



Community Development Department
Planning Division
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STAFF REPORT

STAFF REPORT DATE: November 29 2017

HEARING DATE: December 6, 2017

TO: Planning Commission

FROM: Sandra Monsalvè-Freund, AICP, Planning Supervisor /
Development Process Coordinator

PROPOSAL: **South Cooper Mountain Heights PUD Modifications
(CU2017-0005 / LD2017-0006 / LD2017-0014 / TP2017-0011)**

LOCATION: The subject properties are located on the north side of SW Scholls Ferry Road, east of SW 175th Avenue, and west of Loon Drive on Washington County Tax Assessor's Map # 2S106 Tax Lot 103 and Washington County Tax Assessors Map # 2S106AB Tax Lots 100 and 200.

NEIGHBORHOOD: Neighbors Southwest

ZONING: Urban High Density (R1), Urban Medium Density (R2, R4) and Urban Standard Density (R5, R7)

SUMMARY: The applicant, West Hills Development, has submitted modifications to the approved South Cooper Mountain Heights Planned Unit Development, originally approved in February 2016. Applications include a Minor Modification of a Conditional Use-PUD to CU2015-0006 to add 10 additional single family lots; Modification of a Decision to a Land Division-Preliminary Subdivision, LD2015-0013 to modify previously approved conditions of approval related to the timing of critical facilities/infrastructure improvements and proposed Phases; Land Division-Preliminary Partition for a 3-Lot Partition of Tax Lot 103 (Dyches Property) which encompasses the entire east parent parcel which will eventually contain portions of Phases 2A and 2B and all of Phase 3; and a Tree Plan Two for the removal of 4 additional trees, 3 within a significant resource area. This report will reflect the proposed modifications and changes to approval criteria herein resulting from the modifications.

APPLICANT/
REPRESENTATIVE:

West Hills Development /
735 SW 158th Avenue
Beaverton, OR 97006

Otak, Inc.
800 SW Third Avenue, Suite 300
Portland, OR 97204

PROPERTY OWNERS:

Dyches Family, LLC
13784 SW Fern St.
Tigard, OR 97223

Crescent Grove Cemetery Assoc.
9925 SW Greenburg Road
Tigard, OR 97223

Arbor Cooper Mtn. LLC
732 SW 158th Ave
Beaverton, OR 97006

STAFF RECOMMENDATIONS:

CU2017-0005 (South Cooper Mountain Heights PUD):

Approval subject to conditions identified at the end of this report.

LD2017-0006 (South Cooper Mountain Heights PUD):

Approval subject to conditions identified at the end of this report.

LD2017-0014 (South Cooper Mountain Heights PUD):

Approval subject to conditions identified at the end of this report.

TP2017-0011 (South Cooper Mountain Heights PUD):

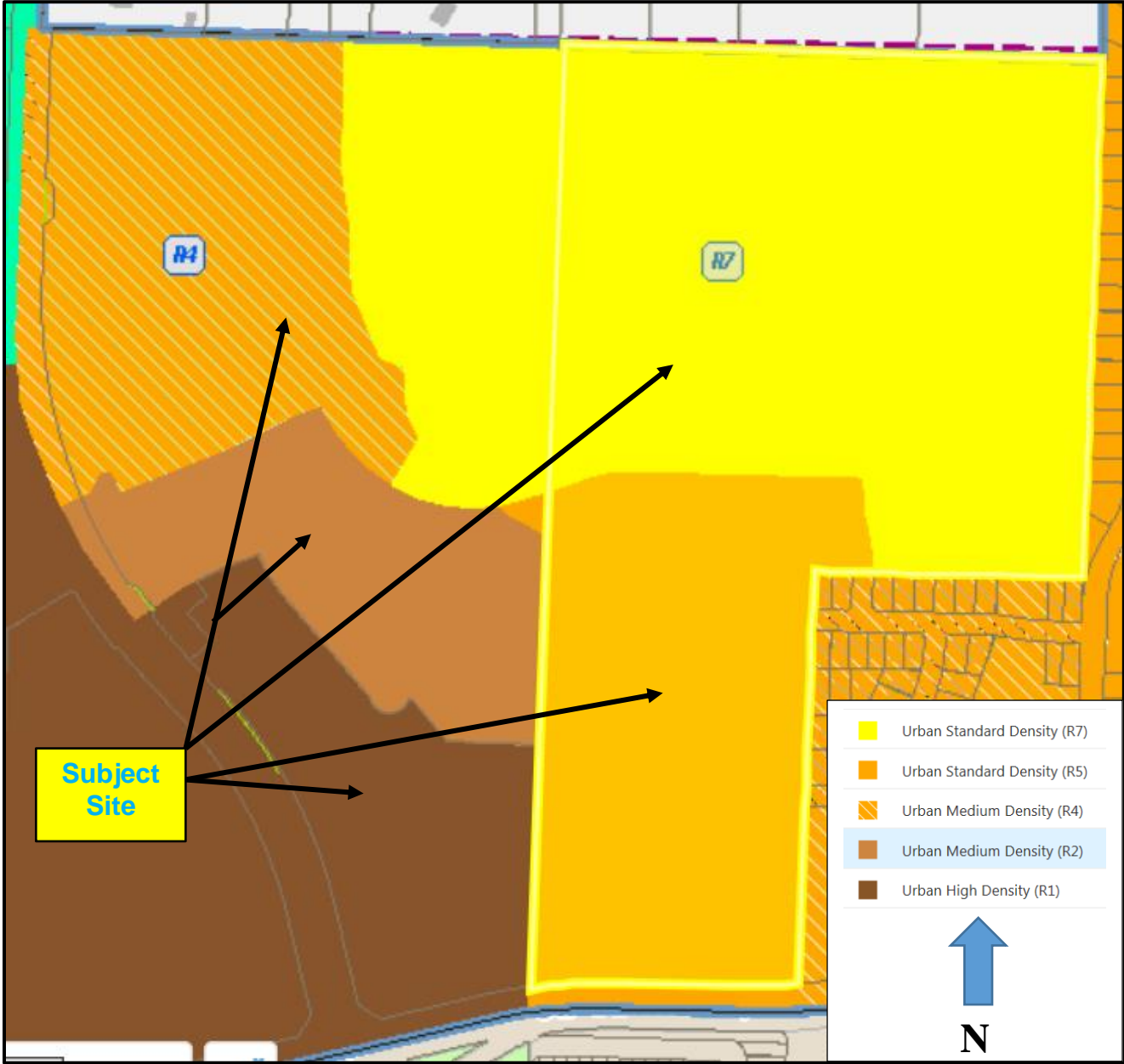
Approval subject to conditions identified at the end of this report.

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Attachment D: LD2017-0014 <i>Preliminary Partition (Type 2)</i>	LD2017-0014 1-4
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Exhibit 1: Exhibits by City Staff Exhibit 1.1 Zoning Map Exhibit 1.2 Aerial Map	Page Number: SR4 – SR5
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Zoning Map



**South Cooper Mountain Heights PUD
CU2017-0005, LD2017-0006, LD2017-0014, TP2017-0011**

Aerial Map



**South Cooper Mountain Heights PUD
CU2017-0005 / LD2017-0006 / LD2017-0014 / TP2017-0011**

BACKGROUND FACTS

Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	240-Day*
CU2017-0005	May 3, 2017	August 9, 2017	December 7, 2017	April 6, 2018
LD2017-0006	May 3, 2017	August 9, 2017	December 7, 2017	April 6, 2018
LD2017-0014	July 12, 2017	August 9, 2017	December 7, 2017	April 6, 2018
TP2017-0011	July 12, 2017	August 9, 2017	December 7, 2017	April 6, 2018

*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); Urban Medium Density Residential (R2, R4); Urban Standard Density Residential (R5, R7)	
Current Development	The site is currently undeveloped and consists of three tax lots.	
Site Size & Location	109 Acres	
NAC	Neighbors Southwest	
Surrounding Uses	<p><u>Zoning:</u> North: Washington County Rural Residential (AF5/AF10)</p> <p>South: Urban Standard Density (R5)</p> <p>East: Urban Medium Density (R4) and Urban Standard Density (R5)</p> <p>West: Urban High Density (R1) and Washington County Interim Zoning</p>	<p><u>Uses:</u> North: Rural Residential</p> <p>South: Rural Residential</p> <p>East: Rural Residential</p> <p>West: New High School and undeveloped land north of High School site.</p>

South Cooper Mountain Heights PUD Summary (CU2015-0006, DR2015-0071, LD2015-0013, TP2015-0008, ZMA2015-0006)

The applicant, West Hills / Arbor Homes, was approved in February 2016 to develop a 721 unit residential Planned Unit Development (PUD) on two parcels of land within the South Cooper Mountain Community Planning area. The project site is on the north side of SW Scholls Ferry Road and immediately east of SW 175th Avenue, and will extend east to SW Loon Drive, on approximately 109 acres of undeveloped land. The proposed development will connect to existing local streets within the neighboring Churchill Forest development, including SW Oystercatcher Lane and SW Moorhen Way.

The approved PUD project will include a mix of housing types ranging from 271 detached single-family homes; 110 attached single-family homes (townhomes), and a 340-unit multi-family apartment development at the southeast corner of SW 175th Avenue and SW Scholls Ferry Road. Proposed lot sizes will range from 1,950 square feet (0.04 acres) up to 13,650 square feet (0.31 acres), and include a variety of home styles, as required by the South Cooper Mountain Community Plan and Section 60.35, *Planned Unit Development*, of the Beaverton Development Code

Summary of Requested Modifications (CU2017-0005 / LD2017-0006 / LD2017-0014 / TP2017-0011)

Currently there are site development permits issued for the entire west side of the project site (Tax Lot 100) where earth work is currently underway in order to start construction on the townhomes included in Phase 4. The applicant has submitted applications in order to modify the approved PUD with minor changes and as a result is required to go through the Planning Process for approval of the proposed changes, per Section 50.95 of the Development Code. The submitted land use applications are as follows:

1. Minor Modification of a Conditional Use-PUD to CU2015-0006 to add 10 additional single family lots and split Phase 2 into 2A and 2B;
2. Modification of a Decision to a Land Division-Preliminary Subdivision to LD2015-0013 to modify previously approved conditions of approval related to the timing of critical facilities/infrastructure improvements and proposed Phases;
3. Land Division-Preliminary Partition for a 3-Lot Partition of Tax Lot 103 (Dyches Property) which encompasses the entire east parent parcel which will eventually contain portions of Phases 2A and 2B and all of Phase 3; and
4. Tree Plan Two to remove 4 additional trees, 3 from Significant Natural Resource Area (SNRA).

This report will reflect the original PUD review, in addition to the proposed modifications and changes to approval criteria herein resulting from the modifications.

**RECOMMENDATIONS AND CONDITIONS OF APPROVAL
BY THE FACILITIES REVIEW COMMITTEE
South Cooper Mountain Heights PUD
CU2017-0005 / LD2017-0014 / SDM2012-0003 / TP2012-0007/ZMA2015-0006**

Brief Project Summary:

The applicant, West Hills Development, has submitted modifications to the approved South Cooper Mountain Heights Planned Unit Development, originally approved in February 2016. Applications include a Minor Modification of a Conditional Use-PUD to CU2015-0006 to add 10 additional single family lots; Modification of a Decision to a Land Division-Preliminary Subdivision, LD2015-0013 to modify previously approved conditions of approval related to the timing of critical facilities/infrastructure improvements and proposed Phases; Land Division-Preliminary Partition for a 3-Lot Partition of Tax Lot 103 (Dyches Property) which encompasses the entire east parent parcel which will eventually contain portions of Phases 2A and 2B and all of Phase 3; and a Tree Plan Two to remove 4 additional trees from significant resource areas. This report will reflect the original PUD review, in addition to the proposed modifications and changes to approval criteria herein resulting from the modifications.

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 Conditional Use, and Land Division (Preliminary Partition and Subdivision) applications as submitted.**
- **Facilities Review criteria do not apply to the Tree Plan Two application.**

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.

Water (potable and non-potable), Sanitary Sewer and Storm Drainage:

The applicant indicates that potable water service, which includes water for domestic use and for firefighting, will be provided by the City of Beaverton. Currently, there are two water pressure zones that will serve the project site: the upper pressure zone (675-zone, 675 hydraulic gradeline) and the lower pressure zone (550-zone, 550 hydraulic gradeline). The higher pressure zone water line is to be constructed by the City of Beaverton, beginning at SW Siskin Terrace to the east of the subject site and SW Alvord Lane. In order for that waterline to be continued through the site to serve their development, as well as other developments west of SW 175th Avenue, the applicant will be required to provide a water line easement as well as a temporary construction easement for the water line from the planned waterline stub along the north property line, toward the western portion of the site to SW 175th Avenue. The easement will be required prior to the recording of any final land division (subdivision or partition) or issuance of any additional site development permits. The development of the high pressure water line and other pressure regulating and flow metering facilities is required to serve the Phase 2B development. The easement is also critical to allow for development of other properties to the west of SW 175th Avenue as well as provide a secondary water source for the South Cooper Mountain Community Plan area. Recoding of an easement to the City for the water line would allow the City or another developer to construct the line should it be needed by others prior to completion of phase 2B.

The lower pressure zone water line is currently located in SW Loon Road as well as SW 175th Avenue and can serve the development site. This water line will be connected through Road 6C to form a loop.

The South Cooper Mountain (SCM) Community Plan identifies a conceptual future water system plan (Figure 15 of the SCM Community Plan) that consists of the extension of the 24-inch water line to the north, in addition to the construction of a 16-inch water line from SW Loon/SW Barrows, which will then traverse the subject site from east to west, to SW 175th Avenue. The South Cooper Mountain Community Plan indicates that the new 24-inch water line is planned to ultimately connect to a future 5.5-million gallon water storage reservoir to be constructed next to an existing 5.5-million gallon reservoir and to be located at the top of Cooper Mountain, west of the intersection of SW 175th Avenue/SW Kemmer Road, at 18250 SW Kemmer Road.

A non-potable “purple pipe” water system is part of the non-potable water service required for the development and other properties within the South Cooper Mountain service area, which will provide non-potable water for irrigation and other non-potable water uses, as proposed to and approved by the City. The South Cooper Mountain Heights Site Development permits for Phases 1 and 4 include approved plans and construction of the non-potable purple pipe water system piping. In addition to the purple pipe distribution water system, the non-potable water PRV station (pressure reducing valves and flow metering facility) and the potable to non-potable water system Intertie is required, located on Road 6C, near Tract O, just east of Street F. The PRV station and Intertie are needed to provide water to operate the non-potable purple pipe system for irrigation and other non-potable water uses until the non-potable water source is completed and operating.

The PRV and Intertie are needed permanently as a redundant supply of water to the purple pipe system in the event interruption or loss of non-potable water supply, or pressure from the City’s ASR 3 groundwater well on Loon Drive near SW Scholls Ferry Road, not yet fully complete. The applicant shall be required to construct the purple pipe PRV and Intertie prior to recording of the plat for Phase 1.

Sanitary Sewer:

Also identified in the South Cooper Mountain Community Plan is a conceptual future sanitary sewer system plan (Figure 16 of the SCM Community Plan). There is an existing 21-inch gravity sanitary sewer line located in SW Scholls Ferry Road that has capacity to serve the development. This line will need to be extended to serve the proposed PUD. The extension will need to tie into the existing 12 inch sewer stub across SW Scholls Ferry Road east of SW 175th Avenue. Since the time of original PUD approval, a new 18-inch sewer line on the west side of SW 175th Avenue has been added in order to serve the new Mountainside High School, and the City of Beaverton / CWS sewer expansion project has been completed at SW Barrows and SW Scholls Ferry Road.

