

## STAFF REPORT

**Report Date:** April 20, 2022

**Application/Project Name:** Scholls Heights Apartments

**Application Numbers:** DR2021-0163 / TP2021-0012

**Proposal:** Design Review Three approval to construct a new multi-family development consisting of 216 apartment units in eight three-story buildings and associated circulation, common spaces, and non-habitable buildings; and Tree Plan Two approval to remove nine Community Trees to facilitate development of the site.

**Proposal Location:** At the northeast corner of SW Tile Flat Road and SW Scholls Ferry Road, specifically identified as 18865 SW Scholls Ferry Road, Tax Lot 4200 on Washington County Tax Assessor's Map 2S20100.

**Applicant:** Holland Partner Group

**Recommendation:** APPROVAL of Scholls Heights Apartments DR2021-0163 / TP2021-0012, subject to conditions identified at the end of this report



**Hearing Information:** 6:30 p.m. April 27, 2022, at City Hall, 12725 SW Millikan Way

**Note: Public Hearings are held remotely** and can be viewed at the following link:  
<https://www.beavertonoregon.gov/291/Agendas-Minutes>

### Contact Information:

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Applicant Representative: Li Alligood  
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808 SW 3<sup>rd</sup> Avenue, Suite 800  
Portland, OR 97204

Property Owner: Scholls Heights Owner, LLC  
1111 Main Street, Suite 700  
Vancouver, WA 98660

## Existing Conditions

**Zoning:** Residential Urban High Density District (R1)

**Site Conditions:** The site is currently developed with a barn and several outbuildings for agricultural land uses.

**Site Size:** 11.48 acres

**Location:** Northeast corner of SW Tile Flat Road and SW Scholls Ferry Road

**Neighborhood Association Committee:** Neighbors Southwest NAC

**Table 1: Surrounding Uses**

Direction	Zoning	Uses
North	R2	Detached and Attached Residential
South	AF-20 (Washington County Rural Residential)	Agricultural/Detached Residential
East:	R4/R2	Detached and Attached Residential
West:	AF-10 (Washington County Rural Residential)	Agricultural/Detached Residential

## Application Information

**Table 2: Application Summaries**

Application	Application type	Proposal summary	Approval criteria location
DR2021-0163	Design Review	Construction of 216 apartment units in eight buildings and associated parking, circulation, common spaces, and non-habitable buildings.	Development Code Sections 40.03 and 40.20.15.3.C
TP2021-0012	Tree Plan	Remove nine Community Trees	Development Code Section 40.90.15.2.C

**Table 3: Key Application Dates**

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
DR2021-0163	Dec. 1, 2021	Mar. 9, 2022	July 7, 2022	Mar. 9, 2023
TP2021-0012	Dec. 1, 2021	Mar. 9, 2022	July 7, 2022	Mar. 9, 2023

\* 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.

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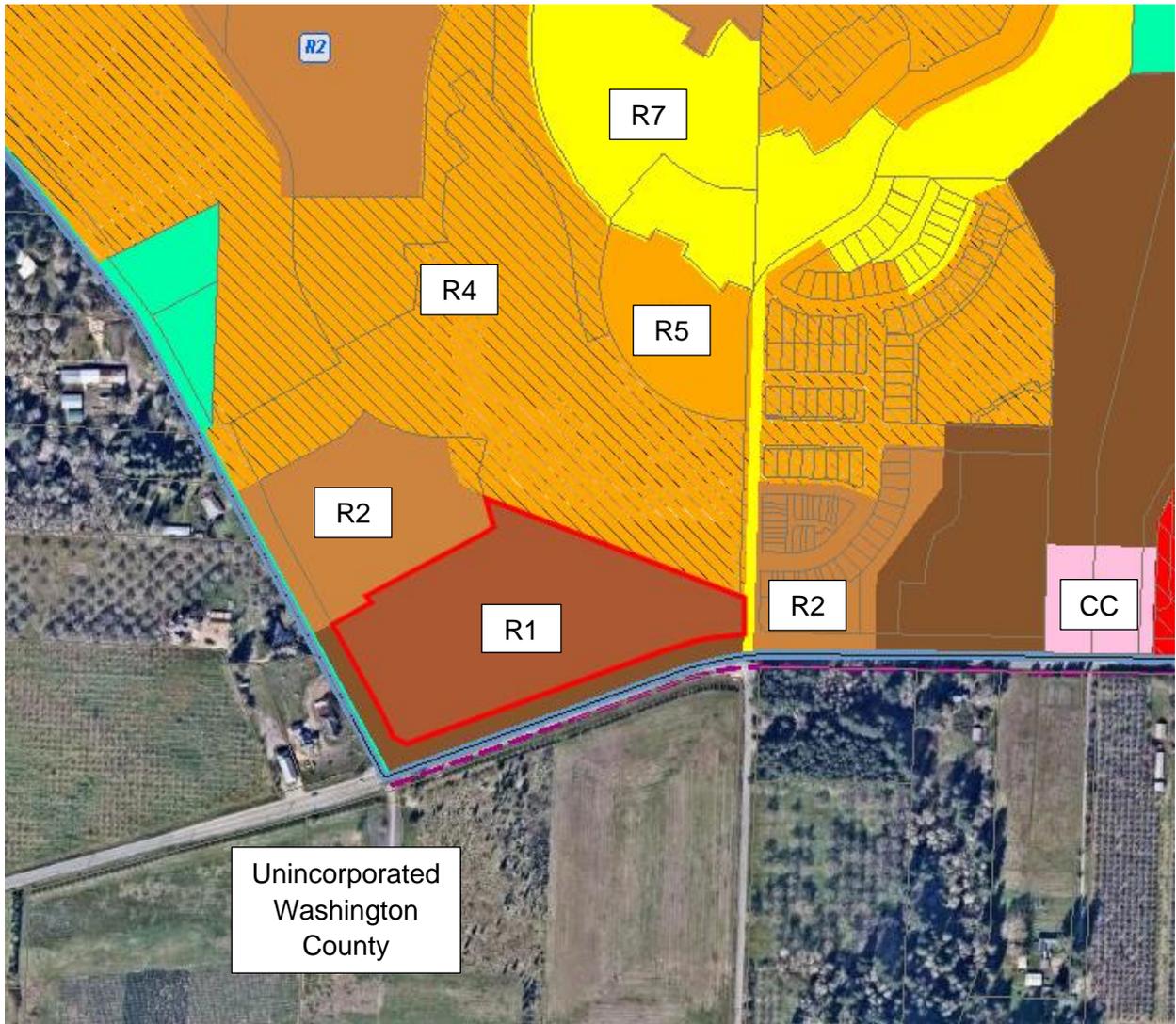
## Exhibits

Exhibit 1.	Materials submitted by Staff
Exhibit 1.1	Zoning Map (page 6 of this report)
Exhibit 1.2	Aerial Map (page 7 of this report)
Exhibit 2.	Public Comment
Exhibit 2.1	Letter from Li Tan, 12826 SW Incline Drive, voicing concerns that the proposed three-story apartment buildings will devalue existing homes, block sunlight and views, and cause an increase in traffic and noise.
Exhibit 3.	Materials submitted by the Applicant
Exhibit 3.1	Application Forms, Checklists, Materials List
Exhibit 3.2	Narrative
Exhibit 3.3	Drawings
Exhibit 3.4	Stormwater Report
Exhibit 3.5	Geotechnical Report
Exhibit 3.6	Service Provider Letters
Exhibit 3.7	Pre-Application Conference Summary
Exhibit 3.8	Neighborhood Meeting Documentation
Exhibit 3.9	Engineering Design Manual Design Exception application materials (Driveway wing removal request)
Exhibit 3.10	Engineering Design Manual Design Exception application materials (Reduced curb radii and design speed request)

Exhibit 4. Agency Comment

Exhibit 4.1 Washington County Department of Land Use and Transportation  
Operations and Maintenance – Letter dated April 1, 2022, including  
conditions of approval

Exhibit 4.2 State of Oregon Department of State Lands – Wetland Land Use Notice  
Response dated January 13, 2022



**DR2021-0163 / TP2021-0012**

**Scholls Heights Apartments**

**Zoning Map**



**DR2021-0163 / TP2021-0012**

**Scholls Heights Apartments**

**Aerial Map**

# Attachment A: FACILITIES REVIEW COMMITTEE

## TECHNICAL REVIEW AND RECOMMENDATIONS

**Application:** Scholls Heights Apartments

**Proposal:** The applicant, Holland Partner Group, requests Design Review Three approval to construct a new multi-family development consisting of 216 apartment units in eight three-story buildings and associated circulation, common spaces, and non-habitable buildings.

**Recommendation:** APPROVE DR2021-0163 / TP2021-0012

### 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 Three (DR2021-0163) application as submitted.
- Facilities Review Committee criteria do not apply to the submitted Tree Plan Two (TP2021-0012) application.

### 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 property will be served by City of Beaverton public water service. Two eight-inch public waterlines located within the future right of way of Street N and

Street P will be constructed by others. The applicant states that public water service for the subject site will connect to these future waterlines which will be extended on to the property to serve the proposed use. The eight-inch private waterline extensions are proposed between Buildings 1 and 2 and Buildings 7 and 8. New eight-inch fire waterlines and six-inch private domestic waterlines will connect to the public waterlines to provide potable water service to dwellings, fire hydrants, and the clubhouse.

