

STAFF REPORT

Report date: March 24, 2021

Application/project name: Westmont Park

Application Numbers: CU2021-0001, DR2021-0004 and PD2021-0001

Proposal: Conditional Use approval for an outdoor recreation area on the subject site to serve the residents of the subdivision; Design Review Three approval for an outdoor recreation area in a residential zoning district which includes minor improvements such as installation of a picnic table, pathway and small lawn area; and a Parking Determination for an outdoor recreation area use because the parking tables in the Development Code do not include a parking ratio for the use.

Proposal location: The site is located west of the intersection of SW 155th Avenue and SW Scholls Ferry Road, identified as Tax Lot 17400 on Washington County Tax Assessor's Map 1S132CD.

Applicant: D.R. Horton

Recommendation: APPROVAL of CU2021-0001, DR2021-0004 and PD2021-0001, subject to conditions identified at the end of this report.

Contact information:

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Applicant representative: Pacific Community Design, Inc
Stacy Connery, AICP
12564 SW Main Street, Tigard, OR 97223

Applicant: D.R Horton
4380 SW Macadam Avenue, Suite 200, Portland, OR 97239

Property owner: Westmont HOA
17933 NW Evergreen Place Suite 200, Beaverton, OR 97006



Existing conditions

Zoning: Residential Urban Standard Density (R5)

Site conditions: The site is open space for the existing Westmont subdivision owned and maintained by the Westmont Homeowners Association.

Site Size: 0.47 acres

Location: West of the intersection of SW Scholls Ferry Road and SW 155th Terrace, on the north side of SW Scholls Ferry Road.

Neighborhood Association Committee: Neighbors Southwest

Table 1: Surrounding uses

Direction	Zoning	Uses
North	Residential Urban Standard Density – R5	Single Family Residential
South	Residential Urban Standard Density – R5 And Town Center – High Density Residential	Single Family Residential and Multiple Family Residential
East:	Residential Urban Standard Density – R5	Stormwater Detention
West:	Residential Urban Standard Density – R5	Single Family Residential

Application information

Table 2: Application summaries

Application	Application type	Proposal summary	Approval criteria location
CU2021-0001	New Conditional Use	New development of outdoor recreation area in an existing open space owned by the Homeowners Association.	Development Code Section 40.15.15.5.C
DR2021-0004	Design Review Three	Construction of outdoor recreation area in a residential zone.	Development Code Section 40.20.15.3.C
PD2021-0001	Parking Determination	No parking is proposed for the new outdoor recreation area use.	Development Code Section 40.55.15.1

Table 3: Key Application Dates

Application	Submittal Date	Deemed Complete	120-Day	365-Day*
CU2021-0001	January 18, 2021	February 8, 2021	June 9, 2021	February 9, 2022
DR2021-0004	January 18, 2021	February 8, 2021	June 9, 2021	February 9, 2022
PD2021-0001	January 18, 2021	February 8, 2021	June 9, 2021	February 9, 2022

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

Exhibit 1.1: Vicinity Map

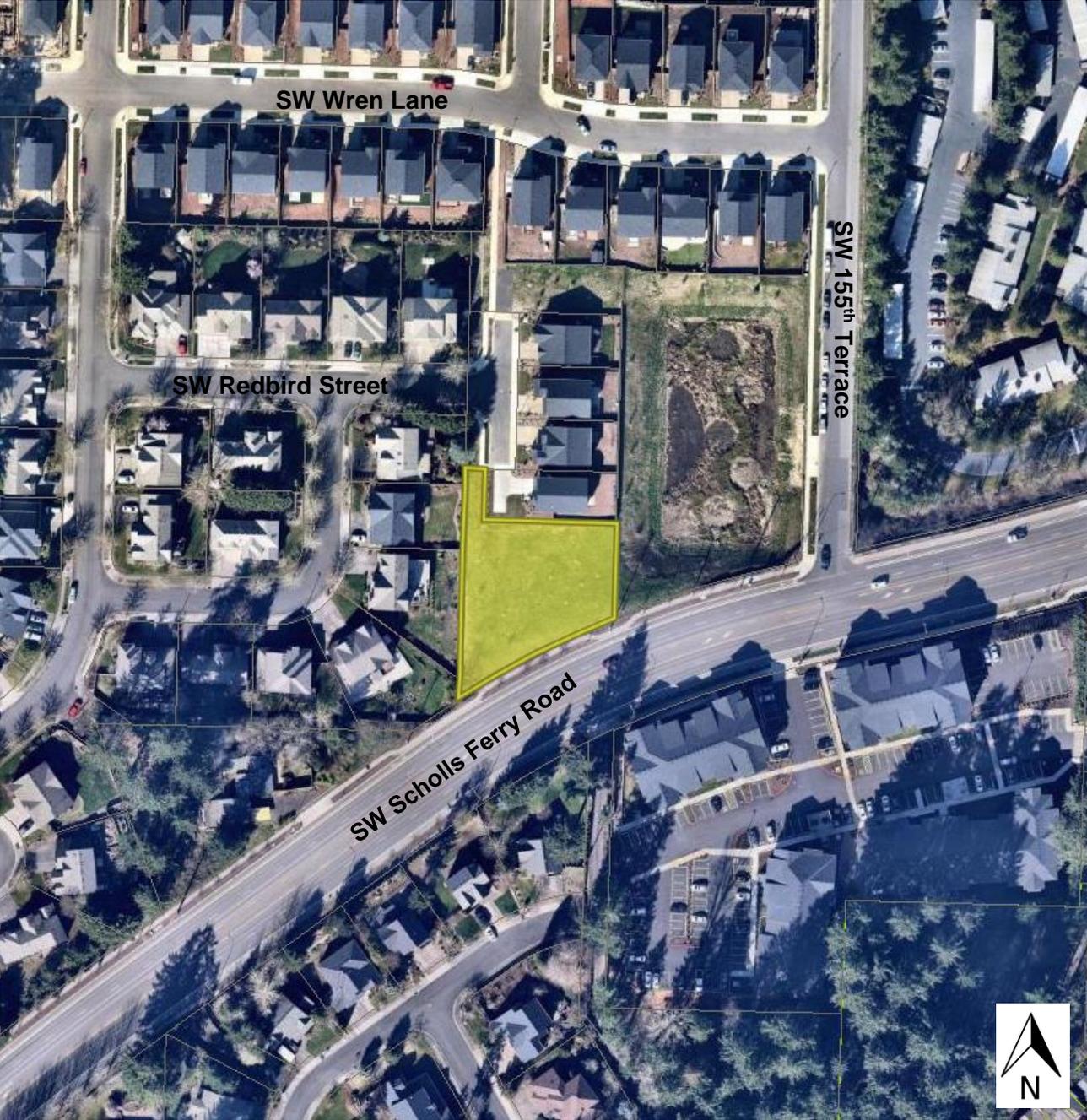


Exhibit 1.2: Zoning Map



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Exhibits

- Exhibit 1. Materials submitted by Staff
 - Exhibit 1.1 Vicinity Map (page 4 of this report)
 - Exhibit 1.2 Zoning Map (page 5 of this report)
 - Exhibit 1.3 Beaverton Inventory of Historic Resources
- Exhibit 2. Public Comment
 - Exhibit 2.1 Douglas Brun
 - Exhibit 2.2 Nicholas Barrett
 - Exhibit 2.3 Tony and Lisa Boatright
 - Exhibit 2.4 Dzmitry and Tatsiana Velikan
 - Exhibit 2.5 Chylon Pappas
- Exhibit 3. Materials submitted by the Applicant

