



CITY OF BEAVERTON  
Planning Division  
Community Development Department  
Tel: 503-526-2420  
www.beavertonoregon.gov

## MEMORANDUM

City of Beaverton  
Community Development Department

**To:** Interested Parties  
**From:** City of Beaverton Planning Division  
**Date:** October 30, 2023  
**Subject:** LU22023-00297 Scholls Valley Heights Townhomes (Phase 7)

Please find attached the Notice of Decision for **LU22023-00297 Scholls Valley Heights Townhomes (Phase 7) (DR22023-00296)**. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for LU22023-00297 Scholls Valley Heights Townhomes (Phase 7) (DR22023-00296) is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

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

**The appeal closing date for LU22023-00297 Scholls Valley Heights Townhomes (Phase 7) (DR22023-00296) is 4:30 p.m., November 13, 2023.**

The complete case files including findings, conclusions, and conditions of approval, if any, are available for review. The case files may be reviewed by contacting the project planner, Aaron Harris, at [aharris@beavertonoregon.gov](mailto:aharris@beavertonoregon.gov).

NOTE: The Community Development Department is currently open to the public on a limited basis, Monday through Thursday from 8:30 a.m. to 4:30 p.m. Please note that the Community

Development Department is not open to the public on Fridays at this time. Staff recommends visiting <https://www.beavertonoregon.gov/183/Community-Development> for the most up-to-date information about in-person and virtual services.

Accessibility information: This information can be made available in large print or audio tape upon request. Assistive listening devices, sign language interpreters, or qualified bilingual interpreters can be made available at any public meeting or program with 72 hours advance notice. To request these services, contact Aaron Harris by calling 711(503) 616-8453 or email [aharris@beavertonoregon.gov](mailto:aharris@beavertonoregon.gov)

# STAFF REPORT

**Report date:** October 30, 2023

**Application:** Scholls Valley Heights Townhomes (Phase 7)

**Application Numbers:** LU22023-00297 (DR22023-00296)

**Proposal:** The applicant, CND-Scholls, requests Design Review Two approval to construct 10 single-family attached dwellings.

**Proposal location:** The site is currently unaddressed, located on the north side of SW Aspen Butte Lane at tax lots 6700, 6800, 6900, 7000, 7100, 7200, 7300, 7400, 7500, and 7600 on Washington County Tax Assessor's Map 2S106BB.

**Applicant:** CND-Scholls, LLC

**Decision:** APPROVAL of LU22023-00297 (DR22023-00296), subject to conditions identified at the end of this report.

**Contact Information:**

City Staff Representative: Aaron Harris, Senior Planner  
503-616-8453  
aharris@BeavertonOregon.gov

Applicant: CND-Scholls, LLC  
Aziz Siddiqui  
1905 NW 169th Pl. STE 102  
Beaverton, OR 97006

Applicant Representative: Pioneer Design Group, Inc.  
Matthew Sprague  
9020 SW Washington Square Rd. STE 170  
Portland, OR 97223

Property Owner: CND-Scholls, LLC  
Aziz Siddiqui  
1905 NW 169th Pl. STE 102  
Beaverton, OR 97006



## Existing Conditions

**Zoning:** Residential Mixed A (RMA) – Formerly R2 at time of original Subdivision application on September 29, 2017.

**Site Conditions:** The site is currently vacant. It has been graded per an existing Site Development Permit approval.

**Total Site Size:** 0.40 acres.

**Location:** The site is located on the north side of SW Aspen Butte Lane.

**Neighborhood Association Committee:** Neighbors Southwest

**Table 1: Surrounding Uses**

Direction	Zoning	Uses
North	Residential Mixed A (RMA)	Vacant
South	Residential Mixed B (RMB)	Vacant
East	Residential Mixed B (RMB)	Vacant
West	Residential Mixed A (RMA)	Vacant