City staff reviewed the proposal and stated in the Water Service Provider Letter that there will be adequate capacity to service the proposed development once the potable water lines are constructed through phases 1A-1 and 1A-2 to serve the proposal. Therefore, the Committee finds that adequate potable public water service can be provided to the site to serve the proposed development.

**Non-Potable Water:** There will be a non-potable water network connection located in the future right of way of Street O which will serve the proposed development. The applicant indicates that the development will connect to this non-potable water stub after it has been constructed by others. The Committee recommends a condition of approval requiring the submittal of plans showing a non-potable water system design that meets Engineering Design Manual requirements at the time of Site Development Permit application. Therefore, by meeting the condition of approval, 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 applicant states that service for the site will connect to an eight-inch public sewer main located within the future right of way of Street P which will be constructed by others. From the public sewer main, eight-inch private sewer lines will be constructed to provide sanitary sewer service to apartment buildings and the clubhouse. 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 property is served by City of Beaverton storm sewer service. The applicant has stated that the stormwater management system will include a conveyance system, vegetated swales, underground detention chambers, and a flow control manhole. LIDA flow-through planters are also proposed for water quality treatment where feasible and are designed to treat roughly 30% of site impervious area. The applicant states that proprietary treatment devices using filter cartridge facilities and Filterra treatment facilities will be used to treat the remaining impervious service runoff.

The utility plans provided with this application show that stormwater infrastructure will be constructed onsite to provide adequate stormwater quantity and quality treatment. Stormwater outfall is proposed into the wetland area. The applicant has provided a Preliminary Stormwater Report for the quantity and quality of stormwater resulting from the proposed development. The Committee recommends conditions of approval that

require the submittal of additional plans and information at the time of Site Development Permit to evaluate the proprietary stormwater treatment system and maintenance of proposed facilities. The Committee finds that by meeting the conditions of approval, adequate stormwater drainage, treatment, and retention service can be provided to the site to serve the proposed development.

**Transportation:** The site is bordered by SW Tile Flat Road to the west and SW Scholls Ferry Road to the south. Both streets have a functional classification of an Arterial in the Transportation System Plan (see Figure 6.4, Functional Classification, in Comprehensive Plan Chapter 6 Transportation Element). The Scholls Heights PUD conditions of approval prohibit vehicular access from both SW Tile Flat Road and SW Scholls Ferry Road for the multifamily development. To comply, only emergency vehicle access is proposed from SW Scholls Ferry Road which will be gated and secured with a Knox padlock to prevent public use.

Since the adjacent development to the north is still in process, right of way for the planned public streets internal to that development, including Streets N, O, and P, have not yet been dedicated. Because of this, improvements associated with the subject development within the area of future Street O, including the vehicular access points, sidewalks, and landscaping, are currently proposed on private property. The applicant has provided written consent from the adjacent property owner to allow the construction of improvements within future Street O right of way associated with the Scholls Heights Apartments development as reflected in the applicant's submitted civil plan set.

Primary access to the site is proposed from two vehicular access points on the north side of the site to serve the multifamily development. One access point is proposed at the western edge of future Street O right of way where it meets future Street N. The second vehicular access point will be located at the eastern edge of future Street O right of way where it meets future Street P. Both Street O and Street P have been designed as local street functional classifications and will be constructed with the adjacent residential development to the north. The applicant is responsible for frontage improvements for future Street O along the portion of the northern property line abutting future Street O right of way. To ensure safe turning movements at both driveway intersections, the Committee recommends a condition of approval requiring the applicant to demonstrate that driveway vision clearance triangles meet Engineering Design Manual standards and are free of encroachments, including vegetation over three-feet-tall, structures, and monument signs. The construction of streets O and P, as well as those streets necessary to connect the proposed development to the greater surrounding transportation network must be completed and the streets dedicated prior to any occupancy of the multifamily development, including temporary occupancy.

A portion of the westernmost proposed driveway and a proposed sidewalk crosses over the adjacent property, and the adjacent property owner's written consent also grants the applicant permission to locate this access on their property. The written consent

correspondence also cites the adjacent property owner's agreement to establish a cross-access easement between the two parties. Accordingly, the Committee recommends Condition of Approval #28 requiring the applicant to submit the recorded cross-access easement to the City prior to Site Development Permit issuance.

The applicant has also submitted an Engineering Design Manual (EDM) Design Exception application to request an alternate commercial driveway wing design. The EDM requires ten-foot driveway wings for commercial driveways, and the applicant proposes to eliminate the ten-foot wing on the east side of the driveway connecting to the intersection of Streets O and P and on the west side of the driveway connecting to the intersection of Streets N and O. The Design Exception application is currently under city review. Therefore, the Committee recommends a condition of approval that the applicant provide plans prior to Site Development Permit issuance showing a City standard commercial driveway apron (or a design otherwise approved through a Design Exception Request to the EDM) at the intersection of any private streets to a public street.

Staff understands that the applicant and adjacent property owner have jointly submitted a second Engineering Design Manual (EDM) Design Exception application to request modifications to the curb radii standard of eyebrow corners and local street design speed for future Street O. The request is necessary to implement the right of way requirements of the approved Scholls Heights PUD and to ensure safe circulation for all vehicles on Street O. As this request is also currently under city review, the Committee recommends a condition of approval that the applicant obtain a Design Exception for the proposed modifications to Street O's curb radii of eyebrow corners and design speed.

Per BDC Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is required when a proposed development will generate 300 vehicles or more per day in average weekday trips. The proposed 216-unit multifamily development will generate more than 300 average daily trips. However, a TIA was provided with the Scholls Heights PUD application which considered 216 multifamily units for the South Phase of the PUD on the subject property. Since the applicant's proposed density is consistent with the TIA approved for the Scholls Heights PUD, a new or modified TIA was not required for this application.

However, proposed access locations for the multi-family site differ from the assumptions of the original TIA for the Scholls Heights PUD which anticipated a single access from the eastern end of Street O. This would have allowed traffic from the multi-family site to take direct access to a Neighborhood Route (Street A of the PUD) via a wider L1 local street (Street P). With the currently proposed two driveways at each end of Street O, which has a narrower Local Street L2 standard, traffic volumes on Street O will be higher than originally assumed by the PUD's TIA. Because of this, the City Transportation Engineer will be restricting parking along this street pursuant to EDM Section 210.16 which allows restriction of on-street parking as necessary for purposes of safety or functionality. For this development, the City Transportation Engineer will require the installation of "No Parking" signage on both sides of future Street O to safely accommodate truck and emergency

vehicle access with the proposed change in vehicle circulation patterns on Street O. Thus, the Committee recommends Conditions of Approval #27 and #41 that require the applicant to site and install “No Parking” signs along the site’s frontage on Street O.

Pedestrian and bicycle facilities are provided throughout the site to connect proposed buildings, parking areas, and amenities. Direct connections are proposed to access the surrounding public pedestrian and bicycle facilities abutting the property. The proposal also includes the construction of a new multi-use trail, a segment of a planned THPRD community trail, on the east side of the site with one direct pedestrian connection from the site. Four pedestrian connections are provided to future Street O, and three pedestrian pathways connect to public facilities along SW Tile Flat Road. Connections to Street O and SW Tile Flat Road are provided at least every 300 feet. Four additional connections, including the multi-use trail, are proposed to pedestrian facilities along SW Scholls Ferry Road. To ensure adequate pedestrian connectivity to public facilities along SW Scholls Ferry Road, the Committee recommends Condition of Approval #25 requiring that the applicant demonstrate at the time of Site Development Permit that pedestrian walkways are provided along the street frontage of SW Scholls Ferry every 300 feet as required in BDC 60.55.25 and that all walkways maintain a continuous 5-foot width.

**Fire Protection:** Fire protection will be provided by Tualatin Valley Fire and Rescue (TVF&R). The applicant proposes an emergency access location off of SW Scholls Ferry Road secured by a swing gate with a Knoxbox lock. TVF&R has approved this design, as shown on sheet FS1.0 of the civil plan set and the TVF&R Service Provider Letter.

**Conclusion:** Therefore, the Committee finds that the proposal does not meet 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 and stated in their Service Provider Letter that there is adequate capacity in the schools serving the subject site for new students anticipated from this development. The district continuously monitors

enrollment and capacity at all schools and may from time to time, take additional actions to manage enrollment and capacity issues as needed.

**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. However, the locations of future bus stops are unknown at this time.

**Police Protection:** The City of Beaverton Police Department will continue to 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:** Pedestrian and bicycle circulation is provided both on site and along public streets adjacent to the development. Pedestrian walkways will connect building entrances to parking areas and on-site amenities such as active open spaces. Along SW Scholls Ferry Road and SW Tile Flat Road, there is an approved multi-use THPRD regional trail for public pedestrian and bicycle use which is being constructed with the phase 1A-1 and 1A-2 developments. Staff cites the response to Criterion A as relevant to this criterion which proposes a condition of approval to ensure adequate pedestrian and bicycle facilities for the development.