- Exhibit 3.1 Project Narrative
- Exhibit 3.2 Application Forms
- Exhibit 3.3 Pre-App Conference Summary
- Exhibit 3.4 Plan Set
- Exhibit 3.5 Revised Landscape Drawings
- Exhibit 3.6 Neighborhood Meeting Materials
- Exhibit 3.7 Parking Exhibit
- Exhibit 3.8 2015 TIA Exhibit
- Exhibit 3.9 Clean Water Services (CWS) Service Provider Letter
- Exhibit 3.10 City of Beaverton Water Service Provider Letter
- Exhibit 3.11. Tualatin Valley Fire and Rescue Service Provider Letter
- Exhibit 3.12 Tualatin Hills Park and Recreation District Comments

Exhibit 2: Public Comment Summary

Staff received public comments from five residents.

Exhibit 2.1:

In four emails received from Douglas Braun, neighbor of the property, who shared comments about the landscape architecture and quality of trees to make the outdoor recreation area beautiful. Mr. Braun provided information on trees that could be considered for the outdoor recreation area. concerns about the trees that were proposed for removal.

Staff notes that Mr. Braun's proposal was made to the Homeowners Association, provided to DR Horton and Pacific Community Designs for their consideration. The existing trees in the open space tract were chosen because they are native Oregon species; however, these trees would not be considered ornamental flowering trees.

The applicant revised the landscape plan to include additional tree species that would be appropriate in the Pacific Northwest, while also meeting the intent of landscape buffering require for non-residential uses in a residential zone. The applicant is proposing landscaping in accordance with the Design Review Guidelines, please see the discussion below in the Design Review Guidelines analysis section.

Exhibit 2.2:

In an email received from Nicholas Barrett, neighbor of the property, he asked what amenities would be provided at the outdoor recreation area. Specifically, if there would be a playground, shade structure, and retaining wall adjacent to SW Scholls Ferry Road for safety.

Staff notes that contact was made with Ms. Nicholas Barrett and a site plan was provided showing the layout of the park with the proposed amenities labeled.

Exhibit 2.3

In an email received from Tony and Lisa Boatright, neighbors of the property, stating their concerns regarding parking for the site. Specifically, that there is no parking provided on SW Scholls Ferry Road and parking is prohibited in the hammerhead portion of SW Redbird Street.

Staff notes that the applicant has submitted an application for a Parking Determination, discussed in Attachment D.

Exhibits 2.4

In an email received from Dzmityr and Tatsiana Velikan, neighbors of the property, provided comments on parking, privacy, and the natural barrier of the existing open space. They raised the issue that parking is prohibited on the hammerhead, where their house is located. The park is proposed as a private outdoor recreation area; however, there is a concern about effectively enforcing who can access the outdoor recreation area and possible illegal activities. The existing site also contains a small hill, which is a natural barrier between the house and SW Scholls Ferry Road.

Staff notes that the proposed outdoor recreation area is intended for the use of the Westmont neighborhood and will not provide lighting at night to discourage use of the outdoor recreation area at night. The new outdoor recreation area will provide a landscape buffer adjacent to the residences that will provide mitigation for view to SW Scholls Ferry Road. The applicant has also submitted a Parking Determination application for review of the proposed parking for the park.

Exhibits 2.5

In a letter attached to an email received from Chylon Pappas, neighbor of the property, provided similar comments regarding parking, privacy, and the natural barrier of the existing open space.

Staff notes that the proposed outdoor recreation area is intended for the use of the Westmont neighborhood; however, the City would not enforce who could visit the site. Similarly, staff would not be able to enforce who could park on a public street pursuant to the posted parking restrictions.

Attachment A: Facilities Review

TECHNICAL REVIEW AND RECOMMENDATIONS

Application: Westmont Park

Recommendation: APPROVE CU2021-0001 and DR2021-0004

Finding: The Facilities Review Committee finds the applicable Facilities Review Committee approval criteria have been met subject to the conditions identified at the end of the report for the following applications:

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 New Conditional Use (CU2021-0001) and Design Review Three (DR2021-0004) application.

The Facilities Review Committee recommends approval of the New Conditional Use (CU2021-0001) and the Design Review Three (DR2021-0004) subject to the conditions of approval.

Section 40.03.1.A

Approval Criteria: 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 public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection. The Committee finds that the proposal includes, or

can be improved to have, necessary on-site and off-site connections and improvements to public water, public sanitary sewer and storm water drainage facilities.

Water: The City is the water service provider. The proposed development is for the improvements of Tract C of the subdivision. The applicant is not proposing any new water service to Tract C; therefore, a condition of approval has been added requiring that the site provide irrigation for all existing and proposed landscaping.

Sewer and Stormwater: The City is the storm drainage and sanitary sewer provider for the subject site. Developments and other activities which create or modify 1,000 square feet of greater of impervious surface are required to provide stormwater management. The proposed paved trail is less than 1,000 square feet of new impervious surface; therefore, a stormwater management plan is not required.

Tract B, the existing 55,628 square foot stormwater facility, east of Tract C will serve the outdoor recreation area. No new water quality or quantity facilities are proposed.

No sanitary sewer services are necessary to serve the proposed outdoor recreation area.

Transportation: The applicant is proposing development of a private outdoor recreation area to serve the residents of Westmont Subdivision on Tract C of the Westmont (formerly Russell Property) subdivision. Approval of preliminary subdivision application LD2015-0021 and the subsequent recording of Westmont plat on document number 2018-007864 dedicated Tract C as open space and SW Redbird Street hammerhead (Tract D) as a private street with a public pedestrian, and vehicle access easement. The SW Redbird Street hammerhead provides pedestrian, bicycle, and motor vehicle access from the public street system to the outdoor recreation area.

The applicant did not propose a direct vehicle or pedestrian access to SW Scholls Ferry Road; however, a condition of approval has been added requiring that a pedestrian walkway to the site be provided.