## Application Information

**Table 2: Application Summary**

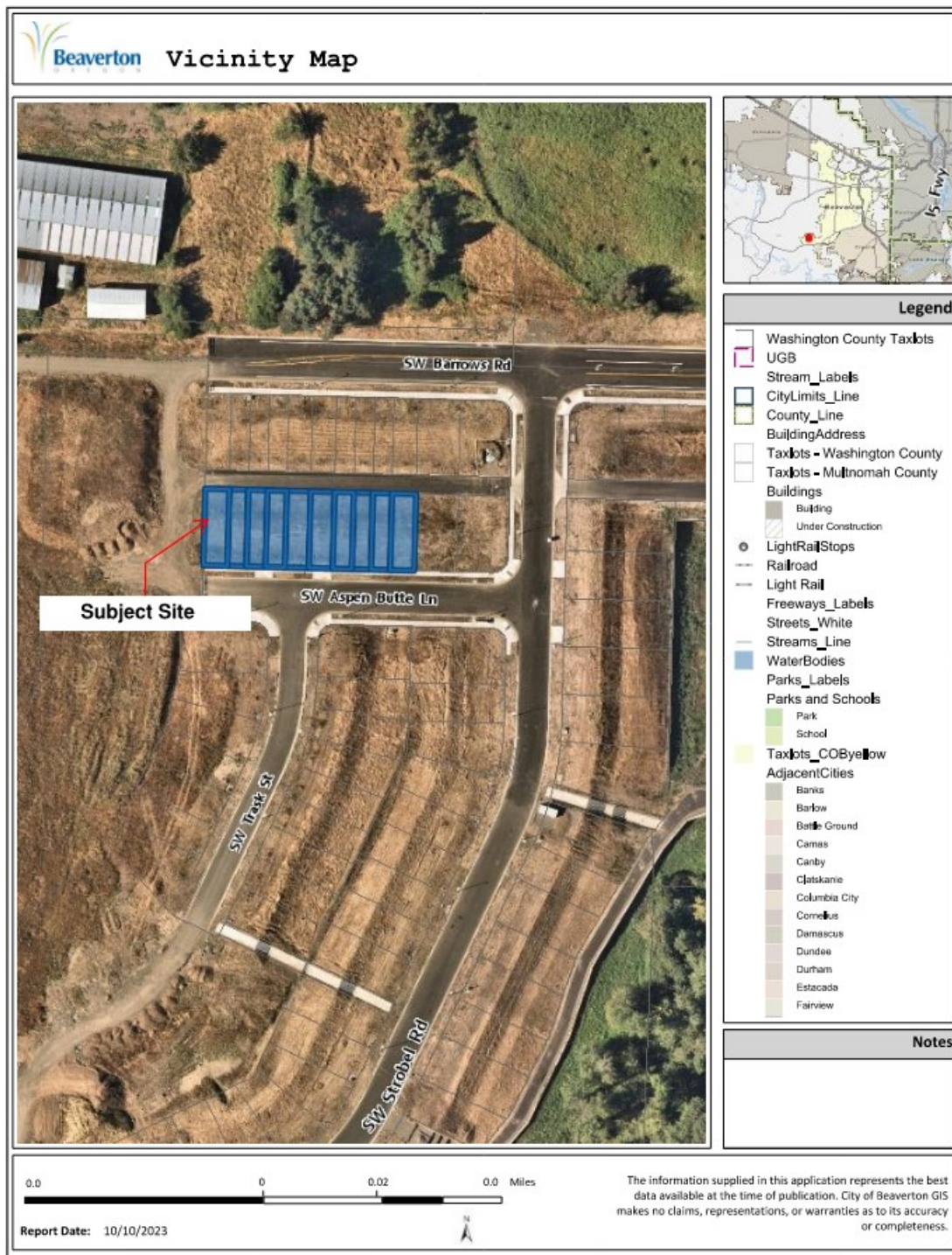
Application	Application Type	Proposal Summary	Approval Criteria Location
DR22023-00296	Design Review Two	To construct 10 single-family attached dwellings.	Development Code Section 40.03 and Section 40.20.15.2.C

**Table 3: Key Application Dates**

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
DR22023-00296	May 10, 2023	Sept. 5, 2023	Jan. 3, 2024	Sept. 4, 2024

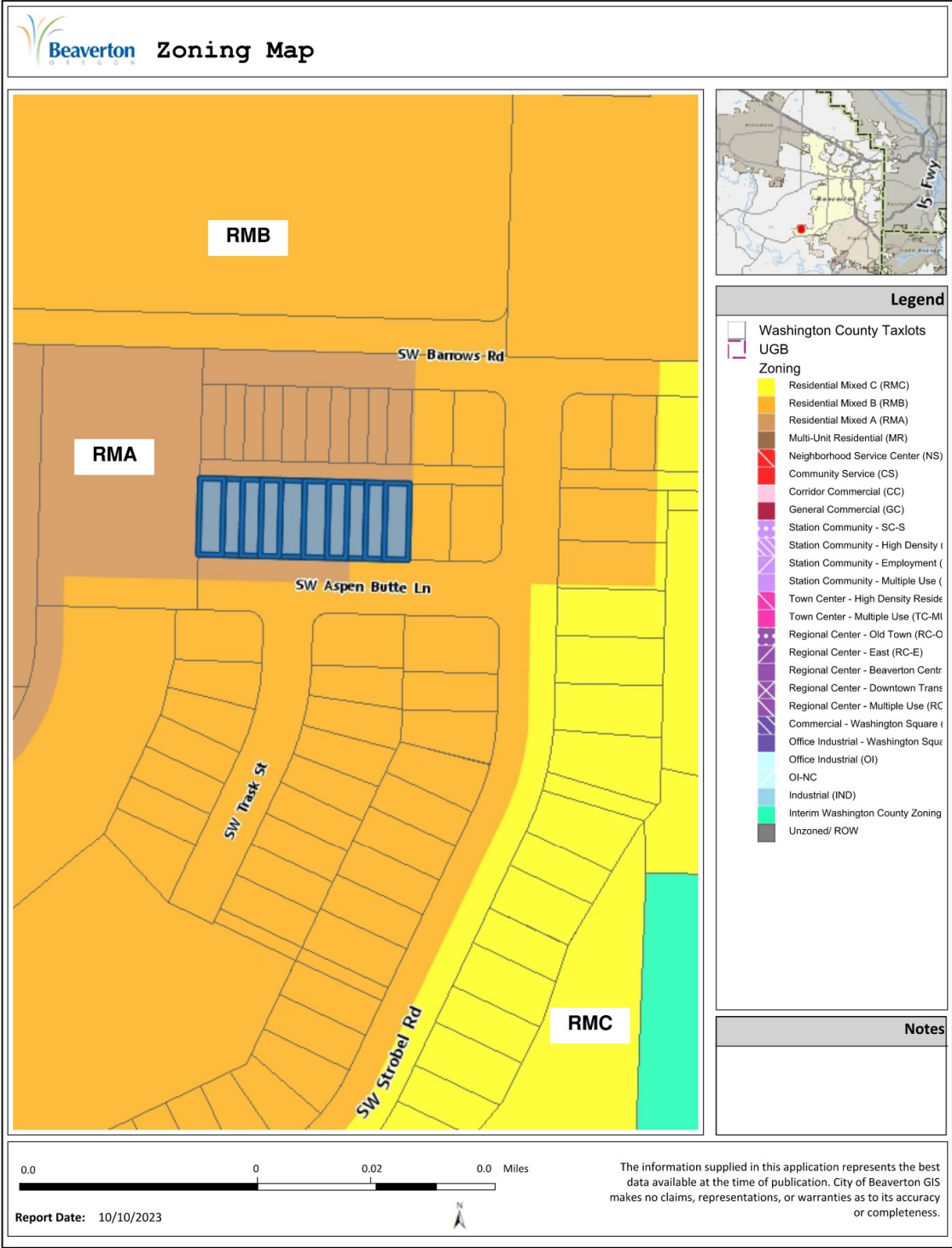
\* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

