

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

**After recording return to:**  
City of Beaverton, City Recorder:  
12725 SW Millikan Way  
P.O. Box 4755  
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR APPROVAL ) ORDER NO. 2684  
OF A CONDTIONAL USE FOR THE EXTENSION ) CU2018-0024 ORDER APPROVING  
OF HOURS OF A PUB IN THE COMMUNITY ) THE EXTENSION OF HOURS FOR AT THE  
SERVICE ZONING DISTRICT (AT THE GARAGES ) GARAGES SATELLITE PUB, NEW CONDITIONAL  
SATELLITE PUB) KENT DRANGSHOLT, ) USE  
APPLICANT.

The matter came before the Planning Commission on March 6, 2019, on a request for a New Conditional Use application for an extension of hours for an existing pub in the Community Service (CS) zoning district. Any use within the Community Service zoning district within 500 feet of residentially zoned property that would like to operate outside the standard hours of 7:00 am to 10:00 pm requires Conditional Use approval by the Planning Commission. The subject site is on SW Western Avenue, between SW Beaverton Hillsdale Highway and SW 5<sup>th</sup> Street. Tax Lot 100 on Washington County Tax Assessor's Map 1S115AD.

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 Commission discussed the extension of hours request and the noise information that was provided by the applicant, not a licensed acoustical engineer. The information provided was from personal sound equipment for peak noise on site. To mitigate the potential noise impacts the applicant proposed adding a vestibule with an interior and exterior door. The commission questioned the effectiveness of the two doors and modified condition No. 4 to read:

*4. All windows and doors must remain closed between the hours of 10:00 pm to 7:00 am including interior vestibule doors.*

The Commission received public testimony from three members of the public regarding concerns about the use of outdoor power equipment after 10:00 pm., outdoor uses and events, and patrons of the establishment parking and occupying the eastern portion of the lot after 10:00 pm. The Commission discussed each concern and limited all outdoor activities on-site in conjunction with the subject business between the hours of 10:00 pm and 7:00 am. The Commission modified condition No. 5 to address special outdoor events and added conditions Nos. 6 and 7 to address the use of equipment and location of parking on-site. The conditions state:

*5. No outdoor uses are permitted between the hours of 10:00 pm to 7:00 am, including special events.*

*6. No outdoor power equipment use between the hours of 10:00 pm and 6:00 am including trash compactors.*

*7. The parking lot shall be signed to prohibit parking within 100 feet of residential properties between the hours of 10:00 pm and 7:00 am.*

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated February 27, 2019, supplemental memo dated March 5, 2019, and supplemental findings provided in this land use order, and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.15.15.3.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **CU2018-0024** is APPROVED, based on the testimony, reports and exhibits, and evidence presented during the public hearing on the matter and based on the facts, findings, and conclusions found in the Staff Report, dated February 27, 2019, supplemental memo dated March 5, 2019, and this land use order, subject to the conditions of approval as follows:

1. The Conditional Use permit shall run with the land and shall continue to be valid upon a change of ownership of the site, unless otherwise specified in conditions attached to the permit. (Planning/SD)
2. Final decision shall expire automatically two (2) years from the effective date of decision unless the approval is enacted either through construction or establishment of use within the two (2) year time period(Planning/SD)
3. The extended hours of operation for the Pub will be from 10:00 pm to 1:00 am, daily, seven days per week. (Planning/SD)
4. All windows and doors must remain closed between the hours of 10:00 pm to 7:00 am including interior vestibule doors. (Planning/SD)
5. No outdoor uses are permitted between the hours of 10:00 pm to 7:00 am including special events. (Planning/SD)

6. No outdoor power equipment use between the hours of 10:00 pm and 6:00 am including trash compactors. (Planning/SD)
7. The parking lot shall be signed to prohibit parking within 100 feet of residential properties between the hours of 10:00 pm and 7:00 am. (Planning/SD)

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

**AYES:** Lawler, Uba, Nye, Overhage, Winter.  
**NAYS:** Matar.  
**ABSTAIN:** None.  
**ABSENT:** Brucker.

Dated this 25<sup>th</sup> day of March, 2019.

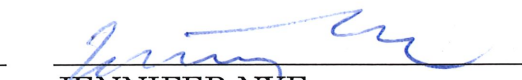
To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2684 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton Community Development Department's office by no later than 4:30 p.m. on April 4, 2019.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

  
\_\_\_\_\_  
SIERRA DAVIS  
Associate Planner

  
\_\_\_\_\_  
JENNIFER NYE  
Chair

  
\_\_\_\_\_  
JANA FOX  
Current Planning Manager