



Community Development Department
Planning Division
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Beaverton, OR 97076
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www.BeavertonOregon.gov

MEMORANDUM City of Beaverton

Community Development Department

To: Interested Parties

From: City of Beaverton Planning Division

Date: September 11, 2018

Subject: **ADJ2018-0003 / ADJ2018-0005 / DR2018-0067 (South Cooper Mountain Heights Townhomes Modifications)**

Please find attached the Notice of Decision for **ADJ2018-0003 / ADJ2018-0005 / DR2018-0067 South Cooper Mountain Heights Townhomes Modifications**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for ADJ2018-0003 / ADJ2018-0005 / DR2018-0067 South Cooper Mountain Heights Townhomes Modifications, is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- The case file number designated by the City.
- The name and signature of each appellant.
- Reference to the written evidence provided to the decision making authority by the appellant that is contrary to the decision.
- If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- The appeal fee of \$250.00, as established by resolution of the City Council.

The appeal closing date for ADJ2018-0003 / ADJ2018-0005 / DR2018- South Cooper Mountain Heights Townhomes Modifications, is 4:30 p.m., Monday, September 24, 2018.

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed at the Beaverton Planning Division, Community Development Department, 4th Floor, Beaverton Building/City Hall; 12725 SW Millikan Way between 7:30 a.m. and 4:30 p.m., Monday through Friday, except holidays. For more information about the case file, please contact Elena Sasin, Assistant Planner, at (503) 526-2494.

Accessibility information: *This information can be made available in large print or audio tape upon request. Assistive listening devices, sign language interpreters, or qualified bilingual interpreters can be made available at any public meeting or program with 72 hours advance notice. To request these services, contact Sandra Freund by calling 711, 503-526-3718, or email sfreund@beavertonoregon.gov*



NOTICE OF DECISION

DATE: September 11, 2018

TO: Interested Parties

FROM: Sandra Monsalvè-Freund, AICP, Planning Supervisor

PROPOSAL: **South Cooper Mountain Heights Townhomes Modifications (ADJ2018-0003 / ADJ2018-0005 / DR2018-0067)**

LOCATION: The subject property is located at the northeast corner of SW Scholls Ferry Road and SW 175th Avenue, on Washington County Tax Assessor's Map # 2S106AC Tax Lot 200.

NEIGHBORHOOD: Neighbors Southwest

ZONING: Urban Medium Density (R2)

SUMMARY: The applicant, RES Construction, requests approval of two Minor Adjustments for front and rear building setbacks, and Design Review Two approval for exterior alterations to the approved but not constructed South Cooper Mountain Heights Townhomes, previously approved as a portion of Phase 4 of the South Cooper Mountain Heights PUD. The subject site is generally located at the northeast corner of SW Scholls Ferry Road and SW 175th Avenue. Tax Lot 100 of Washington County Tax Assessor's Map 2S1-06AB, and within the R2 (Residential Urban Medium Density) zoning district.

APPLICANT/
REPRESENTATIVE: RES Construction Otak, Inc.
Attn: Dan Grimberg Attn: Glen Bolen, AICP/Mike Peebles, PE
3330 NW Yeon Avenue 800 SW Third Avenue, Suite 300
Suite 200 Portland, OR 97204
Portland, OR 97210

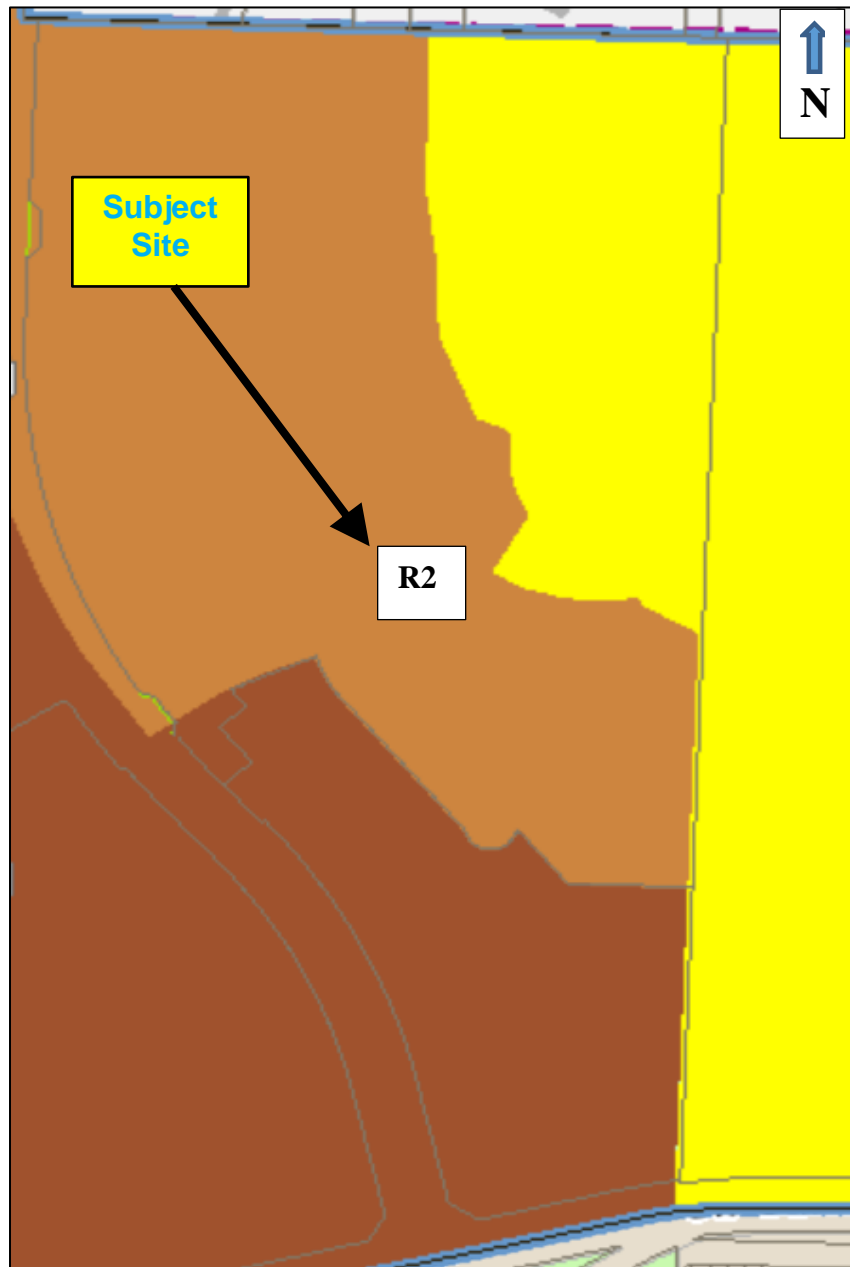
PROPERTY OWNERS: Arbor Cooper Mountain, LLC
Attn: Dan Grimberg
735 SW 158th Avenue
Beaverton, OR 97006