# Exhibit 1.1 Vicinity Map





# Exhibit 1.2 Zoning Map



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## Exhibits

### Exhibit 1. Staff Submittals

Exhibit 1.1 Vicinity Map (Page 6 of this report)

Exhibit 1.2 Zoning Map (Page 7 of this report)

### Exhibit 2. Public Comment

Exhibit 2.1 Public Testimony from Judy Hamada

### Exhibit 3. Applicant Submittals

Exhibit 3.1 – Applications

Exhibit 3.2 – Narrative and Reports

Exhibit 3.3 – Plans Sets

Exhibit 3.4 – Service Provide Letters

Exhibit 3.5 – Supplementary Documentation

## **Public Comment Response**

Staff has identified the following as themes or issues raised in public testimony and addresses those, herein, and/or refers to the portion(s) of the staff report and record in which those issues are addressed.

### **Townhome Desirability**

Public comments express concern that townhomes may not be desired in a neighborhood with high density buildings in the surrounding area. Staff cites the Code Conformance Analysis Table in the staff findings below which address the applicable development standards in BDC Chapter 20. Staff further notes that the subject site is Phase 7 of the Scholls Valley Heights at South Cooper Mountain PUD, which received land use approval in 2017. Staff analysis of applicable approval criteria concludes that the proposal satisfies the applicable site development standards.

### **Wildlife Corridors**

Public comments express concern about providing a wildlife corridor prior to the approval of additional development in the area. Staff analysis concludes that wildlife corridors do not address an applicable review criterion for Design Review Two approval per BDC Section 40.20.15.2.C. Staff also concludes that a wildlife corridor was not required on the Phase 7 subject site as a component of the Scholls Valley Heights at South Cooper Mountain PUD approval.

### **Single-Level Homes for Accessibility Residents**

Public comments express concern that single-level homes for accessibility residents should be highly considered before more two-level housing units. Staff cites the Code Conformance Analysis table in the staff findings below which address the applicable development standards in BDC Chapter 20. Staff analysis of applicable approval criteria concludes that the proposal satisfies the applicable site development standards.



# Attachment A: FACILITIES REVIEW

**Application:** Scholls Valley Heights Townhomes (Phase 7)

**Proposal:** The applicant, CND-Scholls, requests Design Review Two approval to construct 10 single-family attached dwellings.

**Recommendation:** APPROVE DR22023-00296, subject to conditions of approval

## 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 a 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.

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

- All twelve (12) criteria are applicable to the Design Review Two (DR22023-00296) application as submitted.

### Section 40.03.1.A

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

#### FINDING:

Chapter 90 of the Development Code defines "critical facilities" to be services that include potable and non-potable public water; public sanitary sewer; stormwater drainage, treatment, and retention; transportation; and fire protection.

**Potable Water:** The subject site is served by City of Beaverton public water service, and an existing eight-inch public water main located in SW Aspen Butte Lane right of way will provide water service to individual townhomes. The proposed scope of work does not include modifications to utility locations or connections for potable water service to this site compared to the original approval of the Scholls Valley Heights at South Cooper Mountain PUD in 2017 (CPA2017-0006 / CU2017-0010 / DR2017-0052 / LD2017-0009 / LD2017-0017 / SDM2017-0007 / TP2017-0008 / ZMA2017-0005). The Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

**Non-Potable Water:** The subject site is served by the City of Beaverton non-potable water network. The site will connect to the existing two-inch non-potable water main located in SW Aspen Butte Lane right of way, as originally approved for this area of the Scholls Valley Heights at South Cooper Mountain PUD. Therefore, the Committee finds that the proposal meets the requirement to connect to the non-potable water network.

**Sanitary Sewer:** Sanitary sewer service is provided by the City of Beaverton, and the project does not propose changes to sanitary sewer utility locations or connections compared to the Scholls Valley Heights at South Cooper Mountain PUD approval. Proposed townhomes will connect to the existing eight-inch public sewer main located in SW Aspen Butte Lane right of way. Therefore, the Committee finds that adequate sanitary sewer service can be provided to the site to serve the proposed development.

**Stormwater Drainage, Treatment, and Retention:** The subject site is served by City of Beaverton stormwater service. Existing stormwater drainage and treatment infrastructure including 10- and 12-inch public stormwater gravity mains, catch basins, and manholes are located in SW Aspen Butte Lane right of way. This infrastructure was approved with the original Scholls Valley Heights at South Cooper Mountain PUD and subsequent Site Development Permit and will provide adequate stormwater service for the proposed development.

**Transportation:** The site is bordered by a private alley to the north (identified as Tract J on Washington County plat map document #2022-071280, Scholls Valley Heights No. 2). The site is bordered by SW Aspen Butte Lane to the south. Residential lots about the subject site to both the east and west, and they are currently undeveloped.

SW Aspen Butte Lane is a local street that is maintained by the City of Beaverton.

The project proposes vehicle access from a private alley and pedestrian pathways for individual townhomes to access SW Aspen Butte Lane from the right of way. The Committee finds that a safe and efficient transportation network will be provided for the subject site.

**Fire Protection:** Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). A TVF&R Service Provider Permit was originally issued for the site in 2019. The applicant has also provided documentation from TVF&R approving the proposed temporary secondary access as shown on the submitted plans (Sheet FS1).

