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Staff Report

HEARING DATE: March 30, 2016

TO: Planning Commission

FROM: Scott Whyte, Senior Planner 

APPLICATIONS: **Trillium Woods Apartments - land use case files DR2015-0122, TP2015-0016 and LD2015-0026**

LOCATION: On the south side of SW Scholls Ferry Road, west of SW Sagehen Street, east of SW Winterhawk Lane. The two properties that comprise the project site are located at 15450 and 15536 SW Scholls Ferry Road, also identified as Tax Lot 2400 on Washington County's Tax Assessors Map 1S1-32DC, and Tax Lot 100 on Washington County's Tax Assessors Map 2S1-5BA.

ZONING: Town Center - High Density Residential (TC-HDR)

NAC: Neighbors Southwest

REQUEST: Four proposed apartment buildings, each three stories in height for a total of 100 apartment units. Vehicle access is proposed from the stubbed terminus of SW Bunting Road to the east. The project site contains several mature trees identified by city inventory as Significant Grove NX-4. To accommodate apartment buildings, parking, access and utilities, several trees are proposed for removal, subject to review through the proposed Tree Plan 3 application. Proposed apartment buildings, lighting and landscape improvements are subject to applicable design standards identified through the proposed Design Review 2 application. The proposed Preliminary Partition application combines the two properties creating one legal lot of record.

APPLICANT: JT Smith Companies, LLC
5285 Meadows Road, Suite 171
Lake Oswego, OR 97035

APPLICANT REPRESENTATIVE: 3J Consulting, Inc.
5075 SW Griffith Drive, Suite 150
Beaverton OR 97005

APPROVAL CRITERIA: Facilities Review (40.03), Design Review Two (40.20.15.2.C), Tree Plan 3 (40.90.15.3.C) and Preliminary Partition (40.45.15.4.C), Ordinance 2050, Development Code effective through Ordinance 4662

RECOMMENDATION: **Denial of Trillium Woods Apartments, case files DR2015-0122, TP2015-0016 and LD2015-0026DR2015-0029.**

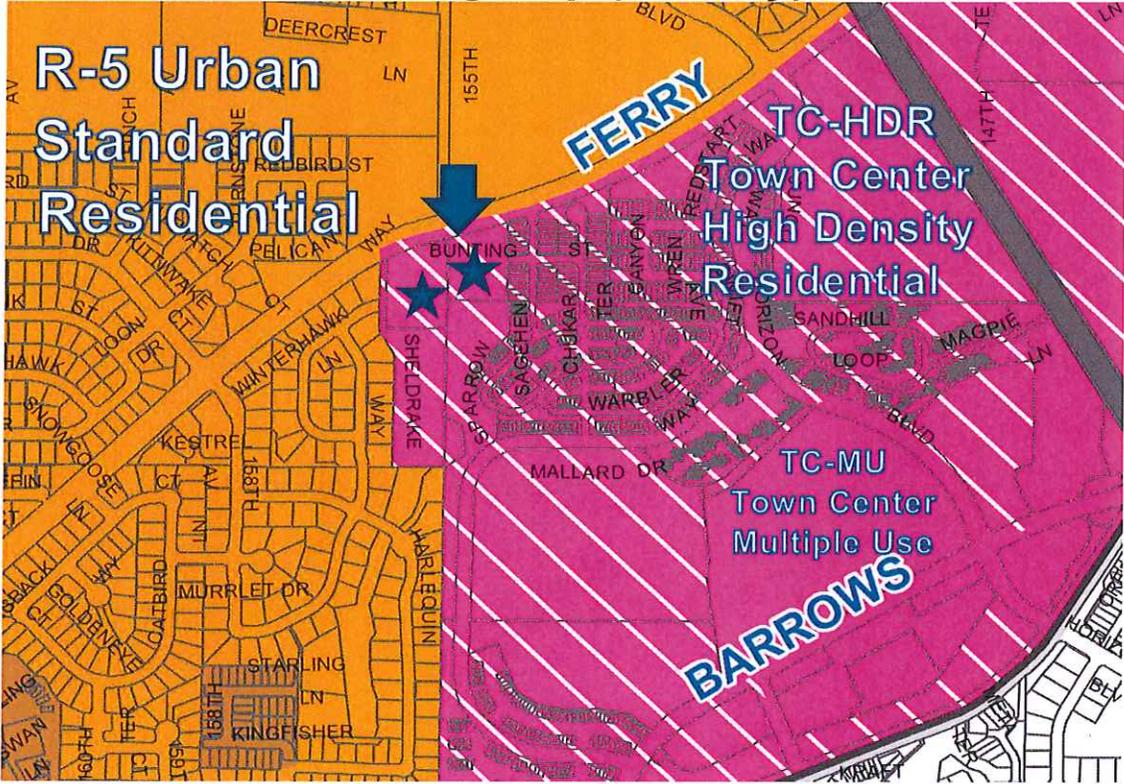
Aerial Photo Map



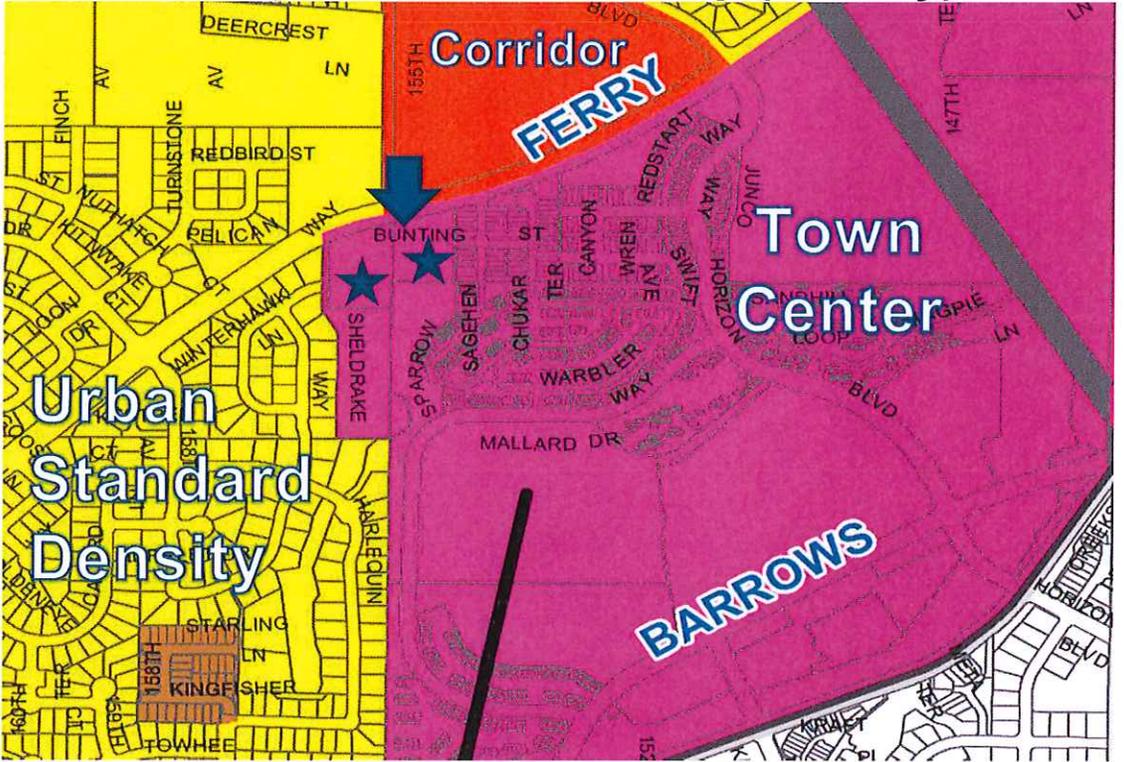
Vicinity Map



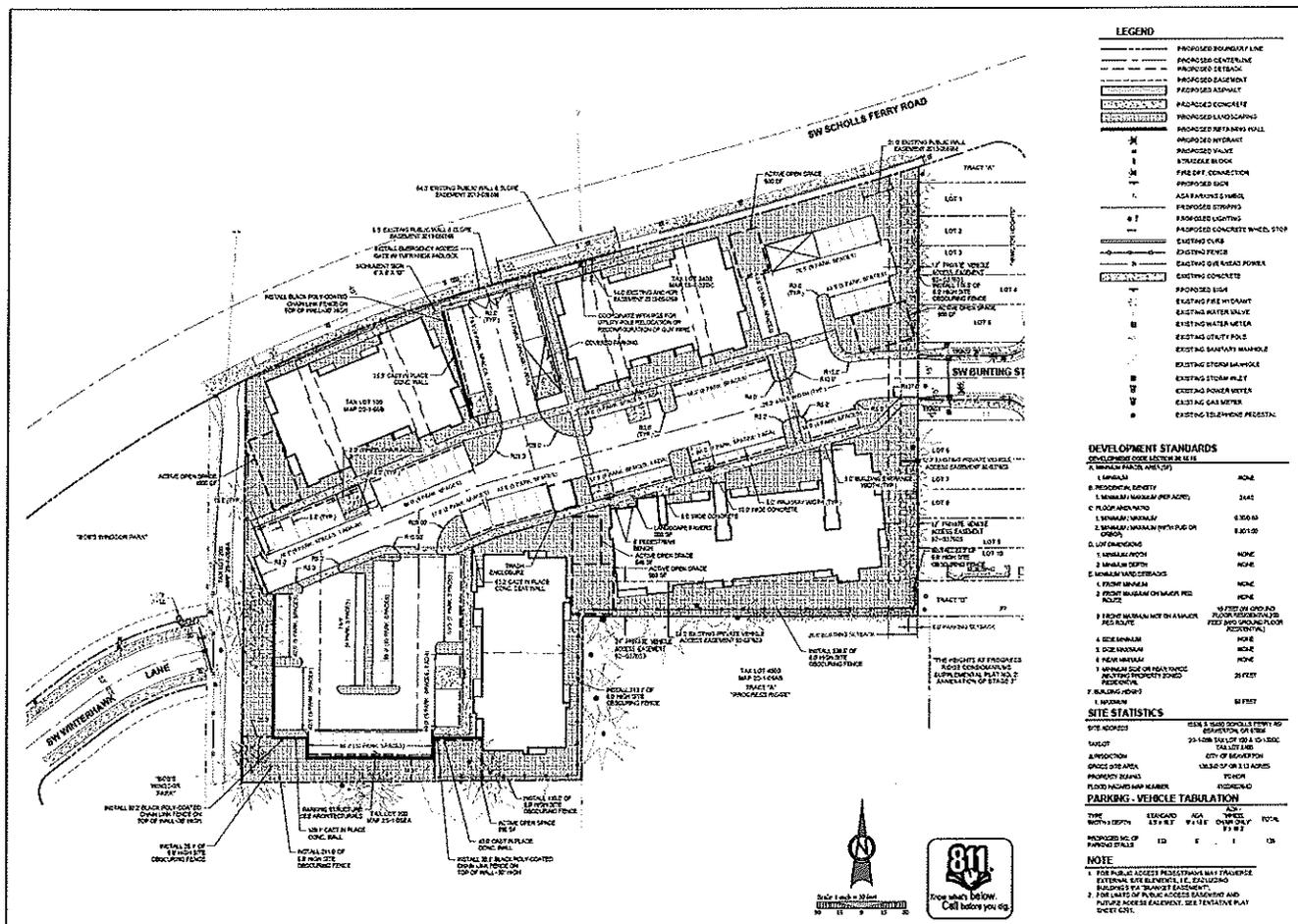
Zoning Map (Vicinity)



Comprehensive Plan Map (Vicinity)



Site Plan for Trillium Woods Apartments



LEGEND

- PROPOSED BOUNDARY LINE
- PROPOSED SETBACK LINE
- PROPOSED DETACH
- PROPOSED EASEMENT
- PROPOSED CONCRETE
- PROPOSED LANDSCAPING
- PROPOSED METAL WALL
- PROPOSED WIREMESH
- PROPOSED VALVE
- STRAIGHT BLOCK
- PROPOSED SIGN
- PAV. OFF. CONNECTION
- PROPOSED SIGN
- ASA FAVORITE SYMBOL
- PROPOSED STAIRWAY
- PROPOSED LIGHTING
- PROPOSED CONCRETE WHEEL STOP
- EXISTING CURB
- EXISTING FENCE
- EXISTING GAS POWER
- EXISTING CONCRETE
- PROPOSED SIGN
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE
- EXISTING WATER METER
- EXISTING UTILITY POLES
- EXISTING SANITARY MANHOLE
- EXISTING STORM MANHOLE
- EXISTING STORM PILE
- EXISTING POWER METER
- EXISTING TELEPHONE PRESTAL

DEVELOPMENT STANDARDS

DEVELOPMENT OVER LOTS IN THIS

- A. MINIMUM FRONT YIELD (%) NONE
- B. RESIDENTIAL DENSITY 1.5 UNITS PER ACRE (UPA) 344
- C. FLOOR AREA RATIO 1.5 UNITS PER ACRE (UPA) 344
- D. MINIMUM UNIT AREA 1,000 SQ. FT. 1,000
- E. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- F. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- G. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- H. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- I. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- J. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- K. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- L. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- M. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- N. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- O. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- P. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- Q. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- R. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- S. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- T. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- U. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- V. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- W. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- X. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- Y. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000
- Z. MINIMUM UNIT AREA WITH 20% OR MORE OPEN SPACE 1,000

SITE STATISTICS

SITE ADDRESS: 1001 SW SCHOLLS FERRY RD
 CITY: BIRMINGHAM, AL 35209
 COUNTY: ST. CLAIR
 ZONING: R-10
 CITY OF BIRMINGHAM
 SPACE AREA: 100,000 SQ. FT.
 PROJECT NUMBER: 1001
 PROJECT NAME: TRILLIUM WOODS APARTMENTS

PARKING - VEHICLE TABULATION

TYPE	SPACE	AREA	PERCENT	TOTAL
PROPOSED NO. OF PARKING SPACES	100	10,000	10%	100

NOTE

1. THIS PUBLIC ACCESS PROVISION MAY FAVORISE EXISTING USE ELEMENTS, I.E. EXISTING BUILDINGS FOR TRANSIT FACILITY.
2. FOR LISTS OF PUBLIC ACCESS ELEMENTS AND PUBLIC ACCESS ELEMENTS, SEE TENTATIVE PLOT SHEET 021.

BACKGROUND FACTS

Key Application Dates

<u>Application</u>	<u>Submittal Date</u>	<u>Deemed Complete</u>	<u>Day 120 and 240</u>
DR2015-0122			
TP2015-0016	November 28, 2015	February, 10 2016	June 9, 2016 / October 7, 2016
LD2015-0026			

Existing Conditions Table

Zoning	Town Center - High Density Residential where multi-family residential apartment buildings are permitted outright.	
Comprehensive Plan	Town Center (Murray Scholls Town Center)	
Existing Conditions	The project site contains two single-family dwellings and several accessory structures. The project site also contains trees identified by the City Significant Tree Inventory as Significant Grove NX-4. The property slopes to the south from SW Scholls Ferry Road. No sensitive areas have been identified to this area by the applicant or through past city inventory. No significant natural resources areas have been identified by the applicant or through city inventory. Summary of Grove NX-4 is provided herein.	
Site Size & Location	Located along the south side of SW Scholls Ferry Road, the combined properties, consisting of two tax lots is approximately 3.13 acres in size.	
Surrounding Uses	<u>Zoning:</u> North: R-5 (Urban Standard Density) South: TC-HDR East: TC-HDR West: TC-HDR / R-5	<u>Uses:</u> North: Single-Family Residential South: Single-Family Residential East: Townhouse Residential West: Private Road / Single-Family Residential

PROJECT SUMMARY

The applicant requests Design Review Two (DR), Tree Plan 3 (TP) and Preliminary Partition (LD) approval to construct four multi-family residential apartment buildings designed to accommodate a total of 100 apartment units. A total of 136 on-site parking spaces are proposed. Vehicle access is proposed from SW Bunting Street to the east. A gated emergency vehicle access is proposed along the site frontage of SW Scholls Ferry Road. Apartment buildings, landscaping and lighting are subject to Design Review 2 approval. Through the Preliminary Partition application, the applicant proposes to merge two properties creating one legal lot of record. Through the Tree Plan 3 application the applicant proposes to remove trees that are part of Significant Grove NX-4. Specifically, the applicant proposes to remove a total of 2,537 caliper inches which equals approximately 88.55% of the total caliper inches of trees (non-exempt) found on the project site via survey. In Multiple Use zones, tree removal greater than 85% of the total inch count (measured by Diameter at Breast Height, or DBH) necessitates Tree Plan 3 approval through a public hearing process. **Staff recommendation of denial (without prejudice) is solely based on review of the applicant's tree protection proposal as shown for off-site trees; in particular for trees located within the abutting Progress Ridge HOA tract that are part of Significant Grove NX-4. This item is explained in response to the Tree Plan 3 approval criteria.**

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Exhibit 10 Public Testimony (to the date of March 2, 2016)	
Exhibit 10.1 Written testimony received from Brian T. Baker, 11968 SW Sagehen Street (February 22, 2016).	
Exhibit 10.2 Written testimony received from Shelby Rihala, 12085 SW Sagehen St. #104, Beaverton, OR 97007 (March 8, 2016).	
Exhibit 10.3 Written testimony received from Sherri Hathaway, 15495 SW Sparrow Loop #102, Beaverton, OR 97007 (March 8, 2016).	
Exhibit 11 Applicant Plans and Materials , prepared by 3J Consulting Inc., received on February 10, 2016, including but not limited to the project arborist report prepared by Teragan & Associates, dated November 19, 2015, with supplements dated January 7 and January 29, 2016, and the Traffic Impact Analysis prepared by Kittelson & Associates, Inc. November 20, 2015.	

FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
Trillium Woods Apartments
DR2015-0122, TP2015-0016 and LD2015-0026

Section 40.03 Facilities Review Committee:

On March 9, 2016 the Facilities Review Committee 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. Criteria contained in Section 40.03.1 are applicable to the submitted Design Review 2 and Preliminary Partition applications, city case file numbers DR2015-0122 and LD2015-0026. These criteria are not applicable to the applicant's associated Tree Plan 3 proposal, city case file No. TP2015-0016.

The applicant's response to the Facilities Review criteria are found in the narrative supplemental prepared by 3J Consulting, Inc. dated February 23 2016. The Committee incorporates the applicant's written response as findings in support of these criteria. Additional facts and findings are provided herein. The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria and may choose to adopt, not adopt, or modify the Committee's findings, below.

A. All critical facilities and services related to the development have, or can be improved to have, adequate capacity to serve the proposal at the time of its completion.

Facts and Findings: 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 applicant's narrative response to Criterion A identifies the location of proposed connections to all critical facilities. Proposed connections to water, sanitary sewer, storm water drainage and retention, transportation, and fire protection are summarized below.

Public Water System: Sheet C300 of the applicant's plan set identifies the location of proposed water pipes serving all four apartment buildings. Pipe size and required connections are shown (to 8-inch existing service pipes in SW Bunting Street). The City Site Development Engineer has reviewed the proposal and finds that proposed water facilities and connections are of adequate capacity to serve the proposal at the time of its completion. The size of certain water lines internal to the project may need to be adjusted but there is adequate capacity of the existing water system to serve the development proposal.

Public Sanitary Sewer: According to the applicant, the anticipated sanitary sewer infrastructure will include a network of 8-inch diameter gravity sewers located within all proposed roadways and easements. The applicant describes connections to be made with the sewer pipes located within existing right-of-ways of SW Sagehen Street and SW Bunting Street which are currently stubbed (8-inch existing service pipes in SW Bunting Street). Sheet C300 of the applicant's plan set identify the location of all proposed sanitary sewer pipes in addition to the proposed size and required connections. The City Site Development Engineer has reviewed the proposal and finds that proposed sanitary pipes and connections are of adequate capacity to serve the proposal at the time of its completion.

Storm Water Drainage, Treatment and Detention: Proposed storm water drainage is described as part of the applicant's utility plan and as part the of the preliminary storm drainage report prepared by 3J Consulting, dated November 20, 2015. Sheet C300 identifies the proposed stormtech chambers that will be located under the paved surface area of two parking lots where proposed. The Committee finds the preliminary storm drainage report and associated utility plans to be adequate in addressing the site's on-site surface water management needs in response to drainage patterns, treatment and quantity control. The City Site Development Engineer has reviewed the

proposal and finds the proposed system to have adequate capacity to serve the development at time of completion. The City Site Development Engineer proposes conditions of approval specific to this system to ensure adequate capacity.

To ensure appropriate design and construction of essential facilities including but not limited to utility connections, access to manholes and structures, maintenance requirements and associated construction, the Committee recommends conditions of approval for this Design Review and Preliminary Partition application. The Committee further recommends a condition of approval requiring the applicant to substantially complete critical facility improvements prior to the final plat approval and as determined by the City Engineer to ensure these services are provided. The Committee also recommends a condition of approval requiring field verification of constructed utilities and pavement for determining necessary easements, recorded with the final plat, for access and utilities as discussed in response to Criterion D of Facilities Review approval.

Transportation: The applicant's materials include a Traffic Impact Analysis (TIA) prepared by Kittelson and Associates (dated November 20, 2015). Key findings in response to the applicant's TIA are summarized below:

Study intersections: The TIA prepared by Kittelson and Associates responds to the applicant's street connection proposal and identifies vehicle trips anticipated for 100 apartment units. Staff refer to the findings prepared in response to Criterion D of Facilities Review for additional findings in response to the applicant's TIA. Table 3 of the applicant's TIA anticipates the development to generate a total of 730 daily trips, based on the Institute of Traffic Engineer's (ITE) use code #220 applied for apartments units as proposed. Table 3 of the TIA also breaks down the total trips anticipated during the AM and PM peak hours of vehicle traffic volume. In the AM peak hour, eleven trips are estimated to be inbound and 42 trips are estimated to be outbound. In the PM, peak hour, 47 trips are estimated inbound and 26 trips are estimated to be outbound.

Figure 7 of the Kittelson TIA identifies the number of vehicle trips and distribution patterns anticipated at three study intersections / access points. These include: 1) the proposed site entrance from SW Bunting Street, 2) the intersection of SW Sagehen Street and SW Scholls Ferry Road, and 3) the intersection of SW Scholls Ferry Road and SW Teal/SW Horizon Boulevard. According to the Kittelson TIA, the results of the analysis indicate that the study intersections and access points are forecast to operate acceptably per City of Beaverton and Washington County standards during the weekday morning and evening peak hours. City and County traffic engineering staff have reviewed the analysis and concur.

Impact of additional vehicle trips on SW Sagehen Street: Page 15 of the Kittelson TIA accounts for vehicle trips anticipated through the Hamilton Height townhouse subdivision abutting to the east. As proposed, there is one vehicle access shown to serve all 100 units of Trillium Woods Apartments. The applicant's plans propose a private street to connect with the eastern terminus of SW Bunting Road. This street is to provide vehicle and pedestrian connections to SW Sagehen Street to the east. From Sagehen Street, the nearest Arterial class street is SW Scholls Ferry Road to the north. Figure 7 of the Kittelson TIA identifies the estimated trip impacts for SW Sagehen Street after all buildings are constructed. The trip impact estimate is based on an assumption where all vehicles entering or exiting Trillium Woods are expected to turn north on SW Sagehen Street for access to SW Scholls Ferry Road. The Kittelson TIA also explains how a secondary access will be provided along SW Scholls Ferry Road for emergency vehicle access only. For the purpose of findings under Criterion A, staff finds the road intersection of SW Sagehen Street and SW Scholls Ferry Road to operate acceptably at this time and that the estimated increase in trips (at full build-out) are expected to cause minimal impact.

Inadequate vision clearance along un-signalized portion of SW Scholls Ferry Road. That portion of SW Scholls Ferry Road situated along the subject property has been recently improved by Washington County as part of a capital improvement project. Washington County is the jurisdiction responsible for maintaining SW Scholls Ferry Road. In review of this proposal, Washington County staff have raised concerns about safety if access were provided to SW Scholls Ferry Road (other than emergency-only access). Along this part of SW Scholls Ferry Road, the minimum sight distance necessary for an Arterial class street is 400-feet (measured from both directions of the access point). The Kittelson TIA does not address sight distance because access to SW Scholls Ferry Road is not proposed. However, if access were proposed, the applicant would be required to demonstrate compliance with the sight distance standard, with measurement. In part, the applicant's written response to the Facilities Review approval criteria acknowledges a potential safety concern due to the geometry of the roadway. Specifically, this segment of SW Scholls Ferry Road is sloped with a street curvature that obscures the view of on-coming vehicles. If access were proposed to SW Scholls Ferry Road, sight distance at SW Scholls Ferry Road would be less than the minimum distance required for safety.

No traffic mitigation measures. Page 19 of the Kittelson TIA identifies no mitigation measures. Specifically, the TIA is not proposing improvements to the existing intersection of SW Bunting Street and SW Sagehen Street, or the intersection of SW Sagehen Street and SW Scholls Ferry Road. The Kittelson TIA recommends maintaining intersection sight distance internal to the development which will require maintaining proposed landscaping. The City Traffic Engineer has reviewed the applicant's analysis and concurs. Washington County's Traffic Engineer has also reviewed the applicant's analysis and concurs with the conclusions.

Minor dedication and street frontage improvements to SW Scholls Ferry Road. That portion of SW Scholls Ferry Road situated along the project site frontage will require a street dedication equal to 51 feet as measured from the street center. This portion of SW Scholls Ferry Road has been recently widened and improved by Washington County as mentioned above. However, the wall addition for this segment, abutting the project site frontage was not constructed for future development. In a letter prepared by Naomi Vogel of Washington County Land Use and Transportation, dated February 26, 2016, the applicant will need to obtain a Facility Permit for reconstruction of the wall in addition to reconstructing the sidewalks along the project site frontage. Other minor improvements along the project frontage of SW Scholls Ferry Road (to accommodate the emergency-only access) are to be identified to this permit. Conditions of street improvement to SW Scholls Ferry Road, specific to the access and frontage improvements are identified herein.

In summary of the above traffic analysis, the City Traffic Engineer concurs with the findings and recommendations of the Kittelson TIA as contained therein. The City Traffic Engineer also concludes that the project does not warrant a traffic signal at the intersection of SW Sagehen Street and SW Scholls Ferry Road and that no mitigation measures are necessary for the existing streets internal to the Hamilton Heights development.

Fire Protection: According to the applicant, fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). The Committee acknowledges comment received from TVF&R in response to the proposed apartment buildings where planned. TVF&R staff have also conveyed support of the project for providing future street connectivity as shown, with conditions as stated in the letter dated March 1, 2016, prepared by Jeremy Foster, Deputy Fire Marshal (Exhibit 7). This item is further explained in response to Criterion G of Facilities Review. Staff also refers to and incorporates the findings in response to Criteria G and H hereto regarding fire prevention.

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

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

- B. Essential facilities and services are available, or can be made available, with adequate capacity to serve the development prior to occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five years of occupancy.***

Facts and 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 forwarded to the Beaverton School District (BSD), City Transportation, City Police Department, TVF&R and the Tualatin Hills Park and Recreation District (THPRD).

As stated above, the applicant’s plans and materials were also forwarded to the Beaverton Police Department. To the date of this report, Beaverton Police have not provided comments or recommendations to the Facilities Review Committee. Beaverton Police will serve the development site and any comments will be made part of the record. In review of most residential developments, Beaverton Police have expressed the need for providing street lights. This topic is addressed in response to Criterion I herein. The applicant’s site lighting plan is shown on Sheet C310 of the plan set.

To date, Beaverton School District has not commented in response to the development proposal. BSD has been sent a copy of the applicant’s plan set. City of Beaverton staff will convey the District’s comments if/when received. Approximately one mile to the west of the project site is a new high school, now under construction. Scholls Heights Elementary is located one half mile to the north. BSD staff have been aware of the residential development potential as planned for the subject property for planning school facilities in the area.

To date, Tri-Met has not provided comments in response to the development proposal. The subject property does not abut streets where bus service is provided. The closest local bus line is located further to the east (line 62) and nearest stop is located at SW Scholls Ferry Road and SW Murray Boulevard. Additionally, the Portland Express (line 92) stops at Teal Boulevard which is approximately 500 feet to east.

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

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

- C. The proposal is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject 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 provisions of Chapter 20 (Land Uses).***

Facts and Findings: Staff cites the Code Conformance Analysis chart at the end of this report, which evaluates the project as it relates the applicable Code requirements of Chapter 20 for the *Town Center – High Density Residential (TC-HDR)* zone as applicable to the above mentioned criteria. As demonstrated on the chart, the development proposal meets all applicable standards of the TC-HDR zone. No Variance or Adjustment applications were submitted with this proposal. The applicant's Tree Plan 3 application is to be considered concurrently with the Design Review and Partition proposal. As previously stated, Tree Plan 3 applications are not subject to Facilities Review approval. Analysis prepared for Tree Plan 3 will be prepared following the Facilities Review meeting and will be included as part of the Staff Report addressed to the Planning Commission.

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

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

Facts and 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, in response to the above mentioned criteria.

As stated in response to Criterion A, the applicant's materials include the TIA prepared by Kittelson and Associates dated November 20, 2015. Required contents of a TIA are found in Section 60.55.20.4 of the Development Code. The City Traffic Engineer has reviewed the applicant's TIA and finds that it satisfies required content while adequately assessing impacts to the existing transportation system. The City Traffic Engineer also agrees with the applicant's statement that responds to the Traffic Management Plan threshold as described in Section 60.55.15 of the Development Code. In this case, existing local streets within the Hamilton Heights subdivision (abutting and east) are 24 feet in width which is adequate for two-way vehicle travel. That portion of SW Bunting Street where stubbed to the subject development is planned for eventual street continuation. This planned continuation is explained on a sign attached to a barrier located at the western terminus of SW Bunting Street. Because SW Bunting Street is planned to continue west, the City Traffic Engineer has determined that a Traffic Management Plan is not necessary. No changes to SW Bunting Street have been identified in response to the applicant's development plan or TIA.

In response to the off-street parking standard of Section 60.30.10, the applicant explains how the project will provide a total 136 parking spaces. Staff notes that the minimum ratio for multi-family residential in the TC-HDR zone is one space per dwelling unit while the maximum ratio is 1.8 or 2 spaces per dwelling unit (depending on the number of bedrooms). The proposal shown for 136 spaces is above the minimum and below the maximum parking ratios which are shown on the table in Section 60.30.10.5. of the Beaverton Development Code. Bicycle parking must be provided as part of the development plan. The Committee proposes a condition requiring a minimum of five short-term bicycle parking spaces to meet the Development Code standard.

In response to Section 60.65 (Utility Undergrounding) staff recommends a standard condition of approval requiring all utility lines to be placed underground. The applicant intends to meet the requirements of this section. Existing above-ground service lines that serve the two existing dwellings are to be removed.

In response to Section 60.15.10 (Grade Differential Standards where abutting existing residentially zoned properties) staff notes that this standard only applies to residentially zoned properties and not to properties that have a multiple use zone. All properties that abut the project site have the same multiple use zoning (TC-HDR). Accordingly, the standards identified in 60.15.10 (and similar standards identified in Section 60.05.25.10 for Design Review) do not apply.

Associated with the applicant's Design Review application is the application for Tree Plan 3 (Case File No. TP2015-0016). As previously stated, Facilities Review criteria do not apply to Tree Plan 3 applications. Provisions in Section 60.60.20 (tree protection during development) are addressed by the applicant's arborist in the report prepared by Teragan & Associates, Inc. dated November 19, 2015, in addition to the addendum dated January 29, 2016. Staff addresses findings for removal and protection of trees in the staff report prepared for the Tree Plan 3. Staff also addresses findings for tree removal mitigation (60.60.25) in the staff report prepared for Tree Plan 3.

In summary of the above, the Committee finds that the proposed development is consistent with all applicable provisions of Chapter 60 (Special Regulations), as conditioned.

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

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

Facts and Findings: The applicant's narrative response to Criterion E states that all private common facilities and utilities will be maintained by the developer. The applicant also explains the intent of having on-site maintenance personnel available for upkeep of the premises. In review of the development plan, staff does not foresee difficulties with maintaining fencing, ground cover, garbage and recycling storage areas. In review of the site plan, staff observes only one centralized trash receptacle area. If this receptacle exceeds the demand for 100 units, staff recommend the plan to be revised, showing a second location. Staff also recommend a condition of approval requiring the applicant to identify service needs with garbage and recycling haulers and to resolve any conflicts prior to Site Development Permit issuance.

In summary of the above, the Committee finds that adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of private common facilities.

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

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

Facts and Findings: Staff cites the findings prepared in response to A, B and D above, as they relate to Criterion F. According to the applicant, the site fronts onto SW Scholls Ferry Road and pedestrian access is proposed along the existing sidewalk on the south side of this roadway. The applicant also describes the creation of new public walkways, internal to the project site, which provide a link to the existing adjacent sidewalks and all four apartment buildings as proposed. The City Engineer,

City Traffic Engineer and City Public Works Director have reviewed the applicant's plans. Staff notes that the private street proposal, in concert with the pull-out parking at this location has support of the City Public Works Director.

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

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

Facts and Findings: The applicant's statement in response to Criterion G refers to the property located to the west and south of the project site and explains how this property has potential to develop in the future. The abutting property to the west and south (referred to herein as Tax Lot 200) is shaped as flag lot with the flag pole portion located along the western boundary of the project site. The flag pole portion of Tax Lot 200 is also the current access point for one existing single-family dwelling located south of the project site. Tax Lot 200 has the same TC-HDR zoning as the Trillium Woods project site, and therefore could potentially develop in the future with the same density ratio and use as proposed by the applicant for Trillium Woods. West of the flag pole of Tax Lot 200 is the stubbed terminus of SW Winterhawk Lane. At the end of the street stub is a barrier that contains a sign which conveys same message as that of the sign at the end of SW Bunting Street. The sign reads (in part): "*This street will continue in the future.*" Tax Lot 200 is the only property in this portion of the city that has redevelopment potential. At roughly 2.7 acres in size, staff estimates Tax Lot 200 could develop with approximately 97 dwelling units (applying the maximum density ratio identified for the TC-HDR zone).

Future Street Continuation and Connectivity. Where the area of Trillium Woods is limited to the two properties identified herein, and not shown to abut the current terminus of SW Winterhawk Road to the west, a street connection to the west is not possible at this time. However, at a future date when Tax Lot 200 develops, presumably for high density residential, it will be important to ensure this property is provided with a reasonably direct access between neighboring properties. Staff refer to the provision identified in Section 60.55.25.3 of the Development Code. In part, this provision refers to abutting properties that are *undeveloped or can be expected to be redeveloped in the near term, and where a street or bicycle and pedestrian connection is necessary to enable reasonably direct access between and among neighboring properties.* ...

