

**BEFORE THE PLANNING COMMISSION FOR
THE CITY OF BEAVERTON, OREGON**

After recording return to:
City of Beaverton, City Recorder:
P.O. Box 4755
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR APPROVAL OF AN APPEAL)	ORDER NO. 2519
OF A PRELIMINARY SUBDIVISION, TREE PLAN TYPE TWO, AND)	APP2016-0004 ORDER DENYING
SIDEWALK DESIGN MODIFICAIOTN FOR A PREVIOUSLY)	APPEAL OF SW 75 TH TERRACE SUBDIVISION
APPROVED LAND USE APPLICATION (APPEAL OF SW 75 TH)	
TERRACE SUBDIVISION). MIKE BIGGI, APPLICANT. JEANNE F)	
LOFTIS, APPELLANT.	

The matter came before the Planning Commission on December 21, 2016, on an Appeal of a Director’s Decision to approve SW 75th Terrace Subdivision, a request for Preliminary Subdivision (LD2016-0017), Tree Plan Type Two (TP2016-0010), and Sidewalk Design Modification (SDM2016-0008). The subject site is located at 7470 & 7466 SW Canyon Lane, Tax Lots 4300, 4500, and 4703 of Washington County Assessor’s Map 1S112AB. Pursuant to Ordinance 2050 (Development Code), Section 50.45 the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

The appellant contended that the applicant’s traffic analysis did not meet city standards for a Traffic Impact Analysis, and should be restudied under the procedures required for a Traffic Impact Analysis. The applicant rebutted that the project as proposed does not meet the minimum threshold of new trips generated to require a Traffic Impact Analysis, and the applicant’s traffic analysis did not need to follow the procedures

outlined for a Traffic Impact Analysis. The Commission found that a Traffic Impact Analysis was not required for this project, and that the traffic analysis provided by the applicant was sufficient.

The appellant contended that the traffic analysis did not accurately capture the likely cut-through traffic. The applicant rebutted that the traffic analysis took into consideration trips generated by the new development, plus cut through traffic, including traffic from West Sylvan Middle School. The applicant further rebutted that the traffic calming measures and difficult left turn from SW Copel Street to SW Canyon Road would discourage most cut-through traffic. The Commission found that the traffic analysis adequately studied the area and that the traffic calming measures and difficult left turn from SW Copel Street to SW Canyon Road would limit cut-through traffic.

The public raised concerns about the potential fall danger that existing trees proposed to be preserved would pose to neighboring residences. The applicant responded that their arborist team studied the site to evaluate the health of trees and determine the groups of trees that would be most resistant to windthrow or limb dropping. The Commission found that the arborist analysis of the on-site trees adequately considered windthrow and other possible tree hazards.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Director's Decision dated November 16, 2016 and Staff Report dated December 14, 2016, as applicable to the approval criteria contained in Section 50.93 of the Development Code.

Therefore, **IT IS HEREBY ORDERED THAT APP2016-0004 is DENIED** based on the testimony, reports and exhibits, and evidence presented during the public hearings on

the matter and based on the facts, findings, and conclusions found in the Director's Decision dated November 16, 2016, Staff Report dated December 14, 2016, and this Land Use Order.

Motion **CARRIED**, by the following vote:

AYES: Nye, Kroger, Lawler, and Wilson.
NAYS: None.
ABSTAIN: Doukas.
ABSENT: Overhage, Winter.

Dated this 30TH day of DECEMBER, 2016.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2519 an appeal of this decision should be made to the State of Oregon Land Use Board of Appeals (LUBA) as provided in ORS 197.805 through ORS 197.860. A notice of intent to appeal shall be filed not later than 21 calendar days after notice of decision is mailed or otherwise submitted to parties entitled to notice under ORS 197.615. Mailing of notice on DECEMBER 30, 2016, results in an appeal deadline of JANUARY 20, 2017.

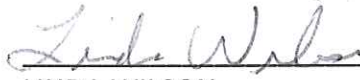
PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:



STEVE REGNER
Associate Planner



LINDA WILSON
Vice Chair



ANNA SLATINSKY
Principal Planner