RECOMMENDATION: **APPROVAL of South Cooper Mountain Heights Townhomes Modifications (ADJ2018-0003 / ADJ2018-0005 / DR2018-0067), subject to conditions identified at the end of this report.**

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Attachment A: <i>Facilities Review Committee Technical Review and Recommendation Report</i>	FR1 – FR10
Attachment B: ADJ2018-0003 <i>Minor Adjustment (Rear Yard Setback)</i>	ADJ1 – ADJ5
Attachment C: ADJ2018-0005 <i>Minor Adjustment (Front Yard Setback)</i>	ADJ1 – ADJ5
Attachment D: DR2018-0067 <i>Design Review Two</i>	DR1 – DR7
Attachment E: <i>Proposed Conditions of Approval;</i>	COA1-COA2
Exhibit 1: Exhibits by City Staff Exhibit 1.1 Zoning Map Exhibit 1.2 Aerial Map	Page Numbers: SR3 – SR4
Exhibit 2: Exhibits by Applicant Exhibit 2.1 Applicant Materials	Combined materials package
Exhibit 3: Public Testimony / Comments None Received	Exhibits by #

Zoning Map



**South Cooper Mountain Heights Phase 4 Townhome Modifications
ADJ2018-0003 / ADJ2018-0005 / DR2018-0067**

Aerial Map



**South Cooper Mountain Heights Phase 4 Townhome Modifications
ADJ2018-0003 / ADJ2018-0005 / DR2018-0067**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
ADJ2018-0003 ADJ2018-0005 DR2018-0067	May 16, 2018	June 13, 2018	October 11, 2018	June 13, 2019

*Pursuant to Section 50.25.8 of the Development Code this is the latest date, without a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	Urban Medium Density Residential (R2)	
Current Development	The site is currently undeveloped, but previously approved for 110 single-family attached dwelling units through DR2015-0071, proposed to be modified by this application.	
Site Size & Location	±10.5 Acres	
NAC	Neighbors Southwest	
Surrounding Uses	<u>Zoning:</u> North: Urban Standard Density (R7) South: City of Tigard – Residential (R-25 Medium High Density) East: Urban Standard Density (R5) West: Urban High Density (R1)	<u>Uses:</u> North: Residential South: Residential East: Residential West: Mountainside High School

Subject Site History

The site is part of the previously approved South Cooper Mountain Heights PUD, approved by the Planning Commission on February 3, 2016 (CU2015-0006 / DR2015-0071 /LD2015-0013 / TP2015-0008 / ZMA2015-0006) and further modified by the Planning Commission on March 7, 2018 (CU2017-0005 / LD2017-0006 / LD2017-0014 / TP2017-0011). All critical facilities, including water, sanitary sewer, storm water, transportation, and fire protection, needed to serve the proposed townhomes were reviewed and approved as part of the PUD and are not proposed to be modified by the proposed exterior and minor site changes.

Project Overview

The applicant, RES Construction Co., requests approval of two Minor Adjustments for front building and rear garage setbacks, and Design Review Two approval for exterior alterations and minor site changes to the approved, but not yet constructed South Cooper Mountain Heights Townhomes, approved as Phase 4 of the South Cooper Mountain Heights PUD. The proposed Design Review application does not propose to modify the number of proposed units (110 attached single-family residential units) the number of buildings, or the lot sizes or dimensions, modification of the previously approved townhomes are limited to the exterior elevations, building footprints, and other minor site changes. As such, all proposed utilities, critical, and essential facilities will not be modified from the most recent approval for the South Cooper Mountain Heights PUD, and will be in compliance with technical criteria listed herein, A through L.

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
South Cooper Mountain Heights Townhomes Modifications
ADJ2018-0003 / ADJ2018-0005 / DR2018-0067**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Staff Report, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application, as presented, meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the submitted application as identified below:

- **All twelve (12) criteria are applicable to the submitted Design Review application, DR2018-0067.**
- A. *All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.***

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. The Committee finds that the proposal includes necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

The site is part of the previously approved South Cooper Mountain Heights PUD, approved by the Planning Commission on February 3, 2016 (CU2015-0006 / DR2015-0071 / LD2015-0013 / TP2015-0008 / ZMA2015-0006) and further modified by the Planning Commission on March 7, 2018 (CU2017-0005 / LD2017-0006 / LD2017-0014 / TP2017-0011). All critical facilities, including water, sanitary sewer, storm water, transportation,

and fire protection, needed to serve the proposed townhomes were reviewed and approved as part of the PUD and are not proposed to be modified by the proposed exterior and minor site changes.

As no changes to the total number of units is proposed, and only minor changes to the building footprint, such as awnings projecting above doorways, and the second and third story of the unit projecting outward thereby reducing the prominence of the garage, in addition to minor site changes as necessary, staff finds that the previously approved and constructed water, stormwater, and public sanitary sewer are sufficient to serve the development.

The conditions of approval applicable to Phase 4, per the South Cooper Mountain Heights PUD Modifications (CU2017-0005 / LD2017-0006 /LD2017-0014 / TP2017-0011) approved on March 7, 2018 by the Planning Commission are not proposed to be modified by this application. The Committee finds that the proposal will provide the critical facilities necessary for the proposed development and that those facilities will have adequate capacity to serve the development at the time of its completion.