Fire: Fire protection will be provided to the site by Tualatin Valley Fire and Rescue (TVF&R). The applicant states that the proposal was presented to the Tualatin Valley Fire and Rescue (TVFR) Fire Marshal. After review, it was determined that a service provider letter is not required for the project since proposed improvements only include a paved trail, bench, picnic table, and garbage can/doggie waste and no new access or on-site parking is proposed as pedestrian, bike, and emergency service access to the tract via SW Redbird Street hammerhead will not be modified (see documentation in the applicant's Exhibit 3.11).

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

Section 40.03.1.B

Approval Criteria: 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.

FINDINGS:

Chapter 90 of the Development Code defines “essential facilities” to be services that include schools, transit improvements, police protection, and pedestrian and bicycle facilities in the public right-of-way. The applicant’s plans and materials were shared with Beaverton School District, Tualatin Hills Park and Recreation District (THPRD), City Transportation staff and the Beaverton Police Department.

Schools: The proposed outdoor recreation area use will not add additional demand to the surrounding schools, as it does not include housing and will not generate additional students.

Transit: The proposed improvements will not impact or require additional transit service, as no additional residents will be generated by the proposed development. The outdoor recreation area is proposed as a private outdoor recreation area for the use of the residents and managed by the Homeowners Association (HOA); therefore, the use is not intended for people to visit the site from outside the neighborhood.

Police: The City of Beaverton Police Department will continue to provide service to the site. To the date of this report Beaverton Police have not provided comments or recommendations to the Committee. Beaverton Police will serve the development site and any comments will be shared with the applicant.

Pedestrian and Bicycle Facilities: The subject property is adjacent to SW Scholls Ferry Road and SW Redbird Street. The outdoor recreation area will be accessible from SW Redbird Street, which is a private street located in Tract D of the subdivision. Additional access to the site is required from SW Scholls Ferry Road and a condition of approval has been added requiring a pedestrian access. Approval of preliminary subdivision application LD2015-0021 and the subsequent recording of Westmont plat on document number 2018-007864 dedicated Tract C as open space and SW Redbird Street hammerhead (Tract D) as a private street with a public pedestrian, and vehicle access easement. SW Redbird Street hammerhead provides pedestrian and bicycle connection from the proposed outdoor recreation area to the existing public street system of Westmont Subdivision.

Parks: The proposed use is a new outdoor recreation area that will be maintained by the HOA of the subdivision. The applicant's materials were shared with THPRD who have not provided comments or recommendations to the Facilities Review Committee.

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

Section 40.03.1.C

Approval Criteria: 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).

FINDINGS:

The site is zoned Urban Standard Density (R5) and staff cites the Code Conformance Analysis chart at the end of the Facilities Review Report, which evaluates the project as it relates to applicable code requirements of Chapter 20. As demonstrated in the chart, the development proposal meets all criterion.

The proposed outdoor recreation area is considered a Conditional Use under the recreation subheading of "Public Parks, Parkways, Playgrounds, and Related Facilities." The improvements proposed are limited in scope to provide for some active uses in the open space tract. The most appropriate designation for this type of activity, as it has potential impacts to adjacent properties, is as a recreational facility related to parks, parkways, and playgrounds under the "Related Facilities" portion of the use description above, and is therefore subject to Conditional Use review which is addressed in Attachment B of this report.

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

Section 40.03.1.D

Approval Criteria: 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.

FINDINGS:

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, as applicable to the above-mentioned criteria. Staff will provide findings for the applicable Design Review Standards (Code Section 60.05) as well as applicable provisions within the Design Review Three (DR2020-0091) section of the staff report.

60.30 Off-Street Parking: The applicant has submitted a Parking Determination application to evaluate the required parking for the outdoor recreation area. The land use categories for the parking ratio requirements for motor vehicles in Table 60.30.10.5.A do not include outdoor recreation areas; therefore, the applicant is requesting a parking determination. The approval criteria for the Parking Determination application will be addressed in the staff report is not evaluated by the Facilities Review Committee.

60.05 Technical Lighting Standards: The applicant's states that there will be no new lighting in the outdoor recreation area and that the outdoor recreation area will close at dusk. There are two streetlights adjacent to the site: one on SW Scholls Ferry Road, southeast of the subject tract; and one streetlight at the hammerhead on SW Redbird Street.

Transportation Facilities (Section 60.55): Please see response to criteria A and B above, the subject site to adjacent to SW Scholls Ferry Road and SW Redbird Street.

Trees and Vegetation (Section 60.60): No Protected Trees (Significant Individual Trees, Historic Trees, Mitigation Trees and trees within a Significant Natural Resource Area (SNRA) or Significant Grove) are found onsite. The applicant has submitted a Sensitive Area Pre-Screening Site Assessment conducted by Clean Water Services, dated October 20, 2020, which states that no site assessment or service letter is required.

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

Section 40.03.1.E

Approval Criteria: 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.

FINDINGS:

The property is a privately-owned open space tract within an existing subdivision and the HOA will provide regular maintenance. Staff finds that the proposal, as designed, does not pose a barrier to adequate maintenance of the subject site.

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

Section 40.03.1.F

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

FINDINGS:

The existing vehicular and pedestrian circulation patterns will be maintained with the existing connections to the public right of way. The vehicular circulation will be maintained on the Tract D for SW Redbird Street, with no vehicular circulation on Tract C where the outdoor recreation area is proposed. The pedestrian circulation will be accessed from the pedestrian connection on SW Redbird Street.

A pedestrian access from SW Scholls Ferry Road was not proposed; however, a connection is required, and a condition of approval has been added requiring a pedestrian access.

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

Section 40.03.1.G

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

FINDINGS:

In review of Criterion G, staff incorporates the findings prepared in response to A, B, D and F above. The plans show that pedestrians can safely access the proposed outdoor recreation area from SW Redbird Street.

A pedestrian access from SW Scholls Ferry Road was not proposed; however, a connection is required, and a condition of approval has been added requiring a pedestrian access.

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

Section 40.03.1.H

Approval Criteria: 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.

FINDINGS:

In review of Criterion H, staff incorporates the findings prepared in response to A, above, and states that no structures will serve the open space tract. The TVF&R Fire Marshal has determined that a service provider letter is not required for the project since proposed improvements only include a paved trail, bench, picnic table, and garbage can/doggie waste and existing emergency service access to the tract via SW Redbird Street hammerhead will not be modified.

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

Section 40.03.1.I

Approval Criteria: 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.

FINDINGS:

The applicant states that no structures are proposed to serve the private open space tract. The private outdoor recreation area is in the jurisdiction of the City of Beaverton Police Department who serve the residents of Westmont subdivision. The open space tract is privately owned and maintained by the subdivision's HOA. The management company will continue to serve the proposed development providing maintenance and improvements that are not subject to maintenance by the city or other local agencies, including but not limited to: recreation facilities, landscaping, and garbage.

