



Community Development Department
Planning Division
12725 SW Millikan Way
Beaverton, OR 97006
General Information: (503) 526-2222 V/TDD
www.BeavertonOregon.gov

To: Interested Parties
From: City of Beaverton, Community Development Department
Date: October 10, 2019
Subject: **DR2019-0104 South Cooper Mountain Heights Multi-Family Spanos Modifications**

Please find attached the Notice of Decision for the South Cooper Mountain Heights Multi-Family Spanos Modifications, case file number DR2019-0104. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for DR2019-0104 South Cooper Mountain Heights Multi-Family Spanos 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 DR2019-0104 is 4:30 p.m., October 22, 2019.

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 Jana Fox, Current Planning Manager, at (503) 526-3710.



STAFF REPORT

STAFF REPORT DATE: October 10, 2019

TO: Interested Parties

FROM: Jana Fox, Current Planning Manager

PROPOSAL: **South Cooper Mountain Heights Multi-Family - Spanos Modifications (DR2019-0104)**

LOCATION: The subject site is located on the north side of SW Scholls Ferry Road, east of SW 175th Avenue, specifically identified as Tax Lot 200 of Washington County Assessor Tax Map 2S106AC.

NEIGHBORHOOD: Neighbors Southwest

ZONING: Urban High Density (R1)

SUMMARY: The applicant, A.G. Spanos Companies, is seeking Design Review Two approval to modify a previously approved 283 unit multi-family residential development. The applicant proposes to reduce the number of proposed units to 269 by reducing the size of two buildings, add a small parking lot between the two buildings to increase the number of parking spaces provided on site, and associated site changes.

APPLICANT/
PROPERTY OWNERS: A.G. Spanos Companies
Attn: Jared Mauch
10220 SW Greenburg Rd. Suite 530, Building 2
Tigard, OR 97223

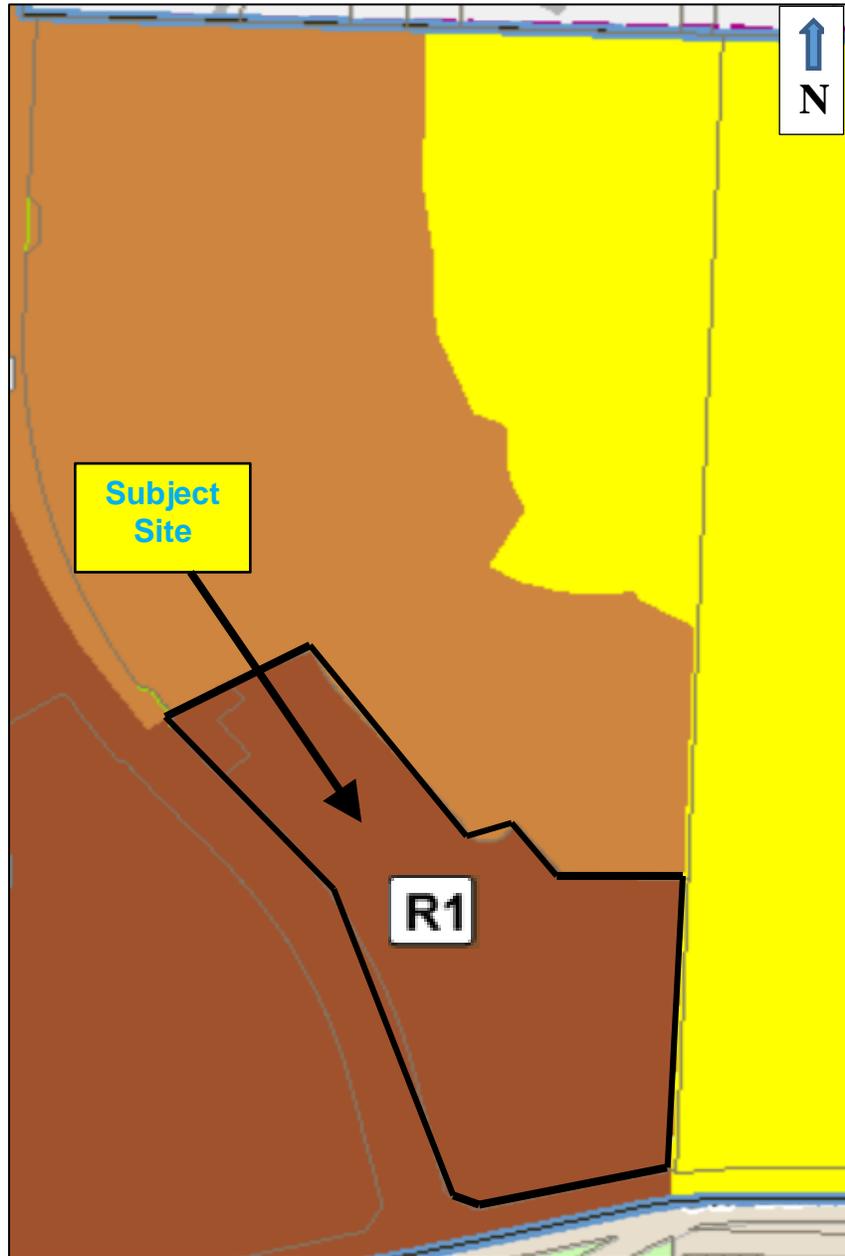
APPLICANT'S
REPRESENTATIVE: Otak, Inc.
Attn: Li Alligood & Steve Dixon
800 SW Third Avenue, Suite 300
Portland, OR 97204