Therefore, the Committee finds the proposal meets Criterion-A for approval.

FINDING: Therefore, the Committee finds that, by meeting the conditions of approval, the proposal meets this criterion.

- B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to 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 years of occupancy.***

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. The applicant’s plans and materials were forwarded to City Transportation staff, City Police Department, and Tualatin Hills Park and Recreation District. The applicant does not propose to modify the number or type of dwelling units proposed, or to modify any proposed common or public open space facilities as part of this proposal. All active open space required with the PUD and previous approvals must be provided. No changes to pedestrian or bicycle facilities are proposed.

In summary of the above, the Committee finds that the proposed development will provide the required essential facilities, as conditioned.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- C. *The proposal 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 proposal.***

Staff cites the Code Conformance Analysis chart below, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban Medium Density (R2) zone as applicable to the above-mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the proposed zone.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

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

Staff cites the Code Conformance Analysis chart below, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 in response to the above-mentioned criteria.

As stated in response to Criterion A, and as previously approved with the PUD, transportation staff have reviewed all proposed street improvements associated with the proposed attached residential dwelling units (Phase 4) development for compliance with the Beaverton Engineering Design Manual, which identifies street standards by planned classification. Other applicable provisions of Chapter 60 related to transportation (contained in Section 60.55) are addressed in response to Criterion A.

Off-Street Parking (Section 60.30)

The applicant states that each proposed unit will have at least the minimum number of off-street parking spaces. Attached Dwellings have a minimum of 1.25 to 1.75 spaces per unit, depending on the number of bedrooms. Single Family Attached units will have 1- or 2-car garages, with some units also having a driveway parking space, for a total of 1-3 spaces per Single Family Attached unit. The applicant states that garage parking will be provided for 166 vehicles, and driveway parking for 122 vehicles. In total this will provide for 2.6 spaces per attached dwelling. Long-term bicycle parking is provided within garages

for each dwelling unit. All previous off-street parking requirements are applicable as approved, as this proposal is not requesting a change to the number of attached single-family units.

Transportation Facilities (Section 60.55)

The proposed Phase 4 development is consistent with the assumptions made in the 2015 Traffic Impact Analyses. The mitigation measures required by the initial approval of the larger South Cooper Mountain Heights PUD development remain in effect. Therefore, the applicant, by meeting the conditions of approval associated with this application and with those associated with the larger PUD, will meet the City's requirements for transportation facilities.

As previously approved, the streets provide for safe and efficient circulation and access for motor vehicles, bicycles, and pedestrians. Bicycle and pedestrian connections provide for safe and efficient circulation and access for bicycles and pedestrians. Specific findings for this development proposal are provided below under the responses for Section 40.03.F. and G.

FINDING: Therefore, the Committee finds that the proposal meets the criterion.

- 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 ditches, 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.***

The applicant indicates that a Home Owner's Association (HOA) will be formed for the entire PUD, including the single-family attached (Phase 4) portion, with the owner(s) of said Phase 4 a party to the HOA, and therefore having responsibility for maintenance of all commonly owned facilities and tracts within the proposed development. Responsibility also includes all facilities and tracts such as trails, stormwater facilities, common area and landscaping, for example.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

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

All essential facilities including pedestrian and bicycle facilities in the public right-of-way, needed to serve the proposed townhomes were reviewed and approved as part of the PUD and are not proposed to be modified by the proposed exterior modifications and minor site changes.

As no changes to the total number of units, and only minor changes to the building footprint and site are proposed staff finds that the previously approved vehicular and pedestrian circulation patterns within the boundaries of the project are sufficient to serve the development.

FINDING: Therefore, the Committee finds that the proposal meets the criterion.

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

All essential facilities such as pedestrian and bicycle facilities in the public right-of-way needed to serve the proposed townhomes were reviewed and approved as part of the PUD and are not proposed to be modified by the proposed exterior and minor site changes.

As no changes to the total number of units, and only minor changes to the building footprint and site are proposed, staff finds that the previously approved vehicular and pedestrian circulation patterns within the boundaries of the project are sufficient to serve the development. No changes to streets, sidewalks and trails are proposed.

FINDING: Therefore, the Committee finds that the proposal meets the criterion.

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.*

Fire protection will be provided by Tualatin Valley Fire & Rescue (TVF&R) Department. All critical facilities such as fire protection, needed to serve the proposed townhomes were reviewed and approved as part of the PUD and are not proposed to be modified by the proposed exterior and minor site changes. No changes to the provision of fire services are proposed.

Specific details regarding fire flow and hydrant placement will be reviewed for flow calculations and hydrant locations during site development and building permit stages.

FINDING: Therefore, the Committee finds the proposal meets the criterion.

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

The applicant states that all streets and public facilities are designed in accordance with the City of Beaverton's Engineering Design Manual (EDM) or have been previously approved to be modified, and thus should provide protection from crime, accident and hazardous conditions. All proposed sidewalks and walkways will be adequately lighted to meet the minimum applicable Design Standards as a Condition of Approval.

The Committee finds that review of the construction documents at the building and site development permit stages will ensure protection from hazardous conditions due to inadequate, substandard or ill-designed development.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- J. *Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

Site grading is not proposed to be substantially modified with the proposed design changes. Streets and public facilities to serve the townhomes have already been constructed. No grading adjacent to the PUD boundaries is proposed which would affect neighboring properties.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, the proposal meets the criterion.

- 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.***

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Compliance with ADA requirements are reviewed at the time of Building Permit application. 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.

Conformance with the technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals. Staff finds that review of the proposed plans at Site Development and Building Permit stages are sufficient to guarantee compliance with accessibility standards.

Therefore, the Committee finds that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and would thereby be in conformance with Development Code Section 60.55.65.

FINDING: Therefore, the Committee finds that the proposal meets the criterion for approval.