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

Section 40.03.1.J

Approval Criteria: 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.

FINDINGS:

The applicant states that the Grading Plan is designed to tie into grading of existing development and rights-of-way while providing an accessible access route and ADA paved trail from SW Redbird Street to the proposed outdoor recreation area. The subject site abuts property zoned residential (R5) on all sides. Grading within 0 to 5 feet from the northern and western boundaries will result in a maximum of two (2) foot slope differential from the existing slope of the abutting property.

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

Section 40.03.1.K

Approval Criteria: 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.

FINDINGS:

The applicant states that the proposed development of a private outdoor recreation area on Tract C of the Russell Property subdivision is to serve the residents of Westmont Subdivision (formerly known as the Russell Property). The outdoor recreation area is designed to include a five (5) foot wide paved trail meeting ADA standards and the ADA Access Plan. The paved trail connects directly to the five (5) foot wide sidewalk on SW Redbird Street hammerhead.

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

Section 40.03.1.L

Approval Criteria: The application includes all required submittal materials as specified in Section 50.25.1. of the Development Code. [ORD 4265; October 2003]

FINDINGS:

The applications were submitted on January 18, 2021 and the project was deemed complete on February 9, 2021. In the review of the materials during the application review, the Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

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

Table 4: Chapter 20 Use and Site Development Requirements Urban Standard Density (R5) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20			
Urban Standard Density (R5)	Public Parks, Parkways, Playgrounds, and Related Facilities	The outdoor recreation area is considered a Related Facility under this use category.	Yes w/ CU approval
Development Code Section 20.05.15			
Minimum Lot Area	5,000 square feet	20,473 square feet	Yes
Minimum Density	Minimum Density of 3 units for the subject site	The proposal does not include residential units.	N/A
Maximum Density	Maximum Density of 4 dwelling units for the subject site	The proposal does not include residential units.	N/A
Minimum Floor Area Ratio	None	No buildings are proposed	N/A
Lot Dimensions	None	Minimum depth and width is not modified.	N/A
Minimum Setbacks	Front: 15 feet Side: 5 feet Rear: 20 feet	No buildings or structures are proposed	N/A
Maximum Building Height	35 feet	No buildings or structures are proposed	N/A

Table 5: Chapter 60 Special Requirements

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for improvements to the open space	The applicant has requested to be reviewed pursuant to the Design Review Standards	See DR2020-0004 Section of Staff Report
Development Code Section 60.10			
Floodplain Regulations	Requirements for development within floodplains.	The subject lot is not located within a floodplain.	N/A
Development Code Section 60.15			
Land Division Standards	Grading and tree protection standards pertaining to land divisions.	The existing lot is not proposed to be divided.	N/A
Development Code Section 60.30			
Off-street motor vehicle parking	No parking ratios provided for outdoor recreation areas	The project does not propose any parking.	See PD2021-0001 Section of Staff Report
Required Bicycle Parking Short Term and Long Term	Recreational Facility Short Term - 2 spaces Long Term - 2 spaces	The applicant has not proposed providing any bicycle facilities. A condition of approval is required to show the location of the bicycle	See PD2021-0001 Section of Staff Report
Development Code Section 60.33			
Park and Recreation Facilities and Service Provision	Annexation to THPRD	The property is located within THPRDs district therefore annexation is not necessary.	N/A
Development Code Section 60.55			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes

Development Code Section 60.60

Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	No Protected Trees are present on the subject site. The applicant is proposing to relocate 5 existing trees that are in the in the proposed development area.	Yes
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Development Code Section 60.65

Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	All utilities are required to be placed underground in accordance with standards identified in Section 60.65. The applicant is not proposing any new or upgraded utilities	N/A
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Development Code Section 60.67

Significant Natural Resources	Regulations pertaining to Significant Natural Resources	Significant Natural Resources are not found on site.	N/A
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Attachment B: CU2021-0001

ANALYSIS AND FINDINGS FOR NEW CONDITIONAL USE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **CU2021-0001**, subject to the applicable conditions identified in Attachment E.

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 40.15.05 Purpose:

The purpose of a Conditional Use application is to review uses that may be compatible in the underlying zoning district but because of their size, operation, or other characteristics require review on a case-by-case basis. These uses are subject to the regulations in this Section because they may, but do not necessarily, result in significant adverse effects upon the environment, overburden public services, alter the character of the surrounding area or create nuisances. Conditional Uses may be approved, approved with site-specific conditions designed to minimize or mitigate identified adverse impacts, or denied. A Planned Unit Development is a special kind of Conditional Use that permits the modification of the development standards in the underlying zoning district to achieve innovative design, preserve natural resources, reduce energy consumption and/or otherwise address unique site opportunities and constraints. Such approval allows the modification of such design standards without the necessity for separate Adjustment or Variance applications. Within the SC-S (Station Community-Sunset) zoning district, a Planned Unit Development is required to ensure that specific development requirements are satisfied. This Section is carried out by the approval criteria listed herein. [ORD 4473; March 2008] [ORD 4578; March 2012]

Planning Commission Standards for Approval:

Section 40.15.15.5.C of the Development Code provides standards to govern the decisions of the Planning Commission as they evaluate and render decisions on New Conditional Use Applications. The Planning Commission will determine whether the application as presented, meets the New Conditional Use approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for New Conditional Use.

In order to approve a New Conditional Use 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 40.15.15.5.C.1

The proposal satisfies the threshold requirements for a Conditional Use application.

FINDING:

The applicant is proposing development of a private outdoor recreation area on Tract C of the Russell Property subdivision (also known as the Westmont Subdivision) located within the R5 zone designation. According to BDC 20.05.20 approval of public parks, parkways, playgrounds and related facilities are a conditional use. The proposed outdoor recreation area is considered a Related Facility under the recreation subheading of "Public Parks, Parkways, Playgrounds, and Related Facilities." The improvements proposed are limited in scope to provide for some active uses of the open space tract. The most appropriate designation for this type of activity, as it has potential impacts to adjacent properties, is as a recreational facility related to parks, parkways, and playgrounds under the "Related Facilities" portion of the use description above, and is therefore subject to Conditional Use review by meeting Threshold 1.

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

Section 40.15.15.5.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 New Conditional Use application.

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

Section 40.15.15.5.C.3

The proposal will comply with the applicable policies of the Comprehensive Plan.

FINDING:

The following are responses from the applicant demonstrating compliance with the applicable policies of the Comprehensive Plan for the proposed private outdoor recreation area: 3.1.1.a, 3.8.1.g, 6.2.2.e, 6.2.3.d, and 10.1.

3.1.1.a: Land Use and Transportation Connections. Encourage development and land use patterns that support a variety of transportation option. Emphasize pedestrian convenience and safety in developments and transportation facilities.