The applicant’s narrative indicates that the proposed sanitary sewer infrastructure will include a network of gravity fed sewer pipes to be located within the future street right-of-ways and public easements. Per the City Site Development Engineer, the applicant will be required to provide a revised public utility plan for sanitary sewer that extends the minimum 12 inch diameter sewer guaranteed by the Beaverton School District for the new high school, northward within SW 175th Avenue to the northern most point along the development frontage with the site development permit for Phase 1.

Storm Water:

Proposed stormwater drainage has been identified and described in the applicant’s narrative and plans. A preliminary stormwater management plan for the project has been submitted for review by the City of Beaverton Site Development Division. The applicant’s

narrative indicates that storm drainage will be collected by a system of storm sewers within the public streets within, and adjacent to, the project site.

All proposed residential lots will be graded to direct surface flows to adjacent streets and into public storm sewers. The applicant has proposed storm water management treatment and detention facilities to be located within proposed tracts D, E, I, K, T, X, Y and AA, as shown on Sheets P3.1r and P3.2r.

As a condition of approval, the applicant shall be required to construct with each phase of development, all necessary extensions and connections to all public facilities and services for that phase, consistent with the location and size identified by the SCM Community Plan. Necessary extensions and connections are further described in the Facilities Review conditions of approval as prepared by the City Site Development Engineer. To ensure appropriate design and construction of the critical facilities including but not limited to utility connections, access to manholes and structures, maintenance requirements, and associated construction and utility phasing plans, the Committee recommends conditions of approval for both the Conditional Use and Land Division applications as applicable.

In order to comply with the Oregon Revised Statutes for subdivision platting, a condition of approval is recommended for the land division application(s) for each phase, that prior to the final plat approval the applicant/developer must substantially complete the site development improvements for that phase, as determined by the City Engineer, to provide critical facilities to each lot and to allow verification that the location and width of proposed rights-of-way and easements are adequate for the completed infrastructure, per adopted City standards.

Staff find that water, storm and sanitary sewer services can be improved, extended, and/or constructed to have adequate capacity to serve the development as proposed.

Transportation:

The site is bordered by SW 175th Avenue on the west, SW Scholls Ferry Road on the south, both of which are Arterial Streets under the operational and maintenance jurisdiction of Washington County. The eastern boundary of the site is near SW Loon Drive. A new Collector Street, Road 6C (the extension of SW Barrows Road) will extend east to west through the PUD area and connect SW Loon Drive to SW 175th Avenue. In the southeast portion of the site, adjacent Local Streets include SW Moorhen Way, SW Oystercatcher Lane, and SW Bittern Terrace.

For the initial review and approval of this project, the applicant submitted a Traffic Impact Analysis (TIA) as required. With the proposed modifications, the applicant requested approval for 10 additional units of detached housing. To support this, the applicant provided an update, dated January 2, 2016, to their earlier TIA. The applicant submitted a TIA dated May 15, 2015, supplemented by an October 14, 2015 memo. The applicant

also submitted a TIA dated November 17, 2015, supplemented by a memorandum dated December 2, 2015 to respond to staff feedback requesting additional analysis to address the other in-process trips currently under development including, but not limited to, the River Terrace development approvals in Tigard and the new high school located to the west of the proposed PUD site.

The updated analysis shows that even with the trips from the additional units, Street O, Q, and T will remain below the 500 trip per day threshold, and therefore, these streets can continue to use the narrower L2 street standards, as originally approved.

The TIA memo of October 14, 2015 shows that the internal and external circulation systems will operate within applicable performance standards, as long as the traffic infrastructure required for each phase is provided. The revised conditions of approval spell out the required timing for this development's transportation infrastructure.

Based on estimates for land use codes 210 (*Single Family Detached Housing*), 230 (*Residential Condominium/Townhouse*), and 220 (*Apartment*) found in the Institute of Transportation Engineers (ITE) *Trip Generation Manual 9th edition*, the development will generate approximately 5,330 total daily trips using the May unit counts or 5,490 total daily trips using the October unit counts. The final documents resubmitted in the December TIA materials show approximately the same unit counts as the October TIA submittal. The only difference is with a potential additional 5 single family detached dwelling units that could be developed within the PUD as a future phase. This potential future phase is dependent on the development of an adjacent property to the north of the PUD boundary and that potential development providing future street connectivity to streets within the PUD. The November 17, 2015 and December 2, 2015 TIA submittals both use 5,490 total trips for the number of trips to be generated by the development, which is based on 271 detached homes, 110 townhomes, and 340 apartments. The Committee recommends a condition of approval for an updated TIA, which will clarify the total number of trips generated with the addition of 10-additional single-family residential lots.

The applicant's original TIA identified the following required improvements to the surrounding transportation system as mitigation measures for the development's expected traffic:

- 1) Provide a proportional share financial contribution toward the installation of a new traffic signal and exclusive northbound and southbound left-turn lanes at the SW 175th Avenue and SW Kemmer Road intersection;
- 2) Provide a stop-controlled intersection (with potential to change to a signalized intersection with future growth to the west) at the SW 175th Avenue and Road 6C (planned east/west collector) with a 100-foot southbound left turn lane and westbound shared through/right-turn and left-turn lanes;

- 3) Provide a traffic signal—or modify the signal installed with the construction of the high school—at the intersection of SW 175th Avenue and the high school access/Street F with 100-foot southbound left-turn lane and westbound shared through/right-turn and left-turn lanes;

For the proposed modifications, the applicant will need to pay an additional \$26,662 toward the SW Kemmer Road intersection project, based on the approximately 95 additional trips per day that the added housing units will add to the PUD's totals.

The applicant's initial traffic analysis examined the cumulative impact of the first wave of development in the South Cooper Mountain and River Terrace areas of Beaverton and Tigard on the SW 175th Avenue/SW Roy Rogers Rd and SW Scholls Ferry Rd. corridors.

The traffic analysis analyzed the potential traffic from the following nearby developments in Beaverton and the City of Tigard:

- South Cooper Mountain High School (2200 students)
- South Cooper Mountain Heights (731 units)
- River Terrace Northwest (215 units)
- River Terrace East (361 units)
- West River Terrace (138 units)
- Roshak Ridge (244 units)
- South River Terrace (190 units)
- Bull Mountain Dickson (82 units)
- Metropolitan Land Group (studied at 173 units, not yet approved).

The cumulative traffic analysis for the SW Scholls Ferry Road and SW 175th Avenue/SW Roy Rogers Road corridors listed the improvements needed to these two streets. The applicant's plans are consistent with these improvements, showing a 5-lane cross-section for the SW 175th Avenue frontage, with a 6-lane cross-section north of the SW Scholls Ferry Road intersection, and a 6-lane cross-section for the SW Scholls Ferry Road frontage. As part of Washington County's Major Streets Transportation Improvement Program (MSTIP) Bonding Cost-sharing Program for high-growth residential areas, the County is completing the required improvements to this project's SW 175th Avenue frontage.

Washington County's Transportation System Plan (TSP) shows SW 175th Avenue as a 5-lane Arterial Street, which is consistent with the applicant's submitted plans. If the applicant constructs the Arterial Street improvements, they will be eligible for 100% credit against the County's Transportation Development Tax (TDT), which will be collected with the building permit fees for each unit.

According to the applicant's initial TIA, the proposed street improvements, including turn lanes, signals, and right-of-way dedication, as shown on the applicant's previously approved plans, will adequately accommodate the expected traffic from the proposed development.

The grid of Arterial and Collector Streets, as laid out in the South Cooper Mountain Community Plan, is the basic level of critical facilities expected to be provided with each development, along with the Local Streets and Neighborhood Routes needed to support the expected residential growth. The provision of this transportation infrastructure is intended to be provided as development occurs, as documented in the South Cooper Mountain Transportation funding strategy.

With regard to the new Collector Street, designated as Road 6C (SW Barrows Road) on the applicant's plans, the applicant's revised plans show 3-lane cross-section, for most the length of the street, with left-turn pockets where warranted and landscape median islands where appropriate. Given the reduced radius necessary for the east/west collector (Road 6C) extension just west of SW Loon Dr., the added landscape medians will help slow traffic to match the 25 MPH design speed of the curve.

The applicant's May 15, 2015 TIA identifies the need for this development to proportionally participate in the Washington County-led project to improve the safety and functionality of the intersection of SW 175th Avenue and SW Kemmer Road. The applicant's October 14, 2015 TIA supplement calculates the applicant's proportional share as \$214,302. The proportional share figure is reaffirmed in the December 2, 2015 supplement.

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

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue (TVF&R). Comments and conditions of approval from TVF&R were received as part of the initial review of the development and were incorporated into the initial land use decisions. With the proposed modifications, staff have worked with TVF&R staff to ensure that the development remains in compliance with the prior approvals and continues to meet the applicable fire protection standards.

Where required for fire access, local streets have been designed to meet the City's L1 Local Street standard. On streets that will have expected traffic volumes below 500 vehicles per day, and which are not required for fire apparatus access, the applicant has elected to build to the City's L2 Local Street standard. In conformance with the prior conditions of approval, the following local streets are required to be built to the L1 standard:

Streets C, H, K, L, and P.

With the initial approval, the development was required to provide at least two points of access for fire-fighting equipment. Where secondary fire access was required with the initial approval, it remains in the revised proposal. In addition, as the applicant seeks to modify the phasing for the entire PUD, additional fire accesses may be required. For example, the applicant proposes to build Phase 4 as an initial phase of the larger development. This necessitates a secondary emergency fire access to SW 175th Avenue across Phase 5. Staff have added conditions of approval to require that the applicant provide this secondary fire access.

The original approval included a condition of approval that required fire sprinkler systems to be installed in a majority of the homes in the proposed Phase 2B, due to a lack of a secondary access for the homes north and west of the intersection of Street N and Street T. The remaining homes in Phase 2B use the streets within Phase 2A for their secondary means of access. As a condition of approval, *all* of the homes in Phase 2B shall have fire sprinkler systems if Phase 2B is built before the roads in Phase 2A are available for fire access. If Phase 2B follows Phase 2A, the fire sprinkler requirement will only apply to those units as listed in the original condition of approval.

The previous approvals included preliminary street grading profiles that indicated that the proposed streets meet the TVF&R slope standards.

Phasing of Critical Facilities Improvements:

This proposal requests to modify the approved PUD by adding 10 lots to Phase 2, and modify the conditions of approval related to the timing of the critical infrastructure. The proposal also includes a request to modify phase boundaries between Phases 2 and 3 by splitting Phase 2 into Phase 2A and Phase 2B. The applicant also expressed a desire to pursue phases in an order other than from #1 through #5. Certain improvements needed to serve the overall PUD may be required to be completed independent of any specific phase, however staff's goal is to ensure that the critical infrastructure gets built when needed to serve each phase of development, while at the same time allowing flexibility for changes in phase timing for the development.

As a result, staff has created conditions of approval applicable to each phase of development in order for that phase to stand on its own with the necessary critical infrastructure in place, as required in Section 40.45.15.5.C.5 *Land Division Approval Criteria*).

The following is a summary of required critical facilities as they relate to each phase of development for the entire PUD. The phasing, although listed numerically, is not representative of the timing of construction for said phase, but rather an attempt to list out the critical infrastructure related to that particular phase.

Phase 5:

Phase 5 has already been partitioned and includes only the multi-family portion of the South Cooper Mountain Heights PUD. The specifics of this phase are currently under review as a standalone design review application.

3-Lot Partition of Tax Lot 103:

As part of this modification request the applicant has submitted a Land Division – Preliminary Partition application in order to partition tax lot 103 (Dyches Property) into 3-lots. Tax lot 103 is currently one (1) 54.43 acre parcel, and will comprise most of Phases 2A, 2B, and all of Phase 3 of the PUD. The proposed partition will substantially follow the proposed phasing boundaries of the east side of the PUD. At some later date the applicant may choose to perform a property line adjustment to incorporate the areas of Phases 2A and 2B that are to the west of the partition on Tax Lot 200.

Parcel I is proposed to be 19.24 acres and is referred to as Phase 2B; designated for standard density residential units. The dividing line between Phases is the rear/southern lot line of properties fronting on Street N.

Parcel II is proposed to be 11.57 acres and is referred to as Phase 2A and designated for standard density residential units, zoned R7. This parcel will be bounded on the south by Road 6C, from the lot at the northeast corner of Street O and Road 6C to the sensitive area crossing to the west.

Parcel III is proposed to be 19.67 acres and is referred to as Phase 3 and designated medium density residential, zoned R5. This parcel will consist of single-family detached homes, and the neighborhood park. The parcel is bounded on the north by Road 6C (SW Barrows Road), to the east by existing residential development, Churchill Forest, to the south by SW Scholls Ferry Road, and to the west by protected sensitive lands.

The Committee finds that the proposed development will provide the required critical facilities, as conditioned. Therefore, the Committee finds the proposal meets the criterion 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 provided a service provider letter from Beaverton School District showing moderate impact of the development on elementary, middle, and high schools.

Parks:

The site will be served by the Tualatin Hills Park and Recreation District (THPRD). The applicant has expressed interest in THPRD acquiring the proposed neighborhood park, in addition to the dedication and maintenance of all trails throughout the Planned Unit Development (PUD). Conditions of approval will be provided addressing the future park.

However at this time THPRD has not purchased or obtained the neighborhood park, pocket parks or the public trails located in the PUD project area, therefore staff recommend a condition of approval that the Final Plat identify all open space features such as parks, natural areas, and trails as being the maintenance responsibility of the homeowners association until such time as these features are transferred to a public agency to ensure that these features are adequately maintained.

Active Open Space:

The project was approved with 4.8 acres identified as Active Open Space in 2015. Modifications to the phasing of the project include calculations (*Figure 1*) of the active open space, distributed appropriately across each phase of development so that each phase enjoys its equal share of active open space.

Figure 1

Open Space Provision	Active Open Space			
	Required (acres)	Provided (acres)	Cumulative Required (acres)	Cumulative Provided (acres)
Phase 4	0.66	0.77	0.66	0.77
Phase 1	0.14	0.22	0.79	0.99
Phase 2A	0.35	0.65	1.14	1.64
Phase 3	0.14	0.28	1.28	1.93
Phase 2B	0.33	0.33	1.6	2.26
Phase 5 (MF)	1.40	0.80	3.0	3.05
Total	3.02	3.05		

Because Phase 5 does not provide enough Active Open Space as a standalone phase, staff recommends a condition of approval that requires surplus active open space from Phases 1 through 4, be used to achieve the required 1.4 acres of Active Open Space for Phase 5. All Active Open Space must comply with the South Cooper Mountain Community Plan (SCMCP), and Section 60.35.15.3.E and 4.A-E of the Development Code. With the recommended conditions of approval, this proposal will provide the required critical facilities, thereby meeting this criterion for approval.

Police:

The City of Beaverton Police will serve the development site. The Police Department has submitted no comments or recommendations to the Facilities Review Committee.