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

The applicant submitted the application packet on May 16, 2018. Staff deemed the application complete on June 13, 2018. In review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

FINDING: Therefore, the Committee finds the proposal meets the criterion for approval.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20 (Uses)			
R2	Permitted	Attached Single-Family Dwellings	YES
Development Code Section 20.25.05 – Density Calculations			
Minimum Residential Density	110 Units of townhomes were approved in the South Cooper Mountain Heights PUD.	The applicant proposes 110 units.	YES
Development Code Section 20.05.15 (Site Development Standards)			
Minimum Lot Area	R2 - 2,000 sq. ft. / DU	Adjusted with approved PUD, no further modifications proposed.	N/A
Minimum Yard Setbacks	Required: Front Yard: 10 feet Side Yard: 5 feet Rear Yard: 15 feet Minimum between buildings: 6 feet.	The applicant is only proposing a change to the Rear-Loaded Townhomes with driveway parking rear and front setbacks. No modification to previously approved setbacks for all other units. <u>Rear loaded townhomes with driveway parking:</u> Front building setback: 9 feet. Side setback: 5-feet or 10-feet plus (10-feet for corner lots) unchanged from previous approval. Rear building setback: 13.5-feet Rear Garage setback: 20 feet	See ADJ Findings
Maximum Building Height	R2 – 40 feet	The applicant proposes a maximum building height of 40 feet, which will be verified at the time of building permit.	YES

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review Standards and Guidelines will be reviewed in the Design Review portion of the staff report.	See DR Findings
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	The site is not located within a Floodplain.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits requested.	N/A
Development Code Section 60.30			
Off-street motor vehicle parking	<u>Attached Single Family</u> 1.75 space per unit= 193 spaces minimum.	The applicant proposes 288 parking spaces, more than the minimum and less than the maximum.	YES
Required Bicycle Parking	No bicycle parking is required for single family attached dwellings.	The applicant has provided bicycle parking at one space per unit in garages.	N/A
Development Code Section 60.55			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	YES w/ COA
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	No Tree Plan application submitted for the Phase 4 portion of the PUD. A Tree Plan Two application was approved as part of the overall PUD.	N/A
Development Code Section 60.65			

Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant indicates all utilities will be placed underground. To ensure the proposal meets requirements of this code section, staff recommends a condition requiring undergrounding completion prior to occupancy. No modification to previously approved underground utilities proposed.	N/A
Development Code Section 60.67 Significant Natural Resources			
Significant Natural Resources	Regulations pertaining to Significant Natural Resources	Resource protection for SNRAs were reviewed and approved in the SCM Heights PUD, no modifications to those approvals related to natural resources are proposed.	N/A

**ADJ2018-0003
ANALYSIS AND FINDINGS FOR
MINOR ADJUSTMENT**

Section 40.10.15.1.C Approval Criteria

In order to approve a Minor Adjustment 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 Minor Adjustment application.***

Section 40.100.15.1.A.1 Threshold: *An application for Minor Adjustment shall be required when the following threshold applies:*

Involves up to and including a 10% adjustment from the numerical Site Development Requirements specified in Chapter 20 (Land Uses). This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4., .5, .6., and .7.

The minimum rear setback for a building in the R2 zone is 15 feet. The applicant proposes a 13.5-foot rear building setback, equating to a reduction of one and one-half feet for the Rear-Loaded townhomes with driveway parking. This is requested in order to project the second and third floor living areas of each unit out towards the alleyway, thereby increasing the square footage of each unit. The applicant states this will allow for more livable square footage, while still meeting the on-site parking requirements, as well as reducing the prominence of the garage. The proposed deviation is a 10% adjustment to the minimum rear setback.

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

- 2. The application complies with all applicable submittal requirements as specified in Section 50.25.1. and includes all applicable City application fees.***

The City of Beaverton received the appropriate fee for a Minor Adjustment application.

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

3. *Special conditions or circumstances exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.*

The applicant requests the Minor Adjustment due to the location of the six-foot wide public utility easement (PUE) placement traversing the rear lot line of the rear-loaded townhome units (lots 9–47) immediately adjacent to each garage door. As a structure cannot be placed within an easement, the applicant has been faced with ensuring the building and footings are outside the easement area. In the R2 zoning district garages must be located either at 18.5 feet or greater, or 5 feet or less from the property line they face in order to either preclude or allow parking between the garage door and the alley. As the PUE precludes the placement of the garage door at 5 feet or less from the rear property line the 18.5 feet or greater setback for the garage door applies. With the garage door at 18.5 feet, the rear building setback is 15 feet for non-garage portions of the building. The applicant requests to reduce the rear building (non-garage) setback to 13.5 feet in order to add more square footage to each unit. Garage doors will remain at 18.5 feet in order to accommodate vehicular parking with the upper floors cantilevered over the driveway. As the PUD precludes the five foot or less garage setback the building footprint of the townhouse is constrained by the 18.5 foot garage and 15 foot building setback, making development of the rear loaded townhome lots physically difficult.

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

4. *The special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.*

The applicant states that the placement of the public utility easements on the subject site for each individual property is not a result from the actions of the applicant. The requested adjustment allows for provisions of all required services while still allowing for attached single-family development. The request to reduce the rear setback does not stem from financial hardship or inconvenience. The applicant states that PGE requires a 6-foot public utility easement be placed immediately adjacent to the garage door, as designed. Moreover, that engineering specifications require building foundation wall footings to extend one foot beyond an exterior wall near the garage, thereby limiting the applicant's ability to move the garage door out towards the alley, which would have effectively allowed the applicant to reduce the setback from 18.5 feet from garage door down to 5 feet without the Minor Adjustment. Staff concur with the applicant, that the project site is encumbered with the PUE adjacent to the garage door and rear of the building, and that moving the garage door rather than seeking the adjustment is not a viable option. As a result, the applicant is seeking to project the second and third stories of each unit out towards the alley, an additional one and one-half feet from building face, thereby maximizing the residential floor space within each home.

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

5. *Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.*

The applicant indicates no pedestrian circulation or vehicular movement will be obstructed because the extension of the rear face of the townhome unit will take place solely within individual lots. Sidewalks for pedestrian circulation will be protected from vehicular parking by ensuring garages are setback a minimum of 18.5 feet.