Staff refer to the applicant's Future Development Exhibit that identifies a potential connection and continuation of SW Winterhawk Lane, in addition to a potential connection provided to the applicant's proposed private street that runs east-west through the project site, with connection to SW Bunting Street. In another plan detail provided by the applicant titled *Future Access SW Winterhawk Lane – Trillium Woods*, a future easement is proposed within the Trillium Woods project site. Within this area, street improvements can be made for two-way vehicle travel at a time when Tax Lot 200 is developed in the future. As the concept plan shows, the travel lane can run north-south along the western boundary of Trillium Woods. The same conceptual development plan also shows how SW Winterhawk Lane can be extended east from its current stub thereby providing a secondary access point. This access would allow future connection to the west, to the signalized intersection of SW Scholls Ferry Road and SW 158th. Staff notes that SW Winterhawk Lane is designated a Neighborhood Route according to the City Functional Classification Plan of the Comprehensive Plan. Both SW Bunting Street and SW Sagehen Street are designated as Local Streets to the same plan (see Exhibit 5 of this report).

In review of the applicant's conceptual plan for future street connectivity, the City Traffic Engineer observes the potential of the current flag pole of Tax Lot 200 to provide future pedestrian connectivity to the north where SW Scholls Ferry Road is located, but not to provide a future vehicle access point. At such time in the future when the owner of Tax Lot 200 decides to develop, staff foresees the preferred vehicle access to be through the Trillium Woods property together with the road connection potential of SW Winterhawk Street where currently stubbed.

Staff acknowledges the high density residential development potential of the Tax Lot 200 and that future development will necessitate a reasonably direct access between neighboring properties as the provision in Section 60.55.25.3 describes. The first sentence in 60.55.25.3 is absent dependency of the Comprehensive Plan. Specifically, the first part of 60.55.25.2 states: "*Where a future street or bicycle and pedestrian connection location is not identified in the Comprehensive Plan Transportation Element,...*" In the subject case, while SW Winterhawk Lane is not shown to continue east or south in the future according to the City Functional Classification Plan, it is classified as a Neighborhood Route and has been planned for future continuation. The flag pole access of Tax Lot 200 would likely convert in the future to a pedestrian-only access to SW Scholls Ferry Road. All other properties that surround Tax Lot 200 have been developed without extending a street stub for future connectivity elsewhere. Staff also observes how the applicant's conceptual development plan of Tax Lot 200 contains a note explaining how wetlands and natural resources have not been considered as part of concept. Staff notes that wetlands have been delineated within the southern portion of Tax Lot 200 (source City Local Wetlands Inventory Map T2S R1W Section 05). Staff also notes that future development of Tax Lot 200 must also account for resource protection and mitigation if this resource is disturbed.

In the future, upon consideration of a development plan for Tax Lot 200, the actual street improvement for connectivity purposes will be given further consideration. The same plan will be evaluated in response to applicable standards and criteria when future development is sought. For the purpose of satisfying the approval criteria in the present, staff acknowledges the applicant's conceptual plan to show one method for future vehicle and pedestrian connectivity and how this method appears to be feasible. The same plan also shows two access point options, enabling staff to find in support of Criterion G.

In response to Criterion G staff also incorporates the findings as stated in response to Criteria A and B herein. Staff recommend certain proposed conditions to ensure vehicular and pedestrian connections to the surrounding vehicular circulation system in conformance with Development Code Sections 60.55.25 (*Street and Bicycle and Pedestrian Connection Requirements*), 60.55.30 (*Minimum Street Widths*) and 60.55.35 (*Access Standards*). Staff also recommend a condition specific to the creation of an easement that will benefit the owner of Tax Lot 200 for the purpose of redevelopment in the future. This easement is to describe certain improvements to occur within Trillium Woods after development, including but not limited to the removal of three parking spaces, likely removal of additional trees that development plan intends to save, and additional paved surface area necessary to provide future two-way vehicle travel to Tax Lot 200.

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

H. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.

Facts and Findings: Tualatin Valley Fire and Rescue District (TVF&R) has reviewed the apartment proposal and endorses support of the development plan as stated in their letter dated March 1, 2016, with conditions. Sheet C220 of the applicant's plan shows the location of proposed fire hydrants. Fire flow calculations and hydrant locations will be subject to further review during Site Development and Building Permit stages. In their letter of March 1, TVF&R proposes specific conditions related to the emergency access gate as proposed to SW Scholls Ferry Road.

Beaverton's Chief Building Official has reviewed the plan and finds in support of Criterion H. Future apartment building construction will require Building Permits issued through the City Building

Division of the Community Development Department. Removing existing dwellings and structures from the premises will require a Demolition Permit. If septic tanks exist, these are to be pumped out and filled in with sand or gravel or completely removed. The Committee has conditioned accordingly.

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

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

Facts and Findings: According to the applicant, all proposed structures and facilities have been designed to comply with the City's adopted codes and standards. The applicant also states that the site design and building design has been coordinated and reviewed by a series of design professionals in order to eliminate unsafe or hazardous conditions. Staff concur with the applicant's statement. Staff also observe the location of proposed pole-mounted luminaires (Sheet C310 of the plan set). By meeting the City of Beaverton's Engineering Design Manual design standards for street lights, in addition to other conditions that describe compliance with the International Building Code, the Committee finds that the development site will provide adequate protection from hazardous conditions.

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

- J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

Facts and Findings: According to the applicant, all proposed grading and contours have been designed in compliance with the City's requirements for grading along adjacent properties. The applicant also states that development potential for neighboring properties has been considered and no potential conflicts for the provision of access or utilities have been identified. Staff concurs. Staff also incorporates the findings as stated in response to Criterion D that refer to the preliminary grading plan and applicability of provisions identified in Section 60.15 of the Development Code.

In response to the applicant's preliminary grading plan, staff observes certain grade transitions as necessary to ensure off-site connections of the future street improvements anticipated for Tax Lot 200 when developed (explained in response to Criterion G). Along the eastern portion of the project site, where abutting the developed townhomes of Hamilton Heights, staff observe how the grading plan shows appropriate transitions toward existing surface grades of these abutting lots. Staff also observe how the plan for preserving trees (Sheet C120) calls for retaining most of the Leyland Cypress trees located along the eastern property line, where abutting several townhome lots.

Along the south property boundary, staff foresees tree preservation to be a potential challenge in review of preliminary grading, utility and construction plans. Specifically, where the grading plan (Sheet C250) identifies a proposed retaining wall, staff anticipates that there will be additional earthwork necessary for structural footing. Similarly, the foundation work associated with apartment building construction will require cuts that could impact portions of the root zone associated with certain trees identified to be saved (on-site and off). Tree protection measures are discussed in the staff report for the Tree Plan 3.

In summary of the above, the Committee finds that grading and contouring of the development site has been designed to accommodate the proposed use and is designed to mitigate adverse effects on neighboring properties, public right-of-ways, surface drainage, water storage facilities, and the public storm drainage system. The Committee also finds in support of conditions of approval intended to minimize potential adverse effects on neighboring properties. These conditions include erosion control measures that are to remain in place through all stages of construction.

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

K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.

Facts and Findings: Staff notes that the applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Conformance with these technical design standards for Code accessibility requirements are to be shown on the approved construction plans associated with Site Development and Building Permit approvals.

In review of the plans as submitted, the Committee finds the proposed street sidewalks and walkways internal to the development to meet applicable accessibility requirements. Compliance with ADA accessibility standards will be thoroughly evaluated upon review of the Site Development Permit which follows Design Review approval. The City Engineer has conditioned the sidewalks for a minimum clearance of five-feet, unobstructed. Therefore, the Committee finds that by meeting the conditions of approval, the site will be in conformance with ADA requirements, and the criterion in K will be satisfied.

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

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

Facts and Findings: The applicant submitted the required applications, plans and materials for staff to determine the Design Review and Partition applications to be complete. The Committee finds that all applicable application submittal requirements, identified in Section 50.25.1 to be included as part of this proposal.

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

RECOMMENDATION

By meeting the conditions of approval, the Facilities Review Committee finds that the proposal complies with all technical criteria. The Committee recommends that the decision-making authority, approve the proposal, adopting the conditions of approval identified at the end of this report.

Code Conformance Analysis
Chapter 20 Use and Site Development Requirements
Town Center – High Density Residential (TC-HDR) zone

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.20.20 (TC-HDR)			
Use- Permitted	Multi-Family Attached Dwellings are permitted outright in TC-HDR	Four apartment buildings for a total of 100 units.	Yes
Use Restrictions	No use restrictions apply for multi-family residential in TC-HDR	Four apartment buildings for a total of 100 units.	N/A
Development Code Section 20.20.15			
Minimum Lot Area	none	The two tax lots will be combined. No smaller individual lots will be created.	Yes
Minimum Corner Lot Dimensions Width Depth	none none	n/a n/a	Yes
Minimum Yard Setbacks Front Side Rear	none none none	Refer to site plan Refer to site plan Refer to site plan	Yes
Maximum Building Height	50 feet	48 feet	Yes
Development Code Section 20.20.15 – Density Calculations			
Minimum / Maximum Residential Density	Minimum Residential Density is 24 units per acre. Maximum Residential Density is 36 units per acre.	The total gross site area is 3.13 acres and the development plan identifies a total of 100 units which equals approximately 32 units per acre.	

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 attached residential developed in Multiple Use zones.	Multi-family residential buildings are proposed to a Multiple Use zone which is subject to design standards identified in Section 60.05	See separate table response, under Attachment B
Development Code Section 60.07			
Drive-Up window facilities	Requirements for drive-up, drive-through and drive-in facilities.	No drive-up window facilities are proposed.	N/A
Development Code Section 60.10			
Floodplain Regulations	Requirements for properties located in floodplain, floodway, or floodway fringe.	No portion of the 100-year floodplain, floodway, or floodway fringe is located on site or in the vicinity.	N/A
Development Code Section 60.12			
Habitat Friendly and Low Impact Development Practices	Optional program offering various credits available for use of specific Habitat Friendly or Low Impact Development techniques.	No Habitat Friendly or Low Impact Development techniques proposed. Not required.	N/A
Development Code Section 60.15 – Land Division Standards			
Dedications	Dedications for right-of-way for public streets, sidewalks, pedestrian ways, bikeways, multi-use paths, parks, open space, and other public rights-of-way.	Addressed under Facilities Review findings. Conditions of approval are recommended to ensure the appropriate dedications are provided.	Yes, with Condition of Approval
On-site surface contouring	Applicable when grading a site within 25 feet of a property line within or abutting any residentially zoned property.	Abutting properties are zoned TC-HDR which is classified as a multiple use zone.	N/A
Significant Trees and Groves	Grading within 25 feet of a significant tree or grove, on or off-site.	Grading is to occur within a significant grove (NX-4).	Addressed in response to Tree Plan 3
Development Code Section 60.25 – Off Street Loading			
Loading Facilities	No loading facilities are required for this use.	No loading facilities are proposed	n/a
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking	<u>Attached Dwellings</u> (minimum) 1 space per unit (maximum) 1.8 or 2 per unit	<u>Attached Dwellings</u> 136 spaces will exceed the minimum but is below max.	Yes
Required Bicycle Park	Short term is 1 space per 20 dwelling units; long term is 1 space per dwelling unit	Five spaces for short term.	

Development Code Section 60.55 - Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes with Condition of Approval
Development Code Section 60.60			
Trees & Vegetation	Regulations pertaining to the removal and preservation of trees.	Trees are to be removed and are subject to Tree Plan 3 approval criteria. Separate statement to be prepared for Tree Plan 3 application.	Ref. to Tree Plan 3
Development Code Section 60.65			
Utility Undergrounding	All existing overhead utilities and any new utility service lines within the project and along any existing frontage, except high voltage lines (>57kV) must be placed underground.	The applicant states that all proposed power and telecommunications lines will be placed underground. To ensure the proposal meets requirements of this section, staff recommends a condition requiring undergrounding completion prior to occupancy.	Yes- with Condition of Approval
Development Code Section 60.67 – Significant Natural Resources			
Significant Natural Resources	<p>60.67.05.1: states: Development activities and uses permitted on a proposed development site identified as the possible location of a significant natural resource, including significant wetlands shall be subject to relevant procedures and requirements specified in Chapter 50, of this ordinance.</p> <p>60.67.05.2 refers to noticing requirements to the Department of State Lands when a site for development contains wetlands.</p>	<p>Appendix B of the applicant's materials package includes the Clean Water Services Pre-Screen letter dated September 24, 2015. This letter states that it appears Sensitive Areas do not exist on-site or within 200-feet of the project.</p> <p>No Sensitive Areas have been found. Wetlands were delineated to the abutting property (south) but were not found on the subject property. No further analysis is needed.</p>	N/A

**DESIGN REVIEW 2
ANALYSIS AND FINDINGS
Trillium Woods Apartments
DR2016-0122**

Section 40.20.15.2 of the Development Code identifies approval criteria for Design Review 2 applications. The applicant's response to these criteria are found in the narrative prepared by 3J Consulting Inc., received on February 10, 2016 (pages 8 through 13). Staff incorporates the applicant's written response as findings in support of these criteria. Additional facts and findings are provided herein.

Section 40.20.15.2.C Approval Criteria

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

1. *The proposal satisfies the threshold requirements for a Design Review Two application.*

Facts and Findings: The applicant's proposal is to build four multi-family apartment building for a total of 100 dwelling units. The proposal includes associated parking, landscaping, lighting and other site improvements on two parcels, both zoned Town Center – High Density Residential (TC-HDR) which is classified as a multiple use zone. In the TC-HDR zone, attached residential dwellings, inclusive of multi-family residential apartment buildings, are permitted outright. The proposal meets Threshold No. 3 of the Design Review Two application:

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

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

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

Facts and Findings: The applicant paid the required associated fee for a Design Review Two application.

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

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

Facts and Findings: The applicant has submitted materials required by Section 50.25.1 of the Development Code.

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

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

Facts and Findings: Staff cites the findings in the Code Conformance Analysis Table further in this report, which evaluates the project as it relates the applicable Code requirements of Chapter 60, and specifically Sections 60.05.15 through 60.05.30 for applicable design standards. The applicant's project qualifies for Design Review 2 provided all plans and graphic exhibits (submitted for consideration) demonstrate compliance with all "applicable" design standard. The Code Conformance Analysis Table provides a summary response to standards found to be applicable in the subject case. Generally speaking, applicable design standards include those pertaining to a permitted use of the zone (TC-HDR), which is classified as a multiple use zone, for a multi-family residential building type that does not abut a Major Pedestrian Route. The applicant's plans and materials demonstrate compliance with these standards. Although the applicant's narrative also identifies and responds to certain design guidelines found in Sections 60.05.35 through 60.05.50, guidelines are not applicable for consideration in the subject case.

Therefore, the Committee finds that the criterion for approval is met.

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

- 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 standard; or***
- c. *The location of the existing structure to be modified is more than 300 feet from a public street.***

Facts and Findings:

The proposed development is for new multi-family residential dwellings, not additions or modifications.

Therefore, Staff finds that the criterion for approval is not applicable.

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

Facts and Findings:

Tree Plan 3 and Preliminary Partition applications are being reviewed concurrently along with this application. No other applications are required of the applicant for this stage of City approvals.