Schools:

At the time of original application review, a Service Provider Letter (dated July 30, 2015), was provided to staff by the Beaverton School District (BSD) which addressed the anticipated impacts of the proposed residential development. With the proposed modifications currently under review, staff has received an updated SPL from the BSD, dated September 15, 2017. In summarizing their comments, the District has indicated that the proposal will result in a moderate impact to schools in the area and anticipates sufficient capacity to accommodate new students from the proposed PUD project. The school district had also provided comments in regard to the construction of the community trail along proposed Road 6C (the East/West Collector), which would connect the eastern most edge of the PUD boundary (Loon Drive/Barrows Rd.) to the western most edge at SW 175th Avenue. It is the School District's desire to have a safe route to school for all students attending Scholls Heights Elementary and the new Mountainside High School.

Public Transportation:

Transit Improvements

The site is not currently served by transit. The nearest bus stop is over a mile to the east. As this development and the surrounding ones progress, there may be opportunities for TriMet to extend service to this area. Possible routes could include SW Scholls Ferry Road, SW Barrows Road or SW 175th Avenue. Tri-Met has not requested nor has the applicant included any street modifications or design elements to support transit service.

On-site pedestrian and bicycle facilities in the public right-of-way

The applicant's submittal shows that the applicant will dedicate sufficient right-of-way to accommodate the Washington County 5-lane Arterial Street, with additional width for necessary turn lanes as required. According to the applicant, Washington County will construct the improvements along SW 175th Avenue, which will include 7-foot buffered bike lanes. These improvements are conditioned to be a part of Phase 1 of the development. If the applicant constructs the Arterial Street improvements, they will be eligible for 100% credit against the County's Transportation Development Tax (TDT), which will be collected with the building permit fees for each unit.

This site also includes the Community Trails and Nature Trails as contained within the South Cooper Mountain Community Plan. Where the 12-foot multi-purpose pathway is shown to be alongside the new east/west Collector street crossing the PUD site, City and THPRD standards call for a 12 foot wide shared sidewalk, separated by a planter strip with street trees. The proposed plans show this standard being met. Safe, protected pedestrian crossing opportunities are to be provided near important pedestrian destinations. The trails are also to provide recreational amenities and active transportation options, according to the Community Plan. Trails near the riparian areas and vegetated buffer areas shall be designed to offer visual access to the natural resource areas.

With the recommended conditions of approval, this proposal will provide the required essential facilities, thereby meeting this criterion for approval.

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 at the end of this report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the Urban High Density (R1) zone; Urban Medium Density (R2 and R4) zone; and Urban Standard Density (R5 and R7) zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of proposed zones and is evaluated through the Conditional Use-PUD process, which allows for modifications to the site development standards of Chapter 20. No Variance or Adjustment applications were submitted with this proposal. However, through the PUD process the applicant has requested 3-foot minimum side yard setbacks throughout all phases of the development. Due to the nature of a Planned Unit Development, lots sizes and setbacks typically vary in order to develop on land comprised of constrained topography (steep slopes), flood zone areas, or, natural resource areas such as wetlands and riparian habitat areas, for example. In order to preserve as much constrained land as possible, and cluster the overall development, staff supports the 3-foot side setback reduction from the standards in Chapter 20.

FINDING: 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 at the end of this report, which evaluates the proposal as it relates the applicable Code requirements of Chapter 60 in response to the above mentioned criteria.

Staff will provide findings for the applicable Land Divisions, and Conditional Use-Planned Unit Development (PUD) Modification of a Decision within the applicable sections of the staff report.

Off-Street Parking (Section 60.30)

Detached Dwellings require at least one off-street parking space per unit, according to the Development Code. 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. The applicant states that all detached units will have 2-car garages and driveway spaces for 1 or 2 cars each and all 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. Bicycle parking for Detached and Single Family Attached (Townhome) units is assumed to be located within each individual unit.

Transportation Facilities (Section 60.55)

At staff request, the applicant provided an analysis of the potential for Phase 3 of the development, as shown on the applicant's plans, to add more than 20 trips in any hour to the residential streets of SW Oystercatcher Lane and SW Moorhen Way, which is the Traffic Management Plan threshold. Based on the applicant's December 2, 2015 Traffic Impact Analysis, the expected trips from the proposed 33 single family housing units in Phase 3 will likely split between the two affected streets in such a manner as to keep the additional volume below the impact threshold. Therefore, the new development will not have a significant impact on SW Oystercatcher Lane or SW Moorhen Way.

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

As proposed, the pedestrian and bicycle trails and walkways generally converge with streets at traffic-controlled intersections. As future revisions and additions to the off-street network occur, the applicant will need to work with City and THPRD staff to ensure that the crossings are safe and convenient.

Accessways (pedestrian/bicycle connections) are required in any block that is longer than 600 feet. The applicant's plans show one such accessway running north south from Road 6C (east/west collector) extension. The applicant has also added a pedestrian connection to SW Scholls Ferry Road west of the natural resource area.

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's narrative states that the proposal does not include a final development plan and maintenance policies have not been established. Staff suggests a condition of approval that states that until such time as maintenance or ownership responsibilities are transferred to CWS, THPRD, or another public agency, the HOA is responsible for maintaining all tracts. Staff finds that the design of the common open spaces and tracts does not preclude adequate maintenance.

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.***

The site will have safe and efficient vehicular and pedestrian circulation patterns, in conformance with Development Code Section 60.55.25 subject to conditions of approval requiring conformance with the EDM or approval of an Engineering Design Modification for areas where the proposal differs from the EDM and Development Code standards. The proposed pedestrian circulation system connects all parts of the development in a safe, efficient, and direct manner.

The applicant's plans show that each of the Local Streets within the development has been designed to meet the City's L1 or L2 Local Street standards, with the exception of Streets A and M, which do not have sidewalks on the north side of the street. Adequate right-of-way width is provided for the missing sidewalk and planter strip. For the most part, the proposed street grid meets the City's minimum and maximum intersection spacing standards (100' and 530', respectively). Where the street spacing standard cannot be met, due to grade constraints, in the near-term, the applicant has provided a potential alignment that can accommodate the required connection in the mid- to long-term future.

As a Condition of Approval, the western terminus of Street O is to have a barricade and sign indicating that the street will be extended with future development, as shown in Drawings # 415 and 435 of the Engineering Design Manual.

Because the portion of the site designated for multiple-family units was only shown in conceptual form at the time of original approval, it was not possible to fully evaluate the internal pedestrian and vehicular connections for Phase 5. However, city staff are currently reviewing a separate Design Review application for this multi-family portion of the PUD.

The Conditions of Approval requiring landscaped medians along the east/west collector (Road 6C) extension is intended to increase the safety for pedestrians using the north-south pedestrian connection to access the park.

FINDING: Therefore, the Committee finds that by meeting the conditions of approval, 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 the following connections to the surrounding circulation systems:

- Pedestrian access and gated emergency vehicle access from the Street A sidewalk to the SW 175th Avenue sidewalk.
- Pedestrian access from the Street B sidewalks to the SW 175th Avenue sidewalk.
- Pedestrian, bicycle, and vehicle access from Road 6C (east/west collector extension) to SW 175th Avenue by way of a new 3-lane Collector Street.
- Pedestrian access from the Street V sidewalk to the SW 175th Avenue sidewalk.
- Pedestrian access from the Street E sidewalk to the SW 175th Avenue sidewalk.
- Pedestrian, bicycle, and vehicle access from Street F to SW 175th Avenue by way of a 2-lane Neighborhood Route with a left turn lane provided in lieu of on-street parking at each end of the street.
- Pedestrian and bicycle access from the north-south Community Trail to the SW Scholls Ferry Road sidewalk.
- Pedestrian and bicycle access from the southeast Community Trail to the existing Community Trail in the adjacent Churchill Forest development.
- Pedestrian, bicycle, and vehicle access from SW Moorhen Way via the extension of a Local Street.
- Pedestrian, bicycle, and vehicle access from SW Oystercatcher Lane via the extension of a Local Street.

- Pedestrian, bicycle, and vehicle access from SW Bittern Terrace via the extension of a Local Street.
- Pedestrian, bicycle, and vehicle access from SW Loon Drive and SW Barrows Road by way of a reconstructed intersection and a new 2-lane Collector Street (just west of the property's eastern boundary, Road 6C (east/west collector) becomes a 3-lane Collector Street.
- Future pedestrian, bicycle, and vehicle access to Street T from future development to the north.
- Future pedestrian access to the north-south pedestrian connection from future development to the north.
- Future pedestrian, bicycle, and vehicle access to Street N from future development to the north.
- Future pedestrian, bicycle, and vehicle access to Street O from future development to the north.
- Future pedestrian access to the north-south Community Trail from future development to the north.
- Future pedestrian, bicycle, and vehicle access to Street C from future development to the north.

With the provision of these connections as shown on the applicant's plans, the proposed development will connect to the surrounding system in a safe and efficient manner.

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

Preliminary comments and conditions of approval have been received from Tualatin Valley Fire and Rescue District (TVF&R). Specific details regarding fire flow and hydrant placement will be reviewed for flow calculations and hydrant locations during site development and building permit stages. 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.

FINDING: 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 proposes public street lights. By meeting the City of Beaverton's Engineering Design Manual design standards for street lights, the Committee finds that the street illumination system will provide adequate protection from crime and accident. The Committee recommends a number of conditions pertaining to streets, as explained under criterion D.

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.***

The applicant states that this Facilities Review Committee Criterion is met because the grading standards of Section 60.15.10 are met. However, the grading standards referenced by the applicant do not apply to the proposed new streets. The design of the new streets is required to meet the applicable standards of Section 210 of the Engineering Design Manual. Compliance with these standards will be reviewed with the Site Development Permits for the development; however, staff believe that grading can be feasibly accommodated in compliance with the Engineering Design Manual and Development Code requirements.

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). 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.

With the addition of ADA ramps within the development as addressed in Criterion F, the Committee finds that as conditioned, the street sidewalks and walkways internal to the development appear to meet applicable accessibility requirements and through the site development and building permitting reviews will be thoroughly evaluated.

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 by meeting the conditions of approval, 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 3, 2017 and resubmitted materials on July 12, July 19, and August 7, 2017. Staff deemed the application complete on August 9, 2017. 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 20.25.05 – Density Calculations			
Minimum Residential Density	Minimum Density: 598 units Maximum Density: 1410 units	The applicant proposes 732 units which is within the permitted density range.	Yes-See Density Table Below
Development Code Section 20.05.20 (Uses)			
R1	Permitted Multifamily Dwellings	Multifamily Dwellings	Yes
R2	Permitted Attached Single Family Dwellings	Attached Single Family Dwellings	Yes
R4	Permitted Detached Dwellings	Detached Dwellings	Yes
R5	Permitted Detached Dwellings	Detached Dwellings	Yes
R7	Permitted Detached Dwellings	Detached Dwellings	Yes
Development Code Section 20.05.15 (Site Development Standards)			
Minimum Lot Area	R1 - 1,000 sq. ft. / DU R2 - 2,000 sq. ft. / DU R4 - 4,000 sq. ft. / DU R5 - 5,000 sq. ft. / DU R7 - 7,000 sq. ft. / DU	Adjusted with PUD	See CU staff report.
Minimum Yard Setbacks	Parent parcels are subject to the minimum yard setbacks of the zone	Through the CU-PUD process the parent parcels are subject to the minimum yard setbacks of the zone and individual lots may have setbacks reduced through PUD consideration. The applicant proposes to meet the setbacks for the parent parcels. See Setback Table below for proposed setbacks.	See CU staff report.
Maximum Building Height	R1 – 60 feet R2 – 40 feet R4 – 35 feet R5 – 35 feet R7 – 35 feet	Maximum building height will be verified at the time of building permit. The applicant has requested maximum height exceptions in the R1 and R7 zoning districts to allow a maximum height of 72 feet instead of 60 feet (R1), and 40 feet instead of 35 feet (R7). This request will be discussed in the PUD section of this report.	See CU Staff Report

Proposed Density

20.25.05 Density Calculations					
Proposed Zoning	Gross Acres	Net Acres	Max Density (Units)	Minimum Density (Units)	Proposed Units
R1	11.53	9.224	502	321	340
R2	11.18	4.39	244	76	110
R4	18.56	7.46	202	65	83
R5	19.83	3.35	173	23	33
R7	46.63	22.53	290	112	166
Total	107.7	47.0	1411	598	732

Proposed Lot Dimensions

Condition / Product	Front loaded Townhomes	Front loaded single family detached	Rear loaded townhomes without driveway parking	Rear loaded townhomes with driveway parking
Zone	R2	R5, R7	R2	R2
Front Building setback	12'	12'	10'	10'
Front garage setback	20'	20'	N/A	N/A
Porch setback	10'	10'	N/A	N/A
Side building setback	5' (10' for corner lots)	3' (6' for corner lots)	5' (10' for corner lots)	5' or 10' plus (10' for corner lots)
Rear building setback	15'	15'	4'	20'
Rear garage setback	N/A	N/A	4'	20'

Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05-Design Standards			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	Design Review is applicable to the proposed multi-family portion consisting of Phase 5 which will be reviewed under a separate land use application	N/A
Development Code Section 60.12-Habitat Friendly & LID Practices			
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 techniques proposed.	N/A
Development Code Section 60.15 – Land Division Standards			
Land Division Standards	Standards pertaining to Land Divisions	A Land Division-Preliminary Subdivision application has been applied for in addition to a Land Division – Preliminary Partition of tax lot 103 into 3-lots and the addition of 10 lots to Phases 2A and 2B.	See LD Findings
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking Parking	<u>Detached Dwellings</u> 1 space per unit= 271 spaces min	<u>Detached Dwellings</u> 554 spaces	YES
	<u>Attached Single Family</u> 1.75 space per unit= 193 spaces min	<u>Attached Single Family</u> 228 spaces	
	<u>Apartments</u> Parking for the multifamily development will be evaluated at the time of Design Review for those units.	<u>Apartments</u> Parking for the multifamily development will be evaluated at the time of Design Review for those units.	
Required Bicycle Park	No bicycle parking is required for detached dwellings or single family attached dwellings. Multi-family bike parking will be evaluated at the time of Design Review for those units.	No bicycle parking is required for detached dwellings or single family attached dwellings. Multi-family bike parking will be evaluated at the time of Design Review for those units.	N/A
Development Code Section 60.33 – Park and Recreation Facilities & Service Provisions			
Parks & Recreation Facilities	Areas within the City must annex to THPRD or provide commensurate facilities.	The subject site has been annexed into the THPRD service area.	YES

Development Code Section 60.35 Planned Unit Development			
Planned Unit Development Standards	Requirements for Planned Unit Developments.	Conditional Use-PUD is applicable to the proposed attached dwellings.	See CU Findings
Development Code Section 60.45 Solar Access Protection			
Solar Access Protection	Requirements for solar access protection.	The applicant requests an exemption based upon protection of significant natural features and the continuation of the required road system.	YES
Development Code Section 60.55 - Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes- with COA
Development Code Section 60.60-Trees & Vegetation			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	A Tree Plan Two application has been applied for, for the removal of 4 additional trees within a significant resource area.	See TP Findings
Development Code Section 60.65-Utility Undergrounding			
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 states that all proposed lines will be placed underground. To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy.	Yes- with COA
Development Code Section 60.67-Significant Natural Resources			
Significant Natural Resources	Regulations pertaining to Significant Natural Resources	The applicant has provided a natural resource study and will be required to comply with the South Cooper Mountain Community Plan which identifies natural resources in the vicinity of the subject site.	See CU Findings

RECOMMENDATION

The Facilities Review Committee finds that the proposal complies with all the technical criteria. The Committee recommends that the decision-making authority **APPROVE** the **South Cooper Mountain Heights PUD Modifications (CU2017-0005, LD2017-0006, LD2017-0014, TP2017-0011)**, and adopt the conditions of approval identified in Attachment G.