RECOMMENDATION: **APPROVAL** of **South Cooper Mountain Heights Multi-Family – Spanos Modifications (DR2019-0104)** subject to conditions identified Attachment C of this report.

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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 Multi-Family – Spanos Modifications
DR2019-0104**

Aerial Map



**South Cooper Mountain Heights Multi-Family – Spanos Modifications
DR2019-0104**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
DR2019-0104	July 9, 2019	September 11, 2019	January 9, 2020	September 10, 2020

*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 High Density Residential (R1)	
Current Development	The site is approved for 283 multi-family units through previous Design Review and PUD approvals with a second lot for additional multi-family development.	
Site Size & Location	±11 Acres	
NAC	Neighbors Southwest	
Surrounding Uses	<u>Zoning:</u> North: Urban Medium Density (R2) 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 subject site is part of the South Cooper Mountain Heights PUD. The South Cooper Mountain Heights PUD received Planning Commission approval on February 3, 2016 for the construction of 721 dwelling units to be constructed in five (5) Phases. The project, as approved included a mix of housing types, ranging from single-family detached (271 units), to single-family attached (110 townhomes), and multi-family (340 apartment) units. Land Use Applications: CU2015-0006 / DR2015-0071 / LD2015-0013 / TP2015-0008 / ZMA2015-0006 (South Cooper Mountain Heights PUD)

On December 8, 2017 A Design Review Three was approved for the multi-family portion of the development (Phase 5) of the PUD, which included seven (7) multi-family residential apartment buildings, and one (1) clubhouse, each approximately 2-5 stories, and the clubhouse proposed at one (1) story. A total of 340 dwelling (apartment) units were approved, in addition to various open space amenities, a community trail adjacent to the resource area to the east, a multi-use pathway to the north along Street F, and parking intended for vehicles and bicycles. Land Use Application: DR2017-0094 (South Copper Mountain Heights Multi-Family).

On March 16, 2018 Modifications to the approved South Cooper Mountain Heights PUD were approved by the Planning Commission. The proposal included entirely new updated conditions of approval for the PUD to reflect changes in proposed phases and the addition of units to the single family portions of the development. Land Use Applications: CU2017-0005 / LD2017-0006 / LD2017-0014 / TP2017-0011 (South Cooper Mountain Heights PUD Modifications).

On July 19, 2018 A Design Review Three and Director's Interpretation for Phase 5 of the South Cooper Mountain Heights PUD was approved to lower the required density to 310 units and modify the propose building designs. Land Use Applications: DR2018-0061 / DI2018-0002 (South Cooper Mountain Heights Multi-Family Heights Modifications).

On May 13, 2019 a Design Review Three, Preliminary Partition, and Modification of a Decision application were approved for South Cooper Mountain Heights Multi-Family Spanos was approved for a new layout and design of the multi-family portion of the SCM Heights PUD. This proposal included construction of 283 multi-family units and the creation of a second parcel to allow the construction of the remaining 27 unit in the future. Land Use Application: DR2018-0165 / LD2018-0039 / LD2018-0040 (South Cooper Mountain Heights Multi-family – Spanos).