The proposal also includes the construction of a new ten-foot-wide multi-use THPRD community trail on the east side of the site adjacent to the vegetated corridor. The new community trail connects the THPRD regional trail along SW Scholls Ferry Road to the planned THPRD community trail network for the South Cooper Mountain area. One internal connection to the new community trail is proposed between Buildings 1 and 3. The proposed connection provides adequate access while reducing conflicts for users of the trail.

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

**Conclusion:** Therefore, the Committee finds that, by meeting the conditions of approval, 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:

The site is zoned Residential Urban High Density (R1). The subject property was identified as the South Phase of the Scholls Heights PUD which was approved in 2017 (CU2017-0010). The Scholls Heights PUD approval modified select base zoning standards of the R1 zone district but required parent parcels to meet setbacks of the underlying zone 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) and modifications approved with the Scholls Heights PUD. As demonstrated in the table, the proposed development meets all applicable provisions of Chapter 20 (Land Uses) and those standards modified by the approved Scholls Heights PUD.

**Conclusion:** Therefore, 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 Three and Tree Plan Two requests within the applicable sections of the staff report.

**Section 60.15.10 Grading Standards:** Per Beaverton Development Code (BDC) Section 60.15.10.3, on-site surface contouring within 25 feet of a residential property line is subject to grading standards. The submitted grading plans for the proposed development demonstrate compliance with BDC 60.15.10.3.B-E, but BDC 60.15.10.3.A detailing standards for grading activity within five feet of a property line is not met due to the proposed retaining wall along a portion of the northern property line. Since Design Review requires conformance with this section, the applicant has elected to be evaluated under the corresponding Design Guideline. Thus, staff cites the findings presented in Attachment B in response to the Design Review approval criteria.

To ensure that grading standards are met prior to Site Development Permit issuance, the Committee recommends condition of approval #13 which would require the submittal of grading plans demonstrating compliance with Beaverton City Code standards at that time. However, the condition specifies that it is not applicable to grading activity that is approved through a Design Review process.

**Section 60.30 Off-Street Parking:** Per BDC Section 60.30.10.5, for attached dwellings in a residential zone, the minimum parking ratio requirement for motor vehicles is between 1.25 and 1.75 parking space per attached dwelling unit, depending on the number of bedrooms per unit. The proposal includes 48 one-bedroom units, 120 two-bedroom units, 24 three-bedroom units, and 24 four-bedroom units for a total of 216 dwelling units. Based on the unit and bedroom count, 324 total parking spaces are required. The proposal provides 345 standard spaces which meets the requirement. Of the standard spaces, there are 275 surface parking stalls and 58 garage spaces. The project also provides an additional 18 compact parking spaces and 18 tandem spaces in front of standard garage parking spaces which do not count towards meeting the minimum number of required parking spaces. The maximum number of off-street parking spaces permitted for the development is 422 which is not exceeded by the proposal.

Per BDC Section 60.30.10.5.B, the minimum short-term bicycle parking ratio requirement is two spaces or one space per 20 dwelling units, whichever is greater. The minimum long-term bicycle parking ratio requirement is one (1) space per dwelling unit. For 216 multifamily residential proposal, the minimum parking requirement is 11 short-term bicycle parking spaces and 216 long-term bicycle parking spaces. The applicant's plans show that that 18 short-term bicycle parking spaces will be provided. One rack with two short-term bicycle parking spaces will be provided near each apartment building entrance and the clubhouse. Per BDC Section 60.30.10.2.B.3, short-term bicycle parking spaces must be designed to the standards of the Engineering Design Manual. The applicant has provided dimensioned drawings of proposed short-term bike racks and identified bike racks on the civil plan set. The locations and dimensions of proposed bicycle parking stalls meet Engineering Design Manual Section 340 requirements.

The required 216 long-term bicycle parking spaces will be provided by a combination of a secure ground floor bike room and in-unit storage on balconies. Per BDC Section 60.30.10.2.B.2, long-term bicycle parking spaces must be covered or sheltered to protect the bicycles from prolonged direct exposure to the elements. Providing long-term bicycle parking spaces within an indoor storage room or on covered balconies meets this requirement.

**Section 60.35. Planned Unit Development:** The Scholls Heights Apartments development is the South Phase of the Scholls Heights PUD. The PUD identified this phase of the development for 216 multifamily units in addition to associated site improvements and open space areas. The subject proposal has been evaluated to determine if the application is consistent with the original Scholls Heights PUD approval and meets applicable conditions of approval of the original decision.

The proposed development has demonstrated compliance with all applicable zoning standards established by the Scholls Heights PUD including setbacks, density, and building height.

The Scholls Heights PUD land use applications provided a TIA, as discussed in the response to Criterion A, to evaluate traffic impacts of the development. The TIA considered a density of 216 multifamily units on the subject property. This is consistent with the proposed land use and density of the subject proposal.

Required open space, including active open space, was identified for each phase of the PUD development. To comply with open space requirements for the South Phase, the applicant must provide 0.85 acres of active open space and 3.42 acres of total open space in conformance with the plans approved with Scholls Heights PUD. The Scholls Heights Apartments proposal has demonstrated compliance with open space requirements established by the PUD.

The Scholls Heights Apartments development is subject to applicable conditions of approval associated with the PUD. The proposal has demonstrated compliance with all PUD conditions of approval.

**Section 60.50.05 Accessory Uses and Structures:** The development proposes the construction of a gazebo, an accessory structure, associated with active open space amenities provided for the multifamily land use. The gazebo is 13 feet 8 inches tall and has a footprint of approximately 425 square feet. The gazebo's dimensions meet required standards for accessory structures on lots over 10,000 square feet in size.

**Section 60.55 Transportation Facilities:** As stated in the findings for approval criterion 40.03.1.A, above, per BDC Section 60.55.20.2.A, a Traffic Impact Analysis (TIA) is required when a proposed development will generate 300 vehicles or more per day in average weekday trips. A TIA was provided with the original Scholls Heights PUD. Since the proposal is consistent with the analysis for the South Phase of the Scholls Heights PUD, a new TIA was not required.

Required transportation improvements for the development of the Scholls Heights PUD were identified at the time of original approval. Frontage improvements for SW Scholls Ferry Road and SW Tile Flat Road abutting the subject site were the responsibility of the initial phase of the Scholls Heights PUD and have been completed. Improvements associated with the construction of Streets O and P to the north are the responsibility of the adjacent development. The Scholls Heights Apartments project, the South Phase of the PUD, is required to construct the multi-use path on the east side of the property and other private transportation facilities to allow the movement of vehicles, bicycles, and pedestrians throughout the site including access points, pedestrian paths, drive aisles, and bike parking facilities.

**Section 60.60 Trees and Vegetation Requirements:** No Significant Trees or Groves are located on site, but there are nine Community Trees on the subject property. All Community Trees are proposed to be removed to facilitate development of the multifamily use which meets Threshold #1 of BDC 40.90.15.2.A to require a Tree Plan Two

application. The Community Trees are clustered in the southwest corner of the property which conflict with the planned location of an apartment building. Staff will provide findings for the Tree Plan Two application within the applicable section of the staff report.

**Section 60.65 Utility Undergrounding:** Any existing above ground utilities along the site frontage were required to be undergrounded by the Scholls Heights PUD phases responsible for frontage improvements along SW Scholls Ferry Road and SW Tile Flat Road. All new utilities are proposed to be undergrounded as shown on Sheets C4.0 through C4.03 of the civil plan set.

**Section 60.67 Significant Natural Resources:** A wetland is identified on the subject property on the Local Wetland Inventory map in the southeast portion of the site. The wetland is a pond fed by a perennial stream traversing the property on the northeast and eastern areas of the property. The South Cooper Mountain Plan Natural Resources Map also identifies a Class I, II, and III Riparian Wildlife Habitat areas surrounding the wetland.

Pursuant to BDC 60.67.05.2, the applicant notified the Oregon Division of State Lands (DSL) of the proposed development on a property with a wetland identified on the Local Wetland Inventory map. DSL reviewed the subject proposal and determined that a state permit is not required since the project avoids impacts to jurisdictional wetlands and waterways.

Clean Water Services (CWS) also reviewed the proposal and potential impacts to the wetland, riparian area, and vegetated corridor on the property. Per CWS standards, the vegetated corridor will be enhanced to remove invasive species and protected by a split-rail fence and signage. The development proposes two encroachments into these sensitive areas for stormwater infrastructure, a temporary encroachment for a stormwater pipe and a permanent encroachment for the riprap stormwater outfall facility. CWS determined that mitigation is not required for these encroachments beyond restoring the area affected by the temporary stormwater pipe. By completing required mitigation and complying with CWS water quality protection requirements, the proposed development will have a negligible impact on identified significant natural resources on the subject property.

**Conclusion:** Therefore, 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 the applicant will retain ownership of the site and provide regular maintenance of private common facilities and areas for the multifamily development. The applicant has provided sufficient details to demonstrate that private common facilities will have adequate capacity to serve the development and will be regularly maintained or replaced, as necessary, to ensure continuity of services. 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:** Therefore, 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. Concrete walkways provide direct connections between buildings, parking areas, and amenities. Concrete walkways that cross drive aisles are scored to further differentiate pedestrian pathways from vehicle maneuvering areas to limit conflicts. Staff cites findings for Criterion A as applicable to this approval criterion.