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

## **Section 40.03.1.B**

**Approval Criterion:** *Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved*

*if it adequately demonstrates that essential facilities, services, or both, will be provided to serve the proposed development within five (5) years of occupancy.*

## **FINDING:**

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities in the public right-of-way.

**Schools:** The proposed development is within the Beaverton School District (BSD) boundaries. The Beaverton School District reviewed the proposal at the time of PUD approval in 2017. Since the proposal does not increase the number of dwelling units compared to the PUD approval, a BSD SPL was not required for this project. The Committee finds that adequate school facilities are provided for this development.

**Transit Improvements:** The subject property is not currently served by public transit. TriMet anticipates expanding bus service to the South Cooper Mountain area in the future. The locations of future bus stops are unknown at this time.

**Police Protection:** The City of Beaverton Police Department will serve the development site. As of the date of this report, Beaverton Police have not provided comments or recommendations to the Committee. Therefore, the Committee finds that adequate police protection service can be provided to the site to serve the proposed development.

**Pedestrian and Bicycle Facilities:** Public pedestrian and bicycle facilities serving the subject site were approved with the Scholls Valley Heights at South Cooper Mountain PUD, and this proposal does not request to modify those facilities. Public sidewalks are proposed on both sides of surrounding streets. Private pedestrian pathways are proposed to connect the primary entrance of each dwelling to the public sidewalk network. The Committee finds that these facilities will provide adequate pedestrian and bicycle connectivity for the proposed development.

For these reasons, the Committee finds that essential facilities and services related to the proposed development are available or can be made available with adequate capacity to serve the development.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

## **Section 40.03.1.C**

**Approval Criterion:** *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent*

*upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).*

## **FINDING:**

At the time of Scholls Valley Heights at South Cooper Mountain PUD application, the subject site was zoned R2 Residential Urban Medium Density. The PUD approval modified select base zoning standards of the R2 zoning district, including setback requirements internal to the PUD. Parent parcels that comprised the PUD were required to meet the setbacks of the underlying zoning district.

The Committee refers to the Code Conformance Analysis table at the end of this report, which evaluates the project as it relates to applicable code requirements of Chapter 20 (Land Uses) that were in effect on the date of original PUD application and modifications approved with the PUD. As demonstrated in the table, the development proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) or the standards approved with the Scholls Valley Heights at South Cooper Mountain PUD.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

## **Section 40.03.1.D**

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

## **FINDING:**

The Committee 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 (Special Requirements). Staff will provide findings for the Design Review Two request within the applicable section of the staff report.

**Section 60.30 Off-Street Parking:** This proposal is subject to the development code that was in effect at the time of PUD and Subdivision applications on September 29, 2017. Based on the off-street parking regulations of BDC 60.30.10.5 at that time, attached dwellings in a residential zone must provide at least 1.75 vehicular parking spaces for units with three bedrooms or more. The proposed three-bedroom townhomes include two parking spaces in each garage, so the development provides the required number of vehicular parking spaces for each attached dwelling.

At the time of PUD and Subdivision applications, the development code did not require short- or long-term bicycle parking for single-family attached dwellings. The proposed

development does not include short- or long-term bicycle parking facilities. The Committee finds that the applicable requirements of BDC 60.30 are met by the proposal.

**Section 60.35. Planned Unit Development:** The subject site was identified as a portion of the northeast phase of the Scholls Valley Heights at South Cooper Mountain PUD. The subject proposal is limited to construction of 10 attached dwellings on already platted lots. Therefore, this request is consistent with the original Scholls Valley Heights at South Cooper Mountain PUD approval and meets applicable conditions of approval of the original decision.

**Section 60.55 Transportation Facilities:** Conformance with the provisions of BDC 60.55 were evaluated at the time of original PUD approval, and the subject proposal maintains conformance with the previous approval related to transportation facilities. Because of this, a Trip Generation Memorandum was not required for this project. For these reasons, the Committee finds that the proposal complies with applicable BDC 60.55 regulations.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

## Section 40.03.1.E

**Approval Criterion:** *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.*

### FINDING:

The applicant states that all private common facilities and areas not subject to maintenance by the city will be maintained by the homeowners association. The Committee finds that the proposal as represented does not present any barriers, constraints, or design elements that would prevent or preclude required maintenance of the private infrastructure and facilities on site.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

## Section 40.03.1.F

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

### FINDING:

The proposal includes on-site improvements that facilitate safe and efficient vehicular and pedestrian circulation patterns. Vehicular access to individual townhomes is provided from a private alley to rear-loaded garages. Paved pedestrian pathways connect primary entrances with the public sidewalk network. Therefore, the Committee finds that there are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the proposed development.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

## Section 40.03.1.G

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

### FINDING:

The proposed townhome development provides safe, efficient, and direct vehicular and pedestrian connections to surrounding circulation systems. Rear loaded garages provide direct vehicular connections to a private alley (Tract J), which in turn provides direct vehicular access to SW Strobel Road, a public street. Paved pedestrian pathways connect each dwelling to the public sidewalk along SW Aspen Butte Lane. The Committee finds that these connections, as approved with the Scholls Valley Heights at South Cooper Mountain PUD, are safe, efficient, and direct.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

## Section 40.03.1.H

**Approval Criterion:** *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.*

### FINDING:

Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). The layout of the proposed development provides proper spacing and building access internal to the site and adequate turning movements on streets abutting the site to provide fire protection.