Response: The private outdoor recreation area proposed to be located on Tract C is designed and located to be primarily accessed by residents of Westmont subdivision by walking and biking. Safe and convenient pedestrian access is available from SW Wren Lane to the outdoor recreation area and pedestrian and bicycle access is available from SW Redbird Street and SW Redbird Street hammerhead (Tract A). Pedestrian and bicycle routes for residents of the Westmont subdivision are provided on safe low-speed, low-volume local streets within the subdivision. The applicant will be required to provide a pedestrian connection to SW Scholls Ferry Road, as a condition of approval. For residents that require motor vehicle access to the outdoor recreation area, 36 on-street parking spaces located on SW Wren Lane, SW Redbird Street and SW Pelican Way are available. For an assessment of required parking please see the Parking Determination application in Exhibit D of this report.

3.8.1.g Neighborhoods. Complete and livable neighborhoods. Ensure integration of parks and schools into neighborhoods in locations where safe, convenient connections from adjacent neighborhoods on foot and by bike are or will be available.

Response: The proposed outdoor recreation area will provide active open-space, community gathering space and a recreational amenity for residents of Westmont subdivision. The outdoor recreation area is designed and located to be primarily accessed by residents of Westmont by walking and biking. Pedestrian access is available from SW Wren Lane via a pedestrian connection on Tract A and pedestrian and bicycle access is available via SW Redbird Street and SW Redbird Street hammerhead. Pedestrian and bicycle routes for residents of Westmont are provided on safe low-speed, low-volume local streets as well as from SW Scholls Ferry Road via a required pedestrian connection, as a condition of approval.

6.2.2.e Transportation. A balanced multimodal transportation system that provides mobility and accessibility for users. Provide connectivity to each area of the City for convenient multimodal access. Ensure pedestrian, bicycle, transit, and vehicle access to

schools, parks, commercial, employment, and recreational areas, and destinations in station areas, regional and town centers by identifying and developing improvements that address connectivity needs.

Response: Pedestrian, bicycle, and vehicle access to the private outdoor recreation area located on Tract C is provided for the residents of the Westmont subdivision. The applicant designed and located the outdoor recreation area to be primarily accessed by walking and biking. Safe and convenient pedestrian access is available from SW Wren Lane via a pedestrian connection on Tract A (SW Redbird Street hammerhead). Pedestrian and bicycle access is available via SW Redbird Street and SW Redbird Street hammerhead. Pedestrian and bicycle routes for residents of Westmont are provided on safe low-speed, low-volume local streets. The applicant will be required to provide a pedestrian connection to SW Scholls Ferry Road, as a condition of approval. For residents that require motor vehicle access to the outdoor recreation area, 36 on-street parking spaces located on SW Wren Lane, SW Redbird Street and SW Pelican Way. For minimum parking requirements please see Exhibit D, Parking Determination, of this report.

6.2.3.d Transportation. A safe transportation system. Designate safe walkway and bikeway routes from residential areas to schools, parks, transit and other activity centers.

Response: The outdoor recreation area is designed to be primarily accessed by residents of Westmont by walking and biking. Pedestrian access is available from SW Wren Lane via a pedestrian connection on Tract A. and pedestrian and bicycle access is available via SW Redbird Street and SW Redbird Street hammerhead. Pedestrian and bicycle routes for residents of Westmont are provided on safe low-speed, low-volume local streets. The applicant will be required to provide a pedestrian connection to SW Scholls Ferry Road, as a condition of approval.

10.1 Community Health Element. Provide a comprehensive and integrated system of outdoor recreation areas, plazas, playgrounds, trails and open space to promote health and social connectedness through physical activity.

Response: The proposed outdoor recreation area will provide active open-space, community gathering space and a recreational community amenity that offers a paved trail, lawn area, bench, and picnic table to an otherwise unimproved open-space tract.

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

Section 40.15.15.5.C.4

The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonably accommodate the proposal.

FINDING:

The applicant is proposing a private outdoor recreation area on 0.47-acre Tract C in Westmont subdivision. Approved as undeveloped open space on preliminary subdivision application LD2015-0021, proposed improvements and amenities include a paved trail, picnic table, bench, and garbage can/doggie waste station. The 55,628 sq. ft. stormwater facility on Tract B, east of the site, is anticipated to serve the outdoor recreation area. Grading on the site is proposed to tie into the grading of the existing development and rights-of-way to provide an accessible access route, ADA paved trail, and lawn area as shown on the Grading Plan, Sheets 4.1 and 4.3 of Exhibit C. The size, dimensions, configuration and topography of open-space Tract C adequately accommodate the proposed improvements to provide a private outdoor recreation area for residents of the Westmont Subdivision.

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

Section 40.15.15.5.C.5

The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.

FINDING:

The proposed improvements to the 0.47-acre open-space tract will have minimal impacts on livability and use of the development surrounding the site. Proposed improvements are compatible with the surrounding single-family developments of Westmont and Sterling Park subdivisions.

Grading within 0 to 5 feet from the northern and western boundaries will result in a maximum of two-(2) foot slope differential from the existing slope of the abutting property as illustrated on the Grading Plan, Sheet 4.1 and the Grading Plan Sections detail, Sheet 4.2 of Exhibit 3.4.

The outdoor recreation area is designed to be primarily accessed by residents of Westmont by walking and biking. Pedestrian access is available from SW Wren Lane via a pedestrian connection on Tract A and pedestrian and bicycle access is available via SW Redbird Street and SW Redbird Street hammerhead. For residents that access the outdoor recreation area by car, 36 on-street parking spaces located on SW Wren Lane,

SW Redbird Street and SW Pelican Way are available. The applicant will be required to provide a pedestrian connection to SW Scholls Ferry Road, as a condition of approval.

Privately owned and maintained by the Westmont's HOA, its management company will maintain outdoor recreation area facilities, landscaping, and garbage service ensuring that adjacent residents of Sterling Park are not negatively impacted by the outdoor recreation area. The improvements proposed for the private outdoor recreation area will provide active open-space and a recreational community amenity that will enhance livability for residents of Westmont subdivision.

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

Section 40.15.15.5.C.6

The proposed residential use located in the floodway fringe meets the requirements in Section 60.10.25.

FINDING:

The applicant is proposing development of a private outdoor recreation area a tract that is not located within the floodway fringe; therefore, this criterion is not applicable.

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

Section 40.15.15.5.C.7

For parcel(s) designated Interim Washington County, the proposed use, identified in the land use designation previously held for the subject parcel(s), meets the use requirements identified in Washington County's Development Code. [ORD 4782; April 2020]

FINDING:

The applicant is proposing development of a private outdoor recreation area on Tract C of the Russell Property subdivision, which is not designated Interim Washington County; therefore, this criterion is not applicable.