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

Design Review Standards Analysis and Findings Table

Section 60.05.15 Building Design & Orientation Standards

(Standards as apply are identified)

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD?	
60.05.15.1 Building Articulation and Variety			
60.05.15.1A	Attached residential buildings in <u>residential</u> zones shall be limited in length to two hundred (200) feet.	Subject properties are not located in a <u>residential</u> zone.	N/A
60.05.15.1B	Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion of the elevation devoted to permanent architectural features designed to provide articulation and variety.... Changes in material types shall have minimum dimension of 2-feet and minimum area of 25 sq.ft. Percentage of total sq.ft. of elevation is 30% in multiple use zones	According to the applicant, all of the proposed residential buildings on the site will be visible within 200 feet of SW Scholls Ferry Rd. The proposed residential buildings have permanent features which include windows, bays, and recessed balconies and entrances. All articulated features have been proposed with dimensions greater than eighteen (18) inches. All proposed changes in material types have dimensions of greater than 25 square feet.	Yes (material sample board is to be provided at hearing)
60.05.15.1C	The maximum spacing between permanent architectural features shall be no more than: 1. Forty (40) feet in <u>multiple-use</u> zones...	The applicant states that Features have been arranged to allow two residential buildings and two garages to the north of a public access easement which has been provided to the City. Staff observed the spacing between permanent architectural features varies between 12 and 34-feet depending on the elevation, but all will meet the 40-foot maximum spacing.	Yes
60.05.15.2 Roof Forms as Unifying Elements			
60.05.15.2A	All sloped roofs exposed to view from adjacent public or private streets and properties shall have a minimum 4/12 pitch.	The applicant states that proposed roof pitches for all proposed buildings are all at least 4/12.	Yes

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
60.05.15.2B	Sloped roofs on residential uses in residential zones, and all uses <u>in multiple-use</u> and commercial zones, shall have eaves, exclusive of rain gutters, that must project from the building wall at least twelve (12) inches.	The applicant states proposed buildings have eaves which project by more than twelve (12) inches.	Yes
60.05.15.2C	All flat roofs with a slope of less than 4/12 pitch shall be architecturally treated or articulated with a parapet wall that must project vertically above the roof line at least twelve (12) inches.	The applicant states the roof pitches for all proposed buildings are all at least 4/12.	N/A
60.05.15.2D	When an <u>addition to an existing</u> structure or a new structure is proposed in an existing development, the roof forms for the new structures shall have similar slope and be constructed of the same materials as existing roofs.	The proposal is for a new development not an addition to an existing development.	N/A
60.05.15.3 Primary Building Entrances			
60.05.15.3	Primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, shall be covered, recessed, or treated with a permanent architectural feature in such a way that weather protection is provided. The covered area providing weather protection shall be at least six (6) feet wide and four (4) feet deep.	The applicant explains that primary entrances for each of the proposed buildings are located within covered breezeways. The proposed breezeways will provide protection from the elements.	Yes
60.05.15.4 Exterior Building Materials			
60.05.15.4A	A minimum of seventy-five (75) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances shall be double wall construction.	According to the applicant, each of the site's four residential buildings will be located within and visible from 200 feet of SW Scholls Ferry. Elevations with facades facing the street have been proposed to be constructed with double wall construction.	Yes

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
60.05.15.4B	For conditional uses in residential zones and <u>all uses in multiple-use</u> and commercial zones (except residential uses fronting common greens and shared courts), a maximum of thirty (30) percent of each elevation that is visible from and within 200 feet of a public street or a public park, public plaza or other public open space, and on elevations that include a primary building entrance or multiple tenant entrances may be plain, smooth, unfinished concrete...	Plain, smooth, unfinished concrete, concrete block and plywood are not among the material elements.	Yes
60.05.15.4C	For conditional uses in residential zones and <u>all uses in multiple use</u> and commercial districts, plain, smooth, exposed concrete and concrete block used as foundation material shall not be more than three (3) feet above the finished grade level adjacent to the foundation wall, unless pigmented, textured, or both. In industrial ...	Plain, smooth, unfinished concrete, concrete block and plywood are not among the material elements.	Yes
60.05.15.5 Roof-mounted equipment			
60.05.15.5.A	All roof-mounted equipment shall be screened from view from adjacent streets or adjacent properties...	According to the applicant, no roof-mounted equipment has been proposed for any of the buildings on site. Staff notes that solar panels, dishes/antennas, pipes and vents are exempt.	Yes
60.05.15.6 Building Location and Orientation			
60.05.15.6A	Buildings in Multiple Use zones shall occupy a minimum public street frontage as follows: 3. 35% of the street frontage where a parcel <u>does not abut</u> any Major Pedestrian Route and exceeds 60,000 gross square feet.	The applicant states that the proposed development does not abut a Major Pedestrian Route, and has a gross site area of 136,417 square feet, therefore the standards of Subsection (3) listed above apply. The site has 483 feet of frontage along SW Scholls Ferry Road. Two of the proposed buildings are located along SW Scholls Ferry Road, each 125 feet in length for a total of 250 feet of frontage on a public street, or 51.7	Yes

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
		percent which exceeds the requirement of 35 percent.	
60.05.15.6C	Buildings subject to the street frontage standard shall be located no further than 20 feet from the property line. The area between the building and property line shall be landscaped to standards found in Section 60.05.25.3.B...	The applicant states that the two buildings fronting on SW Scholls Ferry Road are located within 20 feet of the property line. The front setback area will be landscaped per the Applicant's proposed landscape plan.	Yes

Design Review Standards Analysis and Findings Chart
Section 60.05.20 Circulation and Parking Lot Design Standards
(Standards as apply are identified)

DESIGN STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
60.05.20.1 Connections to public street system			
60.05.20.1	Pedestrian, bicycle, and motor vehicle connections shall be provided between the on-site circulation systems and adjacent existing and planned streets...Figures 6.1 – 6.23 of the Comprehensive Plan...	The applicant explains that the site's proposed motor vehicle and pedestrian systems connect to SW Bunting to the east and provide for future connections to a property located to the south of the site with existing development potential via a public access easement across the site's parking areas and pedestrian networks. Staff confirm. Figures 6.1 – 6.23 of the Comprehensive Plan do not show a street system through the site, but stubbed streets (Bunting and Winterhawk) are signed for future extension. Access via SW Bunting is proposed.	Yes
60.05.20.2 Loading Areas, solid waste facilities and similar improvements			
60.05.20.2A	All on-site service areas, outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be located in an area not visible from a public street, or shall be fully screened from view	The applicant explains how the proposal will utilize a shared recycling and trash compactor which will be located near the center of the site. The compactor and recycling center will be fully enclosed, located behind a proposed garage and several buildings, and screened from the	Yes

	from a public street.	public street.	
60.05.20.2.C	Screening from public view for service areas, loading docks, loading zones and outdoor storage areas, waste storage, disposal facilities, recycling containers, transformer and utility vaults and similar activities shall be fully sight-obscuring...	The applicant explains how the compactor and recycling center will be fully enclosed with materials which are similar to the finishes utilized on the primary buildings.	Yes
60.05.20.2.D	Screening from public view by chain-link fence with or without slats is prohibited.	No chain link fencing for storage areas has been proposed.	Yes
60.05.20.3 Pedestrian Circulation			
60.05.20.3.A	Pedestrian connections shall be provided that link to adjacent existing and planned pedestrian facilities as specified in Tables 6.1 through 6.6 and Figures 6.1 through 6.23 of the Comprehensive Plan Transportation Element, and to the abutting public street system...	According to the applicant, the site's proposed circulation system reflects the requirements of the City's Comprehensive Plan Transportation Element. Figures 6.1 through 6.23, and Tables 6.1 through 6.6. The applicant also explains how the site's proposed motor vehicle and pedestrian systems connect to SW Bunting to the east and provide for future connections to a property located to the south of the site with existing development potential via a public access easement across the site's parking areas and pedestrian networks.	Yes
60.05.20.3.B	A reasonably direct walkway connection is required between primary entrances, which are the main point(s) of entry where the majority of building users will enter and leave, and public and private streets, transit stops, and other pedestrian destinations.	The applicant describes direct walkway connections between the site building's primary entrances, public parking areas, SW Scholls Ferry and SW Bunting. According to the applicant, the proposed pedestrian circulation system also provides for a future pedestrian connections to the undeveloped property located to the south and west of the site.	Yes
60.05.20.3.C	A reasonably direct pedestrian walkway into a site shall be provided for every 300 feet of street frontage...	According to the applicant, the site has 483 feet of frontage along SW Scholls Ferry, necessitating at least two pedestrian walkways. The Applicant has proposed two points of pedestrian access at locations where proposed grades are supportive of connections.	Yes

60.05.20.3.D	Pedestrian connections through parking lots shall be physically separated from adjacent vehicle parking and parallel vehicle traffic through the use of curbs, landscaping, trees, and lighting, if not otherwise provided in the parking lot design.	The applicant refers to the proposed parking lot areas through the use of curbs, landscaping, trees, and lighting.	Yes – with Conditions of Approval.
60.05.20.3.E	Where pedestrian connections cross driveways or vehicular access aisles a continuous walkway shall be provided, and shall be composed of a different paving material than the primary on-site paving material.	According to the applicant, proposed pedestrian crosswalk areas have been provided in a continuous and direct manner. Paving materials have been changed along these walkways from asphalt to concrete.	Yes – with Conditions of Approval.
60.05.20.3.F	Pedestrian walkways shall have a minimum of five (5) foot wide unobstructed clearance and shall be paved with scored concrete... ADA standards shall apply...	The applicant states that all proposed pedestrian pathways have been provided with a minimum unobstructed area of at least five (5) feet.	Yes
60.05.20.4 & 5 Street Frontages and Parking Areas			
60.05.20.4	Surface parking areas abutting a public street shall provide perimeter parking lot landscaping which meets one of the following standards... 1) 6-ft. planter strip... or 2) solid wall....	The applicant identifies a small portion of the project's surface parking lot located adjacent to the property's frontage along SW Scholls. The applicant also states that proposal meets the minimum planter strip option.	Yes
60.05.20.5.A /B/C/D	Landscaped planter islands shall be required according to the following... all commercial and <u>multiple use</u> zones, one for every ten (10) contiguous parking spaces... 70 sq. ft. size, 6 feet in width... trees...	The applicant states that landscape planter islands are provided at a minimum of one per every ten parking spaces, are a minimum of six feet in width and a minimum of 70 square feet with a tree placed in the planting area. All proposed trees have been selected from the City of Beaverton's Street Tree List.	Yes
60.05.20.7 Sidewalks - Commercial and Multiple Use zones			
60.05.20.7A	A sidewalk is required on all streets and primary building elevations in Commercial and Multiple Use zones. Except where approved	According to the applicant, the proposed sidewalks throughout the site are a minimum of five feet wide and are expanded to ten feet	Yes

	<p>through Sidewalk Design Modification, the sidewalk shall be a minimum of 10 feet wide, and provide an unobstructed path at least 5 feet wide.</p>	<p>at all proposed multiple tenant building entrances.</p> <p>Staff note that Scholls Ferry Road is maintained by Washington County and received Sidewalk Design Modification approval for recent CIP work (SDM2013-0008). At this location, a 10-wide sidewalk is not planned as there is no MPR.</p>	
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60.05.20.8 Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts.

60.05.20.8.A	<p>Parking lot drive aisles that link public streets and/or private streets with parking stalls shall be designed as private streets consistent with the standard as described under Section 60.05.20.8.B., unless one of the following is met:</p> <ol style="list-style-type: none"> 1. The parking lot drive aisle is less than 100 feet long; 2. The parking lot drive aisle serves 2 or less residential units; or 3. The parking lot drive aisle provides direct access to angled or perpendicular parking stalls. 	<p>The applicant states that parking lot drive aisles have not been designed as private streets because the parking drives provide direct access to perpendicular parking stalls.</p> <p>Staff concur that the criterion is not applicable under the circumstances.</p>	N/A
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60.05.25 Landscape, Open Space, and Natural Areas Design Standards.

60.05.25.3A	<p>Applicable to 8 or more units of attached housing... Common open space shall consist of active, passive, or both open space areas. A minimum of 15% of the gross site area shall be landscaped...</p>	<p>According to the applicant, the proposal is to place landscaping in all areas of the site not occupied by structures or pavements. A total of 37,343 sf of landscaping has been provided or 27 percent of the total site.</p>	Yes
60.05.25.3B	<p>At least twenty-five (25) percent of the total required open space area shall be active open space.</p>	<p>The applicant identifies 5,112 square feet of landscaping, required to be active open space. The applicant identifies areas adjacent to parking that will be available for use and recreation by residents and guests and is therefore considered to be available for active use.</p>	Yes

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

60.05.25.3C	For the purposes of this Section, environmentally sensitive areas shall be counted towards the minimum common open space requirement. Aboveground landscaped water quality treatment facilities shall be counted toward the minimum common open space requirement.	The proposed site has no environmentally sensitive areas. The applicant states that above-ground water quality treatment areas are not proposed.	N/A
60.05.25.3D	For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a common green or shared court, shall not be considered common open space.	The applicant states that vehicular circulation and parking areas are not included in the minimum open space calculation.	Yes
60.05.25.3E	Individual exterior spaces such as outdoor patios and decks constructed to serve individual units shall count toward the common open space requirement...	The applicant states that individual exterior spaces are not incorporated in this project (toward common open space requirement).	Yes
60.05.25.3F	Common open space shall not abut a Collector or greater classified street as identified in the City's adopted Functional Classification Plan... unless...where separated from the street by a constructed barrier at least three (3) feet in height.	The proposal is for apartment buildings with minimal private individual use. Staff refer to Sheet C200 of the plan set where the applicant has identified the active common open space areas. Staff observe one active O.S. near SW Scholls Ferry Road that will <u>need a barrier to meet the standard.</u>	Yes, with Condition of Approval that calls for additional fencing.
60.05.25.3G	Common open space shall be no smaller than 640 square feet in area, shall not be divided into areas smaller than 640 square feet, and shall have minimum length and width dimensions of 20 feet.	The applicant states that all common open space areas used in arriving at the 15% minimum required open space requirement are larger than 640 square feet and have minimum dimensions of more than 20 feet. Staff refer to Sheet C200 for location.	Yes
60.05.25.3.I	Active common open spaces shall be included in all developments, and shall include at least two (2) of	The applicant's response to the standard in "I" refers to a clubhouse component, and public plaza.	

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

	<p>the following improvements...</p> <p>1. A bench or other seating with a pathway or other pedestrian way; 2. A water feature such as a fountain; 3. A children's play structure; 4. A gazebo; 5. Clubhouse; 6 Tennis courts; 7. An indoor or outdoor sports court; or 8. An indoor or outdoor swimming and/or wading pool. 9 Plaza</p>	<p>In review of sheets L100 and L101 (landscape plans) <u>staff observes mostly landscaping shown within the common open spaces identified on Sheet C200.</u></p> <p>Staff recommend a condition of approval requiring modifications to the landscape plan that incorporate at least two of the improvements identified in "I" to <u>each</u> of the proposed active common open space areas.</p>	<p>Yes, with Condition of Approval.</p> <p>Plans will need to be revised to show compliance.</p>
60.05.25.3J	<p>The decision-making authority shall be authorized to consider other improvements in addition to those provided under subsection I, provided that these improvements provide a similar level of active common open space usage.</p>	<p>The applicant states that proposal meets the requirements for the provision of open spaces.</p>	<p>Yes with Condition of Approval.</p> <p>Planning Commission authorized to consider other improvements.</p>

60.05.25.4 Additional Landscape Standards for Attached Housing

60.05.25.4.A	<p>All front yard areas and all required open space areas not occupied by structures, walkways, driveways, plazas or parking spaces shall be landscaped.</p>	<p>The applicant states that all front yards and all portions of the site not occupied by buildings or other improvements will be landscaped.</p>	<p>Yes</p>
60.05.25.4.B	<p>Landscaping shall include live plants or landscape features such as fountains, ponds or other landscape elements...</p>	<p>The applicant states all proposed landscaping will include live plants and landscape features. Less than 25% of the proposed landscaping will consist of bare gravel, rocks, bark, or other ground coverings.</p>	<p>Yes</p>
60.05.25.4.C	<p>For the purposes of this Section, vehicular circulation areas and parking areas, unless provided as part of a shared court, shall not be considered landscape area.</p>	<p>According to the applicant, vehicular circulation and parking areas have not been included within the project's landscape calculations.</p>	<p>Yes</p>
60.05.25.4.D	<p>All street-facing building elevations shall have landscaping along their foundation...at least three</p>	<p>According to the applicant, the proposed landscape areas between the buildings and the street is at least three (3) feet</p>	<p>Yes</p>

60.05.25 Landscape, Open Space, and Natural Areas Design Standards.			
	(3) feet wide; and, mature height of twenty-four (24) inches shall be planted; and, Groundcover plants shall be planted in the remainder of the landscaped area.	wide in all areas. For every three (3) lineal feet of foundation, the applicant has provided at least one evergreen shrub adjacent to the foundation. The remaining areas between the buildings and the street have been planted with groundcovers.	
60.05.25.4.E	The following minimum planting requirements for required landscaped areas shall be complied with... One tree shall be provided for every eight hundred (800) square feet... One evergreen shrub having a minimum mature height of forty-eight (48) inches...	According to the applicant, proposed landscape areas between the buildings and the street is at least three (3) feet wide in all areas. For every three (3) lineal feet of foundation, the applicant has provided at least one evergreen shrub adjacent to the foundation. The remaining areas between the buildings and the street have been planted with groundcovers.	Yes
60.05.25.4.F	A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement...	According to the applicant, a hard surfaced pedestrian area has been proposed adjacent to the project's clubhouse. The pedestrian plaza has been treated with scored concrete and is bordered by landscaping. The plaza will contain two benches for pedestrians and will be illuminated with lighting in accordance with the City's Technical Lighting Standards.	Yes
60.05.25.8 Retaining Walls			
	Retaining walls greater than six (6) feet in height or longer than fifty (50) lineal feet... shall be architecturally treated with contrasting scoring, or texture, or pattern, or off-set planes, or different applied materials, or any combination...	The Applicant proposes two new landscape walls along the southern edges of the site. All proposed walls will be a cast in place styled concrete construction with wood board finish. The proposed wood board finish will create a random textured pattern created through the use of natural materials as framing.	Yes
60.05.25.9 Fences and Walls			
60.05.25.9.A	Fences and walls shall be constructed of any materials commonly used in the construction of fences and walls such as wood, stone,	Applicant describes new good neighbor styled fences along the project's site and rear boundaries. The proposed fences will be wooden plank and black	Yes, with Condition of Approval