CU2017-0005
ANALYSIS AND FINDINGS FOR
CONDITIONAL USE APPROVAL

Section 40.15.05 Conditional Use Applications; Purpose

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district but because of their size, operation, or other characteristics require review on a case-by-case basis. These uses are subject to the regulations in this Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional Uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied.

Section 40.15.15.

1. Minor Modification of a Conditional Use.

- A. Threshold. An application for Minor Modification of a Conditional Use shall be required when one or more of the following thresholds apply:
4. A projected or actual increase in vehicular traffic to and from a site approved for an existing Conditional Use of up to and including 100 vehicle trips per day as determined by using the Institute of Transportation Engineers (ITE) Trip Generation manual or an evaluation by a traffic engineer or civil engineer licensed by the State of Oregon for all properties that are located in a Residential zoning district or within a distance of up to and including 50 feet of a Residential zoning district.

Section 40.15.15.1.C.

C. Approval Criteria. In order to approve a Minor Modification of a Conditional Use 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 Modification of a Conditional Use application.**

The applicant has requested to add 10-additional single-family residential lots to the approved PUD, which will result in additional vehicle trips per day. The applicant's traffic engineer, Kittelson Associates, Inc., has reviewed the ITE manual and

evaluated the potential trip generation, and has concluded no more than 100 vehicle trips will be generated with this modification proposal. The proposed 10 additional residential lots are proposed to be smaller in size than the base zoning standard, as permitted under PUD section 60.35.10.2.B.1. Additionally the applicant requests to be allowed additional height in the R1 and R7 zoning districts under PUD section 60.35.20.C. The requested increase in height will not generate additional trips. Staff finds that the applicant meets threshold 4 for a Minor Modification of a Conditional Use as less than 100 new daily trips will be generated by the proposed modification.

Therefore, staff finds the proposal meets the above threshold and criterion for approval. 60.35.10.2.B.1

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

The applicant paid the required fee associated with a Conditional Use – Minor Modification application.

Therefore, staff finds 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 packet on May 3, 2017 and resubmitted materials on July 12, July 19, and August 7, 2017. Staff deemed the application complete on August 9, 2017. 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, staff finds the proposal meets the criterion for approval.

4. *The existing use has been approved as a Conditional Use as governed by the regulations in place when the use was established and complies with the applicable conditions of the Conditional Use approval.*

The proposed development, consisting of single-family and multi-family residential uses has been approved per the regulations in place at the time of review, and is in compliance with all applicable conditions of the approval of February 2016 (CU2015-0006). The applicant has requested, however to adjust the maximum height from the base zoning requirement, as is permitted under the PUD. The requested adjustments are as follows: in the R1 zoning district the applicant is

increasing the maximum height to 72 feet rather than 60 feet (R1), and in the R7 zoning district and increase to 40 feet instead of 35 feet. The request is due to areas where existing topography is steep and requires either garage under, or daylight basement housing types to step the housing down the slope. The additional height request also encompasses the future apartment buildings for the Phase 5 multi-family development. Previous adjustments were approved under CU2015-0006 and are not requested to be further modified. Because the development is processed as a Planned Unit Development (PUD), adjustments to heights are addressed within the PUD process as outlined in Section 60.35.20.3.A-C.

The applicant is also proposing to add 10 additional single-family lots by reducing 10 lots from 40 feet in width to 30 feet in width to accommodate these additional lots. Because the development is processed as a PUD, the 10 additional residential lots are proposed to be smaller in size than the base zoning standard, as permitted under PUD section 60.35.10.2.B. Because this request does not add a significant change to the overall site layout by using the approved design and having minimal traffic impacts with the addition, staff consider this request to be *de minimis*, and therefore concur with this request.

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

5. *The proposal will not remove or modify previously established conditions of approval for the prior Conditional Use consistent with Section 50.95.6. of the Development Code.*

The applicant does not propose to modify any conditions of approval related to CU2015-0006. The applicant has proposed modifications to the conditions of approval of LD2015-0013 through the Modification of a Decision (Section 50.95) process. The Modification of a Decision (LD2017-0006) is reviewed in Attachment C of this report.

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 Minor Modification of a Conditional Use application with associated Preliminary Subdivision (Modification of a Decision to LD2015-0013), Preliminary Partition, and Tree Plan 2 applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. As the applications are being reviewed concurrently, the Commission will review all the applications at one

public hearing. Staff recommends a condition of approval requiring the Land Division-Modification of a Decision application to be approved before a site development permit is issued.

Therefore, staff find 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 **CU2017-0005 (South Cooper Mountain Heights PUD Modifications)** subject to the applicable conditions identified in Attachment G.

LD2017-0006
ANALYSIS AND FINDINGS FOR
LAND DIVISION-PRELIMINARY SUBDIVISION APPROVAL

Section 50.95 Modification of a Decision - Procedures.

The applicant has requested modifications to the approved conditions of approval of the previously approved subdivision (LD2015-0013), Section 50.95 of the Development Code is applicable to the request.

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

The applicant has requested this modification to a decision, originally approved through a Type 3 Procedure, in order to modify original Conditions of Approval related to the Preliminary Subdivision (LD2015-0013), specifically conditions E-55 and E-72 which require the applicant to construct the east/west collector (Road 6C), including the bridge crossing over the wetland/natural resource areas on the western property's (currently Tax Lots 2S106AD 100 and 200 and referred to below by previous tax lot number 2S1060000200– Crescent Grove Cemetery property) eastern most property line, prior to Final Plat approval. Below are the original conditions of approval related to LD2015-0013, the subject of this modification request:

“E. Prior to Final Plat Approval for a subdivision of Tax Lot 2S1060000200 or its successors:

55. *The applicant shall construct and dedicate the new east/west collector, (Road 6C) between SW 175th Avenue and Street P along with the corresponding segment of the multi-use pathway between Street F and Street P, prior to final plat approval of Phase 1. The multi-use pathway shall have a paved width of a least 12 feet and shall be separated by at least a 7.5-foot planter strip (measured from the face of the curb to the front of the sidewalk) wherever practicable.” (Transportation / KR)*

72. *The applicant shall be responsible for the completion of the following improvements prior to final plat approval for the first subdivision:*
- a. *All utilities shall be stubbed to the property line(s) of Taxlot 2S1060000200 or its successors (Map 2S106 TL 200 Crescent Grove property), including crossing the wetland area. (Planning Division / SLF)*
 - b. *The east/west collector road (identified as Road 6C on plan sheet P2.0) shall be constructed to the east property line(s) of Taxlot 2S1060000200 or its successors (Map 2S106 TL 200 Crescent Grove property), including crossing the wetland area. (Planning Division / SLF)”*

Phasing of Critical Facilities/Infrastructure Improvements

In order to ensure that the critical infrastructure gets built when needed to serve each phase of development, and in response to the applicant’s request to modify the above listed conditions, staff has created conditions of approval applicable to each phase of development in order for that phase to stand on its own with the necessary critical infrastructure in place, as required in Section 40.03 Facilities Review Approval Criteria. In recognizing the applicant’s desire to adjust the order and timing of construction of each phase of the PUD, staff has re-organized the conditions of approval to better reflect each proposed phase of development and the critical facilities necessary to serve that phase. This approach allows the applicant greater flexibility in future phasing while clarifying which infrastructure improvements are required with each physical phase of development.

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

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

The applicant met with staff accordingly for a pre-application conference on December 7, 2016, and was provided the information necessary to apply for a Modification of Decision application, along with the other appropriate applications necessary to make the changes as proposed.

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

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

This application does not request to extend the deadline for filing an appeal.

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

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

The applicant has applied to modify the conditionally approved Land Division – *Preliminary Subdivision* LD2015-0013, part of the South Cooper Mountain Heights PUD project.

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

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

The originally approved South Cooper Mountain Heights PUD project was originally processed under the Type 3 review procedures. The requested modifications to the approved project, and all submitted applications as part of this Modification of Decision will follow the Type 3 review procedures.

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

6. **The process type for an application to modify a decision shall be based upon the thresholds for the appropriate application listed in Chapter 40. In all cases, regardless of the thresholds listed in Chapter 40, when a proposed modification involves a condition of approval, that condition of approval can be modified or removed only by the same decision making authority that issued the original decision and through the same procedure that was followed to establish the condition to be modified. Modification or removal of a condition of approval shall only be granted if the decision making authority determines any one of the following:**

- A. **The applicant or owner has demonstrated that a mistake of law or fact occurred, and that the mistake was substantial enough to warrant modification or removal of the condition to correct the mistake.**

Not Applicable

- B. The condition could not be implemented for reasons beyond the control of the applicant and the modification will not require a significant modification of the original decision.**

Not Applicable

- C. The circumstances have changes to the extent that the condition is no longer needed or warranted.**

The applicant has stated in the narrative found on page 8 of the application materials that circumstances have changed, as a result of various factors not under the control of the applicant. Those factors as presented by the applicant include seasonal conditions (the very wet and long winter of 2016-17), permit timing and an active marketplace, all of which have warranted this request to modify conditions of approval as they relate to the approved subdivision, specifically the timing of the construction of critical facilities / infrastructure as called out in existing conditions E-55, and E-72, as stated on page LD2017-0006 – 1 and 2 of this report. The applicant specifically is requesting that the conditions E-55 and E-72 be modified to allow for design and bonding to ensure construction at the time of final plat of the western portion of the project.

- D. A new or modified condition would better accomplish the purpose of the original condition.**

The applicant has requested to modify conditions of approval of the approved Land Division – *Preliminary Subdivision, as described above.*

In addition to the threshold requirements of Section 40.15.15 Land Division – *Preliminary Subdivision*, as a response to the applicant requesting to amend the conditions of approval, and adjust the phasing boundaries in conjunction with the timing of construction of critical facilities / infrastructure, staff have also modified the applicable conditions of approval to reflect the applicant's requests found within the four (4) land use applications submitted to the City. Specifically, staff have re-worked the conditions of approval to better reflect the necessary critical facilities / infrastructure appropriate for each phase of development as that phase is constructed. The modified conditions of approval, in response to requests to separate phases 1 and 4 (west) and phases 2a, 2b, and 3 (east) into distinct phases with separate critical facilities requirements required significant modifications to the structure and in some cases content of the conditions of approval. The modified conditions as presented in Attachment G of this report provide for greater flexibility for the applicant in terms of phasing order as well as greater certainty for the City that critical infrastructure pieces will be constructed in a timely and orderly manner.

It is critical that all infrastructure improvements be in place at the time of Final Plat recordation to any one of the phases of the project site. Discussion around the phasing can be found in the Facilities Review section of this report, starting on page FR-8, in addition to the specific Conditions of Approval related to each phase of development, which can be reviewed starting on page COA-6 of this report under *Attachment G*. Staff have also re-organized the Conditions of Approval in order to reflect a more orderly process for applying the conditions across all phases of development affecting the various types of permits being issued. Such permits may range from Site Development to Building permits, to occupancy permits for the first homes of the development. Staff have worked with the applicant in this reorganization of the conditions, in addition to modifying the necessary conditions of approval applicable to the Road 6C construction and bridge crossings, and the necessary easements for water and sewer connections to serve the entire development. Discussion around the necessary critical facilities can be found starting on page FR-1 in the Facilities Review section of this report, *Attachment A*.

Below are the revised conditions of approval as proposed by the applicant. Additional language and/or struck-through language is in red and italicized text:

- E-55. The applicant shall construct and dedicate the new east/west collector, (Road 6C) between ~~SW 175th Avenue Street F~~ and ~~the Eastern boundary of the sensitive lands buffer, Street P~~ along with the corresponding segment of the multi-use pathway between Street F and ~~the Eastern boundary of the sensitive lands buffer, Street P~~ prior to final plat Approval of Phase ~~4~~ 4 of the development. The multi-use pathway shall have a paved width of at least 12 feet and shall be separated by at least a 7.5-foot planter strip (measured from the face of the curb to the front of the sidewalk) wherever practicable. (Transportation / KR)
- E-72. The applicant shall be responsible for the completion of the following improvements prior to final plat approval for the first subdivision:
- a. All utilities shall be stubbed to the ~~western edge of the sensitive lands buffer, corresponding to the eastern edge of lot 318 property line(s) within the parent~~ Taxlot 2S1060000200 or its successors (Crescent Grove Cemetery property);
 - b. The east/west collector road (identified as Road 6C on plan sheet P2.0) shall be constructed to the ~~western edge of the sensitive lands buffer, corresponding to the eastern edge of lot 318 east property line(s)~~ of Taxlot 2S1060000200 or its successors (Map 2S106 TL 200 Crescent Grove property), including crossing the wetland area. (Planning Division / SLF)

- c. *The applicant will file a bond with the City of Beaverton to cover costs of extension of utilities and the east/west collector road to the east property line of Taxlot 2S106000200 or its successors (Map 2S106 TL 200 Crescent Grove property), including crossing the wetland area.*
(Planning Division / SLF)

The applicants proposed language for condition of approval E-55 is not consistent with the proposed modifications to the phasing plan nor the proposed language of modified condition E-72. Modified Condition E-72 request not to construct the western sensitive land crossing of Road 6C until construction occurs on the eastern phases of the development. Staff finds that deferring construction of the western sensitive lands crossing until construction located on a different property and phase of development runs the risk that the improvement could potential not be completed if the eastern tax lot (103) was sold to a different entity or development didn't move forward, leaving the City responsible for the significant cost of construction of the crossing. At the applicants request the boundaries of Phase 4 have been modified to include all the attached and detached single family units south and west of Street 6C (Barrows), increasing the total dwelling units in Phase 4 from 67 to 159. Given that Phase 4 now requires construction of Road 6C from SW 175th Avenue through the intersection of Street F to serve the development it is appropriate to require the continuation of 6C through the drainage crossing in Phase 4. Phase 1 remains as only 33 homes in the northwest corner of the site and are the furthest lots from the drainage crossing on the western portion of the project. As a result of the Phase lines being modified, Phase 1 is now much smaller, and will not rely upon Road 6C being built in its entirety to the eastern most property line, but rather only the small portion from SW 175th Avenue to where Road 6C will intersect with proposed Street C.

Staff has relied upon the completed phasing plans in the creation of modified conditions of approval in order to ensure that critical facilities are constructed at the time they are needed. Staff finds that the modified conditions of approval proposed by staff better accomplish orderly phasing and critical facility construction and extension than the proposed modified conditions of approval in light of the proposed phasing modification by the applicant. Therefore staff finds that the new/modified conditions of approval better accomplish the purpose of the original conditions.

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

Section 40.45.05 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

5. Preliminary Subdivision.

A. Threshold. *An application for Preliminary Subdivision shall be required when the following threshold applies:*

- 1. The creation of four (4) or more new lots from at least one (1) lot of record in one (1) calendar year.*

Section 40.45.15.5.C Approval Criteria:

C. Approval Criteria. *In order to approve a Preliminary Subdivision 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 application satisfies the threshold requirements for a Preliminary Subdivision application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47, further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C have been met.***

The applicant is also proposing to add 10 additional single-family lots by reducing 10 lots from 40 feet in width to 30 feet in width to accommodate these additional lots. Because the development is processed as a PUD, the 10 additional residential lots are proposed to be smaller in size than the base zoning standard, as permitted under PUD section 60.35.10.2.B. These new lots will not be oversized lots. The parent parcels are not subject to a Legal Lot Determination. This meets Threshold 1 for a Preliminary Subdivision.

