



CIVIL • PLANNING • SURVEY • LANDSCAPE
P 503.643.8286 www.pd-grp.com
9020 SW Washington Square Rd Suite 170
Portland, Oregon 97223

November 15, 2023

City of Beaverton Community Development Department
12725 SW Millikan Way
Beaverton OR 97005

RE: Southridge Park Subdivision -9-Lot Subdivision, 13335 SW Davies Rd.
ADJ2019-0018/FS2019-0016/LD2019-0025/ SDM2019-0012/TP2019-0012
Pioneer Project No.: 999-304

Dear Staff,

Please see attached for a completed 'Extension of a Decision Application' requesting an extension of City of Beaverton Casefile ADJ2019-0018/FS2019-0016/ LD2019-0025/ SDM2019-0012/ TP2019-0012. The original preliminary subdivision, flexible setbacks, sidewalk modification and tree plan approvals were issued on February 19th, 2020. The adjustment approval, which was appealed, was issued on May 19th 2020.

Condition 40 of the combined decision states that the submittal of a complete final land division application submittal shall be made within 24 months after preliminary plat approval, unless a time extension is approved.

In accordance with the Development Code of the City of Beaverton Chapter 50-Procedures:

50.93 Extension of a Decision.

1. An application to extend the expiration date of a decision made pursuant to the Development Code may be filed only before the decision expires as provided in Section 50.90. or before the decision expires as provided in the appropriate subsection of the specific application contained in CHAPTER 40 (Applications). [ORD 4584; June 2012]

4. Extension of a land use decision for an application not listed in Section 50.93.2. may be granted for a period of time not to exceed two (2) years, will be subject to a Type 2 review procedure, and must be found to be consistent with the approval criteria listed in Section 50.93.6. [ORD 4544; July 2010]

In addition to the above, based on Section 50.90.5 of the BDC, the following expiration dates apply:

December 10, 2023: Flexible Setback (FS2019-0016), Land Division (LD2019-0012), Sidewalk Design Modification (SDM2019-0012) and Tree plan (TP2019-0018).

January 1, 2024: Minor Adjustment (ADJ2019-0018)

As allowed above, the applicant requests that the City grant a 2-year extension of the Southridge Park Subdivision, flexible setbacks, sidewalk modification and tree plan with an extended expiration date of December 10th, 2025. The extended expiration for the adjustment would be January 1st, 2026.

6. In order to approve an extension of time application, the Director shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied: [ORD 4365; October 2005] [ORD 4809; September 2021]

A. It is not practicable to commence development within the time allowed for reasons beyond the reasonable control of the applicant.

RESPONSE: The original applicant for the site, Riverside Homes, and the subsequent applicant Mission Homes were both delayed due to economic constraints, approval processes through the City of Beaverton and most recently efforts to market and sell the site. This is in addition to the challenges posed by the Covid-19 pandemic. These factors were beyond the reasonable control of the applicant.

B. The previously approved land use decision is not being modified in design, use, or conditions of approval

RESPONSE: The applicant is not aware of any material changes in the facts upon which the approval was based. No additional development approvals are anticipated to be otherwise impacted by the granting of this request. The owner of the site, Ray Hoy, and any partners will continue the development of the site in accordance with the Conditions of Approval, approved plans, and findings from the City.

C. There has been no change in circumstances or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision for which the extension is sought.

RESPONSE: The proposed development and submitted development approval requests are considered consistent with the preliminary approval, which was achieved with considerable input from City of Beaverton and Clean Water Services staff. It is noted that the BDC has since been revised in order to provide for middle housing. However, under ORS 92.040 (2): When a local government makes a decision on a land use application for a subdivision, only those that are in effect at the time of application shall govern subsequent construction on the property. Therefore, the requirements of the previous BDC remain applicable.

In accordance with the above, the applicant respectfully requests that the applicant approve this request for a 2-year extension to Casefile City of Beaverton Casefile ADJ2019-0018/FS2019-0016/ LD2019-0025/ SDM2019-0012/ TP2019-0012.

Sincerely,
Pioneer Design Group, Inc.

A handwritten signature in blue ink, appearing to read "Wayne Hayson", with a long horizontal flourish extending to the right.

Wayne Hayson
Planning Manager