60.05.25 Landscape, Open Space, and Natural Areas Design Standards.			
	rock, or brick...	polypropylene chain link fencing along retaining walls. No fencing along the project's front lot lines have been proposed but several existing sections of safety fencing along the existing retaining walls along Scholls Ferry will be retained.	
60.05.25.9.B	Chain link fences are acceptable as long as the fence is coated and includes slats made of vinyl, wood or other durable material.	Black polypropylene chain link fencing proposed in areas.	Yes, with Condition of Approval
60.05.25.9.C	Masonry walls shall be a minimum of six inches thick. All other walls shall be a minimum of three inches thick.	Masonry walls will not be used.	N/A
60.05.25.10 Minimize significant changes to existing on-site surface contours			
60.05.25.10.B	...grading within 25 feet of a property line shall not change the existing slopes by more than ten percent within a tree root zone of an identified <u>significant grove</u> or tree, or an identified historic tree located on an abutting property unless evidence provided by a certified arborist supports additional grading that will not harm the subject grove or tree.	Grading is to occur within 25 feet of property line where trees that part of grove NX-4 are located. According to the applicant, the project arborist has reviewed the project's proposed grading plan in light of the presence of significant trees and root zones within close proximity to the site on the property to the south. The project's arborist's findings and contained within the Arborist Report located within Appendix D. The project arborist's conclusions are supportive of the proposed grading plans and provides recommendations for monitoring of site construction along the property lines to ensure that significant trees along the surrounding properties are not damaged during construction.	Yes, staff confirms, proposed grading will not change the existing slope, for finding of support in response to the standard. Root zone impact to off-site trees is subject to other standards contained in 60.60, which are evaluated in response to the Tree Plan 3 application.
60.05.25.11 Integrate water quality, quantity...			
60.05.25.11.A	Non-vaulted surface stormwater detention and treatment facilities having a side slope greater than 2:1 shall not be located between a street and the front of an adjacent building.	Non-vaulted surface stormwater detention facilities are not proposed adjacent to streets or buildings.	N/A

60.05.25 Landscape, Open Space, and Natural Areas Design Standards.			
60.05.25.12 Natural Areas			
60.05.25.12	Development on sites with City-adopted natural resource features such as streams, wetlands, significant trees and <u>significant tree groves</u> , shall preserve and maintain the resource without encroachment into any required resource buffer standard unless otherwise authorized by other City or CWS requirements.	<p>According to applicant, the site contains no CWS or City required resource buffers. The applicant states that the requirements of this section do not apply.</p> <p>Staff finds the standard applicable as reference is provided to significant tree groves. The final part of this standard refers to the clause "<i>unless otherwise authorized by other City or CWS requirements.</i>" In this case, approval of the applicant's Tree Plan 3 proposal is the required authorization.</p>	Yes, with Condition of Approval - referring to the Tree Plan 3 application.
60.05.25.13 Landscape buffer and screening			
60.05.25.13.A	All new development and redevelopment in the City subject to Design Review shall comply with the landscape buffering requirements of Table 60.05-2...	According to the applicant, the subject property abuts TC-HDR properties to the south, east, and west. No landscape buffers are specifically required by Table 60.05-2.	N/A

Design Review Standards Analysis and Findings Chart

Section 60.05.30 Lighting Design Standards

(Standards as apply are identified)

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD?	
60.05.30.1.A/B/C/D/E	Lighting shall be provided at lighting levels for development and redevelopment in all zoning districts consistent with the City's Technical Lighting Standards.	The applicant states that the proposed development includes provisions for lighting of the site's parking and common areas which is consistent with the City's Technical Lighting Standards. Lighting has been provided within pedestrian circulation and vehicular circulation areas and at building entrances. The Applicant has provided a lighting plan within the preliminary land use plan set showing the location of all proposed lighting within the parking areas.	Yes
60.05.30.2.A	Pole-mounted Luminaires shall comply with the City's Technical Lighting Standards, and shall not exceed a maximum of...	The applicant states All proposed lighting within the parking areas has been proposed at no more than twenty (20) feet. The proposed vehicular parking lighting also provides lighting over the primary pedestrian areas, as shown within the Photometric Plans provided	Yes
60.05.30.2.B	Non-pole-mounted luminaires shall comply with the City's Technical Lighting Standards.	The applicant refers to pedestrian scaled lighting consisting of wall pack lighting has been proposed illuminate walkways and plazas.	Plans will need provide detail to show compliance.
60.05.30.2.C	Lighted bollards when used to delineate on-site pedestrian and bicycle pathways shall have a maximum height of (48) inches.	No reference to lighted bollards.	N/A

SUMMARY OF FINDINGS:

Based on evidence provided by the applicant and the findings herein, staff finds that the proposal satisfies all applicable approval criteria for Design Review 2(Section 40.15.15.2.C of the Development Code) subject to conditions identified at the end of this report.

RECOMMENDATION:

Based on the facts and findings presented herein, staff recommends **Approval of DR2015-0122 (Trillium Woods Apartments) subject to conditions.**

**TREE PLAN 3
ANALYSIS AND FINDINGS
TRILLIUM WOODS APARTMENTS
TP2015-0016**

Approval criteria for Tree Plan 3 are found in Section 40.90.15.3.C of the Development Code. The applicant responds to these criteria in the narrative prepared by 3J Consulting Inc., received on February 10, 2016 (pages 13 – 19). Staff also refer to Appendix D of the material set that includes the project arborist report by Teragan & Associates, Arboricultural Consultants, with their initial report of November 19, 2015, and supplemental memorandums dated January 7, 2016 and January 29, 2016.

Staff refer to Exhibit 4 of the staff report which illustrates the approximate boundary of Significant Grove NX-4. The entire project site is located inside the NX-4 boundary but not all trees within the project site are considered significant according to the inventory. In this case, the inventory description for Significant Grove NX-4 is summarized in a document prepared in 1998, for annexed areas at the time, by Shapiro and Associates. According to the inventory:

NX-4 is an isolated stand of mixed conifers and hardwoods. Area A is dominated by Douglas fir, Big Leaf Maple and Black Cottonwood total about 15 percent of the stand. Ponderosa Pine and Western Red Cedar are minor constituents of the stand, totaling an estimated 15%. The Douglas fir in the stand is a variety of size classes. Many of the specimens appear to be less than robust, due to overcrowding. Area B, at the lower, south end of the stand, is riparian with probable wetland conditions in the extreme south end, and is composed of Oregon ash and black cottonwood.

Staff notes that trees in the lower portions of the Grove NX-4 (what the above inventory refers to as Area B) are found off-site and at a distance from the Trillium Woods project site. As Exhibit 4 of the staff report shows, a tract of land created by the David's Windsor Park subdivision in the year 1997 is owned by the Tualatin Hills Park and Recreation District (THPRD). This tract does not abut the Trillium Woods properties. However, two other properties that contain trees as part of Grove NX-4 are shown to abut the Trillium Woods project site. These properties are identified herein as Tax Lot 200 (to the south) and the Progress Ridge HOA tract (to the south-southeast).

According to the applicant's project arborist, a total of 229 trees were inventoried within the project site. Additionally, the project arborist inventoried off-site trees found within close proximity of project site but located either within Tax Lot 200 or the Progress Ridge HOA tract. 13 off-site trees were added as part of the applicant's updated inventory (table of January 29, 2016). Page 2 of the project arborist memorandum of January 29 (and Sheet C120 of the plan set) identify a total of 242 trees inventoried. Of this total, off-site trees in proximity to the project site are among the 113 trees identified as "exempt" according to Table 1 of January 29 memorandum (for purpose of on-site calculation). Of the 242 tree total, another 113 trees were determined to be part of Significant Grove NX-4 (all on-site) and 16 trees of the total survey were determined to be "Community Trees" (definition Chapter 90).

Table 1 of January 29 memorandum shows 113 on-site significant trees amassing a DBH total of 2,865 inches. Of this DBH total, 2,537 inches are proposed for removal. This amounts to approximately 88.6% of the total DBH of non-exempt surveyed trees on the project site within Significant Grove NX-4. The threshold for Tree Plan 3 describes removal of greater than 85% of the total DBH of non-exempt surveyed trees on the project site.

As previously stated, the staff recommendation of denial is solely based on review of the applicant's tree protection plan as proposed for off-site trees, in particular trees within the abutting Progress Ridge HOA tract, which are part of Significant Grove NX-4. This item is discussed further in response to Criterion No. 12 of Tree Plan 3 approval. Adequacy of the applicant's proposed tree protection plan for off-site trees is the key matter of concern for supportive findings of Tree Plan 3 approval.

Section 40.90.15.3.C Approval Criteria

In order to approve a Tree Plan 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:

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

Facts and Findings: Applicable thresholds for Tree Plan 3, described under Section 40.90.15.3.A, include the following:

Multiple Use zoning districts: Removal of greater than 85% of the total DBH of Non-Exempt Surveyed Tree(s) found on the project site within SNRAs, Significant Groves, or Sensitive Areas as defined by Clean Water Services.

As previously stated, the applicant's arborist (Teragan & Associates, Inc.) has identified the intent to remove 88.6% of the total DBH of non-exempt surveyed trees found on-site that are part of Significant Grove NX-4. According to the applicant, a total of 11.4% retention of significant trees on the site has been proposed.

As previously stated, the project site area contains no significant natural resources or sensitive areas as defined by Clean Water Service. Accordingly, the applicant's Tree Plan 3 proposal is solely focused to removal of trees that are part of Significant Tree Grove NX4. The project site is zoned Town-Center-High Density Residential (TC-HDR) which is a multiple use zone.

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

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

Facts and Findings: The applicant submitted the required fee upon submitting the application.

Therefore, staff finds that the proposal satisfies the criterion.

3. *If applicable, removal of a diseased tree or a tree is necessary because the tree has been weakened by age, storm, fire, or other condition.*

Facts and Findings: In response to Criterion No. 3, the applicant explains how tree removal is necessary for the purpose of development. According to the applicant, while trees within this application have been reviewed for condition, none have been specifically proposed for removal specifically due to age, storm, fire, or similar conditions. Staff concur.

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

4. *If applicable, removal is necessary to enhance the health of the grove or adjacent tree(s) to reduce maintenance, or to eliminate conflicts with structures or vehicles.*

Facts and Findings: In response to Criterion No. 4, the applicant explains how tree removal is necessary for the purpose of development and not to specifically enhance the health of the grove, to reduce maintenance, or to eliminate conflicts with structures or vehicles. Staff concur.

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

5. If applicable, removal 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.

Facts and Findings: In response to Criterion No. 5, the applicant explains how tree removal is necessary for the purpose of development and not to specifically observe the forestry practices established by the International Society of Arborists or the standards of the American National Standards Institute. Staff concur.

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

6. If applicable, removal is the minimum necessary to accommodate physical development because no reasonable alternative exists for the development at another location on the site and variances to setback provisions of the Development Code will not allow the tree(s) to be saved or will cause other undesirable circumstances on the site or adjacent properties.

Facts and Findings: According to the applicant, the purpose of the proposed tree removals is to accommodate physical development where no reasonable alternative exists. In part, the applicant's narrative response to Criterion No. 6 identifies the amount of physical area necessary to accommodate tree protection. Referring to the project arborist report prepared by Teragan & Associates, Inc., the applicant explains how a typical minimum recommended tree protection zone encompasses a radius around a tree that is six times (6x) the tree diameter. The applicant refers to the example provided on page 3 of the arborist report by Teragan & Associates, Inc. (dated November 19, 2015). The example: A tree with a 12-inch trunk diameter would have a minimum protection radius of 72 inches (6 feet).

The applicant explains how the minimum 6x tree protection zone was used to evaluate the feasibility of tree retention for the project site. The applicant also refers to Attachment 1 of the project's Arborist Report and the Supplemental Memorandums (dated January 7, 2016 and January 29, 2016, by Teragan & Associates, Inc.). The applicant also refers to the preliminary plan for site improvements and explains how it will be necessary to remove trees toward the northern and central portion of the site because they are either within the footprint of improvements or would have impacts well within the recommended 6x tree protection zones. The applicant also identifies one tree (No. 2590) to be removed not for reasons associated with site development but for the poor structural condition per assessment by Teragan & Associates.

The applicant also explains how remaining trees located along the southern, eastern, and western edges of the site can be retained and adequately protected according to the *Tree Protection Recommendations* of the report by Teragan & Associates. In response to that part of Criterion No. 6 referring to a reasonable alternative, the applicant notes that alternative tree preservation designs for the development were considered, but ultimately rejected in favor of the proposed design. From page 15 of the narrative by 3J consulting, Inc., the applicant explains:

Specifically, we considered a more dispersed pattern of tree preservation to preserve additional trees toward the center of site, but it would have resulted in additional tree removal at the edges of the site and increased impacts on neighboring properties. It would have also resulted in less connectivity to the remaining portion of the significant grove to the south of site and increased the risk of windthrow by increasing the wind exposure of individual trees.

The applicant also explains how the proposed pattern of preservation primarily retains the existing edge trees that are adapted or protected from storm damaging winds that come primarily from the southwest. According to the report by Teragan & Associates (from page 3 of November 19 report) the remaining

trees along the southern, eastern, and western edges of the site can be retained and adequately protected according to the *Tree Protection Recommendations* (identified in pages 5 through 9 of the Teragan report, dated November 19).

In review of Criterion No. 6 and the applicant's response, staff concurs with the need to remove trees for accommodating the physical development of the properties. Where Criterion No. 6 refers to a reasonable alternative, staff notes that the Development Code does not require a site plan depicting an alternative layout for developing the same use at similar density. In this case, the applicant is proposing a use (multi-family residential) that is permitted outright by the TC-HDR zone. The plan proposes construction of apartment buildings at three stories (or approximately 48 feet) that will conform to the maximum building height identified for TC-HDR (at 50 feet). Additionally, the plan proposes density at 100 units that will conform to the density range identified by TC-HDR which is estimated at 75 (minimum) and 112 units (maximum) based on gross acreage of the combined parcel area. While the calculation for minimum density is based on net acreage (under 20.25.05) the applicant has designed a plan that demonstrates compliance with other necessary development standards, including those identified in Attachment B of this report, evaluated in response to the associated Design Review 2 application, in addition to providing the critical and essential facilities evaluated in response to the Facilities Review approval criteria.

That part of Criterion No. 6 referring to variances of setback provisions in the Development Code, would be more applicable in a circumstance where only a portion of the project site is shown to contain healthy trees that are part of a significant grove. In that event, the setbacks of the zone might be reduced elsewhere within the project site, away from the grove to provide a greater protection zone for trees to be saved. However, in this case, trees that are part of Grove NX-4 are found throughout the project site and the TC-HDR zone does not establish minimum building setbacks (from property lines). In this case, the applicant is only required to meet structural distancing requirements as described in the International Building Code (for proposed buildings) which cannot be reduced for safety reasons.

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

7. If applicable, removal is necessary because a tree has become a nuisance by virtue of damage to personal property or improvements, either public or private, on the subject site or on an adjacent site.

Facts and Findings: According to the applicant, criterion No. 7 is not applicable because removal is not in response to damage or improvements. Staff concur.

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

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

Facts and Findings: In response to Criterion No. 8, the applicant states that this criterion does not apply as removal has not been proposed in order to accomplish a public purpose. Staff concur.

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

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.

Facts and Findings: According to the applicant, the proposed pattern of preservation primarily retains the existing trees along the edges of the property that are adapted or protected from storm damaging winds that come primarily from the southwest. The applicant also explains how trees selected for retention have been carefully assessed and have characteristics that can adapt to the increased exposure from tree removal with the development. The applicant further explains that a level 1 tree risk assessment of neighboring trees was conducted from offsite.

In response to Criterion No. 9, the applicant also states that it will be important to adequately protect the offsite trees that are close to the property line during construction. According to the applicant, the proposed site plan has been carefully designed to limit grading and improvements from impacting neighboring trees. The applicant also recommends that the retained trees be reassessed and monitored after neighboring trees are removed to ensure they are properly adapting to the changes from increased exposure.

Staff refer to and incorporate the findings as stated in response to Criterion No. 6. For the purpose of elevating Criterion 9, staff considers "remaining trees" in the context of trees identified to remain within project site and not off-site. However, adequacy of the applicant's proposed tree protection plan (shown in close proximity to off-site trees of NX-4) is a matter of concern for supportive findings in response to Criterion No. 12.

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

10. If applicable, removal of trees or trees within a Significant Grove will not reduce the size of the grove to a point where the remaining trees may pose a safety hazard due to the effects of windthrow.

Facts and Findings: The applicant's statement in response to Criterion No. 10 is verbatim to the response provided to Criterion No. 9. For the purpose of elevating Criterion 10, staff considers "remaining trees" in the context of trees identified to remain within project site and not off-site. However, adequacy of the applicant's proposed tree protection plan for off-site trees is a matter of concern for supportive findings in response to Criterion No. 12.

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

11. If applicable, removal of a tree within a Historic Grove will not substantially reduce the significance of the grove in terms of its original designation on the list of Historic Groves.

Facts and Findings: According to the applicant, this criterion is not applicable as the Grove located on the property is not categorized as Historic. Staff concur.

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

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

Facts and Findings: As previously stated, the subject property does not contain significant natural resources, including wetlands or riparian areas as referred to under Section 60.67. The applicant also states that Section 60.67 is not applicable on the same reasons. According to the applicant, the proposal is consistent with all applicable provisions of Section 60.60. The applicant also refers to recommendations for tree removal, preservation, mitigation and protection during construction in accordance with applicable Beaverton Development Code provisions.

Staff cite the findings in the Code Conformance Analysis Table further in this report for Tree Plan 3, which evaluates the project as it relates to the applicable provisions of Sections 60.60. The Code Conformance Analysis Table provides a summary response to standards found to be applicable in this case (for Significant Grove but not a Significant Natural Resource). Staff notes that the standard in 60.60.15.2.C.1 (calling for retention of 15% of the DBH of non-exempt trees) has been examined by the City Attorney and found to be not applicable.

Findings on recommendation of denial: As previously stated, adequacy of the applicant's proposed tree protection plan for off-site trees is a key matter of concern for supportive findings. Staff refer to the diagram and provisions for tree protection during development, as described in Section 60.60.20 of the Development Code. Staff acknowledge the applicant's development plan to show tree protection fencing in addition to several construction-related notes on Sheet C120 of the set (title: Tree Plan). In part, these notes call for the placement of temporary geotextile fabric and application of wood chips. The notes also call for stump grinding of certain trees removed on-site, along the south and southeastern boundaries, within the project site.