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

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

The applicant has paid the required application fee for a Preliminary Subdivision application.

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

- 3. *The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the subdivision process to comply with current Code standards and requirements.***

The applicant has requested to modify a previously approved Land Division-Preliminary Subdivision application, the request for which is being considered here. The proposal seeks to implement a portion of the South Cooper Mountain Community Plan, in addition to implementing the previously approved South Cooper Mountain Heights PUD with minor modifications, as this criteria allows the City to modify prior approvals through the subdivision process this application meets the criterion for approval.

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

- 4. *Oversized lots resulting from the subdivision shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed subdivision and future potential development on oversized lots.***

The applicant has proposed 10 additional residential lots within the R7 Standard Density Residential zone. These lots will be used for single-family homes, as part of Phases 2A and 2B development of the PUD, and as such are not considered over-sized lots.

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

- 5. *If phasing is requested by the applicant, the requested phasing plan meets all applicable City standards and provides for necessary public improvements for each phase as the project develops.***

The applicant has proposed a six (6) phase approach for the development of the South Cooper Mountain Heights subdivision. As part of the phased approach, the applicant has submitted a modified phasing plan, taking the phases out of chronological order, adding 10 additional residential lots, and splitting Phase 2 into two phases; Phases 2A and 2B (page 25 of applicant materials). The applicant has proposed this approach in order to better time the placement of infrastructure with the ongoing construction in order to provide certainty of the critical facilities required to serve the development.

The applicant has presented a tentative schedule of the phasing for the overall development, as listed in *Figure 2* below.

Figure 2

December 2017	Phase 4	110 Attached SFR Lots 50 Detached SFR Lots
February 2018	Phase 1	33 Detached SFR Lots
Spring / Summer 2018	Phase 2A	86 Detached SFR Lots
	Phase 3	33 Detached SFR Lots
Spring / Summer 2018	Phase 5	340 Attached MFR Units
Summer 2018	Phase 2B	80 Detached SFR Lots

This Modification of a Decision to a Land Division-Preliminary Subdivision (LD2015-0013) application is specifically to modify previously approved conditions of approval related to the timing of the aforementioned critical facilities/infrastructure improvements in conjunction with each proposed Phase as well as add ten (10) additional single family lots in phases 2A and 2B. Though not in chronological order, it is of critical importance that the infrastructure is in place in order for each phase of development to stand on its own as a stand-alone development. Staff concur with this approach and have included specific conditions of approval related to each Phase of the development which can be found in Attachment G, *Conditions of Approval* at the end of this staff report. The Modification of a Decision to a Land Division-Preliminary Subdivision (LD2015-0013) has been reviewed prior to this section, where individual findings shall be made as listed in Section 50.95.6.

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

6. Applications that apply the lot area averaging standards of Section 20.05.50.1.B shall demonstrate that the resulting land division facilitates the following:

- a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,**

b) Complies with minimum density requirements of [the Development] Code, provides appropriate lot size transitions adjacent to differently zoned properties, and where a street is proposed provides a standards street cross section with sidewalks.

The applicant proposes to reduce the minimum lot size through the Planned Unit Development (PUD) process, not using the lot averaging standards of Section 20.05.20.1.B.

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

7. *Applications that apply the lot area averaging standards of Section 20.05.50.1.B do not require further Adjustments or Variance for the Land Division.*

The proposal does not apply the lot area averaging standards. The applicant proposes to reduce the minimum lot size through the Planned Unit Development (PUD) process, not using the lot averaging standards of Section 20.05.20.1.B.

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

8. *The proposal does not create a parcel which will have more than one (1) zoning designation.*

The previously approved Zoning Map Amendment (ZMA2015-0006), implemented the land use designations adopted as part of the South Cooper Mountain Community Plan (SCMCP) for the two subject properties that make up the PUD. The current zoning of the project site is R1 (Urban High Density Residential), R2, R4 (Urban Medium Density Residential), and R5, R7 (Urban Standard Density Residential). The proposal does not create a parcel which will have more than one (1) zoning designation.

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

9. *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 Preliminary Subdivision (Modification of a Decision to LD2015-0013), with the associated Minor Modification of a Conditional Use application, Preliminary Partition, and Tree Plan 2 applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. As the applications are being reviewed concurrently, the Commission will review all the applications at one

public hearing. Staff recommends a condition of approval requiring the associated applications (CU2017-0005 and TP2017-0011) to be approved before a site development permit is issued.

Therefore, staff find 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 **LD2017-0014 (South Cooper Mountain Heights PUD Modifications)**, with the proposed modifications to LD2015-0013, as presented, subject to the applicable conditions identified in Attachment G.

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Grading Standards			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed but do not supersede Section 60.05.25 Design Review.	The proposal is subject to the grading standards contained herein.	Yes
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	The applicant is not requesting any exemptions be applied to this development. All proposed stormwater facilities will reviewed and approved by the City Engineer in conjunction with CWS.	Yes
60.15.10.3.A-E On-site surface contouring	When grading a site within 25 feet of a property line within or abutting any residentially zoned property, the on-site surface contours shall observe A-E of this code section.	The applicant has proposed the phasing of slopes abutting adjacent residential properties.	Yes w/COA
60.15.10.3.F	Where an existing (pre-development) slope exceeds one or more of the standards in subsections 60.15.10.3.A-E above, the slope after grading (post-development) shall not exceed the pre-development slope.	The proposal will grade in accordance with Site Development permit requirements.	Yes
60.15.10.3.G	The on-site grading contours stated above apply only to the property lines of the parent parcel(s). They do not apply to internal property lines within a development.	The proposal, for each phase, has one or more edges that are adjacent to internal property lines.	Yes
Significant Trees and Groves			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	The applicant indicates that the Western Hemlock, Mountain Hemlock, Pacific Madrone, or Bigleaf Maple are present within the significant natural resource area. Existing trees that do remain onsite will be protected in accordance with Tree Protection standards in Section 60.60.20 of the Code.	Yes

LD2017-0014
ANALYSIS AND FINDINGS FOR
LAND DIVISION-PRELIMINARY PARTITION APPROVAL

Section 40.45.05 Land Division Applications; Purpose

The purpose of the Land Division applications is to establish regulations, procedures, and standards for the division or reconfiguration of land within the City of Beaverton.

Section 40.45.15.4.C Approval Criteria

In order to approve a Preliminary Partition 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 application satisfies the threshold requirements for a Preliminary Partition application. If the parent parcel is subject to a pending Legal Lot Determination under Section 40.47., further division of the parent parcel shall not proceed until all of the provisions of Section 40.47.15.1.C. have been met.***

The applicant proposes to divide one parcel into three parcels, with no Legal Lot Determination pending for either parcel, therefore meeting the threshold for a Preliminary Partition below.

- 1. The creation of up to and including three (3) new parcels from at least one (1) lot of record (parent parcel) in one (1) calendar year.*

Therefore, staff find 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 has paid the required application fee for a Preliminary Partition application.

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

- 3. The proposed development does not conflict with any existing City approval, except the City may modify prior approvals through the partition process to comply with current Code standards and requirements.***

The subject property, Tax Lot 103 is not a part of any platted land division. Tax Lot 103 is part of the greater South Cooper Mountain Heights PUD, approved under CU2015-0006, DR2015-0071, LD2015-0013, TP2015-0008, and ZMA2015-0006 and subject to modification review concurrent with this application. The proposal to divide Tax Lot 103 into 3 lots will not affect the conditions of approval or final outcome related to the South Cooper Mountain Heights PUD. The intention of the partition is to help the developer facilitate a phased approach to development. Staff finds that the proposal will not conflict with any existing City approval.

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

- 4. *Oversized parcels (oversized lots) resulting from the Replat shall have a size and shape which will facilitate the future potential partitioning or subdividing of such oversized lots in accordance with the requirements of the Development Code. In addition, streets, driveways, and utilities shall be sufficient to serve the proposed lots and future potential development on oversized lots. Easements and rights-of-way shall either exist or be provided to be created such that future partitioning or subdividing is not precluded or hindered, for either the oversized lot or any affected adjacent lot.***

Because this partition is part of the overall South Cooper Mountain Heights PUD project, subsequent final plat approvals for proposed Phases 2A, 2B, and 3 on the subject tax lot 103 (Dyches Family, LLC) will result in the creation of up to 199 single-family residential lots as part of the overall PUD. The creation of 3 parcels from this parent tax lot, along with the proposed lot pattern and right-of-way pattern illustrate full use of the property, thus not resulting in oversized parcels at the time of project completion. Through the approval of the South Cooper Mountain Heights PUD the applicant has shown how the size and shape of the proposed parcels will not preclude future subdivision in compliance with zoning standards.

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

- 5. *Applications that apply the lot area averaging standards of Section 20.05.15.D. shall demonstrate that the resulting land division facilitates the following:***
 - a) Preserves a designated Historic Resource or Significant Natural Resource (Tree, Grove, Riparian Area, Wetland, or similar resource); or,***
 - b) Complies with minimum density requirements of the Development Code, provides appropriate lot size transitions adjacent to differently zoned properties, minimizes grading impacts on adjacent properties, and where a street is proposed provides a standard street cross section with sidewalks.***

Lot averaging is not proposed with this development.

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

6. *Applications that apply the lot area averaging standards of Section 20.05.15.D. do not require further Adjustment or Variance approvals for the Land Division.*

Lot averaging is not proposed with this development.

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

7. *The proposal does not create a lot which will have more than one (1) zoning designation.*

The proposal will result in three (3) separate lots, where Parcels 1 and 2 are both zoned R7 - Standard Density Residential, and Parcel 3 is zoned R5 - Medium Density Residential, as shown on page 23 of the applicant materials. No proposed lot will have more than one zoning designation.

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

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

The applicant has submitted this Preliminary Partition, with the associated Minor Modification of a Conditional Use application, Preliminary Subdivision (Modification of a Decision to LD2015-0013), and Tree Plan 2 applications for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. As the applications are being reviewed concurrently, the Commission will review all the applications at one public hearing.

Therefore, staff find 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 **LD2017-0014 (West Hills/Dyches Family 3-Lot Partition)**, subject to the applicable conditions identified in Attachment G.

Land Division Standards Code Conformance Analysis

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Grading Standards			
60.15.10.1 Applicability	Grading standards apply to all land divisions where grading is proposed.	The proposal is subject to the grading standards contained herein.	Yes
60.15.10.2.A-C Exemptions	Exemptions include: Public right-of-way, storm water detention facilities, grading adjacent to an existing public-right of way which results in a finished grade below the elevation of the adjacent right-of-way.	No exemptions are applicable.	N/A
60.15.10.3.A 0-5 Feet From Property Line	Maximum of two (2) foot slope differential from the existing or finished slope of the abutting property.	No grading or site work is proposed with this partition.	Yes
60.15.10.3.B 5-10 Feet From Property Line	Maximum of four (4) foot slope differential from the existing or finished slope of the abutting property.	No grading or site work is proposed with this partition.	Yes
60.15.10.3.C 10-15 Feet From Property Line	Maximum of six (6) foot slope differential from the existing or finished slope of the abutting property.	No grading or site work is proposed with this partition.	Yes
60.15.10.3.D 15-20 Feet From Property Line	Maximum eight (8) foot slope differential from the existing or finished slope of the abutting property.	No grading or site work is proposed with this partition.	Yes
60.15.10.3.E 20-25 Feet From Property Line	Maximum ten (10) foot slope differential from the existing or finished slope of the abutting property.	No grading or site work is proposed with this partition.	Yes
60.15.10.3.F Pre-development slope	Where a pre-development slope exceeds one or more of the standards in subsections 60.15.10.3.A-E, the slope after grading shall not exceed the pre-development slope	The applicant does not propose to exceed these standards of pre-development slopes.	Yes
Significant Trees and Groves			
60.15.10.4 Significant Trees and Groves	Standards for grading within 25 feet of significant trees or groves.	No grading or site work is proposed with this partition therefore no trees will be impacted.	N/A

**TP2017-0011
ANALYSIS AND FINDINGS FOR
TREE PLAN TWO APPROVAL**

Section 40.90.05 Tree Plan Applications: Purpose

Healthy trees and urban forest provide a variety of natural resource and community benefits for the City of Beaverton. Primary among those benefits is the aesthetic contribution to the increasingly urban landscape. Tree resource protection focuses on the aesthetic benefits of the resource. The purpose of a Tree Plan application is to provide a mechanism to regulate pruning, removal, replacement, and mitigation for removal of Protected Trees (Significant Individual Trees, Historic Trees, trees within Significant Groves and Significant Natural Resource Areas (SNRAs)), and Community Trees, thus helping to preserve and enhance the sustainability of the City's urban forest.

2. Tree Plan Two

A. Threshold. An application for Tree Plan Two shall be required when none of the actions listed in Section 40.90.10. apply, none of the thresholds listed in Section 40.90.15.1. apply, and one or more of the following thresholds apply:

3. *Commercial, Residential, or Industrial zoning district: Removal of up to and including 75% of the total DBH of non-exempt surveyed trees(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.*

Section 40.45.15.5.C Approval Criteria:

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

1. ***The proposal satisfies the threshold requirements for a Tree Plan Two application.***

The subject site contains Community Trees as well as protected trees located within SNRA areas as identified by the South Cooper Mountain Community Plan (SCMCP). Per the definition of Significant Natural Resource Areas (SNRAs) found in Chapter 90 of the Development Code, trees located within the areas of Upland Wildlife Habitat Class A and B, and areas of Riparian Wildlife Habitat Class I and II, are to be protected through existing tree protection policies.

Under the previous approval, TP2015-0008, and part of the overall PUD approval, the applicant proposed to remove 75 community trees, with a total DBH of 1,280 inches from the site to accommodate the proposed residential development and associated improvements, and to remove nine (9) trees, with a total DBH of 155 inches, within the Significant Natural Resource Area (SNRA). The conditions of approval related to TP2015-0008 will remain in effect as approved.

As part of this Tree Plan Two application (TP2017-0011), the applicant proposes to remove four (4) additional trees, three (3) of which are within the SNRA, and one (1) outside the SNRA to the southeast of the property near the Churchill Forest development which is classified as a Community Tree and not subject to this application. The three (3) trees along the northern property line, within an SNRA, are being removed to accommodate a water line extension along the northern property line area. The additional trees are labeled 387 (Douglas Fir) with a DBH of 11 inches; 389 (Douglas Fir) with a DBH of 16 inches, and 390 (Red Alder) with DBH of 18 inches, found on plan sheets LTP-1r and LTP-11; and the fourth tree (a Community Tree) is labeled 314 (Oregon Oak) with a DBH of 20 inches, found on plan sheets LTP-8r and LTP-11. These four (4) trees are listed to be in fair condition.

Staff finds the proposal meets Threshold 3 for a Tree Plan Two application.

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

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

The applicant has paid the required fee for a Tree Plan Two application.

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

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

According to the applicant, the trees are not proposed for removal to observe good forestry practices. The trees are proposed for removal to accommodate the development of a water line to serve the development as well as other developments within the South Cooper Mountain Community Plan area. Criterion No. 3, solely related to good forestry practices, is not applicable.