TVF&R staff has reviewed and approved the proposed modifications associated with this



development, as demonstrated by the modified TVF&R Service Provider Permit submitted by the applicant. Therefore, the Committee finds that the site can be designed in accordance with City codes and standards and provides adequate fire protection.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

### **Section 40.03.1.I**

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

#### **FINDING:**

The subject proposal does not include modifications to streets or public facilities that were approved with the PUD. Therefore, structures and public facilities serving the development site have been designed in accordance with adopted City codes and standards except where design modifications or exceptions have been previously approved. The Committee finds that the previous review of the construction documents for the Site Development Permit and the forthcoming Building Permit reviews in addition to the subsequent inspection phases will ensure protection from hazardous conditions due to inadequate, substandard, or ill-designed development.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

### **Section 40.03.1.J**

**Approval Criterion:** *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.*

#### **FINDING:**

A Site Development Permit was previously issued for this site which reviewed grading and contouring associated with the development. The proposal will not affect the approved grading and contouring of the site. Because of this, the Committee finds that the subject proposal will not have adverse effects on neighboring properties, public right-of-way, surface drainage, water storage facilities, or the public storm drainage system.

**Conclusion:** The Committee finds that the proposal meets the approval criterion

## Section 40.03.1.K

**Approval Criterion:** *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.*

### FINDING:

The applicant states that the street network and facilities have been designed in accordance with ADA requirements. Site Development Permit and the Building Permit reviews following land use approval will ensure that all applicable accessibility standards of the International Building Code, Fire Code, and other ADA standards will be met by the development. The Committee finds that the review of the proposed plans at the Building Permit stage is sufficient to guarantee compliance with accessibility standards.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

## Section 40.03.1.L

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

### FINDING:

The applicant submitted the Design Review Two application on May 10, 2023, and the application was deemed complete on September 5, 2023.

**Conclusion:** The Committee finds that the proposal meets the approval criterion.

# Code Conformance Analysis

## Chapter 20 Use and Site Development Requirements Residential Urban Medium Density District (R2) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 20.10.20</b>			
Attached Residential Dwellings	Permitted	The applicant proposes to construct 10 single-family attached dwellings.	<b>YES</b>
<b>Development Code Section 20.10.15</b>			
Land Area	<p>The Scholls Valley Heights at South Cooper Mountain PUD established the following Minimum and Maximum Land Area standards for parcels developed in the R2 zoning district, consistent with BDC Section 60.35.10.2.B.</p> <p>Minimum: 1,000 square feet Maximum: 3,900 square feet</p>	Townhomes are proposed on existing lots. Six lots are 1,600 square feet and four lots are 2,000 square feet. The site is platted and approved with the PUD.	<b>YES</b>
Residential Density	<p>The Scholls Valley Heights at South Cooper Mountain PUD established the following density requirements for parcels developed in the R2 zoning district:</p> <p>Minimum total units: 248 Maximum total units: 631</p> <p>Units approved in the R2 zoning district: 255</p>	10 units, as approved with the PUD (providing a portion of the 255 approved units)	<b>YES</b>
Minimum Lot Dimensions	Width: 14 Depth: None	Width: Six lots are 20 feet wide and four lots are 25 feet wide. Depth: Each lot is 80 feet deep.	<b>YES</b>

Yard Setbacks	<p>Parent parcels of the Scholls Valley Heights at South Cooper Mountain PUD must meet the minimum yard setbacks of the underlying zone district.</p> <p>Approved R2 Setbacks per PUD Approval for individual lots not abutting the PUD perimeter:  Front Minimum: 8 feet  Side Minimum (Attached): 0 feet  Side Minimum (Detached) 5 feet  Rear Minimum: 12 feet  Rear (Garage) Minimum: 4 feet</p>	<p>Front Minimum: 8 feet  Side Minimum (Attached): 0 feet  Side Minimum (Detached) 5 feet  Rear Minimum: N/A  Rear (Garage) Minimum: 4 feet</p>	<b>YES</b>
Maximum Building Height	<p>The Scholls Valley Heights at South Cooper Mountain PUD established a 52-foot height standard for parcels developed in the R2 zoning district.</p>	32.5 feet	<b>YES</b>

## Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
<b>Development Code Section 60.05</b>			
Design Review Principles, Standards, and Guidelines	Requirements for new development and redevelopment.	The applicant has submitted a Design Review Two application.	<b>See DR Findings</b>
<b>Development Code Section 60.07</b>			
Drive-Up Window Facilities	Requirements for drive-up, drive-through, and drive-in facilities.	No drive-up window facilities are proposed.	<b>N/A</b>
<b>Development Code Section 60.10</b>			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	There is no floodplain, floodway, or floodway fringe located on the subject site.	<b>N/A</b>
<b>Development Code Section 60.11</b>			
Food Cart Pod Regulations	Requirements for food carts and food cart pods.	No food cart pods are proposed.	<b>N/A</b>
<b>Development Code Section 60.12</b>			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development credits are requested.	<b>N/A</b>
<b>Development Code Section 60.15</b>			
Land Division Standards	On-site contouring within 25 feet of a property line within or abutting any residentially zoned property.	Conformance with these standards was reviewed at the time of PUD approval. This development proposes grading consistent with the approved preliminary plans.	<b>YES</b>
<b>Development Code Section 60.20</b>			
Mobile and Manufactured Home Regulations	Requirements for the placement of mobile and manufactured homes.	No mobile or manufactured homes are proposed.	<b>N/A</b>
<b>Development Code Section 60.25</b>			
Off-Street Loading Requirements	Minimum: None	No loading spaces are proposed.	<b>N/A</b>