Staff refer to and incorporate the findings as stated in response to Criterion No. 6, in part where the applicant explains how the minimum 6x tree protection zone was used to evaluate the feasibility of tree retention within the project site. Staff observe the same protection zone approach is not apparent in the proposal shown for off-site trees. As previously stated, the abutting property to the southeast is owned by the Progress Ridge Homeowners Association (HOA) and is a tract of land specifically created for tree and natural resource protection. Trees within this portion of Grove NX-4 have "Protected Trees" status and provisions of 60.60.20 refer to Protected Trees. In the Progress Ridge HOA, the applicant's inventory shows seven large off-site trees to be in close proximity to the Trillium Woods project site. These trees are inventoried as numbers 2731, 2734, 3804, 3792, 3793, 3794, 3804 and 3805 on the addendum inventory of January 19 by Teragan. Six of the seven off-site trees are also determined to be in good condition according to the inventory.

As previously stated, the abutting property to the south (Tax Lot 200) is under separate private ownership and has development potential in the future. In Tax Lot 200, the project arborist has identified eight trees ranging in size (9 to 24 DBH) and found in various states of condition (generally fair, poor, very poor). These trees are inventoried as numbers 3795, 3796, 3797, 3798, 3799, 3800, 3801, and 3802 on the addendum inventory of January 19 by Teragan. Staff notes that while these trees are part of the NX-4 grove, they do not have the same Protected Tree status for purpose of evaluation under specific standards of 60.60.20 because these trees have not been set aside within a similar tree preservation tract (like that created as part of the Progress Ridge development). Staff also observes that the northern portion of Tax Lot 200 is the upland portion of the property, situated away from delineated wetland areas to the south.

While the future development pattern of Tax Lot 200 is unknown, staff foresees removal of trees shown within the flag pole portion of this lot at a future date to accommodate the necessary vehicle access. Similarly, upland portions of Tax Lot 200 (northern portion next to the Trillium Woods properties) will likely be developed if the sensitive areas to the south are to be saved. Given the arborist's condition rating of

perimeter trees in Tax Lot 200 (of fair, poor and very poor) and the potential for development in the future, staff is less concerned about the protection measures employed to the south and west. To the boundary of Tax Lot 200, staff recommends fencing and protection measures as recommend by the project arborist. However, along the Progress Ridge HOA tract, staff observes that proposed buildings could be set back further from the property line. As the applicant is attempting to accommodate on-site parking at a ratio 1.3 spaces per unit, adjusting the location of buildings to observe the greater distance from off-site trees will likely result in less parking available to future residents of the project. However, staff notes that the minimum off-street parking ratio is one space per unit. Accordingly as many as 36 spaces could be removed and would still meet the Development Code standard.

Staff also incorporate the comments received from the City Arborist, Patrick Hoff, in his Memorandum dated March 21, 2016 (Exhibit 9 of the Staff Report). In part, the memorandum observes the standard practice for tree protection in close proximity to grading and construction activity. The plan for off-site tree protection is unacceptable to the City Arborist for the reasons stated.

Therefore, staff find that the proposal does not meet the criterion for approval, specific to demonstrating compliance tree protection standards in 60.60.20.

13. Grading and contouring of the site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.

Facts and Findings: According to the applicant, the site has been graded to minimize impact to trees that are being protected and to capture as much stormwater as possible that falls on the site (including all impervious area). Staff concur. Staff also refer to the findings prepared in response to the Facilities Review approval criteria.

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

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

Facts and Findings: The submitted tree plan proposal contains all applicable submittal requirements necessary to be deemed complete by the city.

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

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

Facts and Findings: The applicant has submitted this Tree Plan 3 application in concert with the Design Revie 2 and Preliminary Partition applications as referred to herein.

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

Code Conformance Analysis Summary Table of 60.60

Grading, Protection and Removal Mitigation Standards for trees within a Significant Grove

STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
60.15.15. Grading Standards – in proximity to existing grove			
60.15.15.4	For SNRAs and Significant Groves, no change allowed in pre-development ground elevation. More than 10 ad to 25 feet – maximum 10% slope gradient difference.	The applicant's plans show two proposed buildings to be located within close proximity of off-site trees also part of NX-4. Grade difference is 10% slope or less, ten feet away.	Yes

STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
60.60.15.2 Removal and Preservation Standards - general			
60.60.25.2C	For SNRAs and <u>Significant Groves</u> , the following additional standards shall apply: 1. The minimum DBH of non-exempt surveyed trees that must be preserved on a site is as follows: a) Multiple Use zoning districts: Fifteen percent (15%) of the DBH of non-exempt surveyed trees found on a project site. 2. DBH to be retained shall be preserved in cohesive areas, termed Preservation Areas, when development is proposed in SNRAs or Significant Groves.	The applicant's representative requested that the City Attorney review this provision in light of the requested Tree Plan 3 application, a threshold of which identifies tree removal proposals which exceed 85%. However, the standard in 60.60.25.2C.1 states that a minimum of 15% of the total DBH must be saved. As previously stated, the City Attorney finds the standard in 60.60.25.2C be not applicable.	N/A – for 15% on-site Sheet C120 of set recognizes trees to be preserved on site. Some of these trees (west end) will need to be removed in the future upon development of Tax Lot 200 to the south.
60.60.25.2C4	Preservation Areas, conditioned for protection through the Development Review process, shall be preserved in clusters that are natural in appearance rather than in linear strips. Preservation Areas should connect with adjoining portions of the Significant Grove...	Some healthy on-site trees not impacted by development (e.g. 2732) will be preserved through the development process. Though few, these trees will adjoin portions of NX-4 on other sites, namely the tract of land owned and maintained by Progress Ridge HOA.	Yes

STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
60.60.25.2C5	Preservation Areas, conditioned for protection through the Design Review process, shall be set aside in conservation easements and recorded with a deed restriction with Washington County, unless otherwise approved by the City. ...	Deed restrictions are not proposed. However staff recommends a condition of approval that calls for a separate conservation easement to be recorded with the final plat for on-site tree preservation purposes.	Yes, with Condition of Approval
60.60.25.2C6	Preservation Areas, conditioned for protection through the Land Division process, shall be set aside in tracts and recorded with a deed restriction with Washington County, unless otherwise approved by the City.	Separate tracts are not proposed as the subject request is an apartment complex which will not be divided in separate ownership. Staff recommends a condition of approval that calls for a separate conservation easement to be recorded with the final plat for on-site tree preservation purposes.	Yes, with Condition of Approval
60.60.20 Tree Protection Standards – during Development			
60.60.20.1.A 1	Trees classified as Protected Trees under this Code shall be protected during development... Fence shall be 4' tall orange plastic or nor snow fence, secured to six foot (6') tall metal posts, driven two feet (2') into the ground. Heavy 12 gauge wire & <u>Graphic</u>	Staff refer to the applicant's Tree Plan, sheet C120, and the applicant's arborist report, describing proposed method of tree protection. Deviations from the standard and graphic in 60.60.20.1.A1 are proposed.	No, but Planning Commission can find in support of other approved protection measures under 2 of this section.
60.60.20.1.A 2	Other City approved protection measures that provide equal or greater protection may be permitted, and may be required as a condition of approval.	For the reasons explained herein, staff finds other protection measures (as proposed) do not provide equal or greater protection.	No, for reasons explained herein.
60.60.20.1.B	Within the protected root zone of each tree, the following development shall not be permitted: 1. Construction or placement of new buildings. 2. Grade change or cut and fill, except where hand excavation is approved with the submittal of an arborist's report, as part of application approval. 3. New impervious surfaces. 4. Trenching for utilities, irrigation, or drainage.	Hand excavation will be necessary where cut and fill is proposed inside the root zone off-site trees, in particular trees protected as part of past land approval for Progress Ridge which have root zones partially within the project site.	No, for reasons explained herein.

STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
	5. Staging or storage of any kind. 6. Vehicle maneuvering or parking		
60.60.25 Mitigation Requirements			
60.60.25.1A	All mitigation tree planting shall take place in conformance with accepted arboricultural practices and shall be spaced a minimum of ten (10) feet apart.	On site planting mitigation is not proposed. The applicant will pay a fee in-lieu of on-site planting mitigation, an option allowed under 60.60.25.7	N/A
60.60.25.1B	Trees planted for the purpose of tree removal mitigation shall be maintained in accordance with the approved mitigation plan. Monitoring of mitigation planting shall be the ongoing responsibility of the property owner	On site planting mitigation is not proposed. The applicant will pay a fee in-lieu of on-site planting mitigation, an option allowed under 60.60.25.7	N/A
60.60.25.1C	Trees planted for the purpose of tree removal mitigation shall be set aside in a conservation easement or a separate tract and shall be designated as "Mitigation Trees"	On site planting mitigation is not proposed. The applicant will pay a fee in-lieu of on-site planting mitigation, an option allowed under 60.60.25.7	N/A
60.60.25.1E	Street trees shall not be counted as providing mitigation of a SNRA or Significant Grove.	Trees for landscape purposes are proposed and shown to the Landscape Plan.	N/A
60.60.25.1F	Transplanting trees within the project site is not subject to mitigation.	Transplanting is not proposed.	N/A
60.60.25.2 Calculation for mitigation specific to Significant Groves			
60.60.25.2A	Calculate the total DBH of the trees to be removed. Denote both deciduous and coniferous trees in separate tables; however, both tables will result in the sum total of the DBH to be removed.	According to the applicant's arborist, total DBH of deciduous trees to be removed is 196 inches; total DBH for coniferous trees removed is 2,341 inches. The sum total being 2,537 inches.	Yes, calculated correctly
60.60.25.2B	If the total DBH of trees to be removed is less than or equal to 50% of the total DBH of surveyed trees on the site, then no mitigation is required for the trees to be removed.	The total DBH of trees to be removed is <u>more</u> than 50% of the total DBH of surveyed trees. Accordingly, mitigation is required.	N/A

STANDARD		PROJECT PROPOSAL	MEETS STANDARD?
60.60.25.2C	If the total DBH of trees to be removed is greater than 50% of the total DBH of surveyed trees on site, then mitigation is required for the amount of DBH to be removed that exceeds 50% of the total DBH of surveyed trees on site. For example, if 75 inches is the total amount of DBH to be removed from a site and 60 inches of DBH represents 50% of the total surveyed DBH, then 15 inches of DBH is the total required amount of mitigation.	This section applies for purpose of calculating the mitigation fee. The applicant and staff refer to Table 1 of the Teragan memorandum dated January 29, 2016. On site planting for mitigation purposes is not proposed. The applicant will pay a fee in-lieu of on-site planting mitigation, which is an option allowed under 60.60.25.7. Total coniferous mitigation required is 878 inches (92%) and total deciduous mitigation required is (8%).	Yes
60.60.25.3 Additional requirements for mitigation specific to Significant Groves			
60.60.25.3A	Dead or dying trees within a Significant Grove or SNRA shall be fallen when required for safety. Such tree falling shall not require mitigation. However, the fallen log should remain in the Significant Grove...	Staff recommends a condition of approval that calls for a separate conservation easement to be recorded with the final plat for on-site tree preservation purposes. Easement will also recognize potential future removal of trees along western boundary, upon developed of Tax Lot 200	Yes, with Condition of Approval
60.60.25.3B	All trees planted for mitigation must meet the following minimum requirements: ... Min. 2" at planting...	On site planting mitigation is not proposed.	N/A
Significant Grove or SNRA Tree Plan 3 mitigation, 1:1 planting ratio (caliper inches)			
60.60.25.6	Multiple Use Zoning Districts: For tree removal proposals which remove more than 85% and up to and including 100% of the surveyed non-exempt DBH, all of the required mitigation tree planting shall be on a 1:1 basis whether planted on-site or off-site.	1:1 ratio applies; this is caliper inch to caliper inch.	Yes, applicable
In-Lieu Fee Option			
60.60.25.7	If the total caliper inch on-site- or off-site tree planting mitigation does not equal the DBH inch removal or if no tree planting mitigation is proposed, the remaining or	No tree planting mitigation is proposed. Provision of 60.60.25.7 applies. Applicant intends to pay the fee according to the current in-lieu fee schedule which is \$90 per every 2 caliper inch coniferous and	Yes, with proposed condition requiring fee to be collected.

STANDARD	PROJECT PROPOSAL	MEETS STANDARD?
total caliper inch tree planting mitigation shall be provided as a fee in-lieu payment. The in-lieu fee shall be specified in the Community Development In-Lieu Fee schedule. Fee revenues shall be deposited in the City's Tree Mitigation Fund.	\$175 per every 2 caliper inch of deciduous tree under the mitigation calculation. Based on information provided, total fee calculated to be \$46,160.00, applying the method described in 60.60.25.2C	

SUMMARY OF FINDINGS:

Based on evidence provided by the applicant and analysis contained herein, staff finds that the applicable approval criteria for a Tree Plan 3 application (Section 40.90.15.3.C of the Development Code) have not been satisfied.

If the Planning Commission finds the project proposal to have met the criteria, staff recommend directions for supplemental findings and additional conditions as determined necessary. Proposed conditions of approval are identified at the end of this report. The proposed conditions incorporate the project arborist's recommendations for tree protection on-site. Proposed conditions also identify easements to be recorded with the final plat for tree protection purposes.

RECOMMENDATION:

Based on the facts and findings presented herein, staff recommends **Denial of TP2015-0016 (Trillium Woods Apartments)**.

**PRELIMINARY PARTITION
ANALYSIS AND FINDINGS**
Trillium Woods Apartments
LD2015-0026

The applicant requests Preliminary Partition of the subject site to consolidate two existing properties into one legal lot. Section 40.45.05 of the Development Code identifies the purpose of Land Division applications. Approval criteria for the Preliminary Partition application are found under Section 40.45.15.4.C. Applicant response to approval criteria are found on pages 10 through 14 of the narrative prepared by 3J Consulting Inc.

Section 40.45.15.4.C Preliminary Partition Approval Criteria

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

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

Facts and Findings There is one threshold for a Preliminary Partition, below:

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

The proposal is to create one platted lot from two separate properties. The applicant describes the proposal to consolidate and create one lot of record. Staff concurs. Therefore, the proposal satisfies the thresholds for a Preliminary Partition application.

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

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

Facts and Findings The applicant submitted the required fee.

Therefore, staff finds that the proposal satisfies the criterion.

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

Facts and Findings The applicant states that the proposed partition will not conflict with any existing city approval. Staff concurs.

As a condition of Preliminary Partition approval, staff recommend a condition identifying the need for recording public access and utility easements (benefiting the city and the owner of property to the south, Tax Lot 200). The condition for easement is explained in response to Facilities Review criteria of approval. Easements are to be recorded with the final plat.

Therefore, staff finds that, with proposed conditions of approval, the proposal meets the criterion for approval.

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

Facts and Findings An "oversized lot" is defined in the Development Code as "A lot which is greater than twice the required minimum lot size allowed by the subject zoning district." As indicated in the Code Conformance Analysis table, the TC-HDR zoning district has no minimum parcel size.

Therefore, staff finds that the criterion is not applicable.

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

Facts and Findings Section 20.05.15.D applies to property within the R5, R7, and R10 zoning districts. The subject parcels are located within the TC-HDR zoning district. Therefore, Criterion 5 is not applicable to the proposal. Also, lot size averaging is not proposed.

Therefore, staff finds that the criterion is not applicable.

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

Facts and Findings Section 20.05.15.D applies to property within the R5, R7, and R10 zoning districts. The subject parcels are located within the TC-HDR zoning district. Therefore, Criterion 6 is not applicable to the proposal. Also, lot size averaging is not proposed.

Therefore, staff finds that the criterion is not applicable.

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

Facts and Findings The subject parcels are located within the TC-HDR zoning district. The partition proposal has no consequence to zoning.

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

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

Facts and Findings The applicant has proposed development of the subject parcels through a Design Review 2 application, Tree Plan 3 and this Land Division application. Site Development and Building permits are necessary prior to construction. As a condition of approval, the applicant will also need to record a final plat. The application (Final Land Division) is necessary for this purpose.

Therefore, staff finds that, with proposed conditions of approval, the proposal meets the criterion for approval.

SUMMARY OF FINDINGS:

Based on evidence provided by the applicant and conditions of approval as proposed, staff finds that the applicable approval criteria for a Preliminary Partition application (Section 40.45.15.4.C) are satisfied. Staff recommends conditions as necessary to meet the technical requirements identified in Section 40.03.1 of the Development Code. One condition requires submission of a Final Land Division application that is subject to administrative review and approval.

RECOMMENDATION:

Based on the facts and findings presented herein, staff recommends **APPROVAL of LD2015-0026 (Trillium Woods Apartments)** subject to the conditions herein.