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

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

In response to the applicant's statement, staff confirms that the proposed development pattern / plan has been designed to accommodate construction of the public water line necessary to serve the development and other developments within the South Cooper Mountain Community Plan area. Staff concurs with the applicant's response to Criterion No. 4 with the finding that the tree trees in the SNRA cannot reasonably be avoided in the construction of the water line.

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

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

According to the applicant, property damage or other nuisances are not the reason the trees are being removed. Trees are being removed to facilitate development of the site. Staff concur.

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

- 6. *If applicable, removal is necessary to accomplish public purposes, such as installation of public utilities, street widening, and similar needs, where no reasonable alternative exists without significantly increasing public costs or reducing safety.***

The removal of the trees is in order for the proposed development to construct a critical piece of public infrastructure, a high pressure water line to serve portions of the development as well as other developments within the South Cooper Mountain Community Plan area.

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

- 7. *If applicable, removal of any tree is necessary to enhance the health of the tree, grove, SNRA, or adjacent trees, [or] to eliminate conflicts with structures or vehicles.***

The removal of the trees is in order for the proposed development to construct a critical piece of public infrastructure, a high pressure water line to serve portions of the development as well as other developments within the South Cooper Mountain Community Plan area.

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

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

The applicant indicates that the tree removal is limited to the area intended for the public water line. The removal of three trees to accommodate the water line will not result in a reversal of the original SNRA determination. The majority of the SNRA remains undisturbed by the proposed development. Staff find the applicant's tree removal proposal will not result in a reversal of the original determination for SNRA.

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

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

The applicant indicates remaining trees on-site will not pose a safety hazard due to windthrow. The proposed removal of trees will be limited to locations intended for development, or for stream rehabilitation. Staff concur.

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

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

The Code Conformance Analysis chart found within the original Tree Plan Two application (TP2015-0008) is applicable to all proposed tree removal, and shall include these four (4) additional trees. This Tree Plan Two application is in compliance, as conditioned, with all code requirements of Sections 60.60 through 60.67.

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

1. ***Grading and contouring of the 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.***

This approval criterion is identical to Facilities Review approval criterion J found within Attachment A above, page FR-17. The applicant is not proposing substantial new grading with the modification of a decision application. The only changes to existing grading will occur with the 10 additional lots proposed in phases 2A and 2B which are outside any protected areas.

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

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

The submitted tree plan proposal contained all applicable submittal requirements necessary to be deemed complete.

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

13. ***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 modified Tree Plan Two application with associated Minor Modification of a Conditional Use application (CU2017-0005), and Preliminary Subdivision (Modification of a Decision to LD2015-0013), LD2017-0006 for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant at this stage of City review. Because the applications are being reviewed concurrently, the Commission will review all the applications at one public hearing.

Therefore, staff find 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 **TP2017-0011 (South Cooper Mountain Heights PUD Modifications)** subject to the applicable conditions identified in Attachment G.

Code Conformance Analysis
Chapter 60.60 Trees and Vegetation & Chapter 60.67 Significant
Natural Resources

CODE SECTION	CODE REQUIREMENT	PROJECT PROPOSAL	MEET STANDARD
60.60.15 Pruning, Removal, and Preservation Standards			
60.60.15.1A-B	Pruning Standards	All pruning must comply with the City's adopted Tree Planting and Maintenance Policy.	YES w/COA
60.60.15.2.A	Removal of Protected Trees must be in accordance with this section.	The proposed tree removal complies with this section (see findings below).	YES
60.60.15.2.B	Mitigation is required as set forth in 60.60.25	Mitigation is not required for community trees. The applicant does not proposed to remove greater than 50% of the trees within the SNRA therefore no mitigation is necessary for the removal of three (3) trees within the wetland area.	YES
60.60.15.2.C.1	Standards for SNRA & Significant Groves	The applicant will preserve more than 25% of the surveyed non-exempt trees on site.	YES
60.60.15.2.C.2	DBH shall be retained in cohesive Preservation Areas.	Trees not proposed to be removed in the SNRA's will be preserved. The removal of three trees will not impact the preservation of the other trees within the SNRA which will be preserved within natural resource tracts	YES
60.60.15.2.C.3	Native understory vegetation and trees	Native and understory vegetation will be	YES

	shall be preserved in Preservation Areas.	preserved within the natural resource tracts.	
60.60.15.2.C.4	Preservation Areas shall be clustered and connect with adjoining portions of the SNRA or Significant Grove.	Preservation tracts are proposed for the natural resources on the site in accordance with the resource's existing location.	YES
60.60.15.2.C.5	Preservation Areas shall be set aside in conservation easements.	Resource areas are not proposed through Design Review. Preservation areas will be in natural resource tracts.	N/A
60.60.15.2.C.6	Preservation Areas conditioned for protection through the Land Division process.	Preservation areas will be set aside in natural resource tracts, per the proposal.	YES
60.60.15.2.C.7	Native species shall be preferred for preservation over non-native species.	The three trees that are proposed to be removed in the SNRA are to accommodate the high pressure water line, daylighting the creek, stormwater facilities and trails.	YES
60.60.15.2.C.8	Hazardous and dead trees should be fallen only for safety and left at the resource site unless the tree has been diagnosed with a disease.	No dead or dying trees are proposed to be removed.	N/A
60.60.20 Tree Protection Standards During Development			
60.60.20.1	Trees shall be protected during construction by a 4' orange plastic fence and activity within the protected root zone shall be limited. Other protections measures may be used with City approval.	Protection measures are proposed in conformance with section 60.60.20, including construction fencing and efforts to ensure minimal impacts to existing vegetation that is to be retained. Some trees closer to development may need alternative protections measures.	YES w/ COA

		Staff recommends a condition of approval that the applicant adhere to Section 60.60.20 unless modified in agreement with the City Arborist.	
60.60.25 Mitigation Requirements			
60.60.25	Mitigation Standards: (60.60.25.2.B) if less than 50% of the total DBH is proposed for removal no mitigation is required.	Three (3) trees with a total DBH of 45 inches are proposed to be removed from the SNRA area. Total DBH of Community Trees is 6,244. Total DBH of trees for removal project wide is 1,280, which is approximately 20% of the total DBH within SNRA's on the site. No mitigation is required.	YES
60.67 Significant Natural Resources			
60.67.05.1	Development activities in locations of possible significant natural resources and/or wetlands are subject to relevant procedures identified in Chapter 50.	The proposed development and associated tree removal is subject to the relevant procedures identified in Chapter 50 including types 1, 2 and 3 land use applications. Review by CWS has been completed.	YES
60.67.10	Development activities in locations of Significant Riparian Corridors are subject to relevant procedures identified in Chapter 50.	The proposed development and associated tree removal is subject to the relevant procedures identified in Chapter 50 including types 1, 2 and 3 land use applications. Protective buffers will be established and enforced accordingly, per CWS.	YES

CONDITIONS OF APPROVAL

CU2017-0005 Minor Modification of a Conditional Use-PUD

1. Ensure the associated land use application LD2017-0006 has been approved and is consistent with the submitted plans. (Planning / SLF)

LD2017-0006 Modification of a Land Division-Subdivision

A. General Conditions:

1. Ensure the associated land use application CU2017-0005 has been approved and are consistent with the submitted plans. (Planning / SLF)
2. All conditions of approval for LD2015-0013 (South Cooper Mountain Heights Preliminary Subdivision) are superseded by this approval. (Planning / SLF)

B. Prior to Site Development Permit Issuance for Any / All Phases: *(conditions are applicable within the phase boundary the permit is sought for, consistent with the phasing plan associated with this application, unless otherwise specified. Conditions applicable to specific phases are applicable in addition to the conditions listed below and may be found in Sections G-L below.) Note: as of September 2017, the Site Development Permit for Phases 1 and 4 has already been issued but is anticipated to be modified pursuant to this approval.*

3. The applicant shall submit plans that show a 3-lane Collector Street per City standards, with landscaped median islands for Road 6C (east/west collector) between SW 175th Avenue and Loon Drive, including the realignment of Loon Drive at the new intersection with Road 6C. Where existing houses near the Loon Drive connection limit the available right-of-way (ROW) width, the new Collector Street shall have a 2-lane configuration. (Transportation / KR)
4. The applicant shall submit plans that show that the nature trails are designed to be 10 feet wide, with gravel shoulders of at least 1 foot. The nature trails should have a maximum slope of no more than 10 percent. The trails shall be within a property corridor that is at least 15 feet wide, centered on the trail. The property corridor shall either be dedicated as a tract to the public or a public agency, or shall be within a public access easement. (Transportation / KR)
5. Where a Community Trail is combined with a sidewalk, the trail shall consist of at least 12 feet of concrete, separated by a planter strip with street trees whenever possible. (Transportation / KR)

6. The applicant shall submit plans that show that the following streets are constructed to the City's L1 standard: Street C, Street H, Street K, Street L, and Street P. (Transportation / KR)
7. The applicant shall make all arrangements necessary to allow for the substantial completion of the permitted public water, storm and sanitary sewer improvements in SW 175th Avenue by the Beaverton School District for the new South Cooper Mountain High School, in addition to the Barrows Road Clean Water Services gravity sewer project, needed to serve this development as determined by the City Engineer. If at the time of a pending site development permit issuance for the first phase of the South Cooper Mountain Heights development and these necessary projects have not been substantially completed, then the approval of a final land division and plat recordation shall be delayed until all the critical public infrastructure referenced is in place, accepted by the City, and able to serve the South Cooper Mountain Heights development. (Site Development Div./JDD)
8. The applicant shall submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development / JJD)
9. The applicant shall contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development / JJD)
10. The applicant shall submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development / JJD)
11. The applicant shall have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, Clean Water Services SPL (Service Provider Letter) required plantings, private streets, and common driveway paving by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount, equivalent to 100 percent or more of estimated construction costs. (Site Development / JJD)
12. The applicant shall submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development / JJD)

13. The applicant shall submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to, the 175th Avenue and Scholls Ferry Road right of ways. (Site Development / JJD)
14. The applicant shall submit a copy of issued permits or other approvals as needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (for work within or affecting a jurisdictional wetland). (Site Development / JJD)
15. The applicant shall have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development / JJD)
16. The applicant shall have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development / JJD)
17. The applicant shall provide a public utility plan for water provision as documented in the attached October 28, 2015, correspondence from David Winship, City Utilities Engineer, including a large telemetry-monitored pressure reducing valve station in the northwest corner of the development and a minimum 16 inch diameter water line crossing the development from Loon Drive to 175th Avenue within the proposed collector street. The project shall be eligible for a water system development charge credit equal to the estimated construction cost value of extra capacity improvements as determined and administered by the City Utilities Engineer. This condition is subject to revisions as approved by the City Engineer. (Site Development / JJD)
18. The applicant shall submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the 2006 plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div. /JJD)
19. The applicant shall provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (December 2015), demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2007-020 in regard to water quality treatment. However, it will need to be supplemented to include how all phases except 1 and 4 shall conform to the SLOPES V requirements based on the City's interpretation dated June 16, 2017. (Site Development / JJD)
20. The applicant shall provide final grading plans with a detailed drainage analysis of the subject site by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. On all plan sheets that show grading and elevations, the 100 year inundation level shall be identified. (Site Development / JJD)

21. The applicant shall provide construction plans that show how each lot will be independently served by utility systems as required by the City Engineer and City Building Official per City standards. Any extra-capacity water and storm water facility improvements, as defined and determined by the City Utilities Engineer, shall be eligible for system development charge credits to be assigned to lots within the subdivision. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. (Site Development / JJD)
22. The applicant shall submit a revised grading plan showing that each lot or adjacent residential property has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities. Additionally, a minimum finished floor elevation that is at least three feet higher than the maximum possible high water elevation shall be established for each new building lot and documented on the plans. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development / JJD)
23. The applicant shall submit a design for the retaining walls surrounding, adjacent, and within storm water quality facilities designed by a civil engineer or structural engineer for the expected hydrological conditions. These retaining walls shall be watertight for all areas of earthen fill or where deemed necessary by the City Engineer. Additionally, these walls shall be designed as poured-in-place, reinforced, 4000 PSI, portland cement concrete with cobblestone face texturing, or a City Engineer approved equivalent, and with minimum 18-inch wide, 4-inch thick, cap on the top of the stem of each wall. (Site Development / JJD)
24. The plans shall show access for a maintenance vehicle within 6-feet from the front, or within 15-feet from the side of a vehicle to all storm control structures unless otherwise specifically approved by the City Engineer. A direct walking route to the structures in the pond area shall be no steeper than 4 (horizontal) to 1 (vertical) slope. This direct route shall be a minimum of 6-feet wide and have a surface consisting of the equivalent of 3-inches of crushed rock (to allow walking access in winter) and vegetation shall allow easy access. This direct access route shall be delineated on the plans. (Site Development / JJD)
25. The applicant shall submit a geotechnical and geo-environmental report with the site development permit application for review and approval by the City Engineer. The report shall include an assessment of the soil and any ground/surface water issues, slope stability, and recommended construction methods. It shall be prepared by a professional engineer or registered geologist to the specifications of the City Engineer. (Site Development / JJD)

26. The applicant shall submit to the City a certified impervious surface determination of the proposed project's net new impervious area proposed for any common areas and private streets prepared by the applicant's engineer, architect, or surveyor. The certification shall consist of an analysis and calculations determining the square footage of all impervious surfaces as a total for the common areas and private streets. In addition, specific types of impervious area totals, in square feet, shall be given for parking areas and driveways, sidewalk and pedestrian areas, and any gravel surfaces. Calculations shall also indicate the square footage of pre-existing impervious surface, the new impervious surface area created, and total final impervious surface area on the entire site and individual lots/tracts. (Site Development / JJD)
27. The applicant shall pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed for any common areas or private streets. (Site Development / JJD)
28. The applicant shall make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development / JJD)
29. The applicant shall provide plans for street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director) and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development / JJD)
30. The applicant shall provide plans showing a City standard commercial driveway apron at the intersection of any private, common driveway and a public street. (Site Development / JJD)
31. The applicant shall provide plan showing trails are designed consistent with Tualatin Hills Park & Recreation District (THPRD) Functional Plan standards, as applicable. (Planning / SLF & TG)
32. The applicant shall provide certification from a registered professional engineer that adequate sight distance exists in both directions (or can be obtained pursuant to specific improvements) at both public street connections, Road 6C and Street F, to SW 175th Avenue prior to commencing any site preparation activities. These sight distance measurements should account for ROW dedication. (Transportation / KR)
33. The applicant shall provide plans showing extension of the purple pipe, non-potable water system, as approved by the City Engineer. (Engineering, DW)

C. Prior to Recording of a Plat for Any/All Phases: *(conditions are applicable within the phase boundary the permit is sought for, consistent with the phasing plan associated with this application unless otherwise specified. Conditions applicable to specific phases are applicable in addition to the conditions listed below and may be found in Sections G-L below.)*

34. The applicant shall have completed one of the following two options:

- a. First, dedicate a permanent easement to the city for a public water line that extends from the planned water line connection at the Prentice property (tax lot 1S131DD01500) west to SW 175th Avenue. The easement shall be 20 feet wide and located generally along the northern boundary of Dyches property (tax lot 2S10600000103) and West Hills property (tax lot 2S106AB00100) or their successors, consistent with the South Cooper Mountain Water System Concept Plan dated 9/11/2017. Second, grant to the City an assignable 10-foot-wide temporary construction easement, to run adjacent to the south of the dedicated water line easement. Third, grant to the City either an assignable 10-foot wide temporary access easement on Tax Lot 100, east of the creek, from the constructed Road 6C to the northern most property line of Tax Lot 100, or an assignable 10-foot wide temporary access easement to run adjacent to the south of the dedicated water line easement to SW Oystercatcher via Street T to Street O and south across Road 6C. The temporary easements required by this paragraph shall terminate 12 months from the start of construction or at the completion of construction, whichever is sooner. The applicant shall also provide to the city a waiver of remonstrance to the formation of a local improvement district to provide water service to the properties in the South Cooper Mountain Community Plan Area: or
- b. Enter into an agreement with the City and additional parties designated by the City that requires the applicant to obtain for the City the easements that are required by paragraph a, above, and to construct the planned waterline connection from the Prentice property (tax lot 1S131DD01500) west to 175th Avenue. The agreement shall assign responsibility for easement acquisition and water line construction, state required deadlines, allocate responsibility for costs, and specify remedies for failure to perform.