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

Section 40.15.15.5.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:

All required application materials and documents related to the New Conditional Use request have been submitted to the City in the property sequence. A condition of approval is included that requires that the associated land use applications DR2021-0004 and PD2021-0001 also be approved. The Conditional Use approval is dependent upon approval of the associated Design Review Three and Parking Determination applications, as such staff recommends a condition of approval that the associated applications be approved.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of CU2021-0001 Westmont Park, subject to the applicable conditions identified in Attachment E.

Attachment C: DR2021-0004

ANALYSIS AND FINDINGS FOR DESIGN REVIEW THREE APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **DR2020-0004**, subject to the applicable conditions identified in Attachment E.

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 Planning Commission as they evaluate and render decisions on Design Review Applications. The Planning Commission will determine whether the application as presented, meets the Design Review Three approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for Type 3 Design Review.

In order 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:

An application for Design Review Three is required for a new outdoor recreation area in a residential zone. Therefore, the application meets Threshold 7 of a 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 has submitted a complete application that is subject to threshold 7; therefore, 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 applicant states that the This proposal is not an addition or modification to an existing development; therefore, these criteria are not applicable.

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

Section 40.20.15.3.C.5

The proposal complies with the grading standards outlined in Section 60.15.10 or approved with an Adjustment or Variance. [ORD 4782; April 2020].

FINDING:

The proposed development proposed minimal grading of existing grade and does not require an adjustment or variance for approval.

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

Section 40.20.15.3.C.6

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 the Development Code or greater, can be realistically achieved at ultimate build out of the DRBCP. [ORD 4584; June 2012]

FINDING:

The proposed development does not review or require a DRBCP proposal and does not contain phasing of work.

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

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 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). [ORD 4531; April 2010]

FINDING:

The proposal meets Threshold 7 and the applicant has addressed a combination of standards and guidelines. The applicant has addressed all the applicable Design Review Standards in the written narrative and is addressing the Design Review Guidelines for the landscape and buffering requirements.

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

Section 40.20.15.3.C.8

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). [ORD 4531; April 2010]

FINDING:

The proposal meets Threshold 7 and the applicant has addressed a combination of standards and guidelines.

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

Section 40.20.15.3.C.9

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

FINDING:

All required application materials and documents related to the Design Review Three request have been submitted to the City in the property sequence. A condition of approval is included that requires that the associated land use applications CU2021-0001 and PD2021-0001 also be approved.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of DR2021-0004 Westmont Park, subject to the applicable conditions identified in Attachment E.

Design Review Standards Analysis:

Table 6: Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15. Building and Design Orientation Standards	No buildings are proposed with the new outdoor recreation area.	N/A

Table 7: Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The on-site circulation system consists of a pedestrian walkway through the site from SW Redbird Street to the outdoor recreation area facilities. The applicant will be required to provide a pedestrian connection to SW Scholls Ferry Road, as a condition of approval.	Yes w/ COA
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A-E Screen from public view	No loading areas, solid waste facilities or similar improvements proposed.	N/A
Pedestrian Circulation		
60.05.20.3.A Direct connection to pedestrian facilities	The subject site is located adjacent to SW Redbird Street and SW Scholls Ferry Road. The applicant's plans show onsite pedestrian walkways connect to the SW Redbird Street through a pedestrian walkway. The applicant has not proposed a pedestrian connection to the existing sidewalks along SW Scholls Ferry Road. As the sidewalk along SW Scholls Ferry Road is a pedestrian facility abutting the site a pedestrian connection is required as a condition of approval. Staff believes the site can accommodate the pedestrian connection.	Yes w/ COA

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.20.3.B Direct walkways from buildings	The applicant does not propose any buildings.	N/A
60.05.20.3.C Street Frontage Connections	The applicant is proposing a pedestrian connection to the north to SW Redbird Street. The applicant has not proposed a pedestrian connection to the existing sidewalks along SW Scholls Ferry Road. As the sidewalk along SW Scholls Ferry Road is a pedestrian facility abutting the site a pedestrian connection is required as a condition of approval. Staff believes the site can accommodate the pedestrian connection.	Yes w/ COA
60.05.20.3.D-F Pedestrian paths through parking lots	The site does not have any existing parking lot and one is not proposed.	N/A
Street frontages and parking areas		
60.05.20.4.A Surface parking lot abutting a public street	A parking lot abutting a street is not proposed.	N/A
Parking area landscaping		
60.05.20.5.A-D Landscape planters in parking lots.	A parking lot is not proposed.	N/A
Off-Street parking frontages in Multiple Use zones		
60.05.20.6.A Off street parking location	The site is not located in a Multiple Use zone.	N/A
Sidewalks along streets and primary building elevations in Commercial and Multiple Use zones		
60.05.20.7.A-C Sidewalk and walkways locations	The site is not located in a Commercial or Multiple Use zone.	N/A
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.20.8.A-B Drive aisles to be designed as public streets, if applicable	No drive aisles are designed as public streets.	N/A
Ground floor uses in parking structures		
60.05.20.9.A Parking Structures	No parking structures are proposed.	N/A

Table 8: Landscaping, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Residential Landscaping		
60.05.25.1-4 Minimum Landscape Area for residential proposals	This is an open space tract, no additional dwelling units are proposed.	N/A
Minimum landscape requirements for non-residential developments and Mixed Use Development		
60.05.25.5.A Minimum 10 percent landscaping in Multiple Use districts	The site is not located in a Multiple Use zone. The project is non-residential; however, the use is a landscaped outdoor recreation area and meets the minimum requirements.	Yes
60.05.25.5.B Landscape materials	The lot size is 26,603.5 square feet, with 15 percent required landscaping or 3,991square feet. The required landscape area 5 trees and 10 shrubs. The applicant is proposing 19 trees and 44 shrubs, in excess of the requirement. The remaining area will be covered in ground cover and turf.	Yes
60.05.25.5.C Pedestrian Plaza	A pedestrian plaza is not proposed.	N/A
60.05.25.5.D Landscaping along foundations	No buildings are proposed.	N/A
Common Greens		