Vehicular circulation patterns have been designed to meet City standards per BDC 60.30.15 which ensures safe maneuvering on site. Proposed drive aisles also provide efficient circulation to access parking spaces and buildings. For these reasons, the Committee finds that there are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the proposed development.

**Conclusion:** Therefore, 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:

Staff cites the response to Criterion A as relevant to this criterion. Pedestrian access from the development to the public sidewalks along SW Scholls Ferry Road, SW Tile Flat Road, and future Street O is provided by five-foot wide pedestrian pathways throughout the site. By meeting the conditions of approval, direct connections will be provided at frequent intervals to the public sidewalk system. Public vehicular access is provided via future Street O, a public local street. As previously discussed, one proposed access location requires the establishment of a cross-access easement which, as a condition of approval, must be recorded and submitted to staff prior to issuance of a Site Development Permit.

**Conclusion:** Therefore, the Committee finds that, by meeting the conditions of approval, 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, building access, and turning radii internal to the site. TVF&R staff has reviewed the development's site plan and endorsed the proposal, including the gated emergency access proposed from SW Scholls Ferry Road. TVF&R will verify that their requirements are met prior to Site Development Permit issuance. The Committee finds that the site can be designed in accordance with City codes and standards and provide adequate fire protection.

**Conclusion:** Therefore, 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 applicant states that all streets and public facilities are designed in accordance with adopted City codes and standards except where design modifications or exceptions have

been requested. Development permits will be submitted for life and safety review prior to site development.

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

**Conclusion:** Therefore, the Committee finds that by meeting the conditions of approval, 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:

The Committee has reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, or the public storm system. Staff cites the findings for BDC 60.05.45.8 in Attachment B of this report as applicable to this approval criterion. To ensure that grading standards are met prior to Site Development Permit issuance, the Committee recommends condition of approval #13 which would require the submittal of grading plans demonstrating compliance with Beaverton City Code standards at that time. However, the condition specifies that it is not applicable to grading activity that is approved through a Design Review process. By meeting the condition of approval, no adverse effect will occur on neighboring properties, the public right-of-way, or the public storm system.

**Conclusion:** Therefore, the Committee finds that by meeting the condition of approval, 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 proposal complies with all requirements of Beaverton's Engineering Design Manual, and all on-site pedestrian routes will meet Americans with Disabilities Act (ADA) standards and facilitates efficient pedestrian travel. ADA-accessible

sidewalks and ramps are provided to connect to public pedestrian facilities along SW Scholls Ferry Road, SW Tile Flat Road, and the new paved multi-use trail.

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 ADA. The Committee finds that review of the proposed plans at Site Development and Building Permit stages is sufficient to guarantee compliance with accessibility standards.

**Conclusion:** Therefore, the Committee finds that by meeting the conditions of approval, 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 Three and Tree Plan Two applications on December 1, 2021. The applications were deemed complete on March 9, 2022.

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

# Code Conformance Analysis

## Chapter 20 Use and Site Development Requirements

### Residential Urban High Density District (R1) 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 216 attached dwelling units in eight buildings.	<b>YES</b>
<b>Development Code Section 20.10.15</b>			
Parcel Area	Minimum: 1,000 square feet Maximum: None	11.48 acres (500,504 square feet)	<b>YES</b>
Residential Density	The Scholls Heights PUD established the following density requirements (all phases):  Minimum total units: 826 Maximum total units: 2107  Units approved for the South Phase (multifamily): 216	216 units	<b>YES</b>
Minimum Lot Dimensions	Width: 20 Depth: None	1,078 feet 398 feet	<b>YES</b>
Yard Setbacks	Parent parcels of the Scholls Heights PUD must meet the minimum yard setbacks of the underlying zone district.  Front Minimum: 10 feet (abutting SW Scholls Ferry Road)  Side Minimum: 5 feet  Rear Minimum: 5 feet	Front (south): 10 feet Side (west): 20 feet Side (east): 115 feet Rear (north): 8.4 feet	<b>YES</b>
Maximum Building Height	60 feet	42 feet ¼ inches at highest roof plane	<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 Three 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 property.	<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.	Design Review requires conformance with this section. The applicant has elected to be evaluated under the corresponding Design Guideline.	<b>SEE DESIGN GUIDELINE FINDINGS 60.05.45.8</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 space is proposed.	<b>N/A</b>
<b>Development Code Section 60.30</b>			
Off-Street Motor	Minimum: 324	345 spaces are proposed (excluding	<b>YES</b>

Vehicle Parking	Maximum: 422	compact and tandem).	
<b>CODE STANDARD</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>
<b>Development Code Section 60.30</b>			
Required Bicycle Parking	Short-term: 11 spaces Long-term: 216 spaces	Short-term: 18 spaces Long-term: 216 spaces	<b>YES</b>
<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 Heights PUD. The proposal meets the PUD conditions of approval and all applicable zoning standards established by the 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.	No subdivisions or single-detached homes are proposed.	<b>N/A</b>
<b>Development Code Section 60.50</b>			
Accessory Uses and Structures	Requirements for accessory uses and structure.	The proposed gazebo meets accessory structure requirements.	<b>YES</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>Development Code Section 60.60</b>			
Trees and Vegetation	Regulations pertaining to tree removal and preservation.	The applicant has submitted a Tree Plan Two application.	<b>See TP Findings</b>
<b>Development Code Section 60.65</b>			
Utility Undergrounding	Requirements for placing overhead utilities underground.	Refer to the Facilities Review Committee findings herein.	<b>YES</b>

<b>Development Code Section 60.67</b>			
Significant Natural Resources	Regulations pertaining to wetlands and riparian corridors.	Refer to the Facilities Review Committee findings herein.	<b>YES</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 THREE DR2021-0163

## ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

**Recommendation:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR2021-0163**, subject to the applicable conditions identified in Attachment D.

### 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 Criteria A-L, and therefore meets the criterion for approval.

**Conclusion:** Therefore, the Committee finds that the proposal meets the 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.

### Planning Commission Standards for Approval:

Section 40.20.15.3.C of the Development Code provides standards to govern the decisions of the Commission as they evaluate and render decisions on Design Review Applications. The Commission will determine whether the application as presented, meets the Design Review Three approval criteria. The Commission may choose to adopt, not adopt or modify the Committee's findings. In this portion of the report, staff evaluates the application in accordance with the criteria for Type Three Design Review.

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

### **Section 40.20.15.3.C.1**

The proposal satisfies the threshold requirements for a Design Review Three application.

#### **FINDING:**

The applicant proposes to construct eight new residential buildings for attached residential dwellings and associated site improvements. The proposal could be processed as a Design Review Two if the project met all applicable Design Standards. However, the applicant elects to be reviewed under a combination of Design Standards and Design Guidelines. Threshold 8 of Design Review Three reads “A project meeting the Design Review Two thresholds which does not meet an applicable Design Standard.” Therefore, the application meets Threshold 8 for Design Review Three.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

### **Section 40.20.15.3.C.2**

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

#### **FINDING:**

The City of Beaverton received the appropriate fee for a Design Review Three application.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

### **Section 40.20.15.3.C.3**

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

#### **FINDING:**

The applicant meets Design Review Three threshold 8. This criterion does not apply

**Conclusion:** Therefore, staff finds the criterion is not applicable.

### **Section 40.20.15.3.C.4**

For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.35 through 60.05.50 (Design Guidelines) or can

demonstrate that the additions or modifications are moving towards compliance with specific Design Guidelines if any of the following conditions exist:

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

**FINDING:**

The proposal is a new development, not an addition or modification of an existing development.

**Conclusion:** Therefore, staff finds the criterion is not applicable.

### **Section 40.20.15.3.C.5**

For DRBCP proposals which involve the phasing of required floor area, the proposed project shall demonstrate how future development of the site, to the minimum development standards established in this Code or greater, can be realistically achieved at ultimate build out of the DRBCP.

**FINDING:**

The applicant does not propose a Design Review Build-out Concept Plan (DRBCP).

**Conclusion:** Therefore, staff finds the criterion is not applicable.

### **Section 40.20.15.3.C.6**

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

**FINDING:**

The applicant has elected to respond to a combination of Design Standards and Design Guidelines. Staff cites the Design Standards table as well as the Design Guidelines Analysis at the end of this Design Review section, which evaluates the project as it relates to the applicable Design Review Standards and Guidelines found in Section 60.05.05 through 60.05.50 of the Development Code.

**Conclusion:** Therefore, staff finds the proposal will meet the criterion for approval by meeting the conditions of approval.

### **Section 40.20.15.3.C.7**

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

**FINDING:**

The applicant has elected to address a combination of Design Standards and Design Guidelines.

**Conclusion:** Therefore, staff finds the criterion is not applicable.

### **Section 40.20.15.3.C.8**

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

**FINDING:**

The applicant has submitted this Design Review Three application and a Tree Plan Two application for concurrent review. No additional applications or documents are needed at this time. Staff recommends a condition requiring approval of the associated Tree Plan Two application prior to Site Development Permit issuance.

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

## **CONCLUSION & RECOMMENDATION**

Based on the facts and findings presented, staff recommends APPROVAL of DR2021-0163, subject to the applicable conditions identified in Attachment D.

