the area. Physical improvements may include; benches, gazebos, plazas, picnic areas, playground equipment, sport courts, swimming/wading pools, indoor clubhouses or meeting facilities, play fields, or other items permitted by the Planning Commission.*

Response: The applicant is providing a club house and associated pool and outdoor active open space area. This area includes benches, covered barbeque area, plaza area, picnic area, playground equipment, swimming/wading pool and an indoor clubhouse with meeting facilities and mail room.

E. *Floor area within buildings devoted to common uses which serve the residents of the development, such as indoor pools, game rooms, or community rooms, may be counted towards Active Open Space requirements based on the total floor area devoted to such uses.*

Response: Overall, the required amount of active open space is based on the approved PUD. This amount of required open space is 0.85 acres, with 0.85 acres of active open space proposed. All proposed active open space areas are a minimum width of 40 feet. All active open space areas of the site are easily accessed through sidewalks or multi-use pathways. See Landscape Plan Set for specific passive and active open space details and calculations.

5. *Maintenance and Ownership. Land shown on the final development plan as common open space, and landscaping and/or planting contained therein shall be permanently maintained by and conveyed to one of the following:*

[...]

Response: The applicant will maintain the private common open space areas. Public open space areas (the multi-use trail) may be maintained through the Scholls Heights CC&Rs.

E. 60.55. Transportation Facilities

60.55.10. General Provisions.

1. *All public and private transportation facilities shall be designed and improved in accordance with the standards of this code and the Engineering Design Manual and Standard Drawings. In addition, when development abuts or impacts a transportation facility under the jurisdiction of one or more other governmental agencies, the City shall condition the development to obtain permits required by the other agencies.*

Response: The public and private transportation facilities on Tile Flat Rd and Scholls Ferry Rd are currently under construction by others. Street N, O, and P right-of-way will be dedicated by others and will be completed prior to the recording of the East Phase 1A plat. The applicant will coordinate with the

developers to the north of the site to complete Street O frontage behind the curb. A Design Exception to the EDM is requested to modify the turning radius of the corner of Street P. See Appendix L.

[...]

60.55.25. Street and Bicycle and Pedestrian Connection Requirements.

1. *All streets shall provide for safe and efficient circulation and access for motor vehicles, bicycles, pedestrians, and transit. Bicycle and pedestrian connections shall provide for safe and efficient circulation and access for bicycles and pedestrians.*

Response: The streets required to serve the site will have been constructed with earlier phases of the Scholls Heights PUD. No additional improvements are required or proposed. The standards of this section are not applicable.

[...]

10. *Pedestrian Circulation.*

- A. *Walkways are required between parts of a development where the public is invited or allowed to walk.*

Response: Access to the site is expected to be primarily used by residents and their visitor. Walkways are provided between the public sidewalk system and the public building entrances, as well as between the building and the multiuse path being constructed along the buffer for the riparian corridor and wetland at the eastern portion of the site. This standard is met.

- B. *A walkway into the development shall be provided for every 300 feet of street frontage. A walkway shall also be provided to any accessway abutting the development.*

Response: The pedestrian circulation system connects the main building entrances with the on-site pedestrian network and the adjacent sidewalk network of SW Scholls Ferry Road, SW Tile Flat Road and Streets N, O, and P to the north. All the access points at the intersections of these rights-of-way are less than 300 feet from each other. See Sheets C3.00 through 3.11 for details on walkway locations and distances between access points.

- C. *Walkways shall connect building entrances to one another and from building entrances to adjacent public streets and existing or planned transit stops. Walkways shall connect the development to walkways, sidewalks, bicycle facilities, alleyways and other bicycle or pedestrian connections on adjacent properties used or planned for commercial, multifamily, institution or park use. The City may require connections to be constructed and extended to the property line at the time of development.*

Response: As shown on Sheets C3.00 through 3.11, walkways are proposed to connect the building to adjacent streets and pedestrian facilities. There are currently no nearby transit facilities. This standard is met.

- D. *Walkways shall be reasonably direct between pedestrian destinations and minimize crossings where vehicles operate.*

Response: On-site walkways provide safe pedestrian connections between the building, parking lot, adjacent sidewalks, and the multiuse pathways. These walkways are reasonably direct and do not require out of direction travel. This standard is met.

- E. *Walkways shall be paved and shall maintain at least five (5) feet of unobstructed width. Walkways bordering parking spaces shall be at least seven feet wide unless concrete wheel stops, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles*

from obstructing the walkway. Stairs or ramps shall be provided where necessary to provide a reasonably direct route. The slope of walkways without stairs shall conform to City standards.

Response: Walkways will be paved and will be at least 5 feet in width. This standard is met.

F. The Americans with Disabilities Act (ADA) contains different and stricter standards for some walkways. The ADA applies to the walkway that is the principal building entrance and walkways that connect transit stops and parking areas to building entrances. Where the ADA applies to a walkway, the stricter standards of ADA shall apply.

