

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

IN THE MATTER OF A REQUEST FOR A NEW ) ORDER NO. 2930  
CONDITIONAL USE FOR EXTENDED HOURS OF ) CU2022-0007 ORDER DENYING WITHOUT  
OPERATION, QUEENZ ASIAN CUISINE, ) PREDJUDICE QUEENZ ASIAN CUISINE, NEW  
APPLICANT. ) CONDITIONAL USE.

The matter came before the Planning Commission on February 8, 2023, on a request for a New Conditional Use approval to allow extended hours of operations to host events later than 10:00 p.m. Specifically, the applicant requests to extend hours of operation Sundays through Thursdays until 11:30 p.m. with events and amplified music ending by 10:00 p.m. On Fridays and Saturdays, the applicant requests to end business operations by 1:30 a.m. with events and amplified music ending by 12:00 a.m. The site is located at 8225 SW Apple Way, specifically identified as Tax Lot 01000 on Washington County Tax Assessor's Map 1S113BC.

Pursuant to the Beaverton Development Code (Development Code) Section 50.45, the Planning Commission conducted a public hearing and considered testimony and exhibits on the subject proposal.

*Hours for Amplified Music.* Commissioner Ellis asked if playing amplified music after 12:00 a.m. on Friday or Saturday would be considered a violation since the application requests extended hours of operations to 1:30 a.m. on Fridays and Saturdays. Staff replied that the recommended conditions of approval include a required end time for amplified music and an end time

for all business activity. Because of this, it would be considered a violation to play music after 12:00 a.m. on a Friday or Saturday.

*Activity after Events.* Commissioner Lawler asked the applicant what types of activities would occur during the one and a half hour time period after the music is turned off. The applicant responded that the time is only for staff to clean up. Commissioner Lawler asked if there would be any outdoor clean up. The applicant replied that there is no outdoor clean up since there are no outdoor seating areas for guests.

*Public Testimony.* Two individuals testified in opposition of the proposal. Both individuals identified unmitigated noise and vibration impacts associated with amplified music from events. Both noted that amplified music after 10:00 p.m. impacts livability of residences and voiced concerns about enforcement challenges at night. One individual also expressed concern that employees may play loud music during clean-up hours, after the venue is closed to the public.

The Planning Commission found in response to New Conditional Use Approval Criterion 40.15.15.5.C.5 that the proposal to extend hours of operation for events with amplified music could not be made compatible with the surrounding residential properties due to livability impacts related to noise and vibration. Commissioner Glenewinkel noted that the recommended conditions of approval involve changes to the business's operations that the applicant has not demonstrated can be met. Commissioner Lawler stated that compliance with the conditions of approval may still result in livability impacts due to late-night music. Commissioner Winter added that mitigation measures

that have been undertaken by the applicant have not been sufficient to mitigate impacts, and the ongoing use is preventing neighbors from sleeping at night because of livability impacts. Commissioner Ellis voiced concerns about regulating the use based on specific decibel levels and added that vibration impacts will continue without major structural changes to the building. Commissioner Akkal agreed with the statements of other Commissioners. Accordingly, the Commission found that the request to allow the Meeting Facilities land use (proposed under CU2022-0006) is incompatible with the surrounding area and will result in livability impacts. The Commission was therefore not supportive of this associated extended hours of operation request as it will result in the same impacts later at night.

The Commission, after holding the public hearing and considering all oral and written testimony, **HEREBY ORDERS** that **CU2022-0007** is **DENIED WITHOUT PREDJUDICE**, 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 February 1, 2023, Staff Memoranda dated February 1, 2023 and February 8, 2023, and as modified by this Land Use Order.

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

**AYES:** Lawler, Ellis, Akkal, Glenewinkel, Nye, Winter.  
**NAYS:** None.  
**ABSTAIN:** None.  
**ABSENT:** McCann.

Dated this 15 day of February, 2023.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2930 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 February 27, 2023.

PLANNING COMMISSION  
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

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BRITTANY GADA  
Associate Planner

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JENNIFER NYE  
Chair

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JANA FOX  
Current Planning Manager