Project Overview

The applicant, A.G. Spanos Companies, proposes to modify a previously approved new multi-family development (a portion of Phase 5 of South Cooper Mountain Heights PUD) to reduce the number of units by 14 from 283 to 269 with the addition of a small parking lot between buildings 3 and 4. The scope of this Design Review Two is limited to the removal of 14 units from buildings 3 and 4 and the addition of the parking area and associated improvements.

**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
South Cooper Mountain Heights Multi-Family-Spanos
DR2018-0165 / LD2018-0039 / LD2018-0040**

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 applications as identified below:

- **All twelve (12) criteria are applicable to the submitted Design Review Two application as proposed.**

Proposal

The applicant proposes to revise an approved development to shorten the length of two buildings by reducing the number of proposed dwelling units from 283 to 269, and adding a small parking lot. Limited site and landscaping changes are proposed.

- 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 applicant proposes to revise an approved development to shorten the length of two buildings by reducing the number of proposed dwelling units from 283 to 269, and adding a small parking lot. Limited site and landscaping changes are proposed. All other previously approved buildings and site improvements are to remain unchanged. All conditions of approval from DR2018-0165 / LD2018-0039 / LD2018-0040 remain in effect.

Public Water, Sanitary Sewer and Storm

The applicant is not proposing to modify any proposed public water, sanitary, or storm facilities. All conditions of approval from DR2018-0165 / LD2018-0039 / LD2018-0040 remain in effect.

Transportation

The multifamily portion of the South Cooper Mountain Heights PUD is bordered by SW 175th Avenue on the west and SW Scholls Ferry Road on the south, both of which are Arterial Streets under the operational and maintenance jurisdiction of Washington County. Access to the site is from SW 172nd Terrace. An emergency vehicle only connection is provided to SW 175th Avenue which is not available for public vehicular access. Bicycle and pedestrian connections are provided to and through the site as well as along the north-south trail to the east, adjacent to the natural resource area. The applicant's proposal will not increase anticipated vehicular trips to the site. The PUD approval which anticipated 340 dwelling units on the multi-family site and currently only 269 are proposed, therefore not TIA is required.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue (TVF&R). TVF&R has reviewed the proposal and provided conditions of approval specific to this modification request. Staff recommends a condition of approval that the applicant comply with the requirements of TVF&R SPL #2019-0010.

With the recommended conditions of approval, the Committee finds that the proposal will provide the fire-related 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 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.

Schools

The proposed development is within the Beaverton School District (BSD) boundaries and will be served by Scholls Heights Elementary School (16400 SW Loon Drive); Conestoga Middle School (12250 SW Conestoga Drive), and Mountainside High School (SW Scholls Ferry and SW 175th Avenue).

At the time of original application review for the South Cooper Mountain Heights PUD, a Service Provider Letter (dated July 30, 2015), was provided to staff by the BSD which addressed the anticipated impacts of the proposed PUD, including the multi-family portion of Phase 5 on the designated schools. Staff anticipates the number of students to be less

as a result of the proposed modifications to Phase 5, where the applicant proposes reducing the number of units from the originally approved 340 to 310 units. Subsequently the SCM Heights Multi-Family Spanos project was approved with 283 units (269 units are currently proposed with this modification to phase 5). The reduction in units proposed at this time is consistent with the July 30, 2015 SPL provided by Beaverton School District.

Parks

The site will be served by the Tualatin Hills Park and Recreation District (THPRD). The entire PUD site was annexed to THPRD in 2015, including the subject multi-family site. The PUD has identified a 2.7 acre Neighborhood Park site to the east of the subject multi-family project site.

Transit Improvements

Currently the site is not served by transit. The nearest bus stop is the South Beaverton Express, Line 92 (approximately 1.2 miles away) which stops at the intersection of SW Teal Boulevard/SW Scholls Ferry Road/SW Horizon Boulevard. Line 62 stops at SW Murray Boulevard and SW Scholls Ferry Road, and is a bit further to the east than Line 92.