Response: Walkways that are subject to the ADA have been designed to ADA standards.

G. On-site walkways shall be lighted to 0.5 foot-candle level at initial luminance. Lighting shall have cut-off fixtures so that illumination does not exceed 0.5 foot-candle more than five (5) feet beyond the property line.

Response: On-site sidewalks will be illuminated to at least a 0.5 foot-candle level. See Sheet E001 for lighting details. This level is reduced to below 0.5-foot candles at the property lines. This standard is met.

11. Pedestrian Connections at Major Transit Stops. Commercial and institution buildings at or near major transit stops shall provide for pedestrian access to transit through the following measures: [...]

Response: The proposed buildings are not Commercial or Institutional, and there are no Major Transit Stops within or near the project. This standard is not applicable.

[...]

13. New construction of bicycle and pedestrian connections along residential rear lot lines is discouraged unless no comparable substitute alignment is possible in the effort to connect common trip origins and destinations or existing segment links.

Response: No bicycle and pedestrian connections along residential rear lot lines are proposed. This standard is met.

14. Street and Bicycle and Pedestrian Connection Hindrances. Street, bicycle, and/or pedestrian connections are not required where one or more of the following conditions exist:

- A. Physical or topographic conditions make a general street, bicycle, or pedestrian connection impracticable. Such conditions include but are not limited to the alignments of existing connecting streets, freeways, railroads, slopes in excess of City standards for maximum slopes, wetlands or other bodies of water where a connection could not reasonably be provided;*
- B. Existing buildings or other development on adjacent lands physically preclude a connection now and in the future, considering the potential for redevelopment; or,*
- C. Where streets, bicycle, or pedestrian connections would violate provisions of leases, easements, covenants, or restrictions written and recorded as of May 1, 1995, which preclude a required street, bicycle, or pedestrian connection.*

Response: Street, bicycle, and pedestrian connections are proposed or already constructed as part of the approved street and bicycle facilities within the public rights-of-way. These provisions are not applicable.

60.55.30. Minimum Street Widths.

Minimum street widths are depicted in the Engineering Design Manual

- 1. Any project-specific modifications of the standards contained in the Engineering Design Manual regarding the widths of features relating to the movement of vehicles, including but not limited to*

rights of way, travel lanes, parking lanes, bike lanes, driveway aprons, curb radii, or other such features shall be processed in accordance with the provisions contained in the Section 145 Design Modifications of the Engineering Design Manual. [ORD 4418; February 2007]

Response: No new streets are proposed with this development. This standard is not applicable.

2. *Any project-specific modifications of the standards of the Engineering Design Manual relating to the location and dimensions of required street landscaping and pedestrian features including, but not limited to, sidewalks, planter strips, street trees, street tree wells, street tree easements, or street furniture are subject to the procedures contained in Chapter 40 (Applications). The required application will depend on the scope of the proposed project and the type of application filed with the City. [ORD 4418; February 2007]*

Response: A modification to the EDM is requested to reduce the turn radius of Street O. See Appendix J.

3. *Street trees shall be planted at a maximum linear spacing of 30 feet along street frontages or in accordance with an approved street tree plan approved by the City Arborist. Proposed tree wells shall be designed to meet standards in the City Engineering Design Manual.*

Response: Street trees will be installed by others with the construction of Tile Flat Rd and Scholls Ferry Rd. Street trees will be installed along Street O at the time of construction by others. As shown on Sheet L2.00, six (6) street trees are proposed along the Street O frontage.

60.55.35. Access Standards.

1. *The development plan shall include street plans that demonstrate how safe access to and from the proposed development and the street system will be provided. The applicant shall also show how public and private access to, from, and within the proposed development will be preserved.*

Response: As shown on Sheets C3.00 through 3.11, safe access from the proposed development to the surrounding street network is provided through pedestrian walkways and vehicular access from Streets O and P. This standard is met.

2. *No more than 25 dwelling units may have access onto a closed-end street system unless the decision-making authority finds that identified physical constraints preclude compliance with the standard and the proposed development is still found to be in compliance with the Facilities Review criteria of Section 40.03.*

Response: The site does not take access from a closed-end street system. This standard is not applicable.

3. *Intersection Standards.*

- A. *Visibility at Intersections. All work adjacent to public streets and accessways shall comply with the standards of the Engineering Design Manual except in Regional and Town Centers.*

1. *The sight clearance area requirements for Town Centers and Regional Centers shall be determined on a case-by-case basis by the decision-making authority. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists, and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual and Standard Drawings, and other applicable criteria. [ORD 4111; July 2000]*

Response: The visibility at the site driveways to both Street O and Street P will be designed to the standards of the EDM, except where modifications are being requested. See Appendix K.