**Design Standards Analysis**  
**Section 60.05.15 Building Design and Orientation**

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Building Articulation and Variety</b>		
<b>60.05.15.1.A</b> Max length of attached residential buildings in residential zone	The applicant as elected to be evaluated under the corresponding Design Guideline.	<b>SEE DESIGN GUIDELINE FINDINGS 60.05.35.1</b>
<b>60.05.15.1.B</b> Min 30% articulation	On buildings that are visible from and within 200 feet of a public street, building elevations that face the street or contain a primary entrance are subject to this standard. All applicable elevations provide 30% or greater articulation using permanent architectural features.	<b>YES</b>
<b>60.05.15.1.C</b> Max 40' between architectural features	The applicant as elected to be evaluated under the corresponding Design Guideline.	<b>SEE DESIGN GUIDELINE FINDINGS 60.05.35.1</b>
<b>60.05.15.1.D</b> Max 150 sq. ft. undifferentiated blank walls facing streets	The applicant as elected to be evaluated under the corresponding Design Guideline.	<b>SEE DESIGN GUIDELINE FINDINGS 60.05.35.1</b>
<b>Roof Forms</b>		
<b>60.05.15.2.A</b> Min roof pitch = 4:12	All buildings have sloped roofs with a minimum 4/12 pitch.	<b>YES</b>
<b>60.05.15.2.B</b> Min roof eave = 12"	All roofs are sloped with eaves projecting 12" or more from building walls.	<b>YES</b>
<b>60.05.15.2.C</b> Flat roofs need parapets	No flat roofs are proposed.	<b>N/A</b>
<b>60.05.15.2.D</b> New structures in existing development be similar	The proposal is new development, not part of an existing development	<b>N/A</b>
<b>60.05.15.2.E</b> 4:12 roof standard is N/A to smaller feature roofs	Feature roofs are proposed to highlight primary building entrances, and dormers are used to break up roof planes of the clubhouse.	<b>YES</b>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Primary Building Entrances</b>		
<b>60.05.15.3</b> Weather protection for primary entrance	Primary entrances of multifamily buildings and the clubhouse are protected by awnings. Covered entryways of apartment buildings measure ten feet wide and eight feet deep. Ground floor apartment entrances are covered by balconies exceeding 4' deep by 6' wide dimensions. The primary clubhouse entrance is also covered by an awning measuring approximately 17.5' deep and 11.5' wide.	<b>YES</b>
<b>Exterior Building Materials</b>		
<b>60.05.15.4.A</b> Residential double wall construction	All walls of multifamily buildings are double wall construction.	<b>YES</b>
<b>60.05.15.4.B</b> Maximum 30% of primary elevation to be made of unfinished concrete block	This standard is applicable to Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones. The proposal is a permitted use in a Residential zone, so this standard is not applicable.	<b>N/A</b>
<b>60.05.15.4.C</b> Foundations	This standard is applicable to Conditional Uses in Residential zones and all uses in Commercial and Multiple Use zones. The proposal is a permitted use in a Residential zone, so this standard is not applicable.	<b>N/A</b>
<b>Roof-Mounted Equipment</b>		
<b>60.05.15.5.A through C</b> Equipment screening	Roof-mounted equipment is not proposed. HVAC wall units are proposed for apartment units which will be flush with exterior walls and screened by painted grill covers. HVAC and electrical equipment for the clubhouse will be located inside the building.	<b>N/A</b>
<b>Building Location and Orientation along Streets in MU and Com. Districts</b>		
<b>60.05.15.6.A-F</b> Street frontage in Commercial and Multiple Use zones	The proposed development is in a residential zone district.	<b>N/A</b>
<b>Building Scale along Major Pedestrian Routes</b>		
<b>60.05.15.7.A through C</b> 22' Height Minimum 60' Height Maximum	The site is not located on an MPR.	<b>N/A</b>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Ground Floor Elevation on Commercial and Multiple Use Buildings</b>		
<b>60.05.15.8.A-B</b> Glazing and Weather Protection	Residential buildings are proposed.	N/A
<b>Compact Detached Housing Design</b>		
<b>60.05.15.9.A-K</b>	Compact Detached Housing is not proposed.	N/A

### 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	The Comprehensive Plan Transportation Element has not yet incorporated South Cooper Mountain plan area. However, pedestrian, bicycle, motor vehicle connections are proposed to connect from private on-site facilities directly to existing and planned right-of-way facilities adjacent to this site. The development will also construct frontage improvements for future Street O including sidewalks.	YES
<b>Loading Areas, solid waste facilities and similar improvements</b>		
<b>60.05.20.2.A</b> Screen from public view	Waste disposal and recycling facilities including a trash compactor are proposed in enclosed structures in the southeast and northwest areas of the site. Masonry enclosure walls screen waste facilities from public view from SW Scholls Ferry Road and future Street O. Utility vaults are screened from public view by landscaping. Outdoor storage is not proposed.	YES
<b>60.05.20.2.B</b> Loading areas shall be screened	No loading areas or loading docks are proposed.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<p><b>60.05.20.2.C</b> Screening with walls, hedge, wood</p>	<p>Service areas, loading zones, and outdoor storage are not proposed. Two waste facilities for trash and recycling service are proposed at the northwest and southeast areas of the site. The southeast enclosure is screened by a masonry wall, but it is not visible from public view due to topography and landscaping. The northwest enclosure is visible from public view, and it is screened by an evergreen hedge and a masonry wall. One utility vault is visible from future Street O and is screened by an evergreen hedge. If additional utility structures are needed for the site and are visible to the public, the structures must be reviewed through the appropriate Design Review process to ensure that they are adequately screened.</p>	<p><b>YES</b></p>
<p><b>60.05.20.2.D</b> Chain-link screening prohibited</p>	<p>No chain link fencing is proposed for screening.</p>	<p><b>YES</b></p>
<p><b>60.05.20.2.E</b> Screening of loading waived in some zones.</p>	<p>Waiving of loading zone screening is not requested.</p>	<p><b>N/A</b></p>
<b>Pedestrian Circulation</b>		
<p><b>60.05.20.3.A</b> Link to adjacent facilities</p>	<p>Pedestrian connections are provided throughout the development to adjacent existing facilities along SW Tile Flat Road and SW Scholls Ferry Road. On-site connections are provided to connect all proposed buildings, parking areas, and open space within the development and to the public right of way.</p>	<p><b>YES</b></p>
<p><b>60.05.20.3.B</b> Direct walkway connection</p>	<p>Direct on-site connections are provided to connect primary building entrances to the public right of way and trails.</p>	<p><b>YES</b></p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<p><b>60.05.20.3.C</b> Walkways every 300'</p>	<p>The site has approximately 1,475 lineal feet of site frontage abutting SW Scholls Ferry Road and SW Tile Flat Road and an additional 400 lineal feet of frontage along future Street O. No vehicle parking is located between buildings and streets. Three walkway connections spaced no more than 300 feet apart are proposed to access SW Tile Flat Road. Four pedestrian connections are provided to future Street O at least every 300 feet. Four connections, including the multi-use trail, are also proposed to connect to SW Scholls Ferry Road. A condition of approval is recommended to ensure continuous 5-foot-wide pathways are provided at least every 300 feet along SW Scholls Ferry Road.</p>	<p><b>YES w/ COA</b></p>
<p><b>60.05.20.3.D</b> Physical separation</p>	<p>Pedestrian connections through parking lots are physically separated through curbs and landscaping.</p>	<p><b>YES</b></p>
<p><b>60.05.20.3.E</b> Distinct paving</p>	<p>Pedestrian connections through parking lots will be composed of concrete to be made distinct from asphalt, the primary paving material of the parking lot.</p>	<p><b>YES</b></p>
<p><b>60.05.20.3.F</b> 5' minimum width</p>	<p>Pedestrian walkways are a minimum of five feet and will be paved with scored concrete. Walkways meet ADA standards.</p>	<p><b>YES</b></p>
<b>Street Frontages and Parking Areas</b>		
<p><b>60.05.20.4.A</b> Perimeter Landscaping</p>	<p>Portions of parking lots abut a public street. In these areas, a minimum 6-foot-wide perimeter landscape strip is provided between the parking area and the right of way. The landscape strips are planted with a variety of trees and shrubs, including evergreen shrubs which will provide a 30-inch-high hedge with at least 50% opacity within two years to screen parking areas.</p>	<p><b>YES</b></p>
<b>Parking and Landscaping</b>		
<p><b>60.05.20.5.A.1</b> 1 landscape island per 8 spaces</p>	<p>The applicant as elected to be evaluated under the corresponding Design Guideline.</p>	<p><b>SEE DESIGN GUIDELINE FINDINGS 60.05.40.5</b></p>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>60.05.20.5.B</b> 70 sq. ft.	All landscape islands are a minimum of 70 square feet. Three islands do not contain the required tree and one island is 5.5-feet wide where 6 feet is required, so the applicant has elected to address the corresponding Design Guideline.	<b>SEE DESIGN GUIDELINE FINDINGS 60.05.40.5</b>
<b>60.05.20.5.C</b> Raised Sidewalks	Raised sidewalks are not proposed to be counted towards the number of landscape islands.	<b>N/A</b>
<b>60.05.20.5.D</b> Trees from Street Tree List	All proposed trees in landscaped planter islands and linear sidewalk areas along future Street O are on the City of Beaverton Street Tree List.	<b>YES</b>
<b>Off-Street Parking Frontages in Multiple-Use Districts</b>		
<b>60.05.20.6.A</b> 50% Max on MPR 1 65% Max on MPR 2	The site is not located in Multiple-Use District.	<b>N/A</b>
<b>Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts</b>		
<b>60.05.20.7.A -B</b> Required sidewalk/internal pathway widths	The proposed development is in a Residential zone.	<b>N/A</b>
<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> Drive aisles to be designed as public streets, if applicable	Drive aisles provide access to perpendicular parking spaces.	<b>N/A</b>
<b>Ground Floor uses in parking structures</b>		
<b>60.05.20.9</b> Parking Structures	No parking structures are proposed.	<b>N/A</b>