Pedestrian and Bicycle Facilities

The applicant proposes to expand the pedestrian plaza between buildings 3 and 4 and add a parking lot adjacent to the pedestrian plaza with 18 additional parking spaces. The remaining pedestrian and bicycle facilities remain unchanged.

Police

The City of Beaverton Police will continue to serve the development site.

Open Space

The applicant does not proposed to modify the proposed open space or open space conditions.

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

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 High Density (R1) zone as applicable to the above-mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the proposed zone.

Therefore, the Committee finds that 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.

...Off-Street Parking (Section 60.30)

Attached Dwellings have a minimum of 1.25 to 1.75 spaces per unit, depending on the number of bedrooms. There are 174 one (1) bedroom units (1.25 x 174 = 217.5 spaces), 80 two (2) bedroom units (1.5 x 80 = 120 spaces), and 15 three (3) bedroom units (1.75 x 15 = 26.25 spaces) for a total of 364 required parking spaces. The applicant states that a total of 394 standard parking spaces are provided. In addition 54 spaces are provided which are either compact or parallel along the private drives on the site. The applicant is also providing for bicycle parking, both long-term and short-term. Long-term is proposed to accommodate 269 bicycles (1 per dwelling unit) within each unit and in addition 250 spaces are provided in bike rooms throughout the site. Short term bike parking is required at a ratio of 1 bike parking space per 20 dwelling units, for a total of 14 required short term bicycle parking spaces. The applicant proposes to accommodate 14 short term bicycle parking spaces on site.

Transportation Facilities (Section 60.55)

The proposed multi-family 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.

The streets generally provide for safe and efficient circulation and access for motor vehicles, bicycles, and pedestrians. Bicycle and pedestrian connections generally 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.

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 states that a property management company will be employed by the owner or owners of the proposed multifamily buildings and will be responsible for the continued maintenance of the private common facilities. Staff finds that the proposal as designed would allow for adequate maintenance of the proposed common facilities.

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

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

The applicant proposes to expand the pedestrian plaza between buildings 3 and 4 and add a parking lot adjacent to the pedestrian plaza with 18 additional parking spaces. The remaining pedestrian and bicycle facilities remain unchanged. The applicant does not propose to modify the existing vehicular circulations systems on the site beyond adding the additional parking area which is accessed off the main vehicular drive.

Staff finds that the proposed vehicular and pedestrian circulation systems within the proposed development are safe and efficient.

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.*

The applicant's plans show that no modifications are proposed to the approved vehicular, pedestrian, or bicycle connections to the surrounding street system.

Staff finds that the proposed vehicular and pedestrian circulation systems connect in a safe, efficient, and direct manner.

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. Preliminary comments and conditions of approval have been received from Tualatin Valley Fire and Rescue District (TVF&R), which are incorporated herein.

All building permits will be issued by the City of Beaverton Building Division of the Community Development Department and must comply with State of Oregon Building Code(s) and codes published by the International Code Council, as applicable.

The Committee concludes that, subject to meeting the conditions of approval, the site can be designed in accordance with City codes and standards and provide adequate fire protection.

Therefore, the Committee finds that by meeting the conditions of approval, 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), 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.

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 subject to the standards of Section 60.15.10 of the Development Code. Grading for new streets must meet the applicable standards of Chapter II Streets, Chapter VII Bicycle and Pedestrian Facilities, and Chapter VII Standard Drawings of the Engineering Design Manual (EDM).

The applicant does not propose any additional grading or contouring outside the previously approved building area which would have an adverse impact on adjacent or public properties or systems.

Therefore, the Committee finds 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. The applicant has indicated that the street network and facilities are designed in accordance with the 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.

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.

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 on July 9, 2019. Staff deemed the application complete on September 11, 2019. 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.

Therefore, the Committee finds the proposal meets the criterion.