Staff finds that granting the adjustment, as proposed, will have no impact on pedestrian or vehicular movement through the subdivision.

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

6. *City designated significant trees and/or historic resources, if present, will be preserved.*

There are no City-designated trees and/or historic resources on the townhome sites.

Therefore, staff finds that this criterion is not applicable.

7. *If more than one adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.*

The applicant proposes two Minor Adjustments, one to rear setback and the other to front setback within the Phase 4 project area of the South Cooper Mountain Heights PUD, specifically for the single-family attached product. As previously addressed, the 6-foot public utility easement requirements at the rear of the affected rear loaded townhome lots, immediately adjacent to the garage door and rear building wall have created an unintended situation, a reduction of size of buildable area. This in turn has created a difficult circumstance for development of the affected lots to occur as previously designed and approved. The applicant is also not able to reduce the driveway approach to five feet or less, as allowed by the Development Code, because the public utility easement is located immediately adjacent to the proposed garage door, set at 18.5 feet from the alley, thus leaving limited options, such as projecting the second and third stories out over the garage. Given the constraints at the rear of the site the applicant requests to bump out the front of the building by one additional foot into the front setback, thus reducing the front setback to nine feet rather than meeting the ten-foot setback to accommodate additional building area.

The applicant has requested a reduction to the rear and front setbacks of the rear loaded townhouse portion of South Cooper Mountain Heights PUD Phase 4 (lots 9 to 47) as described in this application and the other Minor Adjustment application (ADJ2018-0005). The proposed adjustments do not total more than 10% in each instance. Staff finds that the cumulative impacts of the requested setback adjustments are internal to the affected townhome lots, and do not affect the overall purpose of the R2 zoning district. Specifically, the 18.5-foot distance from the garage

door to the alley tract edge will be maintained in order to prevent a parked vehicle from hanging out into the alley and blocking vehicular and pedestrian circulation.

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

8. *Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.*

The applicant states that the adjustments requested are the minimum necessary to develop each lot, while meeting minimum density and Building Code requirements. The minor adjustment of 10% will allow for more livable square footage by projecting the second and third stories out over the garage, while still meeting the minimum distance necessary for vehicular parking of 18.5 feet to garage door from the alley. With the rear setback reduced by one and one-half feet, the on-site parking requirements are still met for rear-loaded townhomes with driveway parking.

Staff finds that the requested one and one-half foot adjustment to the rear setback is the minimum necessary to permit a reasonable use of land and the proposed structures, while still achieving the intent of the Site Development standards found in Chapter 20 of the Beaverton Development Code.

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

9. *The proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.*

The applicant indicates that due to the previously discussed constraints, granting the reduced rear building setback will allow each rear-loaded townhome unit with driveway parking the opportunity to develop dwellings with larger living space by projecting (cantilevered) the second and third stories out over the garage, towards the alley, as well as providing a more visually pleasing structure from the use of modern design elements. Additional design elements include greater articulation of siding, more windows, and visual interest.

The R2 zoning district is intended to establish medium density development, where minimum land area available for development is typically 2,000 square feet; however, under the Planned Unit Development standards, the land area may be smaller and clustered due to natural constraints found within the larger development project site. In this instance, the townhome units are part of the South Cooper Mountain Heights PUD, and the homes will be built on lots smaller than 2,000 square feet in order to protect the natural resources found within the overall PUD site.

Staff finds that the proposal meets the intent of the setback standards by providing a minimum rear building setback of thirteen and one-half feet in order to cantilever the second and third stories of each unit out over the garage and towards the alleyway, thereby increasing the square footage of each dwelling. Additionally, the reduced rear building setbacks will allow the development to meet minimum density requirements while maximizing the building envelope for each lot.

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

- 10. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more Adjustment, Variance, Planned Unit Development applications that already have been approved or are considered concurrently with the subject proposal.***

Staff cites the findings in the Code Conformance Analysis chart in the Facilities Review section of this report for the R2 zone as applicable to the above-mentioned criteria. As demonstrated on the chart, the proposal complies with all applicable provisions of Sections 20.05 and 20.25, site development standards, with the exception of this rear building setback request as well as a request for reduced front yard setbacks being reviewed concurrently (ADJ2018-0005). The rear building setback is requesting modification through this Minor Adjustment application.

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

- 11. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both 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 proposal.***

Staff cites the findings in the Code Conformance Analysis chart in the Facilities Review section of this report, which evaluates the project as it relates to applicable code requirements of Sections 60.05 through 60.65.

Staff finds that this Minor Adjustment proposal, which is limited to rear building setbacks, will have no impact on the development's ability to meet applicable Code requirements of Chapter 60.

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

- 12. *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: drainage ditches, 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 periodic maintenance by the City or other public agency.***

The applicant states that the Home Owners Association (HOA) for the development will maintain private common facilities and areas, as outlined in the CC&R's for the project. Staff recommends a condition of approval that the proposed CC&R's be submitted with the Final Land Division application for review to ensure that adequate provisions for maintenance of private common facilities and areas are included. Staff does not find that the design of the common facilities and tracts will preclude adequate maintenance.

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

13. *The proposal does not include any lot area averaging as specified in Section 20.05.50.1.B. or include any lot dimension reductions as specified in Sections 20.05.50.2.A.2. and .4. or 20.05.50.2.B.2. and .4.*

The proposal does not include any lot area averaging.

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

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

The applicant has submitted this Minor Adjustment application with one associated Minor Adjustment application, and a Design Review Two application for this project. Concurrent review of the applications satisfies this criterion. The Minor Adjustment application is dependent upon Design Review approval; therefore, staff has provided a condition of approval requiring the approval of the Design Review application. No other applications are required of the applicant at this stage of City review.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **ADJ2018-0003 South Cooper Mountain Heights Townhomes (Phase 4) Modifications** subject to the applicable conditions identified in Attachment E.

