



NOTICE OF DECISION

October 30, 2019

To Whom It May Concern:

The Beaverton **PLANNING COMMISSION** has issued a recommendation of **APPROVAL** of **CPA2019-0004 / ZMA2019-0005 (595 SW 150th Avenue Comprehensive Plan and Zoning Map Amendments)** to **CITY COUNCIL** at the Commission's October 23, 2019, meeting. The Land Use Orders summarizing the Commission's decision can be viewed and downloaded at <http://apps2.beavertonoregon.gov/DevelopmentProjects/>. You may contact the staff planner identified below to have a copy of the land use order mailed to you.

The matter came before the Planning Commission on a request for an Annexation-Related Discretionary Comprehensive Plan Map Amendment (CPA2019-0004) to apply, upon annexation, the City's Neighborhood Centers land use designation and an Annexation-Related Discretionary Zoning Map Amendment (ZMA2019-0005) to apply, upon annexation, the City's Neighborhood Service (NS) zone to the subject property that currently carries Washington County's General Commercial (GC) designation. The subject site is at 595 SW 150th Avenue and is identified as tax lot 01100 on Washington County Tax Assessor tax map 1S105AB. The applicant is the City of Beaverton, whose address is PO Box 4755, Beaverton, Oregon, 97076.

The **PLANNING COMMISSION** decision is final but may be appealed within ten (10) calendar days after the date the signed notice is dated and mailed. The appeal closing date is **4:30 p.m., November 12, 2019**.

Pursuant to Beaverton Comprehensive Plan Section 1.7.2, notice of Intent to Appeal the Comprehensive Plan Map Amendment application (CPA2019-0004) shall be in writing and shall contain:

1. A reference to the application number and date of the Planning Commission order;
2. A statement that demonstrates the appellant is the applicant or their representative, a person whose name appears on the application, or a person who appeared before the Planning Commission either orally or in writing;
3. The name, address, and signature of the appellant or the appellant's representative;

4. An appeal fee, as established by Council resolution; if more than one person files an appeal on a specific decision, the appeals shall be consolidated and the appeal fee shall be divided equally among the multiple appellants; and
5. A discussion of the specific issues raised for Council's consideration and specific reasons why the appellant contends that the Planning Commission's findings and/or recommendation is incorrect or not in conformance with applicable criteria.

Pursuant to Beaverton Development Code Section 50.70, an appeal application to appeal the Zoning Map Amendment application (ZMA2019-0005) shall contain the following minimum information:

1. The case file number designated by the City.
2. The name and signature of each appellant.
3. Reference to the oral or written evidence provided to the decision-making authority by the appellant that is contrary to the decision.
4. If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision-making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
5. The specific approval criteria, condition, or both being appealed, the reasons why the finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
6. The appeal fee, as established by resolution of the City Council.

The appellate decision-making authority on appeal of Type 3 decisions shall be the City Council. The appeal hearing shall be *de novo*, which means new evidence and argument can be introduced in writing, orally, or both.

The hearing of the appeal of the Comprehensive Plan Map Amendment application shall be conducted in the manner specified in Beaverton Comprehensive Plan Section 1.7.5.

The hearing of the appeal of the Zoning Map Amendment application shall be conducted in the manner specified in Beaverton Development Code Section 50.85 through 50.88 except as otherwise required by statute. Please note that failure to comply with the requirements of Beaverton Development Code Sections 50.70.1 and 50.70.2 is jurisdictional and deprives the appellant of an opportunity for the appellate decision-making authority to hear an appeal.

The current appeal fee due at time of filing is \$2,134. The fee amount depends upon the action being appealed and the number of appeals being filed.

The complete case file is available for review at the Planning Division, Community Development Department, 4th Floor, City Hall, 12725 SW Millikan Avenue. Hours of operation are 7:30 a.m. to 4:30 p.m., Monday through Friday, except for holidays. For more information about the project, please contact **Lauren Russell, AICP, Associate Planner** at **503-526-3718**.

Sincerely,

Lauren Russell

Lauren Russell, AICP
Associate Planner

cc: City of Beaverton, Applicant
Joe Tokatly, TTT Ranch IV LLC, Owner
David West, Public Testimony
Five Oaks Triple Creek NAC
CPO 1
Project File