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

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
<b>Minimum Open Space</b>		
<b>60.05.25.3.A-I</b> Common Open Space	<p>The proposal is recognized as part of a larger PUD which supersedes the Design Review provisions of this section. Open space for the Scholls Heights PUD has been evaluated. The South Phase must provide 3.42 acres of total open space with at least 0.85 acres of active open space.</p> <p>The proposal does not alter that portion of the PUD plan identified for common and active open space. Staff cites the Facilities Review report as applicable to this standard.</p>	<b>YES</b>
<b>Additional Minimum Landscaping</b>		
<b>60.05.25.4.A</b> Front Yard Landscaping	All front yard areas and unpaved areas are landscaped.	<b>YES</b>
<b>60.05.25.4.B</b> Bare Gravel Maximum (25%)	Bare gravel and bark are limited to less than 25% of the landscape area.	<b>YES</b>
<b>60.05.25.4.C</b> Vehicle Circulation	Vehicular circulation and parking areas are not considered part of these calculations.	<b>YES</b>
<b>60.05.25.4.D</b> Landscaping along foundations	Landscaping is provided in front of all street-facing elevations along the foundation or at the edge of patios.	<b>YES</b>
<b>60.05.25.4.E</b> Minimum Planting Requirements	Landscaped areas exceed planting requirements.	<b>YES</b>
<b>60.05.25.4.F</b> Pedestrian Plaza	Plazas are not proposed.	<b>N/A</b>
<b>Retaining Walls</b>		
<b>60.05.25.8</b> Retaining Walls	Multiple retaining walls longer than 50 feet or taller than 6 feet are proposed across the site. The applicant states that retaining walls will be treated with texture or patterns to minimize visual impacts. Ashlar pattern formed concrete will be used on seat walls and the retaining wall surrounding the pool deck area. All other retaining walls will be constructed with MSE blocks that provide texture and pattern.	<b>YES</b>

<b>DESIGN STANDARD</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS STANDARD</b>
<b>Fences and Walls</b>		
<b>60.05.25.9.A</b> Fencing Materials	Fencing is proposed around the outdoor clubhouse area, the dog run, on the eastern edge of the multi-use trail, and along a portion of the northern property line. Proposed fencing materials are wood, vinyl-coated chain link, and metal. All materials are commonly used and durable.	<b>YES</b>
<b>60.05.25.9.B</b> Chain link	Chain link fencing is proposed around the dog run area. The fencing is four-feet-tall and coated. Slats are not proposed since visibility is necessary to ensure visual security for those using the dog run.	<b>YES</b>
<b>60.05.25.9.C</b> Masonry	The applicant proposes multiple walls that are subject to this standard. A condition of approval is recommended requiring the applicant to submit plans demonstrating that masonry walls, including retaining walls, are at least 6" thick and all other walls are at least 3" thick prior to Site Development Permit issuance.	<b>YES w/ COA</b>
<b>60.05.25.9.D</b> Manufacturing uses	A residential use is proposed.	<b>N/A</b>
<b>60.05.25.9.E</b> Height	Four-foot-tall fencing is proposed around the dog run which is near SW Tile Flat Road right of way. It is not in the front yard area, and the proposed height is permitted adjacent to an Arterial class street.	<b>YES</b>
<b>Minimize Significant Changes to Existing On-Site Surface Contours At Residential Property Lines</b>		
<b>60.05.25.10</b> Minimize grade changes	The applicant as elected to be evaluated under the corresponding Design Guideline.	<b>SEE DESIGN GUIDELINE FINDINGS 60.05.45.8</b>
<b>Integrate water quality, quantity, or both facilities</b>		
<b>60.05.25.11</b> Location of facilities	No non-vaulted stormwater facilities have a side slope greater than 2:1 and none are located between the building and the street.	<b>N/A</b>

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
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**Natural Areas**

<b>60.05.25.12</b> No encroachment into buffer areas.	An identified wetland area and a significant riparian corridor exist on the subject property. Proposed development activities do not encroach into these areas and are buffered by a 50-foot-wide vegetated corridor. The applicant has demonstrated that natural resource features will be preserved and maintained.	<b>YES</b>
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**Landscape Buffering Requirements**

<b>60.05.25.13</b> Landscape buffering between contrasting zoning districts	A five-foot-wide landscape buffer meeting the B1 standard is provided along the northern property line abutting the R2 zone district. The site also abuts the R4 zone district to the east. The wetland area creates a natural buffer, so a landscape buffer is not required along the eastern property line. Landscape buffers along SW Tile Flat Road and SW Scholls Ferry Road have been constructed by others and were approved with the Scholls Heights PUD.	<b>YES</b>
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**Section 60.05.30 Lighting Design Standards**

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
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**Adequate on-site lighting and minimize glare on adjoining properties**

<b>60.05.30.1.A</b> Lighting complies with the City's Technical Lighting Standards	The applicant provides a lighting plan with photometric details demonstrating on-site lighting meets the minimum one foot-candle measurement on-site and the maximum 0.5 foot-candle measurement at property lines in compliance with the City's Technical Lighting Standards.	<b>YES</b>
<b>60.05.30.1.B</b> Lighting provided for vehicle and pedestrian circulation	The applicant provides a lighting plan with photometric details demonstrating on-site lighting meets the minimum lighting requirements in vehicular and pedestrian circulation areas.	<b>YES</b>
<b>60.05.30.1.C</b> Lighting of Ped Plazas	Pedestrian plazas are not proposed.	<b>N/A</b>

<b>DESIGN STANDARD</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS STANDARD</b>
<b>60.05.30.1.D</b> Lighting of building entrances	The applicant's lighting plan shows lighting at building entrances.	<b>YES</b>
<b>60.05.30.1.E</b> Canopy lighting recessed	Canopy lighting is not proposed.	<b>N/A</b>
<b>Pedestrian-scale on-site lighting</b>		
<b>60.05.30.2.A</b> Pedestrian Lighting	The applicant states that pole lights for on-site vehicular circulation areas will be 20-foot-tall. Pole lights for pedestrian paths of travel on site are 10-foot-tall.	<b>YES</b>
<b>60.05.30.2.B</b> Non-Pole Mounted Lighting	All wall-mounted lights meet the City's Technical Lighting Standards.	<b>YES</b>
<b>60.05.30.2.C</b> Lighted Bollards	No bollards are proposed.	<b>N/A</b>

# Design Review Guidelines Analysis

In the following analysis, staff has only identified the Design Guidelines that are relevant to the subject development proposal. Non-relevant Guidelines have been omitted.

## 60.05.35 Building Design and Orientation Guidelines.

### 1. Building Articulation and Variety

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

#### FINDING:

Proposed building lengths range from roughly 160-feet-long to 250-feet-long. All buildings proposed a variety of articulation methods to reduce mass and limit undifferentiated blank walls. Methods include the use of recessed and projecting walls, balconies, awnings, fenestration patterns, and variation in roof height and pitch. Changes in materials are also implemented consistently across facades including stone veneer, board and batten siding, and lap siding. The proposed articulation sufficiently mitigates visual impacts related to building length while creating a scale that is pedestrian friendly and accommodates comfortable pedestrian circulation between buildings.

**Conclusion:** Therefore, staff finds the proposal meets the guidelines.

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

#### FINDING:

Proposed three-story buildings are varied and articulated in a way that provides visual interest to pedestrians. The use of stone veneer and ample windows along the ground floors of all buildings creates visual interest at eye-level for pedestrians. Offsetting walls that project and recess from the building wall at intervals along facades also provide variation for pedestrians on site or those using public facilities around the subject property. Changes in roof levels and building materials also accentuate facades to reduce building mass and provide visual interest to pedestrians. Furthermore, articulation methods vary from building to building which enhances visual interest across the site.

**Conclusion:** Therefore, staff finds the proposal meets the guidelines.

- E. Building elevations visible from and within 200 feet of an adjacent street or major parking area should be articulated with architectural features such as windows, dormers, off-setting walls, alcoves, balconies or bays, or by other design features that reflect the building's structural system. Undifferentiated blank walls facing a street, common green, shared court, or major parking area should be avoided. (Standards 60.05.15.1.B, C, and D)**

**FINDING:**

Building elevations are not located within 200 feet and are not visible from a major parking area. However, several building elevations are visible from and within 200 feet of an adjacent street, so they are subject to this guideline. The applicant has demonstrated that applicable building elevations exceed 50% articulation through the use of permanent architectural features including windows, balconies, awnings, changes in material, and off-setting walls. The proposed articulation effectively minimizes undifferentiated blank walls on all elevations, including those facing public streets. By using a variety of materials and off-setting walls, elevations are adequately articulated, and undifferentiated blank walls are avoided.