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)			
R1	Permitted	Multifamily Dwellings	YES
Development Code Section 20.25.05 – Density Calculations			
Minimum Residential Density	Minimum Density: 310 units Maximum Density: 502 units	The applicant proposes to currently construct 269 units on the southern portion of the development site and propose to create separate parcel which can accommodate, at minimum the additional 41 units required to meet minimum density. The applicant has provided a plan showing how the required 41 units, associated parking and landscaping can be accommodated on the northern parcel which is not currently proposed for development.	YES w/COA
Development Code Section 20.05.15 (Site Development Standards)			
Minimum Lot Area	R1 - 1,000 sq. ft. / DU	Adjusted with approved PUD	YES
Minimum Yard Setbacks	Required: Front Yard: 10 feet Side Yard: 5 feet Rear Yard: 15 feet	The applicant proposes an 105-foot front yard setback from SW Scholls Ferry Road; 511 foot side setback from SW 175 th Avenue, and a 70 foot rear setback.	YES
Maximum Building Height	R1 – 60 feet	59 feet 9 inches	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	Minimum: 364 Maximum: 503	The applicant proposes 394 parking spaces, more than the minimum and less than the maximum.	YES
Required Bicycle Parking	Short Term Spaces: 14 Long Term Spaces: 269	The applicant has provided the required bicycle parking.	YES
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
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	No Tree Plan application submitted for the multi-family site.	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.	YES

Development Code Section 60.67 Significant Natural Resources

Significant Natural Resources	Regulations pertaining to Significant Natural Resources	The applicant has provided a natural resources study as part of the overall PUD approval, which includes the Multi-Family portion. The applicant will be required to comply with the South Cooper Mountain Plan, which identifies natural resources in the vicinity of the subject site.	YES
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**DR2019-0104
ANALYSIS AND FINDINGS FOR
DESIGN REVIEW TWO APPROVAL**

Section 40.03.1 Facilities Review Approval 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:

Facilities Review Approval Criteria Section 40.03.1.A-L

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets Criteria A-L, and therefore meets the criterion for approval.

Therefore, the Committee finds that the proposal meets the criteria.

Section 40.20.15.2.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 reduce the number of proposed dwelling units from 283 to 269 and provide an additional 18 parking spaces in a new parking lot between buildings 3 and 4. Therefore, this proposal meets Threshold 7, below, and is subject to Design Review Two application review.

Any new or change to existing on-site vehicular parking, maneuvering, and circulation area which adds paving or parking spaces.

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 associated fee for a 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.*

The applicant submitted the application on July 9, 2019 and was deemed complete September 11, 2019. In the review of the materials during the application review, staff finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

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

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

Staff cites the findings in the Design Review Standard Analysis chart in this report which evaluate the project in response to applicable Code standards of Sections 60.05.15 through 60.05.30 (Design Standards). In part, the chart provides a summary response to design review standards determined to be applicable in the subject case. The applicant's plans and materials show compliance with these standards.

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

5. For additions to or modifications of 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:

Staff cites the Design Review Standard Analysis chart which evaluates the proposal's compliance with Design Review Standards. The applicant's plans and materials show compliance with these standards.

Therefore, staff finds 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 Type Two application and no other applications are required of the applicant for this stage of City approvals.

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

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **DR2019-0104 (South Cooper Mountain Heights Multi-Family – Spanos Modifications)**, subject to the proposed conditions of approval in Attachment C.

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 Maximum length of attached residential buildings – 200 feet.	Buildings 3 and 4 are 199' 10", less than 200 feet in length.	YES
60.05.15.1.B Min. 30% articulation for buildings visible from / within 200 feet of street.	The applicant states that street facing elevations contain permanent architectural features including windows, offsetting walls, and changes in material type. Each feature exceeds 25 square feet and comprises more than 30% of each respective façade.	YES
60.05.15.1.C Max 40' space between architectural features.	The applicant states that each of the buildings' elevations are well-articulated and maximum spacing between architectural features is less than 40 feet.	YES
60.05.15.1.D Maximum 150 sq. ft. undifferentiated blank walls facing streets.	The applicant states that elevations are well articulated and do not have more than 150 feet of undifferentiated blank walls.	YES
Roof Forms		
60.05.15.2.A Min roof pitch = 4:12	The applicant states that all buildings have sloped roofs that feature a pitch of 4/12 or greater.	YES
60.05.15.2.B Roof eave for pitched roof must be at least 12"	The applicant states that all buildings have a minimum 1 foot eave projecting from the building.	YES
Primary Building Entrances		
60.05.15.3.A Weather protection for primary entrance (6 feet wide by 4 feet deep)	The applicant has provided weather protection for the primary building entrances of all buildings.	YES
Exterior Building Materials		
60.05.15.4.A Residential double wall construction	All proposed buildings are to be comprised of double-wall construction as defined by the Development Code in Chapter 90.	YES
Roof-Mounted Equipment		
60.05.15.5.A through C Equipment screening	Roof mounted equipment is proposed at one location and is screened by raised walls and parapets.	YES