**ADJ2018-0005
ANALYSIS AND FINDINGS FOR
MINOR ADJUSTMENT**

Section 40.10.15.1.C Approval Criteria

In order to approve a Minor Adjustment 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 Minor Adjustment application.***

Section 40.100.15.1.A.1 Threshold: *An application for Minor Adjustment shall be required when the following threshold applies:*

Involves up to and including a 10% adjustment from the numerical Site Development Requirements specified in Chapter 20 (Land Uses). This threshold does not apply where credits have been earned for height increase through Habitat Friendly Development Practices, as described in Section 60.12.40.4., .5, .6., and .7.

The minimum front building setback in the R2 zone is 10 feet. The applicant proposes a 9-foot front building setback, a reduction of one foot, in order to provide additional livable area. The proposed deviation is a 10% adjustment to the minimum front building setback.

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

- 2. The application complies with all applicable submittal requirements as specified in Section 50.25.1. and includes all applicable City application fees.***

The City of Beaverton received the appropriate fee for a Minor Adjustment application.

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

- 3. Special conditions or circumstances exist on the site that make it physically difficult or impossible to meet the applicable development standard for an otherwise acceptable proposal.***

The applicant requests the Minor Adjustment due to the location of the public utility easement (PUE) placement traversing the rear of a portion of the rear-loaded townhome units (lots 9–47) immediately adjacent to each garage door. As previously discussed the location of the PUE precludes placement of the garage and building within five feet of the alley and requires the garage to be set back a minimum of 18.5 feet and the non-garage structure a minimum of 15 feet

from the alley. Staff includes by reference the facts and findings in Criterion Three of ADJ2018-0003 as relevant to this criterion. The reduction in potential floor area to accommodate the larger rear yard setback necessitates an additional foot of encroachment into the front yard setback for a reduced front setback from ten feet to nine feet, allowing for additional building area without impacting the aesthetics of the neighborhood.

The adjustment request is related to reduced site dimensions, and location of public utility easements within each lot. The applicant states that the 6 foot public utility easements created an unintended consequence for each of the rear-loaded townhomes, affecting both the front and rear setbacks of those units. The homes on Lots 9 through 47 have had to be redesigned in order to fit onto a smaller buildable area due to the constraints of the easements. As stated by the applicant, the Code requires a rear setback of either 18.5 feet to the garage or 5 feet to the garage, and 10 feet for the front building setback. Staff concur that due to the easement constrains and their effects on buildable area the reduction of the front yard setback is caused by a special circumstance of the site.

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

4. *The special conditions and circumstances do not result from the actions of the applicant and such conditions and circumstances do not merely constitute financial hardship or inconvenience.*

The applicant states that the placement of the public utility easements on the subject site for the rear loaded townhouse lots are not a result from the actions of the applicant. The requested adjustment allows for provisions of all required services while still allowing for attached single-family development. The request to reduce the rear setback does not stem from financial hardship or inconvenience. The applicant states that PGE requires a 6-foot public utility easement be placed immediately adjacent to the garage door, as designed. Staff concur with the applicant, that the project site is encumbered with the PUE, which, as previously discussed, limited building area. This special condition was not the result of the applicant's actions and does not constitute a financial hardship or inconvenience.

Staff concur with the applicant, that the project site is encumbered with the placement of the public utility easements, and that a minor adjustment, as proposed, will result in increased livable area thereby maximizing the residential floor space within each home, while still meeting the garage door provisions of the Site Development standards found in Chapter 20 of the Development Code.

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

5. *Granting the adjustment as part of the overall proposal will not obstruct pedestrian or vehicular movement.*

The applicant indicates no pedestrian circulation or vehicular movement will be obstructed as a result of reducing the front building setback from ten feet to nine feet. Sidewalks for pedestrian circulation will not be affected by this minor adjustment. Staff finds that granting the adjustment, as proposed, will have no impact on pedestrian or vehicular movement through the subdivision.

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

6. *City designated significant trees and/or historic resources, if present, will be preserved.*

There are no City-designated trees and/or historic resources on the subject site.

Therefore, staff finds that this criterion is not applicable.

7. *If more than one adjustment is being requested concurrently, the cumulative effect of the adjustments will result in a proposal which is still consistent with the overall purpose of the applicable zoning district.*

The applicant proposes two Minor Adjustments, one to rear setback and the other to front setback within the Phase 4 project area of the South Cooper Mountain Heights PUD, specifically for the rear loaded townhome product (Lots 9-47). As previously addressed, the 6-foot public utility easement requirements at the rear of the affected townhome lots, immediately adjacent to the garage door and rear building wall have created an unintended situation, a reduction of size of buildable area. This in turn has created a difficult circumstance for development of the affected lots to occur as previously designed and approved.

The applicant has requested a reduction to the rear and front setbacks of the proposed Phase 4 development as described in this application and the other Minor Adjustment application (ADJ2018-0003). The proposed adjustments do not total more than 10% in each instance. Staff finds that the cumulative impacts of the requested setback adjustments are internal to the affected townhome lots, and do not affect the overall purpose of the R2 zoning district of establishing medium density residential developments where minimum land area of 2,000 square feet is available for each dwelling unit. Nor does the adjustment affect the purpose of Planned Unit Developments within the South Cooper Mountain Community Plan (Section 20.25.05.C), and as outlined in *Table 2: Land Use Designations and Capacity Estimates*, which outlines the density capacity and expectations for development within Plan Area; as well as maintaining the policies for applying zoning and deviations from the capacity estimates found in *Table 2* of the South Cooper Mountain Community Plan Area.

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

8. *Any adjustment granted shall be the minimum necessary to permit a reasonable use of land, buildings, and structures.*

The applicant states that the adjustments requested are the minimum necessary to develop each lot, while meeting minimum density and Building Code requirements. The minor adjustments of 10% will allow for more livable square footage, while still meeting on-site parking requirements while preventing vehicles parked in driveways from impeding vehicular or pedestrian circulation by hanging out into the right-of-way, sidewalk, or both; in addition to providing modern design principles for the project. Staff finds that the requested one-foot adjustment to the front building setback is the minimum necessary to permit a reasonable use of land and the proposed structures, while still achieving the desired design elements for each home.