**Conclusion:** Therefore, staff finds the proposal meets the guidelines.

**60.05.40 Circulation and Parking Design Guidelines.**

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

**FINDING:**

The applicant states that a landscape island is generally provided for every eight contiguous parking spaces, and all but three islands are planted with a deciduous shade tree. Islands without trees are necessary due to conflicts with proposed utilities. Staff finds that proposed parking area landscaping provides adequate shade coverage of parking lots, and many areas propose landscape islands every four to six parking spaces with exceeds the design standard. Additional landscaping surrounding parking areas and abutting pedestrian pathways further minimize the visual impacts of the parking area and provide an adequate tree canopy.

**Conclusion:** Therefore, staff finds the proposal meets the guidelines.

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

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

## FINDING:

The proposed development includes changes to existing on-site surface contours along a portion of the northern property line which abuts another residential property. Staff has reviewed the grading plans, landscape plans, and stormwater report and found that proposed grading, including the construction of retaining walls, will not negatively impact the adjacent property. The storm system has been designed to convey water away from the retaining wall adjacent to the northern property line and to the drainage system. No damage to tree root zones will occur, and the proposed retaining wall will not block sunlight for future dwellings on the abutting residential property. No other conflicts due to grading activity along residential property lines have been identified. Staff cites the findings in Attachment A regarding grading and contouring of the site (BDC 40.03.1.J) which recommends a condition of approval requiring that the applicant submit plans that meet grading standards of both the development code and City code at the time of Site Development Permit unless otherwise approved through a Design Review process. This will ensure that there will be no adverse effect on neighboring properties.

**Conclusion:** Therefore, by meeting the conditions of approval, staff find the proposal meets the guidelines.

# Attachment C: TREE PLAN TWO TP2021-0012

## ANALYSIS AND FINDINGS FOR TREE PLAN TWO APPROVAL

**Recommendation:** Based on the facts and findings presented below, staff recommends **APPROVAL** of **TP2021-0012**, subject to the applicable conditions identified in Attachment D.

### Section 40.20.05 Purpose:

The purpose of the Tree Plan application is to maintain healthy trees and urban forests that 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 SNRAs, and Community Trees thus helping to preserve and enhance the sustainability of the City's urban forest. This Section is carried out by the approval criteria listed herein and implements the SNRA, Significant Grove, Significant Individual Tree, and Historic Tree designations as noted or mapped in Comprehensive Plan Volume III.

### Planning Commission Standards for Approval:

Section 40.90.15.2.C of the Development Code provides standards to govern the decisions of the decision-making authority as they evaluate and render decisions on Tree Plan Applications. The decision-making authority will determine whether the application as presented, meets the Tree Plan Two approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 2 Tree Plan.

To approve a Tree Plan Two application, the Planning Commission shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

#### Section 40.90.15.2.C.1

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

#### FINDING:

The subject site contains nine Community Trees measuring ten inches DBH or greater. The proposal is to remove all nine trees. The project triggers Threshold 1 for the Tree Plan Two application which reads:

1. *Removal of five (5) or more Community Trees, or more than 10% of the number of Community Trees on the site, whichever is greater, within a one (1) calendar year period, except as allowed in Section 40.90.10.1.*

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

### **Section 40.90.15.2.C.2**

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

**FINDING:**

The City of Beaverton received the appropriate fee for a Tree Plan Two application.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

### **Section 40.90.15.2.C.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.

**FINDING:**

The applicant asserts that trees are only proposed for removal to accommodate physical development of the site where no reasonable alternative exists. Removal of trees is not necessary to observe good forestry practices according to recognized American National Standards Institute (ANSI) A300-1995 standards and International Society of Arborists (ISA) standards.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

### **Section 40.90.15.2.C.4**

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

**FINDING:**

The applicant states the proposed removal of trees is necessary to accommodate physical development of the property where no reasonable alternative exists. The applicant asserts that the existing Community Trees prevent the installation of utilities and circulation areas and would hinder the development's ability to meet the density requirements established by the Scholls Heights PUD. The applicant states that alternatives to complete tree removal have been explored, but reasonable alternatives for tree retention do not exist.

During the processing of this application, the City Arborist identified one of the Community Trees on site as an albino Giant Sequoia tree. According to the arborist report, the albino

Giant Sequoia is in excellent health with a 42" DBH. Due to the health, size, and rarity of the tree, staff requested more information from the applicant to determine if a reasonable alternative exists to retain the tree by modifying the site design. Upon consultation with the applicant, staff concluded that a reasonable alternative does not exist to retain the albino Giant Sequoia or the other Community Trees on site while meeting density requirements of the Scholls Heights PUD.

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

### **Section 40.90.15.2.C.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.

#### **FINDING:**

The applicant states the trees proposed for removal are to facilitate development of the property and are not a nuisance.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

### **Section 40.90.15.2.C.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.

#### **FINDING:**

The applicant states the trees proposed for removal are associated with the development of the site where no reasonable alternative exists. However, tree removal is not necessary to accomplish public purposes associated with this project.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

### **Section 40.90.15.2.C.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.

#### **FINDING:**

The applicant states the removal of the nine trees are to accommodate the proposed development and are not intended to enhance adjacent trees or the health of a grove or SNRA.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

### **Section 40.90.15.2.C.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.

**FINDING:**

The trees proposed for removal are not located within a SNRA or Significant Grove.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

### **Section 40.90.15.2.C.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.

**FINDING:**

The trees proposed for removal are not located within a SNRA or Significant Grove.

**Conclusion:** Therefore, staff finds the criterion is not applicable to this proposal.

### **Section 40.90.15.2.C.10**

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

**FINDING:**

The applicant states the proposal complies with all applicable provisions of Section 60.60 and 60.67. Staff cites Table 4: Chapter 60 Trees and Vegetation at the end of this section, which evaluates the project as it relates to applicable code requirements of Section 60.60, as applicable to the criterion. Staff also cites the findings presented in Attachment A in response to the Facilities Review approval criteria regarding applicable provisions of Section 60.67.

**Conclusion:** Therefore, staff finds the proposal meets the criterion for approval.

## **Section 40.90.15.2.C.11**

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

### **FINDING:**

The applicant states grading has been designed to accommodate the proposed development in a way that mitigates adverse effects on neighboring properties, the public right-of-way, surface drainage, water storage facilities, and the public storm drainage system. The Facilities Review Committee has reviewed the proposed preliminary grading plan and finds no adverse effect on neighboring properties, the public right-of-way, or the public storm system. The Committee recommends conditions of approval regarding the grading and contouring of the development site, which will be reviewed and approved prior to Site Development Permit issuance as part of the Design Review approval.

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

## **Section 40.90.15.2.C.12**

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

### **FINDING:**

The applicant submitted the Tree Plan Two application on December 1, 2021. The application was deemed complete on March 9, 2022.

**Conclusion:** Therefore, staff find the proposal meets the criterion for approval.

## **Section 40.90.15.2.C.13**

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

### **FINDING:**

The applicant also submitted a Design Review Three land use application to be processed concurrently with this Tree Plan Two request. No additional applications or documents are needed at this time. Staff recommends a condition requiring approval of the associated Design Review Three application prior to site development permit issuance.

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

## **CONCLUSION & RECOMMENDATION**

Based on the facts and findings presented, staff recommends APPROVAL of TP2021-0012, subject to the applicable conditions identified in Attachment D.

**Table 4: Chapter 60 Trees and Vegetation**

<b>CODE SECTION</b>	<b>CODE REQUIREMENT</b>	<b>PROJECT PROPOSAL</b>	<b>MEETS CODE?</b>
<b>Development Code Section 60.60.15 Pruning, Removal, and Preservation Standards</b>			
60.60.15.1.A-B	Pruning standards for Protected and Landscape Trees.	No pruning of a Protected Tree is proposed for this project.	<b>N/A</b>
60.60.15.2.	Removal and Preservation Standards for Protected Trees	The applicant is proposing the removal of nine Community Trees. The trees are not Landscape Trees or Protected Trees.	<b>N/A</b>
<b>Development Code Section 60.60.20 Tree Protection Standards during Development</b>			
60.60.20.1.A-B	Trees shall be protected during construction and activity within the protected root zone shall be limited.	The applicant is proposing to remove nine Community Trees. No trees are proposed to remain on site that would require protection during development.	<b>N/A</b>
<b>Development Code Section 60.60.25 Mitigation Requirements</b>			
60.60.25.	Mitigation Standards	The applicant is proposing removal of nine Community Trees. Mitigation is not required for the removal of Community Trees.	<b>N/A</b>

# Attachment D: RECOMMENDED CONDITIONS OF APPROVAL

**Application:** Scholls Heights Apartments

**Recommendation:** APPROVE DR2021-0163 / TP2021-0012 subject to the conditions of approval herein.

## Design Review Three (DR2021-0163)

### **A. General Conditions, the applicant shall:**

1. Ensure that the Tree Plan Two (TP2021-0012) application has been approved and is consistent with the submitted plans. (Planning / BG)