<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>
<b>Development Code Section 60.30</b>			
Off-Street Motor Vehicle Parking	Minimum: 1.75 spaces per three-bedroom or more attached dwelling unit	Two vehicular parking spaces are proposed per dwelling unit. Each unit includes a two-car garage.	<b>YES</b>
Required Bicycle Parking	Short-term: Not Required	Short-term: None	<b>N/A</b>
	Long-term: Not Required	Long-term: None	
<b>Development Code Section 60.33</b>			
Park and Recreation Facilities and Service Provision	Requirements for annexing property to THPRD.	The site is already within THPRD's boundaries.	<b>N/A</b>
<b>Development Code Section 60.35</b>			
Planned Unit Development	Development and design principles for Planned Unit Developments.	The subject site is part of the approved Scholls Valley Heights at South Cooper Mountain PUD. The proposal meets the PUD conditions of approval and modified zoning standards. No changes are proposed to the approved PUD.	<b>YES</b>
<b>Development Code Section 60.40</b>			
Sign Regulations	Requirements for signs.	All signs will be reviewed under a separate sign permit and are not reviewed with this proposal.	<b>N/A</b>
<b>Development Code Section 60.45</b>			
Solar Access Protection	Solar access requirements for subdivisions and single-family homes in the R10, R7, and R5 zones.	The subject site is not located in the R10, R7, or R5 zone.	<b>N/A</b>
<b>Development Code Section 60.50</b>			
Accessory Uses and Structures	Requirements for accessory uses and structure.	Accessory structures are not proposed.	<b>N/A</b>
<b>Development Code Section 60.55</b>			
Transportation Facilities	Requirements pertaining to the construction or reconstruction of transportation facilities.	Refer to the Facilities Review Committee findings herein.	<b>YES</b>



<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>
<b>Development Code Section 60.60</b>			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	The proposal does not affect existing trees or vegetation.	<b>N/A</b>
<b>Development Code Section 60.65</b>			
Utility Undergrounding	Requirements for placing overhead utilities underground.	The development does not propose to modify utility infrastructure that was approved with the Scholls Valley Heights at South Cooper Mountain PUD. All new and affected utilities will be placed underground.	<b>YES</b>
<b>Development Code Section 60.67</b>			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	The subject site does not contain any significant natural resources.	<b>N/A</b>
<b>Development Code Section 60.70</b>			
Wireless Communication Facilities	Regulations pertaining to wireless facilities.	No wireless communication facilities are proposed.	<b>N/A</b>

# Attachment B: DESIGN REVIEW TWO DR22023-00296

## ANALYSIS AND FINDINGS FOR DESIGN REVIEW TWO

**Decision:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR22023-00296**, subject to the conditions identified in Attachment C.

### Section 40.03.1 Facilities Review Approval Criteria:

The applicant for development must establish that the application complies with all relevant standards in conformance with Section 50.25.1.B, and all the following criteria have been met:

#### Facilities Review Approval Criteria Section 40.03.1.A-L

##### FINDING:

Staff has reviewed the applicable Facilities Review criteria in Attachment A to this report. Staff cites the findings presented in Attachment A in response to the Facilities Review approval criteria. As identified in Attachment A, above, the proposal meets all applicable criteria.

**Conclusion:** The Committee finds that the proposal meets the approval criteria.

### Section 40.20.05 Purpose:

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

### Section 40.20.15.2.C Approval Criteria

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

#### Section 40.20.15.2.C.1

**Approval Criteria:** The proposal satisfies the threshold requirements for a Design Review Two application.

## FINDING:

The applicant proposes to construct 10 single-family attached dwellings which satisfies the following threshold for a Design Review Two:

3. *New construction of attached residential dwellings excluding duplexes, in any zone where attached dwellings are a permitted or conditional use.*

**Conclusion:** The Committee finds that the proposal meets the approval criteria.

## Section 40.20.15.2.C.2

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

## FINDING:

The applicant has paid all city application fees related to the application.

**Conclusion:** The Committee finds that the proposal meets the approval criteria.

## Section 40.20.15.2.C.3

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

## FINDING:

The application package includes all the necessary submittal requirements pursuant to Section 50.25.1.

**Conclusion:** The Committee finds that the proposal meets the approval criteria.

## Section 40.20.15.2.C.4

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

## FINDING:

Staff cites the findings in the Design Review Standard Analysis chart in this report which evaluates the project in response to applicable Code standards of Sections 60.05.15 through 60.05.30 (Design Standards). The chart provides a summary response to the Design Review standards determined to be applicable to the subject case. The applicant's plans and materials show that by meeting the conditions of approval, the project is in conformance with these standards.

**Conclusion:** Staff finds that, by meeting the conditions of approval, the proposal meets the approval criterion.

## **Section 40.20.15.2.C.5**

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

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

If the above listed conditions are found to exist and it is not feasible to locate a proposed addition in such a way that the addition abuts a street, then all applicable design standards except the following must be met:

- d. If in a Multiple Use District, building location, entrances and orientation along streets, and parking lot limitations along streets (Standards 60.05.15.6 and 60.05.20.8)
- e. If in a Multiple Use or Commercial District, ground floor elevation window requirements (Standard 60.05.15.8).

### **FINDING:**

The proposed project is not an addition to or a modification of an existing development.

**Conclusion:** Staff finds that this criterion is not applicable.

## **Section 40.20.15.2.C.6**

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

### **FINDING:**

There are no other applications associated with this Design Review Two request. No additional applications or documents are needed related to this request.

