

**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. 2661
OF A CONDITIONAL USE FOR A DAYCARE IN THE )	CU2018-0013 ORDER APPROVING
URBAN MEDIUM DENSITY ZONING DISTRICT )	LITTLE FLOWERS CHILDCARE, NEW
(LITTLE FLOWERS CHILDCARE) SAVANI )	CONDITIONAL USE
JAYASURIYA, APPLICANT. )	

The matter came before the Planning Commission on January 9, 2019, on a request for a New Conditional Use application for a 3,191 square foot Childcare use in the Urban Medium Density (R2) zoning district. Childcare uses are a conditional use in the R2 zoning district. The subject site is on NW 158<sup>th</sup> Avenue, between NW Cornell Road and Walker Road. Tax Lot 100 on Washington County Tax Assessor's Map 1N132CB.

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 proposed teacher ratios on the plans and whether they meet the State of Oregon State requirements. Staff confirmed that the teacher to student ratios meet the minimum requirements and also stated that the parking ratio was based on the number of full time staff on site.

CU2018-0013 Condition of Approval No. 1 limits the number of full time staff on site to the number proposed and if at any time there is a change in the number of full time employees on site unless parking is shown to comply with the Development Code. The condition states:

- 1. The proposed use is limited to 9 Full Time Equivalent (FTE) staff unless parking is shown to comply with the minimums of the Development Code or altered through a process provided under the Development Code.*

The Assistant City Attorney requested that Criteria 5 of the New Conditional Use Approval Criteria be amended to include a finding for the above stated condition. The following finding shall be in addition to the criteria as stated in the staff report.

*The parking ratio is based on the proposed number of full time equivalent (FTE) staff on site, which in this case is nine (9) staff members at any one time. The parking ratio for childcare uses is 1.5 parking spaces for each FTE employee, or 13.5 parking spaces. There are 14 parking spaces proposed; thereby, meeting the minimum number of required parking spaces. At any time more than nine (9) staff members are employed on-site the parking shall be required to comply with the minimums of the Development Code or altered through a process provided under the Development Code. Staff proposed CU2018-0013 Condition 1 to required parking ratios be maintained in accordance with Development Code standards and processes.*

The Commission also discussed the proposed hours of operation, which are 6:30 a.m. to 6:00 p.m. Pursuant to the Development Code there are no limits on the hours of operation of allowable non-residential uses in a residential zone. However, the Commission was counseled by staff that the Commission may review the hours of operation, as far as, compatibility of the

use within the context of surrounding uses. The uses to the south and west include residential uses and the use to the north includes a residential care facility. After deliberating, the Commission concluded that a condition limiting the hours of the outdoor play area before 7:00 a.m. would be appropriate in the neighborhood context. The condition of approval is therefore added to the approvals as follows:

*2. Outdoor play shall be limited to the hours of 7:00 a.m. to 7:00 p.m.*

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated January 2, 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 **CU2018-0013** 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 January 2, 2019 and this land use order, subject to the conditions of approval as follows:

1. The proposed use is limited to 9 Full Time Equivalent (FTE) staff unless parking is shown to comply with the minimums of the Development Code or altered through a process provided under the Development Code.
2. Outdoor play shall be limited to the hours of 7:00 a.m. to 7:00 p.m.

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

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

Dated this 17<sup>th</sup> day of January, 2019.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2661 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 January 28, 2019.


PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

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

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

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