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

9. *The proposal incorporates building, structure, or site design features or some combination thereof that compensate for the requested adjustment.*

The applicant indicates that due to the previously discussed constraints, granting the reduced front building setback will allow development of dwellings with greater living space, while also providing a more visually pleasing structure from the use of modern design elements. The proposed nine-foot front building setback better meets the intent of the standard because it will allow future homeowners more living area while still meeting minimum density standards required by the R2 zone.

Staff finds that the proposal meets the intent of setback standards by providing a minimum front building setback of nine feet. Additionally, the reduced front building setbacks will allow the development to meet minimum density requirements while maximizing the building envelope for each lot.

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

10. *The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless applicable provisions are modified by means of one or more Adjustment, Variance, Planned Unit Development applications that already have been approved or are considered concurrently with the subject proposal.*

Staff cites the findings in the Code Conformance Analysis chart in the Facilities Review section of this report for the R2 zone as applicable to the above-mentioned criteria. As demonstrated on the chart, the proposal complies with all applicable provisions of Sections 20.05 and 20.25, site development standards, with the exception of this front building setback request as well as a request for reduced rear building setback being reviewed concurrently (ADJ2018-0003). A reduction in the front building setback is requested through this Minor Adjustment application.

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

- 11. *The proposal is consistent with all applicable provisions of Chapter 60 (Special Requirements) and that all improvements, dedications, or both 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 proposal.***

Staff cites the findings in the Code Conformance Analysis chart in the Facilities Review section of this report, which evaluates the project as it relates to applicable code requirements of Sections 60.05 through 60.65. Staff finds that this Minor Adjustment proposal, which is limited to front building setbacks, will have no impact on the development's ability to meet applicable Code requirements of Chapter 60.

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

- 12. *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: drainage ditches, 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 periodic maintenance by the City or other public agency.***

The applicant states that the Home Owners Association (HOA) for the development will maintain private common facilities and areas, as outlined in the CC&R's for the project. Staff recommends a condition of approval that the proposed CC&R's be submitted with the Final Land Division application for review to ensure that adequate provisions for maintenance of private common facilities and areas are included. Staff does not find that the design of the common facilities and tracts will preclude adequate maintenance.

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

- 13. *The proposal does not include any lot area averaging as specified in Section 20.05.50.1.B. or include any lot dimension reductions as specified in Sections 20.05.50.2.A.2. and .4. or 20.05.50.2.B.2. and .4.***

The proposal does not include any lot area averaging.

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

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

The applicant has submitted this Minor Adjustment application with one associated Minor Adjustment application, and a Design Review Two application for this project. Concurrent review of the applications satisfies this criterion. The Minor Adjustment application is dependent upon Design Review approval; therefore, staff has provided a condition of approval requiring the approval of the Design Review application. No other applications are required of the applicant at this stage of City review.

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

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **ADJ2018-0005 South Cooper Mountain Heights Townhomes (Phase 4) Modifications** subject to the applicable conditions identified in Attachment E.

**DR2018-0067
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW TWO APPROVAL**

Section 40.20.05. Design Review Applications; Purpose

The purpose of Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by insuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development.

Section 40.20.15.2.C Approval Criteria

C. Approval Criteria. In order to approve a Design Review Two application, the decision-making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Design Review Two application.*

The applicant proposes to modify exterior design elements of the previously approved single-family attached residential development, commonly referred to as Phase 4 of the South Cooper Mountain Heights PUD as well as associated minor site changes. The applicant received approval to construct the new 110 single-family attached dwelling units, however, to date; this phase of the South Cooper Mountain Heights PUD (Phase 4) has not been constructed. The new construction of the dwelling units is a Permitted use as determined in Chapter 20, *Land Uses* of the Beaverton Development Code. The proposal therefore meets Threshold 5 of a Design Review Two application.

5. Building additions in Residential, Commercial, Industrial, or Multiple Use zones less than 30,000 gross square feet of floor area that do not qualify for consideration under the Thresholds for Design Review Compliance Letter.

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

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

The applicant paid the required fees for the Design Review Two application.

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

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

This proposal is consistent with all applicable application requirements, as submitted.

Therefore, staff finds the criterion not applicable.

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

Staff cites the findings found in the Code Conformance Analysis chart further in this report, which evaluates the project as it relates to applicable code requirements of Sections 60.05 through 60.65. As demonstrated on the chart, the proposal complies, or through conditions of approval, can be made to comply with applicable Design Standards.

Staff finds that this Design Review Two proposal, which is limited to minor exterior modifications and related site improvements, will have no impact on the development's ability to meet applicable Code requirements of Chapter 60.

Therefore, staff finds the criterion not applicable.

5. *For additions to or modifications to existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Standards if any of the following conditions exist:*

- a. A physical obstacle such as topography or natural feature exists and prevents the full implementation of the applicable standard; or**
- b. The location of existing structural improvements prevent the full implementation of the applicable standard; or**
- c. The location of the existing structure to be modified is more than 300 feet from a public street.**

The application is for revisions to previously approve, not yet constructed, townhomes, specifically the single-family attached portion of Phase 4 of the approved South Cooper Mountain Heights PUD. The application applies with all applicable design standards as outlined in the code conformance analysis below.

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

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

The applicant has submitted this Design Review Two application with two associated Minor Adjustment applications for this project. Concurrent review of the applications satisfies this criterion. The Design Review Two application is dependent upon the reduced yard setbacks requested in ADJ2018-0003 and ADJ2018-0005, as such staff has provided a condition of approval that the Design Review Two is dependent upon approval of the two Major Adjustment applications. No other applications are required of the applicant at this stage of City review.

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

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **DR2018-0067 (South Cooper Mountain Heights Townhomes (Phase 4) Modifications)**, subject to the proposed conditions of approval in Attachment E.