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	Connections to the public street system are not proposed to be modified with this application.	YES
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A-D Screening of waste facilities and loading docks.	Each multi-family building will have internal areas devoted to solid waste and recycling facilities. No loading areas are proposed or required.	YES
Pedestrian Circulation		
60.05.20.3.A Links to adjacent pedestrian facilities (existing and planned)	Pedestrian circulation is provided to the sidewalk system evaluated as part of the associated PUD. The multi-family residential development plan connects to the planned pedestrian pathways, including the 10-foot wide community trail running north to south at the eastern side of the project area which is not proposed to be modified.	YES
60.05.20.3.B Direct walkway connection between primary entrances and public / private streets and other pedestrian destinations.	Pedestrian circulation is provided to the proposed sidewalk system from the primary building entrances to proposed public and private streets, as previously approved.	YES
60.05.20.3.C Walkways provided for every 300 feet of street frontage.	The area of the proposed modifications is not adjacent to public street frontage. No modifications to connections to the public street system are proposed.	YES
60.05.20.3.D Pedestrian connections through parking lots physically separated by use of curbs, landscaping, trees...	The applicant proposes differentiated pedestrian crossings through raised connections, curbs, or landscaping.	YES
60.05.20.3.E Distinct paving for pedestrian walkways.	The applicant proposes concrete or non-asphalt pathways to distinguish pedestrian pathway from asphalt vehicle drive aisles and parking lots.	YES
60.05.20.3.F 5' minimum width / ADA	The proposed pedestrian walkways are a minimum of 5 feet in width to meet the standard.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Landscape to Street Frontages and Parking Areas		
60.05.20.4.A Six foot perimeter landscaping between parking lot and abutting public street OR a solid wall or fence with landscape and ground cover next to wall.	Surface parking areas do not abut public streets.	N/A
Parking and Landscaping		
60.05.20.5.A 1 Landscape island per 8 parking spaces.	Landscaped planter islands are provided in the new parking lot area. No changes to previously approved landscape islands are proposed.	YES
60.05.20.5.B 70 sq. ft.	All proposed landscape islands are a minimum of 70 square feet and contain a tree and other vegetation.	YES
60.05.20.5.C Raised Sidewalks	Raised sidewalks are not proposed to be counted towards the number of landscape islands.	N/A
60.05.20.5.D Trees from Street Tree List	All proposed trees will comply with City requirements.	YES