**Conclusion:** Staff finds that the approval criterion is not applicable.

## Section 60.05 Design Standards

### Section 60.05.15 Building Design and Orientation Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Building Design and Orientation</b>		
<b>60.05.15.1.A</b> Max length of attached residential buildings	Attached residential buildings are proposed. The maximum proposed length of buildings is 92 feet.	<b>YES</b>
<b>60.05.15.1.B.1</b> Buildings visible from and within 200 feet on an adjacent street...the street-facing elevation(s) and the elevation(s) containing a primary building entrance.	All front building facades face a street and contain primary building entrances. Dwellings immediately adjacent to the development to both the east and west will obstruct the visibility of building sides. To meet the standard, the front elevation of each building must provide 30% articulation.  The applicant states that the front facade of each building includes a combination of windows, gables, covered entryways, and siding variation. 67% of Building 1's front façade contains permanent architectural features. 65% of Building 2's front façade contains permanent architectural features.	<b>YES</b>
<b>60.05.15.1.C.1</b> Maximum 40' spacing between permanent architectural features.	The horizontal spacing between permanent architectural features is less than 40 feet, as reflected in the submitted architecture plans.	<b>YES</b>
<b>60.05.15.1.D</b> Undifferentiated blank walls over 150sf facing a street, common green, or shared court	The largest undifferentiated blank wall facing a street measures approximately 104 square feet.	<b>YES</b>
<b>Roof Forms</b>		
<b>60.05.15.2.A-E</b> Roof Forms	The proposed building roofs have a minimum 5/12 pitch. All buildings have eaves, exclusive of rain gutters, that project at least 12 inches.	<b>YES</b>

<b>DESIGN STANDARD</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS STANDARD</b>
<b>Primary Building Entrances</b>		
<b>60.05.15.3</b> Primary Entrances	All primary entrances are recessed and include a covered entryway measuring six feet by five feet.	<b>YES</b>
<b>Exterior Building Materials</b>		
<b>60.05.15.4.A</b> Residential Buildings	The applicant's request proposes an attached residential use in a Residential zone. Therefore, 75% of each elevation visible from a street and those that contain a primary building entrance must be double wall construction. The applicant states that all applicable walls are double wall construction.	<b>YES</b>
<b>60.05.15.4.B</b> 30% untreated elevations	The request is not for a Conditional Use in a Residential zone.	<b>N/A</b>
<b>60.05.15.4.C</b> Foundations	The request is not for a Conditional Use in a Residential zone.	<b>N/A</b>
<b>Roof-Mounted Equipment</b>		
<b>60.05.15.5.A-C</b> Equipment screening	Roof-mounted equipment is not proposed.	<b>N/A</b>
<b>Building Location and Orientation along Streets in MU and Com. Zones</b>		
<b>60.05.15.6.A-F</b> Street frontage Multiple Use Zones	The proposed development is in a Residential zone.	<b>N/A</b>
<b>Building Scale along Major Pedestrian Routes</b>		
<b>60.05.15.7.A-C</b> 22' Height Minimum 60' Height Maximum	The site is not located on a Major Pedestrian Route.	<b>N/A</b>
<b>Ground Floor Elevation on Commercial and Multiple Use Buildings</b>		
<b>60.05.15.8.A-B</b> Glazing and Weather Protection	The proposed development is for attached residential buildings.	<b>N/A</b>
<b>Compact Detached Housing Design</b>		
<b>60.05.15.9.A-K</b>	Compact Detached Housing is not proposed.	<b>N/A</b>



## Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Connections to the public street system</b>		
<b>60.05.20.1</b> Connect on-site circulation to existing and planned street system	Each of the ten attached units includes a direct pedestrian connection to the existing street system.	<b>YES</b>
<b>Loading Areas, solid waste facilities and similar improvements</b>		
<b>60.05.20.2.A-E</b> Service and Loading Area Screening Requirements	Loading areas, solid waste facilities, outdoor storage areas, utility vaults, or similar areas are not proposed by this development.	<b>N/A</b>
<b>Pedestrian Circulation</b>		
<b>60.05.20.3.A</b> Link to adjacent facilities	Each of the ten attached units include a direct pedestrian connection to the existing street system.	<b>YES</b>
<b>60.05.20.3.B</b> Direct walkway connection	The site provides one direct pedestrian connection per townhome lot to the existing facilities along the abutting public street. The pathways connect primary building entrances with the public sidewalk which then connects pedestrians to nearby destinations.	<b>YES</b>
<b>60.05.20.3.C</b> Walkways every 300'	One pedestrian connection is required into the site from the abutting 218 feet of street frontage. Ten pedestrian walkways are provided.	<b>YES</b>
<b>60.05.20.3.D</b> Physical separation	There are no pedestrian connections that cross parking lots.	<b>N/A</b>
<b>60.05.20.3.E</b> Distinct paving	No pedestrian connections are proposed across drive aisles.	<b>N/A</b>
<b>60.05.20.3.F</b> 5' minimum width	The submitted site plan (Sheet P0.0) demonstrates that proposed pedestrian pathways are five feet wide and constructed with scored concrete.	<b>YES</b>
<b>Street Frontages and Parking Areas</b>		
<b>60.05.20.4.A.1-2</b> Street frontages and parking areas	No surface parking abutting a public street is proposed.	<b>N/A</b>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Parking and Landscaping</b>		
<b>60.05.20.5.A-D</b> Parking area landscaping requirements	Parking areas are not proposed. Private driveways and garages provide parking for individual attached dwellings	N/A
<b>Off-Street Parking Frontages in Multiple-Use Districts</b>		
<b>60.05.20.6.A-C</b> Off-Street Parking Area Frontage Requirements	The site is not located in Multiple-Use District	N/A
<b>Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts</b>		
<b>60.05.20.7.A-C</b> Required sidewalk and internal pathway widths	The site is in a Residential zone.	N/A
<b>Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts</b>		
<b>60.05.20.8.A-B</b> Drive aisles to be designed as public streets, if applicable	The proposed site does not include parking lot drive aisles.	N/A
<b>Ground Floor uses in parking structures</b>		
<b>60.05.20.9.A</b> Parking Structures	No parking structures are proposed.	N/A

