



NOTICE OF DECISION

July 15, 2021

To Whom It May Concern:

The Beaverton **PLANNING COMMISSION** issued a decision of **APPROVAL** of **SCM BLACKBIRD FARMS (CU2020-0008/CU2020-0009/DR2020-0136/DR2020-0137/DR2020-0138/DR2021-0044/LD2020-0014/LD2020-0015/PD2020-0007/TP2020-0009/TP2020-0010)** and a recommendation of **APPROVAL** of **CPA2020-0008/ZMA2020-0008 (SCM BLACKBIRD FARMS)** to **CITY COUNCIL** at the Commission's July 7, 2021 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 orders mailed to you.

The **PLANNING COMMISSION** decision is final but may be appealed within 10 calendar days after the date the signed notice is dated and mailed. The appeal closing date is **4:30 p.m., July 26, 2021**.

Pursuant to Beaverton Comprehensive Plan Section 1.7.2, notice of Intent to Appeal the Comprehensive Plan Map Amendment application (CPA2020-0008) 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 application to appeal any or all of the following: CU2020-0008/CU2020-0009/DR2020-0136/DR2020-0137/DR2020-0138/DR2021-0044/LD2020-0014/LD2020-0015/PD2020-0007/TP2020-0009/TP2020-0010/ZMA2020-0008 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 any or all of the following applications: CU2020-0008/CU2020-0009/DR2020-0136/DR2020-0137/DR2020-0138/DR2021-0044/LD2020-0014/LD2020-0015/PD2020-0007/TP2020-0009/TP2020-0010/ZMA2020-0008 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 for an appeal of a Type 1 or 2 decision is \$250 (plus 3.5% Technology Fee). The current appeal fee for a Type 3 or 4 decision is \$2,134 (plus 3.5% Technology Fee). The fee amount depends upon the action being appealed and the number of appeals being filed. Each application being appealed must provide a separate form and fee. One appeal form and fee may only appeal a single specific application (i.e. Design Review Three or Parking Determination). Each appeal application is subject to its corresponding fee.

The complete case file will be made electronically available for inspection by contacting Elena Sasin, Associate Planner, at esasin@beavertonoregon.gov or (503)278-1482.

Sincerely,



Elena Sasin
Associate Planner

cc: Wishcamper Development Partners, Applicant and Owner
Otak, Inc., Applicant's Representative
Shen Yuan, Beaverton Cooper Mountain, LLC, The Ridge Owner
Beaverton School District, Mountainside High School Owner
Tualatin Hills Park and Recreation District, Public Testimony
Samuel Goldberg, Fair Housing Council of Oregon, Public Testimony
Andy Haugen, CPO 10 Chair, Public Testimony
Andrea D'Amico, Public Testimony
Neighbors Southwest Chair
Washington County Department of Land Use & Transportation
Project File