

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

IN THE MATTER OF A REQUEST FOR APPROVAL) ORDER NO. 2898
OF A NEW CONDITIONAL USE, ROOTED CARE) CU2022-0004 ORDER DENYING
COMMUNITIES, APPLICANT.) ROOTED CARE COMMUNITIES, NEW
) CONDITIONAL USE.

The matter came before the Planning Commission on August 17, 2022, and was continued to the hearing on August 24, 2022, on a request for a New Conditional Use approval for a Residential Care Facility for up to 12 individuals in the Residential Urban Standard Density District (R7). The site is located at 3950 SW Laurelwood Avenue, specifically identified as Tax Lot 3900 on Washington County Tax Assessor’s Map 1S112CC.

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. Commissioner Lawler recused herself from the public hearing.

Public Testimony. Fifteen people testified in support of the applications, and three people testified in opposition. Testimony in support of the proposal addressed the need for more Residential Care Facilities in Beaverton and Oregon and described the high quality of care provided currently by Rooted Care Communities. Some in support commented on parking needs, noting the availability of on-street parking near the site and how visitors frequently bike or walk to the site. Testimony in opposition voiced concerns about existing traffic safety issues related to parking and deliveries for the care facility.

Comments in opposition also questioned if more staff will be needed to care for 12 individuals and how parking will be provided for additional employees.

The Commission concurred with staff that the proposal did not comply with New Conditional Use Approval Criterion BDC Section 40.15.15.5.C.4 since the man-made features of the site could not reasonably accommodate the proposed use. The Commission also concurred with staff that the proposal did not comply with New Conditional Use Approval Criterion 40.15.15.5.C.5 since inadequate facilities for off-street parking and deliveries cannot be made reasonably compatible with the surrounding area and may have impacts on livability to the surrounding area. The Commission also concurred with staff that the proposal did not meet Facilities Review Approval Criterion 40.03.1.D since the proposal was not in compliance with Chapter 60 provisions for off-street parking standards (BDC 60.30). Specifically, the Commission concurred with staff that the proposal did not comply with BDC Section 60.30.10.5.A, which identifies the parking ratio requirement for vehicles for the Residential Care Facility land use, or BDC 60.30.10.10.B, which limits the number of parking spaces that require backing movements within a street to two spaces. Failure to comply with these approval criteria is the Commission's basis for denying the application.

The Commission, after holding the public hearing and considering all oral and written testimony, adopts the Staff Report dated August 10, 2022, the Supplemental Memorandum dated August 17, 2022, the Supplemental Memo dated August 23, 2022, and the findings contained therein, as applicable to the

approval criteria contained in Sections 40.03 and 40.15.15.5 of the Development Code. Commissioner McCann moved that the application be denied, which was seconded by Commissioner Teater. Chair Nye recommended a friendly amendment to deny the application without prejudice, thereby allowing the applicant to reapply without being subject to the Beaverton Development Code provision in BDC 50.99 requiring a one year waiting period to resubmit after a denial. Commissioner Saldanha abstained from voting because he was not present for the initial hearing on August 17, 2022. The Commission voted unanimously to accept the friendly amendment.

Therefore, **IT IS HEREBY ORDERED** that **CU2022-0004** 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 August 10, 2022, the Supplemental Memorandum dated August 17, 2022, and the Supplemental Memorandum dated August 23, 2022, and this Land Use Order.

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

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

Dated this 30 day of August, 2022.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2898 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 9, 2022.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

APPROVED:

BRITTANY GADA
Associate Planner

JENNIFER NYE
Chair

JANA FOX
Current Planning Manager