35. The applicant shall submit to the City a copy of the CC&Rs that provide for the maintenance of the private common open space, including all the trails, pathways, and walkways. (Transportation / KR)

36. The applicant shall have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rocked; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development / JJD)

37. The applicant shall show granting of any required on-site easements on the subdivision plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. All public storm water facility tracts shall be conveyed to the City of Beaverton by means of the plat. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development / JJD)
38. The applicant shall show the granting of public easements over the entirety of all trails and pedestrian connections shown on the applicants approved plans. (Planning / SLF)
39. The applicant shall demonstrate that all lots meet ordinance standards for lot size, dimension and frontage, as approved. The final plat shall be fully dimensioned and indicate the square footage of each lot, include all yard setbacks. (Planning / SLF)
40. The applicant shall provide written assurance to the Planning Division that each and every lot is buildable without variance under City Ordinances effective as of the date of preliminary plat approval. Tracts and other parcels not proposed for development shall also be listed with a statement of their purpose. (Planning / SLF)
41. The applicant shall pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning / SLF)
42. The applicant shall submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the development will be constructed in accordance with City requirements. (Planning / SLF)
43. The applicant shall submit a Final Land Division Application. In accordance with Section 50.90 of the Development Code, submittal of a complete final land division application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning / SLF)
44. The applicant shall identify all improvements within tracts and public rights-of-ways and specify the maintenance responsibilities of those improvements. (Planning / SLF)
45. The applicant shall provide a street name plan shown on the proposed plat consistent with the City's Street Name Plan. Street name signs shall not be installed prior to final plat approval. (Planning / SLF)
46. The HOA shall be responsible for maintenance of all tracts unless said tract is transferred to a public agency for maintenance or ownership. The plat shall specify maintenance responsibilities of each tract. (Planning / SLF)
47. The applicant shall submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development / JJD)

48. The applicant shall have substantially completed the site development improvements as determined by the City Engineer, including streetlights being fully functional. (Site Development / JJD)
49. The applicant shall have placed underground all existing overhead utilities and any new utility service lines within the project and along any existing street frontage, as determined at site development permit issuance. (Site Development / JJD)
50. The applicant shall have constructed all sidewalks and walkways, except for those specifically authorized by the City to be deferred until after the construction of the adjacent home(s) has been completed. (Transportation / KR)
51. The applicant shall have completed the construction of each street, with at least the first lift of asphalt in place. The final lift of asphalt is to be completed prior to issuance of the first building permits (excluding any model homes) for the affected phase. (Transportation / KR)
52. The applicant shall have paid to Washington County—and provided proof of payment to the City—the pro rata share of the cost to mitigate the safety and performance issues with the intersection of SW 175th Avenue and SW Kemmer Road. (The total amount for all phases is \$216,808, with the proportional splits for each phase detailed below.) (Transportation / KR)
53. For the single family phases, the applicant shall pay the City's street tree planting fee for the street trees within that phase. Currently, the fee is \$200 per tree, with one tree on each side of the street required per 30 lineal feet of street frontage. For the attached dwelling phases, the applicant shall install the street trees as approved through the Design Review process. (The total amount of the street tree fee is \$180,000, with the amounts for each phase detailed below.) (Transportation / KR)
54. The applicant shall record a pedestrian and bicycle access easement across all public walkways. (Transportation / KR)

D. Prior to Building Permit Issuance of the First Dwelling of Each Phase, the Applicant

Shall: *(conditions are applicable within the phase boundary the permit is sought for, consistent with the phasing plan associated with this application unless otherwise specified. Conditions applicable to specific phases are applicable in addition to the conditions listed below and may be found in Sections G-L below.)*

55. The applicant shall pay a storm water system development charge (overall system conveyance). (Site Development / JJD)
56. Have completed the final lift of asphalt on all streets required to be constructed with the phase with the exception of a model home agreement. (Transportation / KR)

E. Prior to Final Inspection of any Building Permit, the Applicant Shall:

57. Prior to occupancy (Final Permit Inspection) of the first residential unit in each phase, not including model homes, the applicant shall have completed construction of the main elements of the pedestrian trail system located in said phase, including the pedestrian connections to SW 175th Avenue from the Local Streets and the pedestrian connection to SW Scholls Ferry Road west of the natural resource area. The pedestrian circulation system may be expanded and extended with future phases of development to improve pedestrian connectivity. (Transportation / KR)
58. Prior to occupancy of any new dwelling unit, the applicant shall submit final certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer. (Transportation / KR).
59. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are missing, damaged, deteriorated, or removed by construction along the house frontage. (Site Development / JJD)
60. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development / JJD)

F. Prior to Release of the Performance Security: *(conditions are applicable within the phase boundary the permit is sought for, consistent with the phasing plan associated with this application. Conditions applicable to specific phases are applicable in addition to the conditions listed below and may be found in Sections G-L below.)*

61. The applicant shall have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development / JJD)
62. The applicant shall submit any required on-site easements not already dedicated on the subdivision plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development / JJD)
63. The applicant shall provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the vegetation within the construction disturbed or sediment affected areas surrounding or within the surface water quality facility, vegetated corridor, and the common use areas, as determined by the City Engineer. If the plants are not well established (as determined by the City Engineer) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and

landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City prior to release of the security. (Site Development / JJD)

64. 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)
65. The applicant shall have completed all vegetated corridor mitigation area plantings within the phase area. (Planning/ SLF)
66. All pedestrian pathways and trails shall be completed in their entirety within the phase area. (Planning / SLF)

G. Phase 1 Specific Conditions of Approval: *Note: as of September 2017, the Site Development Permits for Phases 1 and 4 have already been issued and are anticipated to be modified pursuant to this approval.*

Prior to Site Development Permit Issuance

67. The applicant shall provide a plan showing that Street A will have emergency access onto SW 175th Avenue. The access shall have a gate (installed and maintained by the applicant and/or HOA) with a Knox box lock and drivable landscaping or paving materials. (TVF&R / JF)
68. The applicant shall provide a revised public utility plan for sanitary sewer that extends the minimum 12-inch diameter sewer guaranteed by the Beaverton School District northward within 175th Avenue to the northernmost point along the South Cooper Mountain Height's development frontage. This is as per the City of Beaverton South Cooper Mountain Sewer Master Plan requirement and is the alternate plan for sanitary sewer described in the application narrative within the conclusion of the September 8, 2015, sanitary sewer phasing memo. (Site Development / JJD)
69. The applicant shall provide plans that show right-of-way dedication sufficient to provide a minimum of 51 feet from ROW centerline along the northern portion of the SW 175th Avenue frontage and a minimum of 59 feet from centerline along the southern portion of the site's SW 175th Ave. frontage. (Transportation / KR)
70. The applicant shall provide plans that show construction of the new east/west collector, (Road 6C) between SW 175th Ave and the eastern property line of Tax Lot 100 along with the corresponding segment of the multi-use pathway between SW 175th Ave and the eastern property line of Tax Lot 100. The multi-use pathway shall have a paved width of at least 12 feet and shall be separated by at least a 7.5-foot planter strip (measured from the face of the curb to the front of the sidewalk) wherever practicable. (Transportation / KR)
71. The applicant shall provide plans showing construction of a 6-foot sidewalk along the SW 175th Avenue frontage, with a buffered bike lane, from SW Scholls Ferry Road to Street A

in the ultimate location, as shown on the Washington County and City of Beaverton Transportation System Plans, which matches the SW 175th Avenue cross-sections shown on the applicant's submitted plans. (Transportation / KR)

72. The applicant shall provide plans showing street lighting at the outer edge of the ultimate right-of-way of SW 175th Avenue to meet Washington County illumination standards. (Transportation / KR)
73. The applicant shall provide plans showing construction of the entirety of Streets A, B, C, and I, and Street 6C (Barrows) from SW 175th Avenue through the intersection of Street C.
74. The applicant shall provide plans showing construction of the approaches to SW 175th Avenue at Road 6C (Barrows), Street F, and the fire access for Street A.
75. The applicant shall provide plans showing construction of water, sewer, and storm services to serve each lot.
76. The applicant shall provide plans showing water service stubbed to the eastern property line of Tax Lot 100 within the right-of-way for Road 6C to tie into development of Tax Lot 103.
77. The applicant shall provide plans showing construction of the sanitary sewer connection to SW Scholls Ferry Road.
78. The applicant shall provide plans showing construction of stormwater facilities located within Tracts D and E,
79. The applicant shall provide plans showing extension of the purple pipe, non-potable water system through the site, including the construction of the PRV structure adjacent to Road 6C (Barrows).
80. The applicant shall provide plans showing pedestrian connections from the terminus of the following streets to SW 175th Avenue; A and B.

Prior to Final Plat Approval

81. The applicant shall pay a proportional share of the cost to improve the intersection of SW 175th Avenue and SW Kemmer Road to Washington County and provide proof of payment to the City of Beaverton. The Phase 1 share is \$9,987(Transportation / KR).
82. The applicant shall pay the City's Street Tree Fee of \$20,200 for the street trees within Phase 1. (Transportation / KR)
83. The applicant shall demonstrate that the bid to construct the required improvements to SW 175th Avenue has been awarded by Washington County for the following improvements to SW 175th Avenue: a southbound left-turn lane at the Road 6C intersection with 100 feet of storage, and a southbound left-turn lane at the Street F/high school entrance intersection with 100 feet of storage. Alternatively, the applicant may construct these improvements. (Transportation / KR)

84. Unless previously completed by Washington County, the applicant shall construct half-street improvements to Washington County's A-2 (5-lane) Arterial Street Standards, modified to include Arterial Street planter strip and sidewalk to meet City of Beaverton standards, along the SW 175th Avenue frontage of Tax Lots 2S106AB 100 and 200 or all of their successors. If the County has these improvements included in a programmed and funded street improvement program at the time of Final Plat Approval for a subdivision of this property, the enforcement of this Condition of Approval shall be deferred until the completion of the County's street improvement project, provided that the street improvements are expected to be completed within 1 year of the Final Plat Approval. (Transportation / KR)
85. The applicant shall coordinate with the Beaverton School District for the design and installation of the traffic signals for the SW 175th Avenue / SW Scholls Ferry Road and SW 175th Avenue / Street F intersections. (Transportation / KR)
86. All streets shall have a minimum of 1 lift of asphalt in place, with the exception of Street A west of the intersection of Street I to allow for future construction of the PRV installment for the high pressure water line.

H. Phase 2A Specific Conditions of Approval:

Prior to Site Development Permit Issuance

87. The applicant shall submit plans that show a pedestrian crossing at the southern terminus of the north-south pedestrian walkway with a Rectangular Rapid Flashing Beacon. (Transportation / KR)
88. The applicant shall submit plans that include a barricade and future street extension sign for the northwestern terminus of Street O which comply with all of the standards in the Engineering Design Manual. (Transportation / KR)
89. The applicant shall submit plans that show construction of the north-south community trail connection from Road 6C (east/west collector) to the northern property line of Tax Lot 103 and the pedestrian staircase from Road 6C to the northern edge of Phase 2A between lots 195 and 196. (Transportation / KR)
90. The applicant shall submit plans showing construction of the new east/west collector road, (Road 6C) between the intersection of Street F and Loon Drive, including the intersection of Road 6C with Loon Drive along with the corresponding segment of the 12-foot multi-use pathway. The pathway shall have a paved width of at least 12 feet and shall be separated by at least a 7.5-foot planter strip (measured from the face of the curb to the front of the sidewalk) wherever practicable. The intersection of Loon Drive and Road 6C shall have a marked crosswalk with Rectangular Rapid Flashing Beacons (Transportation / KR)

91. The applicant shall provide plans showing construction of the entirety of Streets O, P, Q, F, Street 6C (Barrows) from Loon Drive through the intersection of Street F, including the eastern and western drainage crossings, and Street T from O Street to the edge of Lots 190 and 191.
92. The Street F approach to SW 175th shall be constructed.
93. The applicant shall provide plans showing construction of water, sewer, and storm services to serve each lot.
94. The applicant shall provide plans showing water service stubbed to the western property line of Tax Lot 100 within the right-of-way for Road 6C and Street F.
95. The applicant shall provide plans showing construction of the sanitary sewer connection to SW Scholls Ferry Road through Phase 3.
96. The applicant shall provide plans showing construction of stormwater facilities located within Tracts K and T, including any needed stormwater lines to these tracts to serve the proposed phase.

Prior to Final Plat Approval

97. The applicant shall construct a southbound left-turn lane on SW 175th Avenue at the Street F/high school entrance intersection with 100 feet of storage. (Transportation / KR)
98. The applicant shall have installed the barricade and future street extension sign for the northwestern terminus of Street O which comply with all of the standards in the Engineering Design Manual. (Transportation / KR)
99. The applicant shall pay a proportional share of the cost to improve the intersection of SW 175th Avenue and SW Kemmer Road to Washington County and provide proof of payment to the City of Beaverton. The Phase 2A share is \$26,017 (Transportation / KR).
100. The applicant shall pay the City's Street Tree Fee of \$57,800 for the street trees within Phase 2A. (Transportation / KR)
101. Unless previously completed by Washington County, the applicant shall construct half-street improvements to Washington County's A-2 (5-lane) Arterial Street Standards, modified to include Arterial Street planter strip and sidewalk to meet City of Beaverton standards, along the SW 175th Avenue frontage of Tax Lots 2S106AB 100 and 200 or all of their successors. If the County has these improvements included in a programmed and funded street improvement program at the time of Final Plat Approval for a subdivision of this property, the enforcement of this Condition of Approval shall be deferred until the completion of the County's street improvement project, provided that the street improvements are expected to be completed within 1 year of the Final Plat Approval. (Transportation / KR)

102. The applicant shall coordinate with the Beaverton School District for the design and installation of the traffic signals for the SW 175th Avenue / SW Scholls Ferry Road and SW 175th Avenue / Street F intersections. (Transportation / KR)

I. Phase 2B Specific Conditions of Approval:

Prior to Site Development Permit Issuance

103. The applicant shall submit plans that show a pedestrian crossing at the southern terminus of the north-south pedestrian walkway with a Rectangular Rapid Flashing Beacon. (Transportation / KR)
104. The applicant shall submit plans that show construction of the pedestrian staircase within the phase 2B boundary. (Transportation / KR)
105. The applicant shall submit plans showing construction of the new east/west collector road, (Road 6C) between the intersection of Street F and Loon Drive, including the intersection of Road 6C with Loon Drive along with the corresponding segment of the 12-foot multi-use pathway. The pathway shall have a paved width of at least 12 feet and shall be separated by at least a 7.5-foot planter strip (measured from the face of the curb to the front of the sidewalk) wherever practicable. The intersection of Loon Drive and Road 6C shall have a marked crosswalk with Rectangular Rapid Flashing Beacons (Transportation / KR)
106. The Street F approach to SW 175th Avenue shall be constructed.
107. The applicant shall provide plans showing construction of water, sewer, and storm services to serve each lot.
108. The applicant shall provide plans showing water service stubbed to the western property line of Tax Lot 100 within the right-of-way for Road 6C and Street F.
109. The applicant shall provide plans showing construction of the sanitary sewer connection to SW Scholls Ferry Road through Phase 3.
110. The applicant shall provide plans showing construction of the entirety of Streets N, M, F, Street 6C (Barrows) from Loon Drive through the intersection of Street F, including the eastern and western drainage crossings, and Street T the southern edge of Lots 225 and 226 to the northern property line of Tax Lot 103.
111. The applicant shall provide plans showing construction of stormwater facilities located within Tracts K and T, including any needed stormwater lines to these tracts to serve the proposed phase.
112. The applicant shall submit plans showing the construction of the high pressure water line from the water service stub on the Prentice property to 175th Avenue, including the Pressure Reducing Valve (PRV) installation, as approved by the City Engineer.