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
60.05.25.6.A Common Greens	No common greens are proposed.	N/A
Shared Courts for Compact Detached Housing		
60.05.25.7.A-B Shared courts	Compact Detached housing is not proposed.	N/A
Retaining Walls		
60.05.25.8 Retaining walls	No retaining walls are proposed.	N/A
Fences and Walls		
60.05.25.9.A Common materials	There is a new fence proposed adjacent to SW Scholls Ferry Road constructed of vinyl coated chain link fence, four (4) feet in height. The fence will match the existing fence around the stormwater facility to the east.	Yes
60.05.25.9.B Chain link fencing	Chain-link fencing without slates is an acceptable material for outdoor recreation area uses because the use requires visual surveillance from public rights of way.	Yes
60.05.25.9.C Masonry fence	A masonry fence is not proposed.	N/A
60.05.25.9.D Fencing in Industrial districts	The subject property is not located in an industrial district.	N/A
60.05.25.9.E Fence location and height	The fence may be permitted up to six feet in a required front yard along a designated Collector and Arterial streets. Southwest Scholls Ferry Road is an Arterial.	Yes
Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10.A Minimize grade changes	The existing site slopes from west to east, sloping 10 feet to the east. The existing grading adjacent to the residential lot to the north, slopes 4 feet from west to east. The	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
	existing grading adjacent to the residential properties will be maintained.	
	The grading will be modified toward the interior of the site and to the west property line for the new walkway. Adjacent to the west property line there is no grading between 0-5 feet from the property line, 2-foot slope between 5-10 feet from the property line, and 1-foot slope between 10-15 feet from the property line. The proposed grading meets the grading requirements.	
60.05.25.10.B Grading adjacent to significant trees	The subject site does not contain any significant trees. Additionally, there are no existing significant trees on adjacent properties within 25 feet of the subject site that would be impacted by the proposed grading.	N/A
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of facilities	There is an existing stormwater facility to the east of the proposed outdoor recreation area that was approved and constructed with the subdivision.	N/A
Natural Areas		
60.05.25.12 No encroachment into buffer areas.	No natural areas exist on site.	N/A
Landscape Buffering Requirements		
60.05.25.13 A-D Landscape buffering standards	A landscape buffer is required in a residential zone between a non-residential use and an adjacent residential use. The buffer is required to be 20-feet wide and landscaped to the B3 standard.	See Guidelines
	The applicant requested to be reviewed under the guidelines.	
60.05.25.13 A-D Changes to buffer widths and standards.	The applicant is requesting review of the changed buffer standard in review of the Design Review Guidelines for Landscape buffering and screening.	Yes

Table 9: Section 60.05.30 Light Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30. Lighting Design Standards	No new lighting is proposed with the new outdoor recreation area use. The outdoor recreation area will be open from dawn until dusk.	N/A

Design Review Guidelines Analysis:

Section 60.05.45.11.A

A landscape buffer should provide landscape screening, and horizontal separation between different zoning districts and between non-residential land uses and residential land uses. The buffer should not be applicable along property lines where existing natural features such as flood plains, wetlands, riparian zones and identified significant groves already provide a high degree of visual screening. (Standard 60.05.25.13) [ORD 4531; April 2010]

FINDING:

The applicant is proposing development of a private outdoor recreation area on Tract C of the Russell Property subdivision. Due to the shape of the lot and location of the pedestrian access from the public sidewalk, a 20-foot buffer cannot be provided along the pole portion of the property adjacent to the single-family dwellings located to the west on Lots 42 and 43 of Sterling Park No. 2 subdivision.

An existing wood fence along the property boundaries provides a physical separation between the outdoor recreation area and residential uses. The landscape is designed to provide additional visual screening and horizontal separation between the outdoor recreation area and single-family dwellings. As illustrated on the revised Landscape Plan, Exhibit 3.5, the landscape plan adjacent to the western boundary is designed with one (1) Mountain Ash and five (5) Douglas Firs trees, with Inkberry evergreen shrubs located between the trees. The northern boundary adjacent to the residential property is design with four (4) Douglas Fir trees with Inkberry shrubs located between the trees. The applicant is also be relocating existing trees along the western property line to the interior of the site. Staff finds that the proposed trees and shrubs, along with the existing solid wood fence will provide adequate buffering for adjacent properties.

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

Section 60.05.45.11.B

When potential impacts of a Conditional Use are determined, or when potential conflicts of use exist between adjacent zoning districts, such as industrial uses abutting residential uses, landscape screening should be dense, and the buffer width maximized. When potential conflicts of uses are not as great, such as a commercial use abutting an industrial use, less dense

landscape screening and narrower buffer width is appropriate. (Standard 60.05.25.13) [ORD 4531; April 2010]

FINDING:

According to BDC 20.05.20 the proposed outdoor recreation area, on property zoned R5, is a conditional use. The outdoor recreation area, designed to provide recreational opportunities and a community gathering open space amenity for residents of Westmont, is not a highly active or programmed use. The site and proposed landscape design is compatible with surrounding development. As illustrated on the Landscape Plan, Sheet 6 of Exhibit 3.4, the existing fence and landscaped screening designed with Mountain Ash and Douglas Firs trees, and Inkberry evergreen shrubs provides an appropriate buffer. Furthermore, the primary functional areas of the outdoor recreation area, lawn area and picnic table, are setback from the western property boundary.

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

Section 60.05.45.11.C

Landscape buffering should consist of a variety of trees, shrubs and ground covers designed to screen potential conflict areas and complement the overall visual character of the development and adjacent neighborhood. (Standard 60.05.25.13)

FINDING:

In addition to the existing fences, the landscape plan designed with Mountain Ash, Douglas Firs, and Vine Maple trees with Inkberry evergreen shrubs located between the trees. The landscape design complements the existing established vegetation while retaining scenic views to provide an enhanced open space for resident use.

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

Section 60.05.45.11.D

When changes to buffer widths and buffer standards are proposed, the applicant should describe the physical site constraints or unique building or site characteristics that merit width reduction. (Standard 60.05.25.13.E). [ORD 4531; April 2010] [ORD 4576; January 2012]

FINDING:

The applicant is proposing a private outdoor recreation area on the subject property, a flag lot, located on Tract C of the Russell Property subdivision. Originally approved and platted as open space on LD2015-0021 and Document No. 2018-007864, the improvements proposed will provide increased recreational opportunities and a community gathering open space amenity for the residents of Westmont subdivision.

Due to the geometry of the property and pedestrian access from the public sidewalk located in the pole portion of the flag lot, a minimum 20-foot-wide landscape buffer cannot be provided adjacent to the single-family dwellings located on Lots 42 and 43 of Sterling Park No. 2 subdivision; therefore, the applicant is requesting approval to change the buffer width and buffer standard along the western property boundary.

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

Attachment D: PD2021-0001

ANALYSIS AND FINDINGS FOR PARKING DETERMINATION APPROVAL

Recommendation: Based on the facts and findings presented below, staff recommends **APPROVAL** of **PD2021-0001**, subject to the applicable conditions identified in Attachment E.

Section 40.55.05 Purpose:

The purpose of a Parking Determination is to establish required number of parking spaces for uses which do not have a parking ratio requirement listed in the Development Code. The Parking Determination application is established for determining the required number of off-street parking spaces in advance of, or concurrent with, applying for approval of an application, development, permit, or other action. This Section is carried out by the approval criteria listed herein.