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

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Minimum Landscaping</b>		
<b>60.05.25.3</b> Minimum landscaping for development of eight or more attached housing units	The site was a part of a Planned Unit Development, and the original approval was subject to PUD open space requirements of BDC 60.35.15 which supersede the Design Standards of this subsection. The proposed landscaping does not modify the site's compliance with the approved PUD open space.	N/A
<b>60.05.25.4.A</b> Front yard landscaping	All front yard areas that are not occupied by structures, walkways, or driveways are landscaped with shrubs, grasses, and trees.	YES
<b>60.05.25.4.B</b> Landscaping materials	Live plant materials are used in all landscaped areas. Bare rock or gravel is not proposed.	YES

<b>DESIGN STANDARD</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS STANDARD</b>
<b>60.05.25.4.C</b> Vehicular circulation areas	A private alley and 4-foot-long driveways abutting rear-loaded garages are the only proposed vehicular circulation areas associated with the subject site. They are not included in landscape area calculations.	<b>YES</b>
<b>60.05.25.4.D</b> Landscaping along foundations	With the exception of pedestrian pathway areas, the submitted plans show a minimum six-foot-wide landscape area along street-facing building elevations. The landscape areas are planted with evergreen shrubs.	<b>YES</b>
<b>60.05.25.4.E</b> Landscape planting requirements	Each front yard is less than 400 square feet, and each front yard contains a tree with a minimum caliper of 1.5 inches. Each front yard contains at least ten shrubs. The remaining portions of the landscaped areas are planted with grass. Bare gravel, rock, bark, or other similar materials are not proposed in the required landscape areas.	<b>YES</b>
<b>60.05.25.4.F</b> Pedestrian plazas	No pedestrian plazas are proposed.	<b>N/A</b>
<b>Retaining Walls</b>		
<b>60.05.25.8</b> Retaining Walls	No retaining walls are proposed.	<b>N/A</b>
<b>Fences and Walls</b>		
<b>60.05.25.9.A-E</b> Fencing and Wall Requirements	No fences or walls are proposed.	<b>N/A</b>
<b>Minimize Significant Changes to Existing On-Site Surface Contours At Residential Property Lines</b>		
<b>60.05.25.10.A-C</b> Minimize grade changes	Grading activity in proximity to residential property lines was evaluated by the original Design Review approval and is not proposed to change with this request.	<b>N/A</b>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Integrate water quality, quantity, or both facilities</b>		
<b>60.05.25.11</b> Location of non-vaulted facilities	The location of non-vaulted facilities was evaluated by the original Design Review approval and is not proposed to change with this request.	N/A
<b>Natural Areas</b>		
<b>60.05.25.12</b> No encroachment into buffer areas.	No natural areas exist on site.	N/A
<b>Landscape Buffering Requirements</b>		
<b>60.05.25.13</b> Landscape buffering between contrasting zoning districts	The side and rear property lines of the subject site abut properties in the same R2 zoning district. Therefore, landscape buffers are not required.	N/A

### Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Adequate on-site lighting and minimize glare on adjoining properties</b>		
<b>60.05.30.1.A</b> Lighting complies with the City's Technical Lighting Standards	<p>The City's Technical Lighting Standards require a minimum 0.7 foot-candle illumination level for pedestrian circulation areas and building entrances. The Standards also state that lighting levels at property lines not abutting the ROW may not exceed 0.5 foot-candles. The applicant provided a Photometric Plan demonstrating that building entrances are in conformance with Technical Lighting Standards. However, the pedestrian pathways identified on the plans illustrate lighting levels at property lines that exceed 0.5 foot-candles.</p> <p>As a condition of approval, prior to Site Development permit the applicant shall submit a revised lighting plan that demonstrates compliance with the standards at BDC Section 60.05.30 and BDC Table 60.05-1 (Technical Lighting Standards). (Planning / AH)</p>	YES w/ COA
<b>60.05.30.1.B</b> Lighting provided for vehicle and pedestrian circulation	The proposal includes lighting for all pedestrian pathways leading to primary entrances. There are no vehicular circulation areas on-site that are subject to	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
these standards.		
<b>60.05.30.1.C</b> Lighting of Ped Plazas	Pedestrian plazas are not proposed.	<b>N/A</b>
<b>60.05.30.1.D</b> Lighting of building entrances	The applicant's Photometric Plan shows adequate lighting at proposed building entrances.	<b>YES</b>
<b>60.05.30.1.E</b> Canopy lighting	The applicant's lighting plans illustrate recessed canopy lighting at entryways.	<b>YES</b>
<b>Pedestrian-scale on-site lighting</b>		
<b>60.05.30.2.A</b> Pole Mounted Luminaires	Pole-mounted luminaires are not proposed.	<b>N/A</b>
<b>60.05.30.2.B</b> Non-Pole Mounted Luminaires	Wall mounted lights are proposed at building entryways. Lighted bollards are proposed along front yard pedestrian walkways to building entrances. As discussed above, the pedestrian pathways identified on the applicant's plans illustrate lighting levels at property lines that exceed 0.5 foot-candles. As conditioned, the applicant's proposal demonstrate compliance with the City's Technical Lighting Standards.	<b>YES w/ COA</b>
<b>60.05.30.2.C</b> Lighted Bollards	The proposal includes lighted bollards measuring 25 inches in height.	<b>YES</b>

# **Attachment C: CONDITIONS OF APPROVAL**

**Application:** Scholls Valley Heights Townhomes (Phase 7)

**Recommendation:** APPROVE DR22023-00296, subject to the conditions of approval herein

Design Review Two (DR22023-00296)

**A. Prior to Site Development permit issuance for any building, the applicant shall:**

1. Submit a revised lighting plan that demonstrates compliance with the standards at BDC Section 60.05.30 and BDC Table 60.05-1 (Technical Lighting Standards). (Planning / AH)