### **B. Prior to issuance of the site development permit, the applicant shall:**

2. 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 Div. / SAS)
3. Retain a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, current standards in place per the City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the current standards in place per the Clean Water Services District, Design and Construction Standards, and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div. / SAS)
4. 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 utilizing the process set out in the Beaverton Development Code, and the City Engineering Design Manual; 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 Div. / SAS)
5. Have the applicant for the subject property guarantee all City-owned and maintained public improvements, grading, storm water management facilities, and 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 Div. / SAS)

6. Submit any required easements, executed and ready for recording, to the City. City will require approval of legal description and form prior to execution. (Site Development Div. / SAS)
7. Submit a geotechnical report with the site development permit application for review and approval. It shall be prepared by a professional engineer or registered geologist. (Site Development Div. / SAS)
8. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. These submittals will go to City for processing to Clean Water Services. (Site Development Div. / SAS)
9. Submit a completed 1200-C Permit (DEQ/CWS/City Erosion Control Joint Permit) application to the City. The applicant shall use the standard plan format per requirements for sites 5 acres or larger adopted by DEQ and Clean Water Services. (Site Development Div. / SAS)
10. Provide construction plans and a drainage report demonstrating compliance with City surface water management requirements per City 2019 Engineering Design Manual, Resolution 4542, Section 530; and with CWS Resolution and Order 2019-22 for quantity control for conveyance capacity, hydromodification and quality treatment. Fee-in-lieu can be requested if development meets criteria set forth in City EDM Sections 190, table 530.1, and 530.1.A.4 and CWS Design & Construction Standards Section 4.03.7.a and 4.04.2.a. (Site Development Div. / SAS)
11. Provide a drainage analysis of the subject site prepared by a professional engineer meeting the standards set by the City. The analysis shall identify all contributing drainage areas and plumbing systems for this project with the site development permit application. The analysis shall also delineate all areas for this project that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. (Site Development Div. / SAS)
12. Submit a grading plan showing building pad elevation and minimum finished floor elevation (FFE). Pad elevation shall be at least one foot higher and FFE shall be at least three feet higher than the 100 year/emergency overflow of the storm water management facility. (Site Development Div. / SAS)
13. Grading must meet provisions of Beaverton City Code 9.05.110 and 9.05.115 at all exterior property boundaries of the proposed project. No grading can occur within 10 feet of a property line or half the height of the vertical embankment created, whichever is greater. This condition does not apply to grading activity that is approved through a Design Review process. (Site Development Div. / SAS)
14. Provide plans showing a proprietary stormwater treatment system for treatment of the site's piped surface water runoff. Plans shall also show a trash capture water quality

- pre-treatment unit located directly upstream from any proprietary stormwater treatment system vaults or manholes. Plans shall also show a high flow bypass system to bypass surface water runoff high flows. Any proprietary storm filter treatment facility with contributing impervious area greater the 1.5 acres will require a high-flow bypass system. (Site Development Div. / SAS)
15. Pay any required storm water system development charges (storm water quality, quantity, hydromodification and overall system conveyance) for the new impervious area proposed. (Site Development Div. / SAS)
  16. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div. / SAS)
  17. Submit to the City a Stormwater Management Worksheet for 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. Any home demolition is credited at one equivalent surface unit (2640 square feet). 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 tracts. (Site Development Div. / SAS)
  18. Submit plans showing a non-potable water system design for stormwater management facilities and any public plantings. Non-potable water plans must meet City Engineering Design Manual Section 710 requirements. (Site Development Div. / SAS)
  19. Provide plans for the placement of underground utility lines within the site to the proposed new buildings. No overhead services shall remain on the site. 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 Div. / SAS)
  20. Submit plans that show access for a maintenance vehicle within 9-feet from the front, or within 19-feet from the side of a vehicle to all stormwater management facility control structures unless otherwise specifically approved by the City Engineer. (Site Development Div. / SAS)
  21. If required by OAR 918-780-0040, submit proposed private plumbing plans to the City Building Division for review. If private sewer systems crossing lot lines and within a private easement is proposed, please submit plumbing permit application to the

Building Division. Drainage within covered areas shall be piped as approved by the City Building Division. (Site Development Div. / SAS)

22. Submit a design for the retaining walls surrounding, adjacent, and within the site designed by a civil engineer or structural engineer. Proposed walls within easements shall not be over 30 inches and have tie-backs. (Site Development Div. / SAS)
23. Submit plans demonstrating that masonry walls, including retaining walls, are a minimum of six inches thick and that all other walls are a minimum of three inches thick in compliance with BDC 60.05.25.9.C. (Planning / BG)
24. Provide plans showing a City standard commercial driveway apron (or a design otherwise approved through a Design Exception Request to the Engineering Design Manual) at the intersection of any private parking lot drive aisles to a public street. (BDC 40.03.1 and 60.55.35, EDM Section 210.21 and Standard Drawing 210) (Transportation / KM)
25. Obtain a Design Exception Request to the Engineering Design Manual for modifications to the City standard local street design speed and curb radii of eyebrow corners of Street O. Alternatively, provide plans showing a City standard local street design speed and eyebrow geometry for Street O. (BDC 40.03.1 and 60.55.30, EDM Section 210.5 and 210.12) (Transportation / KM)
26. Provide certification from a registered professional engineer that adequate sight distance exists in both directions (or can be obtained pursuant to specific improvements) at all driveway intersections. (BDC 40.03.1 and 60.55.35, EDM Section 210.18) (Transportation / KM)
27. Demonstrate that pedestrian walkways are provided along the street frontage of SW Scholls Ferry every 300 feet as required in BDC 60.55.25, and that all walkways maintain a continuous 5-foot width. (BDC 40.03.01 and 60.55.25) (Transportation / KM)
28. Demonstrate that the vision clearance triangle where the proposed driveways meet Street O are free of encroachments and meet the standards within the Engineering Design Manual Section 210.18.1. (BDC 40.03.1, 60.55.35, and EDM Section 210.18) (Transportation / KM)
29. Demonstrate in submitted site plans that “No Parking” signage will be installed along the site’s frontage to public Street O to ensure safe circulation for all vehicles, as well as to provide adequate truck and emergency access. (BDC 40.03.1, 60.55.25, and EDM 210.16) (Transportation / KM)
30. Record and submit documentation of a cross-access easement that would allow for the construction and the subject sites use of the proposed driveway and a pedestrian walkway providing access to future public Street O. (BDC 40.031.1, 60.55.35, and

EDM 210.21) (Transportation / KM)

31. Obtain a Washington County Right-of Way Permit(s) from the Operations Division (503.846.7623) via the Public Permitting and Services Portal (WashCoORACA.com) for temporary construction access, if proposed directly to County-maintained road sections. Include the following items with the application submittal (Washington County / NV)
  - a. Preliminary/Final Sight Distance Certification
  - b. Traffic Control/Circulation Plan
  - c. Trip Generation estimate

**C. Prior to building permit issuance, the applicant shall:**

32. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div. / SAS)
33. 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 Div. / SAS)

**D. Prior to final inspection and final occupancy permit, the applicant shall:**

34. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div. / SAS)
35. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div. / SAS)
36. Have placed underground all affected, applicable existing overhead utilities and any new utility service lines within the project and along any existing street frontage as determined at permit issuance. (Site Development Div. / SAS)
37. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div. / SAS)
38. Ensure all site improvements, including grading and landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / BG)
39. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the

decision-making authority in conditions of approval. (On file at City Hall). (Planning / BG)

40. Ensure construction of all buildings, walls, fences, and other structures are completed in accordance with the elevations and plans marked "Exhibit C", except as modified by the decision-making authority in conditions of approval. (On file at City Hall). (Planning / BG)
41. Complete frontage improvements along public Street O to the adopted L2 Local Street standards which include: 6.5 wide planter strip, 5 sidewalks, street trees, and street lighting. (BDC 40.03.1, 60.55.10, and 60.55.30, and EDM Standard Drawing 200-4) (Transportation / KM)
42. Install No Parking signs along the site's frontage to public Street O. (BDC 40.03.1, 60.55.35, and EDM Section 210.18) (Transportation / KM)

**E. Prior to release of performance security, the applicant shall:**

43. Have completed the site development improvements and verify that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. The project shall meet all outstanding conditions of approval as determined by the City. 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 Div. / SAS)
44. Submit any required easements, executed and ready for recording, to the City. City will require approval of legal description and form prior to execution. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div. / SAS)
45. Provide a post-construction cleaning, system maintenance, and any proprietary stormwater treatment system recharge/replacement servicing report per manufacturer's recommendations for the site's proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer. Additional service report will be required per maintenance schedule and until the maintenance and planting period is complete. (Site Development Div. / SAS)
46. 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 as shown on the approved plan within the storm water management facility, vegetated corridor, and the wetland mitigation areas, as determined by the City Engineer. If the plants are not well established (as determined by the City) 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 Div. / SAS)

47. A 2-year Maintenance Security will be required at 25 percent of the cost to construct City-owned and maintained public improvements, grading, storm water management facilities, and driveway paving. The security approval by the City consists of a review by the City Attorney for form and the City Engineer for amount. It will run concurrently with the performance security of the plant establishment and is released 2 years after project acceptance following the correction of any identified defects. (Site Development Div. / SAS)

## Tree Plan Two (TP2021-0012)

### **A. General Conditions, the applicant shall:**

1. Ensure that the Design Review Three (DR2021-0163) application has been approved and is consistent with the submitted plans. (Planning / BG)