Planning Commission Standards for Approval:

Section 40.55.15.1.C of the Development Code provides standards to govern the decisions of the decision making authority as they evaluate and render decisions on Parking Determination Applications. The decision making authority will determine whether the application as presented, meets the Parking Determination approval criteria. In this portion of the report, staff evaluates the application in accordance with the criteria for a Parking Determination.

In order to approve a Parking Determination 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 40.55.15.1.C.1

The proposal satisfies the threshold requirements for a Parking Requirement Determination application.

FINDING:

The land use categories for the parking ratio requirements for motor vehicles and bicycles in Tables 60.30.10.5.A and B. do not include outdoor recreation areas; therefore, the applicant meets the threshold for a Parking Requirement Determination.

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

Section 40.55.15.1.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 Parking Determination application.

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

Section 40.55.15.1.C.3

The determination is consistent with Title 4 of Metro's Regional Transportation Functional Plan.

FINDING:

The City's land use categories for parking ratio requirements for motor vehicles and bicycles in Tables 60.30.10.5.A and B. do not include private outdoor recreation areas; therefore, the applicant is requesting a parking Requirement Determination which is consistent with Title 4 of the Metro Regional Transportation Functional Plan which require cities and county to establish parking ratios.

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

Section 40.55.15.1.C.4

The determination will not create adverse impacts, taking into account the total gross floor area, number of employees, potential customer volume, and the hours of operation of the use.

FINDING:

The applicant proposes that on-street parking spaces are available along SW Wren Lane, SW Redbird Street, and SW Pelican Way will serve the proposed outdoor recreation area as illustrated on the Parking Exhibit provided by the applicant (Exhibit 3.7). The on-street parking located on these streets will not create an adverse impact to the single-family neighborhoods as they provide parking in excess of the minimum vehicle parking requirement and can easily accommodate parking for the 0.47-acre outdoor recreation area which serves the residents of the immediate subdivision.

As illustrated on the exhibit, 36 on-street parking spaces provide easy access to the outdoor recreation area with 17 spaces located on SW Wren Lane, 10 spaces on SW Redbird Street, and 9 spaces on SW Pelican Way. The on-street parking located on SW Wren Lane in Westmont and on SW Redbird Street and SW Pelican Way in Sterling

Park subdivisions can accommodate parking for the 0.47-acre private outdoor recreation area.

The 125 single-family lot subdivision of Westmont requires a minimum of 125 off-street parking spaces to be required (1 space per detached dwelling unit). LD2015-0021 was approved assuming each detached dwelling on front-loaded will have a 2-car garage and a driveway for 2-cars providing 4 off-street parking spaces per lot, resulting in 500 total off-street parking spaces provided; therefore, Westmont has 375 off-street parking spaces in excess of the minimum parking requirement. Additionally, 171 on-street parking spaces are provided throughout the subdivision.

A minimum of 14 off-street parking spaces are required for the homes located in Sterling Park subdivision located on SW Redbird Street and SW Pelican Way; one space for each of the 6 single-family detached homes located along SW Redbird Street and one space for each of the 8 single-family detached homes located along SW Pelican Way. A total of 68 off-street parking spaces are provided. The 2 homes located at 11920 SW Pelican Way and 15724 SW Redbird Street have a 2-car garage and driveway for 2-cars (4 off-street parking spaces per home) and the remaining 12 homes have a 3-car garage and driveway for 2 cars providing a total of (5 off-street parking spaces per home). Therefore, the homes located on SW Redbird street and SW Pelican Way provide an excess of 54 off-street parking spaces in addition to the 19 on-street parking spaces.

The development proposed for the outdoor recreation area is limited to a trail, lawn area, picnic table, and waste receptacle. These improvements are intended to provide open space for residents of the associated subdivision, Westmont and are not designed for programmed activities, such as youth sports, which would drive vehicle traffic to the site. Furthermore, the applicant located the outdoor recreation area intending access to be made primarily through walking and biking from the nearby homes. Pedestrian access is available from SW Wren Lane via a pedestrian connection on Tract A. Both pedestrian and bicycle access is available via SW Redbird Street and SW Redbird Street hammerhead. Additionally, the applicant will be required to provide a pedestrian connection to SW Scholls Ferry Road, as a condition of approval.

The minimal physical development of the outdoor recreation area and the associated large supply of on-street parking make providing additional on-site parking spaces unnecessary. Staff finds that providing zero on-site parking spaces will not create adverse impacts on the surrounding neighborhood.

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

Section 40.55.15.1.C.5

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

FINDING:

The applicant has submitted a complete application that includes all applicable application materials.

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

Section 40.35.15.1.C.6

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

FINDING:

All required application materials and documents related to the Design Review Three request have been submitted to the City in the property sequence. A condition of approval is included that requires that the associated land use applications New Conditional Use and Design Review Three also be approved.

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

CONCLUSION & RECOMMENDATION

Based on the facts and findings presented, staff recommends APPROVAL of PD2021-0001 Westmont Park, subject to the applicable conditions identified in Attachment E.

Attachment E: Conditions of Approval

New Conditional Use (CU2021-0001)

A. General Conditions, the applicant shall:

1. Ensure the associated land use applications DR2021-0004 and PD2021-0001 have been approved. (Planning/SP)

Design Review Three (DR2020-0004)

A. General Conditions, the applicant shall:

1. Ensure the associate land use applications CU2021-0001 and PD2021-0001 have been approved. (Planning/SP)

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

2. Submit a landscaping plans indicating that all landscaping will be irrigated until the native plants are established. (Planning / SP)
3. Provide a plan showing a pedestrian connection to SW Scholls Ferry Road. (Planning / SP)
4. Submit the required plans, application form, fee, and other items needed for a complete grading permit application per the applicable review checklist. (Site Development Div. / SAS)
5. Construction for any work is 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.) and the current standards in place per the Clean Water Services District, Design and Construction Standards (Site Development Div. / SAS)
6. If needed, have the applicant for the subject property guarantee all site grading and erosion control 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)
7. Provide an erosion control plan showing best management practices needed per Clean Water Services Standard Drawing #945. Make provisions for installation of all mandated erosion control measures prior to site disturbance of 500 square feet or more. These shall be maintained and replaced as necessary during the duration of the project to prevent sediment laden run-off from leaving the site. (Site Development Div. / SAS)

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

8. Ensure all site improvements are completed in accordance with plans marked "Exhibit C", except as modified and approved by the decision-making authority. (On file at City Hall). (Planning/SP)

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

10. Have completed the site grading improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. (Site Development Div. / SAS)

Parking Determination (PD2021-0001)

A. General Conditions, the applicant shall:

1. Ensure the associate land use applications CU2021-0001 and DR2021-0004 have been approved. (Planning/SP)