Recommended Conditions of Approval
Trillium Woods Apartments
DR2015-0122, TP2015-0016 and LD2015-0026

If the Beaverton Planning Commission approves the proposed development plan for Trillium Woods Apartment, the Facilities Review Committee recommends that the decision-making authority adopt the following conditions of approval:

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

1. 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./JJD)
2. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in Ordinance 4417 (City Engineering Design Manual and Standard Drawings), Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (June 2007, Resolution and Ordinance 2007-020), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
3. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and 4417; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
4. Have the ownership of the subject property guarantee all public improvements, site grading, storm water management (quality and quantity) facilities, and emergency vehicle access 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./JJD)
5. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
6. Submit to the City a copy of issued permits or other approvals needed from Washington County for work within, and/or construction access to the Scholls Ferry Road right of way. (Site Development Div./JJD)
7. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
8. Submit, if needed by the City Building Official and TVF&R Fire Marshal an available fire flow analysis including an actual flow test of the existing water system and evaluation by a professional engineer meeting the standards as specified in the Engineering Design Manual Chapter 6, 610.L, using the anticipated maximum fire demand. The analysis shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)
9. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
10. Submit a copy of issued permits or other approvals as needed from the State of Oregon Division of State Lands and the United States Army Corps of Engineers (for work within or affecting a jurisdictional wetland). (Site Development Div./JJD)

11. Submit plans for erosion control per 1200-CN General Permit (DEQ/CWS/City Erosion Control Joint Permit) requirements to the City. The applicant shall use the 2006 plan format per requirements for sites between 1 and 4.99 acres adopted by DEQ and Clean Water Services. <http://www.cleanwaterservices.org/Content/MapsAndData/Permit/ERO%20Drawings/1200CN/>
12. Provide final construction plans and a final drainage report, as generally outlined in the submitted preliminary drainage report (November 20, 2015), demonstrating compliance with City storm detention requirements (per Section 330, of City Ordinance 4417) and with CWS Resolution and Order 2007-020 in regard to water quality treatment. (Site Development Div./JJD)
13. Provide a detailed drainage analysis of the subject site and prepare a final report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event, including the safe overflow conveyance from proposed constructed stormwater management facilities. On all plan sheets that show grading and elevations, the 100 year inundation level shall be identified. (Site Development Div./JJD)
14. When or as required, have obtained the City Building Official's courtesy review approval of the proposed site utility plan for private plumbing needed to serve the development including private fire suppression systems, backflow prevention measures, and regulated utility service locations outside the proposed building pads. (Site Development Div./JJD)
15. Submit a revised grading plan showing that each proposed building has a minimum finished floor elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities. This land-use approval shall provide for minor grade changes less than four vertical feet variance to comply with this condition without additional land-use applications, as determined by the City Engineer and City Planning Director. (Site Development Div./JJD)
16. Submit to the City a certified impervious surface determination of the proposed project by the applicant's engineer, architect, or surveyor. The certification shall include an analysis and calculations of all impervious surfaces as a total on the site. Specific types of impervious area totals, in square feet, shall be given for buildings, parking lots/driveways, sidewalk/pedestrian areas, storage 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. (Site Development Div./JJD)
17. Pay a storm water system development charge (overall system conveyance) for the net new impervious area proposed that is not part of a fully-improved public street. (Site Development Div./JJD) (Site Development Div./JJD)
18. Provide plans for LED street lights (Illumination levels to be evaluated per City Design Manual, Option C requirements unless otherwise approved by the City Public Works Director) for all impacted streets and for the placement of underground utility lines along street frontages, within the site, and for services to the proposed new development. If existing utility poles along existing street frontages must be moved to accommodate the proposed improvements, the affected lines must be either undergrounded or a fee in lieu of undergrounding paid per Section 60.65 of the Development Code. (Site Development Div./JJD)
19. Provide plans showing that a minimum of 5 short-term bicycle parking spaces are provided. The racks are to be inverted "staple-type" or U-racks that are at least 30 inches wide by 36 inches tall, securely mounted to the ground, and located within 100 feet of a primary building entrance. (Transportation / KR)

20. Provide photometric plans that show that all pedestrian and bicycle circulation and parking areas are lighted to at least the minimum level of 0.5 foot-candles. (Transportation / KR)
21. Submit plans that show the grades and minimum unobstructed widths for the pedestrian walkways connecting each building to the surrounding public sidewalk systems on SW Scholls Ferry Rd. and SW Bunting Street. (Transportation / KR)
22. Submit plans showing that all pedestrian walkways that cross a vehicular drive aisle are to be constructed of concrete or modular paving materials. (Transportation / KR)
23. Submit plans that show a future vehicular and pedestrian connection to SW Winterhawk Lane. The access shall provide an adequate future alignment for a commercial driveway that meets City standards for turn radius and slopes which will connect to both the applicant's property and to the abutting property identified as Tax Lot 200 on Tax Map 2S1-05B. (Transportation / KR)
24. Submit to **Washington County** Public Assurance Staff, 503-846-3843, the following, as summarized in the letter prepared by Washington County Land Use & Transportation, dated February 26, 2016, prepared Naomi Vogel, Associate Planner: 1) Completed "Design Option" form, 2) **\$3,750.00** Administration Deposit, copy of the City's Land Use Approval with Conditions, signed and dated, and 3) Three (3) sets of complete engineering plans for construction of public improvements (identified in letter). (Washington County / NV)
25. Obtain a Washington County **Facility Permit** for work in the right-of-way of SW Scholls Ferry Road as directed in the letter prepared by Washington County Land Use & Transportation, dated February 26, 2016, prepared Naomi Vogel, Associate Planner (Washington County / NV).
26. Obtain a demolition permit from the City Building Division for the removal of the existing building(s). A plumbing permit is required for removal, abandonment and capping of a septic tank or sewer line. If a septic tank exists, it shall be pumped out and filled in with sand or gravel or completely removed. An inspection shall be obtained from the plumbing inspector after the tank is filled or removed. A copy of the receipt from the pumping company shall be provided. If the building is connected to the public sanitary sewer system, the building's sewer shall be capped off at the property line and inspected by the plumbing inspector. (BC 8.02.035, Section 105, OSSC; Section 722, OPSC) The removal of existing buildings on the property may provide credits towards some system development (SDC) fees such as water, sanitary sewer, impervious surface, and traffic. (Building / BR)
27. Ensure the plans illustrate compliance with the nine items identified in the letter prepared by Tualatin Valley Fire & Rescue, dated March 1, 2016, by Jeremy Forster, Deputy Fire Marshal II. Plan details shall be shown as necessary to illustrate compliance with emergency vehicle access road standards, aerial fire apparatus access, sprinkling of units, surface road capacities, fire water flow capacity, hydrant location and number, and gate / knox box improvements. (TVF&R/ JF)
28. Resolve design and/or conflicts with refuse disposal/recycling hauler that would preclude adequate service of refuse and recycling containers for all units of the subdivision. (Planning Division/SW)
29. Ensure that all associated land use applications, including Tree Plan 3, are approved and are consistent with the submitted plans. Submit a revised landscape plan identifying active open space improvements, consistent with two of each as described in Section 60.05.25.3.1 and applied separately to each designated active open space area. Fencing, at least three feet in height shall apply to the active open space area where proposed in proximity to SW Scholls Ferry Road. (Planning Division/SW)

30. Ensure the Site Development Plan identifies the location of protective temporary fencing for trees consistent with the standards described in Section 60.60.20 of the City Development Code, except for deviations where approved. Protective fencing is to be in place prior to removing trees subject to Tree Plan 3 approval under case file TP2015-0016. The fencing plan (section detail and location) is to be shown as part of plans approved for Site Development. (Planning Division/SW)
31. Ensure the Site Development Plan incorporates all Tree Protection Recommendations of the report by Teragan & Associates dated January 7, 2016 (identified in pages 2 through 6) for construction at all stages. The approved Site Development Plan is to include signage attached to protective fencing once in place, consistent with the Teragan recommendation. The tree protection recommendations shall apply to all portions of the project site where tree protection fencing is shown, consistent with Sheet C120 of the plan set. (Planning Division/SW)
32. Pay a Tree Mitigation Fee, estimated at \$46,160.00, consistent with the current In-Lieu Fee schedule at time of submittal and consistent with the calculation method described in Section 60.60.25.7 of the Development Code. Fee revenues shall be deposited in the City's Tree Mitigation Fund (SW)

B. Prior to building permit approval, the applicant / developer shall:

33. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
34. 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./JJD)
35. Submit building plans that demonstrate compliance with the State of Oregon Building Code in effect as of date of application for the building permit. This currently includes the following: The 2012 edition of the International Building Code as published by the International Code Conference and amended by the State of Oregon (OSSC); The 2009 edition of the International Residential Code as published by the International Code Conference and amended by the State of Oregon (ORSC); 2012 International Mechanical Code as published by the International Code Council and amended by the State of Oregon (OMSC); the 2012 edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and amended by the State of Oregon (OPSC); the 2014 edition of the National Electrical Code as published by the National Fire Protection Association and amended by the State of Oregon; and the 2012 International Fire Code as published by the International Code Council and amended by Tualatin Valley Fire and Rescue (IFC). (Building Div / BR)
36. Include as part of the building plan submittal, information outlined in the Tri-County Commercial Application Checklist. This form is available at the Building Division counter or may be printed from: <http://www.beavertonoregon.gov/PermitFormsFees>. (Building Div / BR)
37. Projects involving new buildings and additions are subject to System Development fees. A list of the applicable fees is available at the Building Division counter or may be printed from the Forms/Fee Center at <http://www.beavertonoregon.gov/PermitFormsFees>. (Building Div / BR)

38. A separate plumbing permit is required for installation of private on-site utilities (i.e., sanitary sewer, storm sewer, water service, catch basins, etc. If the applicant desires to install those types of private utilities during the same period as the "Site Development" work, a separate plumbing application must be submitted to the Building Services Division for approval. (Building Div / BR)
39. For Group R, Division 2 apartments required to have accessible Type A or Type B dwelling units, at least 2 percent, but not less than one of each type of parking space shall be accessible. (Section 1106, OSSC) (Building Div / BR)
40. All public and common use areas such as recreation facilities, offices, pools, accessory buildings, laundry facilities, garbage, recycling areas, and mailboxes shall be accessible to persons with disabilities. (Section 1103, OSSC, Section 1111 OSSC) (Building Div / BR)
41. An accessible route shall be provided to persons with disabilities throughout the site. (Section 1104, OSSC) (Building Div / BR)
42. An accessible route shall be provided to persons with disabilities from the building to a public way. (Section 1104, OSSC) (Building Div / BR)

C. Prior to final plat approval, the applicant / developer shall:

43. Have commenced construction of the site development improvements to provide minimum critical public services to each proposed lot (access graded, cored and rockered; wet utilities installed) as determined by the City Engineer and to allow for verification that the location and width of proposed rights of way and easements are adequate for the completed infrastructure, per adopted City standards. (Site Development Div./JJD)
44. Show granting of any required on-site easements on the partition plat, along with plat notes as approved by the City Engineer for area encumbered and County Surveyor as to form and nomenclature. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet current City standards in relation to the physical location of existing site improvements. (Site Development Div./JJD)
45. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording concurrently with or immediately after the final plat at Washington County. (Site Development Div./JJD)
46. Submit plans that show a public vehicular, bicycle, and pedestrian access easement over the walkways and drive aisle connecting SW Bunting St. to the westernmost property line, aligned to provide a safe and efficient future connection to SW Winterhawk Lane. (Transportation / KR).
47. Pay all City liens, taxes and assessments or apportion to individual lots. Any liens, taxes and assessments levied by Washington County shall be paid to them according to their procedures. (Planning Division/SW)
48. Submit a completed Land Division Agreement form to provide assurance that all the conditions of approval shall be met and that the partition will be constructed in accordance with City requirements. (Planning Division/SW)
49. Submit a Final Partition Plat via Final Land Division application (Section 40.45.15.8 of the Development Code). In accordance with Section 50.90 of the Development Code, submittal of a complete final plat application shall be made within 24 months after preliminary plat approval, unless a time extension is approved. (Planning Division/SW)

50. Provide a draft copy of the access and utility easement consistent with the location as depicted on Sheet C201 of the approved plan set. This easement is to be reviewed and approved by the City Attorney and City Engineer prior to recording with the Final Plat approval. The easement is to describe a benefit to the City of Beaverton for utility access and public vehicle access. The easement shall also describe a benefit provided to the owner of Tax Lot 200 on Map 2S1-05BA, addressed at 15584 SW Scholls Ferry Road. The easement shall apply to future development of this property at a time when two lane access is determined necessary by the City Traffic Engineer to serve the future development. The easement is also to describe certain improvements and changes to occur within the Trillium Woods Apartment site after apartment improvements are complete and when future development of Tax Lot 200 occurs. These improvements/changes shall be identified to the easement, including but not limited to the removal of three parking spaces, removal of additional trees that the Trillium Woods development plan identifies to be saved and additional paved surface area within the easement space to ensure two-way vehicle travel with at least one pedestrian sidewalk. The recorded easement document is to include a graphic attachment for geographic reference. A separate conservation easement (for tree preservation on-site) is also to be recorded with the final plat. The conservation easement is to identify certain trees (by survey number, type and location) in proximity to other abutting properties that contain trees of Grove NX-4, specifically the tract of land owned by Progress Ridge Homeowners Association. (Planning Division/SW)

D. **Prior to occupancy permit issuance, the applicant shall:**

51. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
52. Have recorded the final plat in County records and submitted a recorded copy to the City. (Site Development Div./JJD)
53. 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./JJD)
54. 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./JJD)
55. Install or replace, to City specifications, all sidewalks which are missing, damaged, deteriorated, or removed by construction. (Site Development Div./JJD)
56. Obtain a final Washington County **Facility Permit**, contingent upon the following: The road improvements required in conditions as directed shall be completed and accepted by Washington County. (Washington County / NV)
57. Install both deciduous and evergreen trees as shown on the proposed landscape plan. Deciduous trees shall have straight trunks, be fully branched, have a minimum caliper of 2 inches, and a minimum height of 8 feet at the time of planting. Deciduous trees may be supplied bare root provided the roots are protected against damage. Evergreen trees shall have straight trunks, be fully branched and a minimum height of 6 feet at the time of planting. Ensure coniferous trees have been balled and burlapped or grown within suitable containers and are adequately staked at the time of planting. (Planning/SW)
58. Ensure ground cover plantings are installed at a maximum of 30 inches on center and 30 inches between rows. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum 4 inch size container, or a 2-1/4 inch container if planted 18 inches on-center. (Planning/SW)

59. Ensure all site improvements, including grading and landscaping are completed in accordance with landscape plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning/SW)
60. 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). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning/SW)
61. Ensure construction of all buildings, retaining 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). No occupancy permit (including temporary occupancy) will be issued until all improvements are complete. (Planning/SW)
62. Ensure deciduous or evergreen shrubs are installed at a minimum, using one-gallon containers or 8 inch burlap balls with a minimum spread of 12 inches to 15 inches. (Planning/SW)
63. Ensure landscaped areas approved to be planted in lawn have seed installed between September 1 and November 1 or between March 1 and May 1. Sod may be placed at any time of year. This condition is not applicable to special seed mixes approved for use in natural resource areas, steep slopes, or in areas for the primary purpose of erosion control. (Planning/SW)
64. Ensure landscaping within off-street parking lots is installed by the standard of one landscaped planter island or area, per every ten parking spaces provided. The island shall have a minimum area of 70 square feet, and a minimum width of six feet, and shall be curbed to protect landscaping. The landscaped island shall be planted with a tree having a minimum mature height of 20 feet. The area of landscaped screening on the perimeter of parking lots shall not be used toward meeting the area requirement of parking lot islands. (Planning/SW)
65. Ensure all landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning/SW)
66. Ensure all exterior lighting fixtures are installed and operational. At the property lines, illumination from light fixtures, except for street lights, shall be limited to no greater than 0.5 foot-candle as measured in the vertical and horizontal plane. Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. (Planning/SW)

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

67. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJJ)

68. Submit any required on-site easements not already dedicated on the subdivision plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)

Advisory Notes

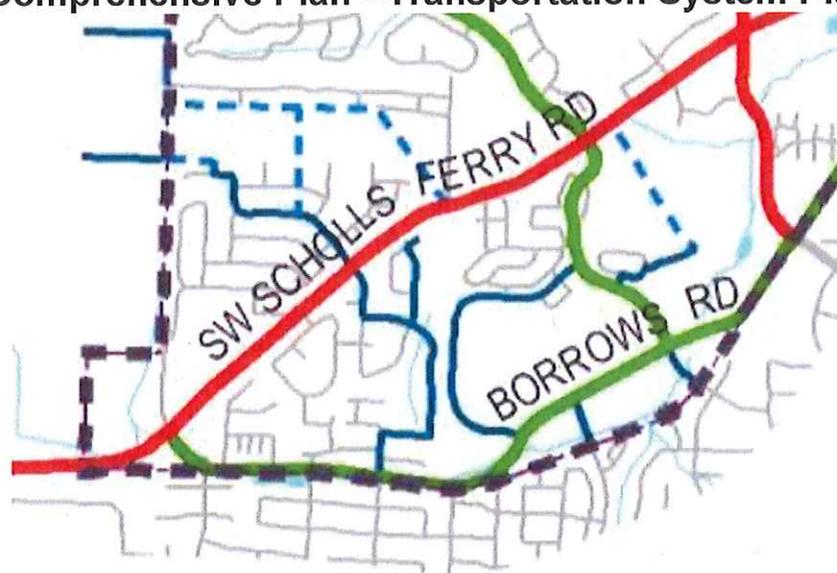
On Bicycle Racks: A better option would be to have at least one rack per building, which would provide a total of 8 spaces. Ideally, the racks would be located as close as practical to the building entrances. The Code requires that rack be within 100 feet, and encourages them to be within 50 feet of primary entrances. Also, bike rails along the outer edges of the staircases would help assist those who live on the top floor.

See notes provided by Brad Roast, City Building Official.