Prior to Final Plat Approval

113. The applicant shall construct a southbound left-turn lane on SW 175th Avenue at the Street F/high school entrance intersection with 100 feet of storage. (Transportation / KR)
114. The applicant shall pay a proportional share of the cost to improve the intersection of SW 175th Avenue and SW Kemmer Road to Washington County and provide proof of payment to the City of Beaverton. The Phase 2B share is \$23,632 (Transportation / KR).
115. The applicant shall pay the City's Street Tree Fee of \$36,200 for the street trees within Phase 2B. (Transportation / KR)
116. Unless previously completed by Washington County, the applicant shall construct half-street improvements to Washington County's A-2 (5-lane) Arterial Street Standards, modified to include Arterial Street planter strip and sidewalk to meet City of Beaverton standards, along the SW 175th Avenue frontage of Tax lot 2S106AB 100 and 200 or all of its successors. If the County has these improvements included in a programmed and funded street improvement program at the time of Final Plat Approval for a subdivision of this property, the enforcement of this Condition of Approval shall be deferred until the completion of the County's street improvement project, provided that the street improvements are expected to be completed within 1 year of the Final Plat Approval. (Transportation / KR)
117. The applicant shall coordinate with the Beaverton School District for the design and installation of the traffic signals for the SW 175th Avenue / SW Scholls Ferry Road and SW 175th Avenue / Street F intersections. (Transportation / KR)

Prior to Building Permit Issuance

118. Due to having only a single fire department access, the applicant shall be required to provide/install fire sprinklers, complying with NFPA 13D, on lots 207-225 and lots 247-280. Unless otherwise approved by TVF&R. The fire sprinklers shall be shown on the approved building plans for each lot. (TVF&R & Planning)

J. Phase 3 Specific Conditions of Approval:

Prior to Site Development Permit Issuance

119. The applicant shall submit plans that show a pedestrian crossing at the southern terminus of the north-south pedestrian walkway with a Rectangular Rapid Flashing Beacon. (Transportation / KR)
120. The applicant shall submit plans that show construction of the north-south community trail connection from Churchill Forest to Road 6C, through Tract V. (Transportation / KR)
121. The applicant shall submit plans showing construction of the new east/west collector road, (Road 6C) between the western terminus of the intersection with Street O and Loon Drive, including the intersection of Road 6C with Loon Drive along with the corresponding

segment of the 12-foot multi-use pathway. The pathway shall have a paved width of at least 12 feet and shall be separated by at least a 7.5-foot planter strip (measured from the face of the curb to the front of the sidewalk) wherever practicable. The intersection of Loon Drive and Road 6C shall have a marked crosswalk with Rectangular Rapid Flashing Beacons (Transportation / KR)

122. The applicant shall provide plans showing construction of water, sewer, and storm services to serve each lot.
123. The applicant shall provide plans showing construction of the sanitary sewer connection to SW Scholls Ferry Road.
124. The applicant shall provide plans showing construction of the entirety of Streets R (Oystercatcher), S (Moorhen), U, Street O from 6C to SW Bittern Terrace, Street 6C (Barrows) from Loon Drive through the intersection of Street O, including the eastern drainage crossing.
125. Provide plans showing construction of a temporary construction access through Tract V to avoid construction traffic through the Churchill Forest Development. (Transportation / JK)
126. The applicant shall provide plans showing construction of stormwater facilities located within T, including any needed stormwater lines to these tracts to serve the proposed phase.

Prior to Final Plat Approval

128. The applicant shall pay a proportional share of the cost to improve the intersection of SW 175th Avenue and SW Kemmer Road to Washington County and provide proof of payment to the City of Beaverton. The Phase 3 share is \$9,973. (Transportation / KR).
129. The applicant shall pay the City's Street Tree Fee of \$22,800 for the street trees within Phase 4. (Transportation / KR)

K. Phase 4 Specific Conditions of Approval: *Note: as of September 2017, the Site Development Permits for Phases 1 and 4 have already been issued and are anticipated to be modified pursuant to this approval.*

Prior to Site Development Permit Issuance

130. The applicant shall submit plans that show construction of a southbound left-turn lane on SW 175th Avenue at the Street F/high school entrance intersection with 100 feet of storage. (Transportation / KR)
131. The applicant shall submit plans that show construction of the north-south community trail connection from the southern phase 4 boundary along Tract AA to Street H. (Transportation / KR)

132. The applicant shall provide plans showing construction of the entirety of Streets K, H, L, G and F, and D, E, V, J, and Street 6C (Barrows) from SW 175th Avenue to the eastern property line of Tax Lot 100, including the drainage crossing.
133. The applicant shall provide plans showing pedestrian connections from the terminus of the following streets to SW 175th Avenue; E and V.
134. The applicant shall provide plans showing construction of the sanitary sewer connection to SW Scholls Ferry Road through phase 5.
135. The applicant shall provide plans showing construction of stormwater facilities located within Tracts D, E, I, L, and AA, including any needed stormwater lines to these tracts to serve the proposed phase.
136. The applicant shall provide plans showing construction of water, sewer, and storm services to serve each lot.

Prior to Final Plat Approval

137. The applicant shall pay a proportional share of the cost to improve the intersection of SW 175th Avenue and SW Kemmer Road to Washington County and provide proof of payment to the City of Beaverton. The Phase 4 share is \$48,118. (Transportation / KR)
138. The applicant shall pay the City's Street Tree Fee of \$43,000 for the street trees within Phase 4. (Transportation / KR)
139. The applicant shall coordinate with the Beaverton School District for the design and installation of the traffic signals for the SW 175th Avenue / SW Scholls Ferry Road and SW 175th Avenue / Street F intersections. (Transportation / KR)
140. Unless previously completed by Washington County, the applicant shall construct half-street improvements to Washington County's A-2 (5-lane) Arterial Street Standards, modified to include Arterial Street planter strip and sidewalk to meet City of Beaverton standards, along the SW 175th Avenue frontage of Taxlot 2S106AB 100 and 200 or all of their successors. If the County has these improvements included in a programmed and funded street improvement program at the time of Final Plat Approval for a subdivision of this property, the enforcement of this Condition of Approval shall be deferred until the completion of the County's street improvement project, provided that the street improvements are expected to be completed within 1 year of the Final Plat Approval. (Transportation / KR)

Prior to Occupancy Permit Issuance

141. 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 SLF)

L. Phase 5 Specific Conditions of Approval:

Prior to Site Development Permit Issuance

142. The applicant shall provide plans showing construction of stormwater facilities located within Phase 5, including any needed stormwater lines to these tracts to serve the proposed phase.
143. The applicant shall submit plans that show construction of the north-south community trail connection from Scholls Ferry Road to Tract AA. (Transportation / KR)
144. The applicant shall provide plans showing construction of the entirety of Streets K and F.
145. The applicant shall provide plans showing construction of the sanitary sewer connection to SW Scholls Ferry Road.
146. The applicant shall provide plans that show right-of-way dedication sufficient to provide a minimum of 51 feet from ROW centerline along the northern portion of the SW 175th Avenue frontage and a minimum of 59 feet from centerline along the southern portion of the site's SW 175th Ave. frontage. (Transportation / KR)
147. The applicant shall provide a plan showing a minimum of 1.4 acres of active open space to serve the development. Excess active open space from prior phases (Phases 1-4) may be counted toward the requirement if construction is complete prior to any occupancy permit for the multi-family phase. (Planning Division / SLF)

Prior to Building Permit Issuance

148. The applicant shall pay a proportional share of the cost to improve the intersection of SW 175th Avenue and SW Kemmer Road to Washington County and provide proof of payment to the City of Beaverton. The Phase 5 share is \$99,081. This fee may be allocated among the individual buildings, as long as the total collected matches the amount allocated to the phase. (Transportation / KR).
149. Unless previously completed by Washington County, the applicant shall construct half-street improvements to Washington County's A-2 (5-lane) Arterial Street Standards, modified to include Arterial Street planter strip and sidewalk to meet City of Beaverton standards, along the SW 175th Avenue frontage of Tax Lots 2S106AB 100 and 200 or all of their successors. If the County has these improvements included in a programmed and funded street improvement program at the time of Building Permit issuance, the enforcement of this Condition of Approval shall be deferred until the completion of the County's street improvement project, provided that the street improvements are expected to be completed within 1 year of the Building Permit issuance. (Transportation / KR)
150. The applicant shall coordinate with the Beaverton School District for the design and installation of the traffic signals for the SW 175th Avenue / SW Scholls Ferry Road and SW 175th Avenue / Street F intersections. (Transportation / KR)

Prior to Final Occupancy

151. The applicant shall construct all trails, pedestrian walkways, and sidewalks, as approved. (Transportation / KR)
152. 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 SLF)

Conditions of Approval related to Final Plat, first partition of Tax Lot 2S10600200 separating said portion of the subject tax lot from the City of Tigard, as approved under City project file LD2016-0016, and recorded September 1, 2016, as Partition Plat No. 2016-038, Document No. 2016070676 with Washington County.

153. The applicant shall have dedicated sufficient right-of-way along SW 175th Avenue to provide 51 feet from centerline (59 feet where additional turn lane required for the SW Scholls Ferry Rd. intersection), to meet the Washington County roadway design standards (Exhibit "A" to Washington County Ordinance No. 738). (Transportation / KR)
154. The applicant shall dedicate 7 feet of right-of-way along the SW Scholls Ferry Rd. frontage in order to meet the City's Planter Strip standard for an Arterial Street. (Transportation / KR)

Prior to Final Partition – for Tax Lot 200 inclusive of Tigard parcels

155. The applicant shall record with Washington County a Final Land Division application for a partition, consistent with the City of Tigard and City of Beaverton IGA (Agenda Bill No. 15180). The primary purpose of this partition is to separate the portion of Tax Lot 2S10600200 which is within the City of Tigard from the portion within the City of Beaverton which is subject to this PUD approval. Please note that approval of a preliminary partition application is required prior to submittal of a Final Land Division application. (Planning / SLF)
156. The applicant shall record a motor vehicle access restriction along the site's frontage of SW Scholls Ferry Rd. and SW 175th Avenue, with the exception of the public street connections (Road 6C and Street F) approved to SW 175th Avenue. (Transportation / KR)
157. The applicant shall dedicate additional right-of-way to provide adequate corner radius at all intersections with County-maintained roads and adequate right-of-way for all signalized intersections. (Transportation / KR)

LD2017-0014 (3-Lot Partition of Dyches Family, LLC)

Prior to the Final Plat Approval for the partition of Tax Lot, 2S1060000103 the following shall occur:

158. Provision of blanket access and utility easements across the proposed Collector (6C) right-of-way (ROW). (Planning Division)
159. Dedication of right-of-way along all Arterial Streets to ultimate configuration, as approved. (Planning Division)
160. Dedication of additional ROW at Arterial intersections as needed for installation of signal equipment in its ultimate location. (Planning Division)
161. The applicant shall have completed one of the following two options:
 - a. First, dedicate a permanent easement to the city for a public water line that extends from the planned water line connection at the Prentice property (tax lot 1S131DD01500) west to SW 175th Avenue. The easement shall be 20 feet wide and located generally along the northern boundary of Dyches property (tax lot 2S10600000103) and West Hills property (tax lot 2S106AB00100) or their successors, consistent with the South Cooper Mountain Water System Concept Plan dated 9/11/2017. Second, grant to the City an assignable 10-foot-wide temporary construction easement, to run adjacent to the south of the dedicated water line easement. Third, grant to the City either an assignable 10-foot wide temporary access easement on Tax Lot 100, east of the creek, from the constructed Road 6C to the northern most property line of Tax Lot 100, or an assignable 10-foot wide temporary access easement to run adjacent to the south of the dedicated water line easement to SW Oystercatcher via Street T to Street O and south across Road 6C. The temporary easements required by this paragraph shall terminate 12 months from the start of construction or at the completion of construction, whichever is sooner. The applicant shall also provide to the city a waiver of remonstrance to the formation of a local improvement district to provide water service to the properties in the South Cooper Mountain Community Plan Area: or
 - b. Enter into an agreement with the City and additional parties designated by the City that requires the applicant to obtain for the City the easements that are required by paragraph a, above, and to construct the planned waterline connection from the Prentice property (tax lot 1S131DD01500) west to 175th Avenue. The agreement shall assign responsibility for easement acquisition and water line construction, state required deadlines, allocate responsibility for costs, and specify remedies for failure to perform.

TP2017-0011 Tree Plan Two

162. In accordance with Section 50.90.1 of the Development Code, Tree Plan approval shall expire 2 years after the date of approval unless, prior to that time, a construction permit has been issued and substantial construction pursuant thereto has taken place, or an application for extension has been filed, pursuant to Section 50.93 of the Development Code, or authorized development has otherwise commenced in accordance with Section 50.90.3.B of the Development Code. (Planning / SLF)
163. If protected trees are to be removed, and or trees within a Significant Natural Resource Area (SNRA), then prior to removing those trees, the applicant shall ensure that all associated applications (CU2015-0006, Land Division LD2015-0013, Design Review DR2015-0071, and as Modified: CU2017-0005, LD2017-0006, LD2017-0014, TP2017-0011) have been approved and are consistent with the submitted plans for the Tree Plan application. (Planning / SLF)
164. All pruning must comply with the City's adopted Tree Planting and Maintenance Policy. (Planning Division/JF)
165. The applicant must comply with the tree protection provisions of Section 60.60.20 of the Development Code, unless modified in agreement with the City Arborist. Plans showing compliance with these standards, including placement of orange tree fencing shall be provided prior to Site Development Permit issuance. (Planning Division/JF)
166. At the conclusion of the construction the applicant shall submit a report showing which Community Trees were kept, which were damaged or destroyed, and which were removed. (Planning Division/SLF)

*** END OF CONDITIONS OF APPROVAL ***