



NOTICE OF DECISION

January 10, 2020

To Whom It May Concern:

The Beaverton **PLANNING COMMISSION** has issued a decision of **APPROVAL** of **DR2019-0168 (PRCA Garage COA Modifications)** at the Commission's January 8, 2020 meeting. The Land Use Order summarizing the Commission's decision can be viewed and downloaded at <http://apps.beavertonoregon.gov/DevelopmentProjects/>. You may contact the staff planner identified below to have a copy of the land use order mailed to you.

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., January 21, 2020**. Pursuant to Section 50.70, an appeal application 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 shall be conducted in the manner specified in Section 50.85 through 50.88 except as otherwise required by statute.

Please note that failure to comply with the requirements of 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. Furthermore, pursuant to Section 50.70.5.E if the appeal is requested to be on the record, a fee to cover the cost of preparing a transcript of the decision-making authority proceedings is required. The appellant shall remit a fee to cover the cost of the transcript of the decision-making authority's proceedings within five (5) days after the Director estimates the cost of the transcript. Within ten (10) days of the notice of completion of the transcript, the appellant shall remit the balance due on the cost of the transcript. If the estimate exceeds the cost, the balance shall be refunded.

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 **Elena Sasin, Associate Planner** at **(503) 526-2494**.

Sincerely,



Elena Sasin
Associate Planner

cc: City of Beaverton
Thom Drane (Central Beaverton NAC)

**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. 2731
OF A MODIFICATION OF A DECISION - DESIGN) DR2019-0168 ORDER APPROVING
REVIEW THREE FOR PRCA GARAGE CONDITION) PRCA GARAGE CONDITION OF APPROVAL
OF APPROVAL MODIFICATIONS. CITY OF) MODIFICATIONS, DESIGN REVIEW THREE.
BEAVERTON, APPLICANT.)

The matter came before the Planning Commission on January 8, 2020, on a request for a Modification of a Decision for a previously issued condition, associated with a Design Review Three (DR2018-0123) for the construction of a new center for the arts and district parking garage within the Regional Center – Transit Oriented (RC-TO) zoning district. The site is located at 12695 and 12600 SW Crescent Street and 3879 SW Hall Boulevard. Tax Lots 3300, 3400, and 800, on Washington County Tax Assessor’s Map 1S109DD.

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, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated December 31, 2019, and Staff Supplemental Memorandum dated January 8, 2020, and the findings

contained therein, as applicable to the approval criteria contained in Section 40.03, Section 40.20.15.3.C and Section 50.95 of the Development Code

Therefore, **IT IS HEREBY ORDERED** that **DR2019-0168** 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 December 31, 2019, and Staff Supplemental Memorandum dated January 8, 2020, subject to the condition of approval as follows:.

General Condition:

1. All conditions of approval for DR2018-0123 remain effective, except for condition of approval No. 26, which is modified herein. (Planning / ES)

A. Prior to final occupancy permit issuance of each building permit, the applicant shall:

1. Provide proof of artwork approval by the Beaverton Arts Commission for any artwork proposed on the northern wall of the garage, prior to installation. The approved artwork shall cover at least 30% of the northern garage wall, as measured from 3 feet above grade to 74.5 feet above grade. 20% to 25% of the artwork shall project at least four (4) inches from the wall but shall not cross the property line. If approval is not provided for artwork on the northern undifferentiated wall, the applicant shall revise the plans and receive Design Review approval. (Planning / ES)
2. If necessary, obtain all required Building permits through the City of Beaverton's Building Division. (Building / CW)

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

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

Dated this 10 day of January, 2020.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2731 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 21, _____, 2020.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:



ELENA SASIN
Associate Planner



TERRY LAWLER
Chair



ANNA SLATINSKY
Planning Division Manager