Approximate Boundary of Significant Tree Grove NX-4



Figure 6.4 – Functional Classification Plan (portion) of the Comprehensive Plan --Transportation System Plan



G E O G R A P H I C I N F O R M A T I O N S Y S T E M

LEGEND

Functional Classification

- | | | | |
|---|------------------------------|---|------------------------------|
|  | Freeway |  | Water |
|  | Principal Arterial |  | Railroad |
|  | Arterial |  | 2008 TSP Study Area Boundary |
|  | Arterial, proposed |  | Major Roads |
|  | Collector |  | Local Streets |
|  | Collector, proposed |  | City Limits |
|  | Neighborhood Route |  | Proposed Road Closure |
|  | Neighborhood Route, proposed | | |



WASHINGTON COUNTY, OREGON

Department of Land Use and Transportation, Operations & Maintenance Division
1400 SW Walnut Street, MS 51, Hillsboro, Oregon 97123-5625
(503) 846-7623 · FAX: (503) 846-7620

February 26, 2016

Scott Whyte
City of Beaverton
PO Box 4755
Beaverton, OR 97076
No. of pages: 4 (via Email)

RE: Trillium Woods Apartments
City File Number: DR2015-0122/LD2015-0026/TP2015-0016
County File Number: CD-72/CP-72
Tax Map and Lot Number: 2S1-05BA00100/1S1-32DC02400
Location: SW Scholls Ferry Road/SW Bunting Street



Washington County Department of Land Use and Transportation has reviewed the above noted development application for a 100-unit apartment complex and submits the following conditions to be included in the City's Notice of Decision.

FINDINGS:

1. Direct access to a street classified an Arterial must be from a Collector or other Arterial street as required by Resolution and Order 86-95 (R&O 86-95) and Section 501-8.5.B of Washington County's Community Development Code (CDC). Access to SW Scholls Ferry Road, a County-maintained Arterial is not proposed nor permitted as part of this development approval with the exception of the emergency access required by TVF&R Fire Marshal.

Access to the proposed development is via the extension of SW Bunting Street, a City-maintained road. The Tualatin Valley Fire & Rescue representative has required that the site provide an emergency access on SW Scholls Ferry Road.

The access shall be gated with a Knox box and constructed to County and emergency access standards. Additionally, a motor vehicle access restriction shall be recorded along the site's SW Scholls Ferry Road frontage.

2. Consistent with statewide pedestrian circulation/linkage goals of the Transportation Planning Rule and the County's R&O 86-95 (road safety requirements), the County normally requires sidewalk installation as a minimum road safety improvement along site frontage of all County-maintained roads. Sidewalks further establish future street profiles, demarcate County or City right-of-way, and address drainage issues. Sidewalk requirements are not generally waived, even when sidewalk is not currently present on neighboring properties. Rather, even non-contiguous sidewalk is considered to provide some measure of pedestrian refuge and ideally, makes possible eventual connection of sidewalks (as surrounding development takes place and is likewise conditioned to provide sidewalk). Additionally, the Washington County Road Design and Construction Standards require provision of adequate drainage along a site's frontage of a county road.

Adequate sidewalk and drainage (to County minimum standards) exist along the site's frontage of SW Scholls Ferry Road with the exception of the curb-tight sidewalk and wall that is located on a portion of Tax Lot 2400 (Tax Map 1S1-32DC), which were constructed as interim improvements until time the site redeveloped. The applicant shall reconstruct the existing sidewalk in its ultimate location (alignment/grade) including removal of the existing wall. All private improvements must be located outside of the right-of-way and slope easements.

3. The statewide Transportation Planning Rule requires provision for adequate transportation facilities in order for development to occur. Accordingly, the County has classified roads and road segments within the County system based upon their function. The current Transportation Plan (regularly updated) contains adequate right-of-way, road width and lane provision standards based upon each roadway's classification. Subject right of way is considered deficient if half-width of the existing right of way does not meet that determined necessary within the County's current transportation plan.

The applicant is required to dedicate additional right-of-way to provide a minimum of 51 feet from centerline of SW Scholls Ferry Road, a designated Arterial and an Enhanced Major Street Bikeway on the current Transportation Plan.

Note: All private signage and improvements are required to be located outside of the dedicated ROW and any slope easements.

4. ILLUMINATION- Resolution and Order No. 86-95 requires access points on collectors and arterials to be adequately illuminated.

Illumination exists to County standards along the site's frontage of SW Scholls Ferry Road.

5. ***Washington County Traffic Engineering staff reviewed the Traffic Impact Study (Kittleson & Associates – November 20, 2015) submitted for this development***

proposal as required by R&O 86-95. The County concurs with the "Findings and Recommendations" on pages 18-19 of the Traffic Impact Study.

REQUIRED CONDITIONS OF APPROVAL

I. PRIOR TO ISSUANCE OF A SITE DEVELOPMENT PERMIT BY THE CITY OF BEAVERTON:

- A. The following shall be recorded with Washington County (*Contact Scott Young, Survey Division: 846-7933*):
1. Dedication of additional right-of-way to provide a minimum of **51 feet** from centerline of SW Scholls Ferry Road.
 2. Provision of a non-access reservation along the site's SW Scholls Ferry frontage.
- B. Submit to **Washington County** Public Assurance Staff, 503-846-3843:
1. Completed "Design Option" form.
 2. **\$3,750.00** Administration Deposit.

NOTE: The Administration Deposit is a cost-recovery account used to pay for County services provided to the developer, including plan review and approval, field inspections, as-built approval, and project administration. The Administration Deposit amount noted above is an estimate of what it will cost to provide these services. If, during the course of the project, the Administration Deposit account is running low, additional funds will be requested to cover the estimated time left on the project (at then-current rates per the adopted Washington County Fee Schedule). If there are any unspent funds at project close out, they will be refunded to the applicant. Any point of contact with County staff can be a chargeable cost. If project plans are not complete or do not comply with County standards and codes, costs will be higher. There is a charge to cover the cost of every field inspection. Costs for enforcement actions will also be charged to the applicant.

3. A copy of the City's Land Use Approval with Conditions, signed and dated.
4. Three (3) sets of complete engineering plans for construction of the following public improvements:
 - a. Removal of the existing wall located adjacent to Tax Lot 2400 and reconstruction of the existing curb-tight sidewalk to match the existing planter strip and sidewalk design located along Tax Lot 100 frontage of SW Scholls Ferry to County standards.

Note: Utilities that are in conflict with street improvements will be required to be relocated.

- b. Closure of all existing driveways to SW Scholls Ferry Road to County standards.

- c. All work proposed within the right-of-way of SW Scholls Ferry Road shall be designed and constructed to County standards.
- d. Emergency access to SW Scholls Ferry Road to County and TVF&R Standards.

C. Obtain a Washington County **Facility Permit** upon completion of the following:

- 1. Obtain Engineering Division approval prior to providing an Engineer's cost estimate and financial assurance for the construction of the public improvements listed in conditions **I.B.4.**

NOTE: The Public Assurance staff (503-846-3843) will send the required forms to the applicant's representative **after** submittal and approval of items listed under **I.B.**

*The Facility Permit allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Section including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner. **Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.***

II. PRIOR TO OCCUPANCY:

Obtain a Finaled Washington County **Facility Permit**, contingent upon the following:

- A. The road improvements required in condition **I.B.4.** above shall be completed and accepted by Washington County.

Requirements identified within this letter are considered by the County to be minimum warranted improvements (and/or analyses) that are necessitated by the proposed development, therefore it is requested that they be conveyed to the applicant within the City's Approval document. If you have any questions, please contact me at 503-846-7639.

Naomi Vogel - Associate Planner

Cc: Rob Saxton P.E., Road Engineering Services
Paul Seitz, Assurances Section
Transportation File



March 1, 2016

Scott Whyte
Senior Planner
City of Beaverton
12725 SW Millikan Way
Beaverton, OR 97076

RE: LD2015-0026 TRILLIUM WOODS APARTMENTS

Dear Scott Whyte,

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. Tualatin Valley Fire & Rescue endorses this proposal predicated on the following criteria and conditions of approval:

- FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1) ***Fire hose pull shall not exceed 150' feet to any portion of any building, measured from the fire department access roads. The south side of building #4 exceeds this dimension. An alternative would be to install horizontal dry sidewall sprinkler heads to protect all of the south side balconies/ decks from a fire originating from the exterior of the building.***
- AERIAL FIRE APPARATUS ROADS:** Buildings with a vertical distance between the grade plane and the highest roof surface that exceeds 30 feet in height shall be provided with a fire apparatus access road constructed for use by aerial apparatus with an unobstructed driving surface width of not less than 26 feet. For the purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of the parapet walls, whichever is greater. Any portion of the building may be used for this measurement, provided that it is accessible to firefighters and is capable of supporting ground ladder placement. (OFC D105.1, D105.2) ***If the building(s) exceed 30 feet in height, as measured from the fire department access road, aerial access will be required. Applicant stated that a full NFPA 13 fire sprinkler system will be installed that includes fire sprinklers in the attics of buildings 3 & 4. If this is the case, aerial access will be waived in these specific buildings.***

3. **AERIAL APPARATUS OPERATIONS:** At least one of the required aerial access routes shall be located within a minimum of 15 feet and a maximum of 30 feet from the building, and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial access road is positioned shall be approved by the fire code official. Overhead utility and power lines shall not be located over the aerial access road or between the aerial access road and the building. (D105.3, D105.4) ***If the building(s) exceed 30 feet in height, as measured from the fire department access road, aerial access will be required. Applicant stated that a full NFPA 13 fire sprinkler system will be installed that includes fire sprinklers in the attics of buildings 3 & 4. If this is the case, aerial access will be waived in these specific buildings.***
4. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3) ***All fire department access roads must meet this requirement.***
5. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B) ***Provide fire flow calculations at site development application for review.***
6. **FIRE HYDRANT NUMBER AND DISTRIBUTION:** The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Table C 105.1. (OFC Appendix C) ***The number of fire hydrants will be specified once the fire flow calculations are completed. Please be aware of minimum spacing requirements that may require additional fire hydrants. Minimum spacing requirements is 400 feet to all portions of each building. This will be reviewed at the sited development permit review for compliance.***
7. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)
 - Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
 - FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.***FDC's must be remote from the buildings they serve and on the same side of the fire department access roadway as a fire hydrant and be provided with addresses. Plans appear to show a cluster of FDC's in front of building 1, which would comply.***

8. **KNOX BOX:** A Knox Box for building access may be required for structures and gates. See Appendix C for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1) ***A Knox Box will be required for each proposed building and a Knox Padlock will be required at the proposed secondary access gate.***
9. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width).
 2. Gates serving three or less single-family dwellings shall be a minimum of 12 feet in width.
 3. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
 4. Electric gates shall be equipped with a means for operation by fire department personnel
 5. Electric automatic gates shall comply with ASTM F 2200 and UL 325.
- Submit plans for review and fire department approval of proposed gate prior to the issuance of the building permit.**

If you have questions or need further clarification, please feel free to contact me at (503) 259-1414.

Sincerely,

Jeremy Foster

Jeremy Foster
Deputy Fire Marshal II

Scott Whyte

Conditions and Advisory Notes from Building Division

Subject:

FW: Trillium Woods Apartments -

From: Brad Roast

Sent: Tuesday, March 01, 2016 6:36 AM

To: Scott Whyte <swhyte@beavertonoregon.gov>

Subject: RE: Trillium Woods Apartments -

Building Division Comments:

The proposed project shall comply with the State of Oregon Building Code in effect as of date of application for the building permit. This currently includes the following: The 2012 edition of the International Building Code as published by the International Code Conference and amended by the State of Oregon (OSSC); The 2009 edition of the International Residential Code as published by the International Code Conference and amended by the State of Oregon (ORSC); 2012 International Mechanical Code as published by the International Code Council and amended by the State of Oregon (OMSC); the 2012 edition of the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials and amended by the State of Oregon (OPSC); the 2014 edition of the National Electrical Code as published by the National Fire Protection Association and amended by the State of Oregon; and the 2012 International Fire Code as published by the International Code Council and amended by Tualatin Valley Fire and Rescue (IFC).

Please note our plan review turnaround times are typically: New/Additions for Commercial/Multi-family Buildings - six weeks from the date the complete application is received until the plan review begins. Plan reviews take on average one to three weeks, depending on the complexity of the project. After completion of the review, a plan review letter is provided with any items needing additional information/clarification or change. Once a response to the plan review is received, it takes one-two weeks for a review of the responses. If the responses are complete and the plan review items are correct, the plans and permit can be approved. The building permit cannot be issued until applicable approvals (Planning, Site Development, etc...) have been received and the Site Development permit has been issued. All of the plan review time estimates can change with the volume of plan/permit activity, especially during peak construction months.

Applications for plan review must include the information outlined in the Tri-County Commercial Application Checklist. This form is available at the Building Division counter or may be printed from the Forms/Fee Center at <http://www.beavertonoregon.gov/PermitFormsFees>. Incomplete applications will not be accepted. (City policy)

The City offers phased permits, for foundation/slabs, structural frame, shell and interior build-out (TI). An applicant desiring to phase any portion of the project must complete the Tri-County Commercial Phased Project Matrix or each phased portion. This form is available at the Building Division counter or may be printed from the Forms/Fee Center at <http://www.beavertonoregon.gov/PermitFormsFees>. Note: Except private site utilities (potable water, sanitary and storm sewer lines), Excavation and Shoring, Site Utilities and Grading are not permits issued by the Building Division and therefore area not part of part of the City's phased permit process.

Plan submittals may be deferred as outlined in the Tri-County Deferred Submittals list. Each deferred submittal shall be identified on the building plans. This list is available at the Building Division counter or may be printed from the Forms/Fee Center at <http://www.beavertonoregon.gov/PermitFormsFees>. Permit applicants are responsible for ensuring that deferred plan review items listed on the plans are submitted for approval well in advance of the need to begin work on that portion of the project (anticipate a minimum of three weeks plan review turnaround time for

tenant improvement and six weeks plan review turnaround for new construction projects). No work on any of the deferred items shall begin prior to the plans being submitted, reviewed and approved.

Unless they are identified as a deferred submittal on the plans, building permits will not be issued until all related plans and permits have been reviewed, approved, and issued (i.e., mechanical, plumbing, electrical, fire sprinkler systems, fire alarm systems, etc. (City policy)

Projects involving new buildings and additions are subject to System Development fees. A list of the applicable fees is available at the Building Division counter or may be printed from the Forms/Fee Center at <http://www.beavertonoregon.gov/PermitFormsFees>.

The building code plans review can run concurrent with the Design Review (DR) and site development review. Applications/plans for building permit/plan review can be submitted at any time during the entitlement process; however, permits cannot be issued until applicable approvals (Planning, Site Development, etc...) have been received and the Site Development permit has been issued.

A separate plumbing permit is required for installation of private on-site utilities (i.e., sanitary sewer, storm sewer, water service, catch basins, etc. If the applicant desires to install those types of private utilities during the same period as the "Site Development" work, a separate plumbing application must be submitted to the Building Services Division for approval.

For Group R, Division 2 apartments required to have accessible Type A or Type B dwelling units, at least 2 percent, but not less than one of each type of parking space shall be accessible. (Section 1106, OSSC)
All public and common use areas such as recreation facilities, offices, pools, accessory buildings, laundry facilities, garbage, recycling areas, and mailboxes shall be accessible to persons with disabilities. (Section 1103, OSSC, Section 1111 OSSC)

An accessible route shall be provided to persons with disabilities throughout the site. (Section 1104, OSSC)

An accessible route shall be provided to persons with disabilities from the building to a public way. (Section 1104, OSSC)

Sincerely,

Brad Roast

Building Official | Building Division

City of Beaverton | 12725 SW Millikan Way, 4th Floor | Beaverton OR 97005

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MEMORANDUM

Department Name

To: Scott Whyte

From: Patrick Hoff

Date: 3-21-16

Subject: Trillium Woods Tree plan

During a site visit on December 22, 2015 with Scott Whyte, Jared Lane the project Arborist Terrance Flanagan, the project owners and myself. We inspected the perimeter trees to see if there was enough room for proper tree protection for them to survive the construction process. Drip line plus 5 feet is the standard tree protection distance for Beaverton. During this visit we inspected several dozen trees including tree's 3800, 3793, and the trees on the west edge and the small Leyland Cypress on the south and east edge of the property. Of most interest were the large Douglas fir trees off site on the north edge of the boarding property. During field measurements we found most of these trees to be sitting at 1 to 2 feet from the critical root zone boundary for excavation, which is measured at 6 inches per caliper inch at DBH or as referred in the Arborist report as (6x). This is less than half the recommended distance of drip line plus five feet. In this case they would have to fit erosion control and tree protection fencing in this area. According to the plan submitted the tree protection fencing was put on the building foot print, allowing no room for erosion control fencing or excavation for foundation work. The excavation work would also need at least one extra foot of excavation from the finished wall to set forms for the concrete. In the amended report it states that the tree protection fencing would have to be entered repeatable times for all most all task. This is not a standard practice and is unacceptable. It was also recommend to reduce the distance of the tree protection fencing from 6x to 4x. This would encroach even further on the offsite trees. Do to the seriousness of this off site tree protection I do not feel that there is adequate space being provided to properly protect all the trees in question and recommend that this tree protection plan be adjusted to meet standard

guidelines including erosion control fencing installed (staked in not trenched) in front of the tree protection fencing. With no entry allowed in the tree preservation area.