Design Review Standards Analysis
Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15.1.A Max length of attached residential buildings	The applicant proposes to modify the design of previously approved residential units comprised of a mix of 2-plexes to 5-plex attached single-family residential buildings. The maximum proposed building length is approximately 85 feet in length. No building exceeds 200 in length.	YES
60.05.15.1.B Min 30% articulation	Building articulation exceeds 30% on all buildings using windows, recessed entries awnings, offset walls, and materials changes for each respective façade.	YES
60.05.15.1.C Max 40' between architectural features	Architectural features are no more than forty feet apart.	YES
60.05.15.1.D Max 150 sq. ft. undifferentiated blank walls facing streets	Buildings will not have more than 150 square feet of undifferentiated walls facing a street. Siding with complimentary colors on textures and varying rooflines will add variety and articulation.	YES
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12	All proposed buildings will have a minimum roof pitch of 4/12.	YES
60.05.15.2.B Min roof eave = 12"	All pitched roofs have minimum projection of 12-inch eaves.	YES
60.05.15.2.C Flat roofs need parapets	No flat roofs are proposed, all will meet 4/12 roof pitch.	N/A
60.05.15.2.D New structures in existing development be similar	This is a proposed new development.	N/A
60.05.15.2.E 4:12 roof standard is N/A to smaller feature roofs	Small feature roofs are not a component of this proposal.	N/A
Primary Building Entrances		
60.05.15.3 Weather protection for primary entrance	The applicant has designed the buildings so that all primary entrances provide weather protection in accordance with this standard.	YES
Exterior Building Materials		
60.05.15.4.A Residential double wall construction	All proposed buildings are to be comprised of double-wall construction.	YES
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	Roof mounted equipment is not proposed.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The public street system has been evaluated and approved as part of the preliminary subdivision and PUD applications. No changes to public streets or pedestrian circulation areas are proposed.	N/A
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A-D Screening of loading and waste facilities.	Attached single-family dwellings will have their own trash service which will be collected curb-site. The garages contain adequate space for trash containers to be kept when not being collected.	YES
Pedestrian Circulation		
60.05.20.3.A Link to adjacent facilities	Pedestrian circulation is provided to the existing sidewalk system from each attached dwelling unit via the driveway and/or pedestrian path to the front door.	YES
60.05.20.3.B Direct walkway connection	Pedestrian circulation is provided to the existing sidewalk system from the primary building entrances.	YES
60.05.20.3.C Walkways every 300'	No street frontage is greater than 300' in length.	N/A
60.05.20.3.D Physical separation	There are no parking lots, therefore no crossing of parking lots is required.	N/A
60.05.20.3.E Distinct paving	The applicant proposes paved pathways.	YES
60.05.20.3.F 5' minimum width	The proposed pedestrian walkways are a minimum of 5' in width.	YES
Street Frontages and Parking Areas		
60.05.20.4.A Screen from public view	There are no parking lots associated with the development.	N/A
Parking and Landscaping		
60.05.20.5.A.-D Parking area landscaping	No parking lots are proposed. Parking is provided in private garage and driveway spaces for each attached single-family dwelling.	N/A

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

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping		
60.05.25.1-4 Residential Open Space	The proposal is part of the larger PUD, which has met overall open space requirements for each phase of development. No changes are proposed.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	Proposed retaining walls have been constructed and have been architecturally treated in a decorative pattern.	YES
Fences and Walls		
60.05.25.9 Fences and Walls	Fences are not proposed for the attached residential properties, as retaining walls have been constructed.	N/A
Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10 Minimize grade changes	The applicant states the site has already been graded as approved under the South Cooper Mountain Heights PUD, and no new grading is requested.	N/A
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	Above ground water quality facilities are located through the development in tracts and are not located in front yards of buildings.	YES
Natural Areas		
60.05.25.12 Encroachment into buffer areas.	Clean Water Services has issued a Service Provider Letter for the proposed development. Natural areas have been reviewed with the PUD approval. All natural resource areas have already been placed into tracts as part of the overall PUD.	N/A
Landscape Buffering Requirements		
60.05.25.13.C Landscape buffering between contrasting zoning districts	Adjacent properties are tracts and public streets. All properties are within the same PUD and are designed to function together as one development, regardless of zoning district.	N/A

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A-D Lighting complies with the City's Technical Lighting Standards	The applicant has provided a lighting plan with photometric details for the attached single-family buildings which show compliance with the Technical Lighting Standards. No vehicular circulation areas or pedestrian plazas are proposed.	YES
Pedestrian-scale on-site lighting		
60.05.30.2.A-C Pedestrian Lighting	No pedestrian plazas or pedestrian circulation areas are proposed as the development consists of attached single family residential.	N/A

CONDITIONS OF APPROVAL
South Cooper Mountain Heights Townhomes (Phase 4) Modifications
ADJ2018-0003 / ADJ2018-0005 / DR2018-0067

ADJ2018-0003 Minor Adjustment (Rear Garage)

1. All conditions of approval from South Cooper Mountain Heights PUD Modifications (CU2017-0005 / LD2017-0006 / LD2017-0014 / TP2017-0011) shall remain effective as applicable. This proposal does not alter, modify or repeal any conditions of approval related to the Phase 4 approval. (Planning / SLF)
2. Approval of ADJ2018-0003 is subject to approval of DR2018-0067. (Planning / SF)

ADJ2018-0005 Minor Adjustment (Front Yard)

1. All conditions of approval from South Cooper Mountain Heights PUD Modifications (CU2017-0005 / LD2017-0006 / LD2017-0014 / TP2017-0011) shall remain effective as applicable. This proposal does not alter, modify or repeal any conditions of approval related to the Phase 4 approval. (Planning / SLF)
2. Approval of ADJ2018-0005 is subject to approval of DR2018-0067. (Planning / SF)

DR2018-0067-Design Review Two

A. Prior to Occupancy Permit Issuance

1. Required street trees shall be planted or a fee-in-lieu shall be paid. The fee-in-lieu is calculated based on the current street tree fee at 1 tree per 30 lineal feet of sidewalk within the phase area. (Planning / SF)
2. Approval of DR2018-0067 is subject to approval of ADJ2018-0003 and ADJ2018-0005. (Planning / SF)
3. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning / SF)

4. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning / SF)
5. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in the Conditions of Approval (On file at City Hall). (Planning/SF)
6. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall) (Planning Div./ SF)
7. The applicant shall provide proof of recording of the final plat creating the townhome lots, as previously approved by LD2017-0006. (Planning / SF)

**** END OF CONDITIONS ****