

**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. 2756
OF A NEW CONDITIONAL USE FOR HAWAII KAI) CU2019-0001 ORDER DENYING
MULTI-FAMILY. KURAHASHI AND ASSOCIATES) HAWAII KAI MULTI-FAMILY, NEW
COMPANY, APPLICANT.) CONDITIONAL USE.

The matter came before the Planning Commission on April 15, 2020, and on April 29, 2020 on a request for New Conditional Use approval to allow for an attached residential use, Hawaii Kai Multi-family, within the Commercial zoning district Neighborhood Service (NS). The subject site is located at 4500 and 4550 SW 96th Avenue and a portion of 4560 SW 96th Avenue. Tax Lots 1602, 1600 and 1501 on Washington County Tax Assessor’s Map 1S114BA.

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.

At the initial public hearing on April 15, 2020 Staff presented a summary of the contents in the April 8, 2020 Staff Report and April 15, 2020 Supplemental Staff Memorandum. Staff explained that the Conditional Use application is subject to Facilities Review criteria (Section 40.03) and that the

applicant had failed to demonstrate compliance with all applicable criteria found in Section 40.03. Therefore, Staff recommended denial of CU2019-0001. The applicant acknowledged the materials submitted were not as clear as they could be to demonstrate compliance with all applicable criteria and requested a continuance to revise the materials in an effort to address outstanding issues. The Commission agreed to keep the written record open for an additional week, and set a deadline on April 22, 2020 at 5:00 p.m. to submit new evidence. The applicant submitted revised materials on April 22, 2020 by 5:00 p.m., however, as explained by Staff in the April 27, 2020 Supplemental Staff Memorandum and orally at the April 29, 2020 continued hearing, the revised materials were still unclear and Staff's recommendation remained to deny CU2019-0001.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated April 8, 2020, Supplemental Staff Memorandum dated April 15, 2020 and Supplemental Staff Memorandum dated April 27, 2020 and the findings contained therein, as applicable to the approval criteria contained in Section 40.15.15.3.C and Section 40.03 of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **CU2019-0001** is **DENIED**, 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 April 8, 2020, Supplemental Staff Memorandum dated April 15, 2020 and Supplemental Staff Memorandum dated April 27, 2020.

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

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

Dated this 7th day of May, 2020.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2756 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 May 18, 2020.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:



ELENA SASIN
Associate Planner

APPROVED:

JENNIFER NYE
Chair

JANA FOX
Current Planning Manager