

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

IN THE MATTER OF A REQUEST FOR APPROVAL) ORDER NO. 2837
OF A MODIFICATION OF A CONDITIONAL USE -) CU2021-0006 ORDER APPROVING SCHOLLS
PLANNED UNIT DEVELOPMENT, WEST HILLS,) HEIGHTS NORTHEAST PHASE MODIFICATIONS.
APPLICANT.)

The matter came before the Planning Commission on August 4, 2021 and August 25, 2021, on a request for a Modification of a Conditional Use-Planned Unit Development for phase modifications to the Scholls Heights PUD and rear yard setback reductions for specific lots. The site is located at the northeast corner of the intersection of SW Tile Flat Road and SW Scholls Ferry Road. The Scholls Heights PUD encompasses the following Tax Lots 3200, 3300, 3301, 3400, 3700, 3800, 3900, 4000, 4100, 4200, 4201, 4300, 4400, 4500, 4600, 4700, and 4800 on Washington County Tax Assessor’s Map 2S20100. The focus of the work is the Northeast phase which is located in the northeastern portion of the subject site.

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 received public testimony related to required improvements to and safety of SW Tile Flat Road. As the scope of the request to modify the Scholls Height PUD is limited to those items requested by the applicant and none of the items requested impact the transportation system the Commission found that the issues raised regarding SW Tile Flat Road were

outside the scope of the request before them and were not applicable to the approval criterion related to the application under review. The Commission adopted the findings in the Staff Report, dated July 28, 2021 and Supplemental Memorandum dated August 20, 2021 which respond to the issues raised.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated July 18, 2021, supplemental memoranda dated August 4, 2021, August 4, 2021 (memo two of that date), August 18, 2021, and August 20, 2021 and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03.1, 40.15.6.C, and 50.95 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **CU2021-0006** 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 July 18, 2021, supplemental memoranda dated August 4, 2021, August 4, 2021 (memo two of that date), August 18, 2021, and August 20, 2021, and this Land Use Order, subject to the conditions of approval as follows:

1. All conditions in CU2017-0010 and CU2019-0012 remain in full effect, except condition of approval number five (5) of decision CU2017-0010 and condition of approval number three (3) of decision CU2019-0012 which are superseded by condition of approval (3) below.

A. Prior to Site Development Permit Issuance, the Applicant Shall:

2. Ensure the associated land use application LD2021-0004 has been approved and is consistent with the submitted plans. (Planning / JF)
3. Provide a plan showing the development of the required open space, as listed below, for each phase of development. Open space constructed in excess of

that required in previous phases may be used to meet the open space requirements for subsequent phases. The open space requirements are approximately to 173 square feet of active and 691 square feet of total open space per dwelling unit. (Planning / JF)

- a. East: 0.78 acres active open space and 3.11 acres total open space.
- b. West: 0.57 acres of active open space and 2.28 acres of total open space.
- c. Northwest: 0.39 acres of active open space and 1.57 acres of total open space.
- d. Central: 0.32 acres of active open space and 1.27 acres of total open space.
- e. Northeast-South: 0.12 acres of active open space and 0.50 acres of total open space.
- f. Northeast-North: 0.39 acres of active open space and 1.55 acres of total open space.
- g. North: 0.11 acres of active open space and 0.45 acres of total open space.
- h. South: 0.85 acres of active open space and 3.42 acres of total open space.

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

AYES: Overhage, Saldanha, Lawler, Teater, Winter.
NAYS: None.
ABSTAIN: None.
ABSENT: McCann, Nye.

Dated this 31st day of August, 2021.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2837, 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 September 10, 2021.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

JANA FOX
Current Planning Manager

Jerry Lawler
TERRY LAWLER
Chair

ANNA SLATINSKY
Planning Division Manager