2. *The requirements specified in 60.55.35.3.A. may be lessened or waived by the decision-making authority if the project will not result in an unsafe traffic situation. In making its determination, the decision-making authority shall consider the safety of the users of the intersection (including pedestrians, bicyclists and motorists), design speeds, the intersection sight distance standards of the Engineering Design Manual, and other applicable criteria.*

Response: No modifications to these requirements are requested at this time.

- B. *Intersection angles and alignment and intersection spacing along streets shall meet the standards of the Engineering Design Manual and Standard Drawings.*

Response: No new street connections are proposed. This standard is not applicable.

- C. *Driveways.*

1. *Corner Clearance for Driveways. Corner clearance at signalized intersections and stop-controlled intersections and spacing between driveways shall meet the standards of the Engineering Design Manual and Standard Drawings.*

Response: No signalized intersections or stop-controlled intersections are proposed. The proposed driveways at Street N and Street P are in direct alignment with these streets. This standard is met.

2. *Shared Driveway Access. Whenever practical, access to Arterials and Collectors shall serve more than one site through the use of driveways common to more than one development or to an on-site private circulation design that furthers this requirement. Consideration of shared access shall take into account at a minimum property ownership, surrounding land uses, and physical characteristics of the area. Where two or more lots share a common driveway, reciprocal access easements between adjacent lots may be required.*

Response: The site will take access from Streets O and P, both local streets. No shared driveways are proposed. This standard is not applicable.

3. *No new driveways for detached dwellings shall be permitted to have direct access onto an Arterial or Collector street except in unusual circumstances where emergency access or an alternative access does not exist. Where detached dwelling access to a local residential street or Neighborhood Route is not practicable, the decision-making authority may approve access from a detached dwelling to an Arterial or Collector.*

Response: No detached dwellings are proposed. This standard is not applicable.

F. 60.65. Utility Undergrounding

60.65.15. Regulation.

All existing and proposed utility lines within and contiguous to the subject property, including, but not limited to, those required for electric, communication, and cable television services and related facilities shall be placed underground as specified herein. The utilities required to be placed underground shall be those existing overhead utilities which are impacted by the proposed development and those utilities that are required to be installed because of the proposed development. [...]

60.65.20. Information on Plans.

The applicant for a development subject to design review, subdivision, partition, or site development permit approval shall show, on the proposed plan or in the explanatory information, the following:

1. *Easements for all public and private utility facilities;*

2. *The location of all existing above ground and underground public and private utilities within 100 feet of the site;*
3. *The proposed relocation of existing above ground utilities to underground; and*
4. *That above ground public or private utility facilities do not obstruct vision clearance areas pursuant to Section 60.55.35.3 of this Code.*

Response: Any utilities within the site will be placed underground. See Sheets C4.00 through 4.03 for details.

60.65.25. Optional Fee In Lieu of the Undergrounding Requirement.

Response: The applicant is not requesting a Fee in Lieu option. These requirements are not applicable.

G. 60.67. Significant Natural Resources

60.67.05. Local Wetland Inventory. *Prior to issuing a development permit, the Local Wetland Inventory map shall be reviewed to determine if the site proposed for development is identified as the location of a significant wetland.*

1. *Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant wetlands shall be subject to relevant procedures and requirements specified in Chapter 50, of this ordinance.*
2. *Upon City's determination that a site contains wetland as identified on the Local Wetland Inventory map, notice of the proposed development shall be provided to the Division of State Lands (DSL) in a manner and form prescribed by DSL pursuant to ORS requirements.*

60.67.10. Significant Riparian Corridors. *Prior to issuing a development permit, the list of Significant Riparian Corridors shall be reviewed to determine if the site proposed for development is identified as being listed corridor.*

1. *Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant riparian corridors, shall be subject to relevant procedures and requirements specified in Chapter 50 of this ordinance.*

Response: A wetland/riparian corridor is in the southeast corner of the subject site and protected through a public easement granted to Clean Water Services. A wetland delineation for the Scholls Heights PUD was submitted to DSL in 2017 and approved under DSL File 2016-0284. This concurrence is valid through July 18, 2022. In the original SPL from CWS provided as part of the PUD, CWS confirmed that proposed development outside the easement “would not significantly impact the existing or potentially sensitive area(s) found near the site.”

As part of this specific proposal, the applicant has provided additional assessment and delineation of the wetland and riparian corridor. AKS Engineering & Forestry LLC (AKS) conducted a wetland delineation on the site on November 18, 2021 and has preliminarily concluded that the proposed project avoids impacts to wetlands, and that development activities avoid encroachment into the 50-foot vegetated corridor and associated riparian buffer. AKS has also noted the proposed stormwater outfalls to the wetland area are less than 100 square feet, and will not require any mitigation, with only enhancement of the vegetated corridor required. The full report and associated CWS SPL are included as Appendix B.