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

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Open Space		
60.05.25.3.A-I Minimum Landscape Area and Standards	The proposal is recognized as part of a larger PUD which supersedes the Design Review provisions of this section. Open space for entire PUD has been evaluated. The development plan for Phase 5 does not alter that portion of the plan identified for common open space. No reductions in in open space area proposed.	YES
Minimum Landscaping		
60.05.25.4.A-D Landscaping standards for attached residential.	The applicant proposes an additional landscape plaza between the parking lot and building 3. No reductions in required landscaping is proposed.	YES
60.05.25.4.E Minimum number of	The applicant proposes a total of 129,059 square feet of landscaping, which includes	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
trees, shrubs, and ground cover.	330 trees (one tree every 391 square feet); 967 shrubs, which is equivalent to 1 shrub for every 134 square feet of landscaping. Proposed live ground cover includes 41,794 square feet. All inert materials are limited to less than 25 percent of the landscaped area.	
60.05.25.4.F Pedestrian Plaza materials.	The applicant proposes a pool with a plaza, the paved portion comprises less than 25% of the overall landscaping.	YES
Retaining Walls		
60.05.25.8 Retaining Walls greater than 6 feet in height or 50 feet in length.	The applicant states that no retaining walls are in excess of six feet in height. The proposed retaining walls will be incorporated into the landscape plan. The applicant proposes texture and pattern on the retaining walls to minimize visual impact. Landscape plantings will further soften the visual impact of proposed walls.	YES
Fences and Walls		
60.05.25.9.A-E Fences and Walls Materials	The applicant states that retaining walls will be constructed of materials commonly used in walls and will not exceed 3 feet in height in a required front yard. The applicant also identifies a split-rail fence along the natural resource area and trail. If required the stormwater facility will be fenced.	YES
Minimize Significant Changes to Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10.A-C Maximum grade differential changes to abutting residential.	The Proposed project is adjacent to residentially zoned property (R5 and R2), which comprises the South Cooper Mountain Heights PUD residential units. No additional grading within 25 feet of a residentially zoned property line is proposed..	YES
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	The applicant does not propose to modify the approved stormwater facilities.	N/A
Natural Areas		
60.05.25.12 Encroachment into buffer areas.	No modifications to approved encroachments into natural areas are proposed.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Landscape Buffering Requirements		
60.05.25.13.A-D Landscape buffering between contrasting zoning districts	Abutting properties east of the project site are zoned R2 and R5. The R2 portion of the site across the street from the townhomes has a minimum 5 foot buffer of landscaping meeting the B1 buffer requirement. The area abutting the R5 is separated by a natural feature from the R5, meeting the buffer requirements.	YES

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 Lighting complies with the City's Technical Lighting Standards	The applicant provides a lighting plan with photometric details which show general compliance with the City's Technical Lighting Standards for minimum and maximum illumination. Portions of the lighting plan, such as those adjacent to the pool area, are not shown. Previous Design Review approval require a revised lighting plan that shows compliance with the Technical Lighting Standards prior to Site Development Permit issuance. This condition remains in effect.	YES
60.05.30.1.B Lighting provided in vehicular and pedestrian circulation areas	The applicant proposes lighting of vehicular and pedestrian circulations areas with the exception of the plaza area, which requires pedestrian scale lighting. Previous Design Review approval require a revised lighting plan that shows compliance with the Technical Lighting Standards prior to Site Development Permit issuance. This condition remains in effect.	YES
60.05.30.1.C Lighting provided in pedestrian plazas	The applicant's plan does not show lighting of the pedestrian plaza area around the pool or the pedestrian walkway between SW 172 nd and SW 175 th . Previous Design Review approval require a revised lighting plan that shows compliance with the Technical Lighting Standards prior to Site Development Permit issuance. This condition remains in effect.	YES
60.05.30.1.D Lighting shall be provided at building entrances	The applicant proposes lights at all building entrances.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.30.1.E Canopy Lighting shall be recessed so that the bulb or lens is not visible from a public right-of-way	Canopy lighting is proposed and shall be recessed in accordance with this standard.	YES
Pedestrian-scale on-site lighting		
60.05.30.2.A Pedestrian Lighting	Applicant describes luminaries as provided for pedestrian areas, including bollards and pole mounted lights. Proposed lights comply with the height limitations described. Lighting must comply with the City's Technical Lighting Standards, per the condition of approval previously discussed.	YES
60.05.30.2.B Compliance with Technical Lighting Standards	The applicants plans show general compliance with the City's Technical Lighting Standards, some modifications are necessary. Previous Design Review approval require a revised lighting plan that shows compliance with the Technical Lighting Standards prior to Site Development Permit issuance. This condition remains in effect.	YES
60.05.30.2.C Bollard Max Height is 48 inches.	Bollard lights are proposed to be less than 48 inches in height.	YES

CONDITIONS OF APPROVAL

DR2019-0104 (Design Review Two)

A. General Conditions:

1. All conditions of approval from South Cooper Mountain Heights Multi-Family – Spanos approval (DR201-0165 / LD2018-0039 / LD2018-0040)remain effective in their current form, unless altered through a Modification of a Decision application. (Planning / JF)

B. Prior to Issuance of Revised Site Development Permits, the applicant shall:

2. Submit revised site plans and meet all conditions of approval as outlined in land use case file DR2018-0165, LD2018-0039, LD2018-0040.

C. Prior to Final Occupancy, the applicant shall:

3. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF)
4. Ensure construction of all buildings, walls, fences and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/JF)