

Land Use Written Statement

Received
Planning Division
10/09/19

Purpose:

With the Annexation and Redevelopment in process pertaining to 595 SW 150th Avenue, Joe Tokatly (Agent for applicant TTT Ranch IV, LLC) would like to propose the property be zoned as Community Service (CS hereon) versus Neighborhood Service (NS hereon) as it is annexed into the City of Beaverton. Community Service land use has the best interests of both the City and the applicant as it will open opportunities that will benefit the future land use, community, and residents of the area in question. Following is the written statement explaining the multiple reasons behind the proposed request.

Proposal:

1. **Purpose statement of Land Use.** *As stated in the Development Code of the City of Beaverton Chapter 20.10.10 1. Neighborhood Service "The NS District is intended to provide minimal areas of service and convenience uses to meet the frequent need of nearby residents." 2. Community Service "The CS District is intended to provide for a variety of business types compatible with and of similar scale to commercial activities found principally along the City's major streets."*

The current development of the property being annexed will be for recreational and office use primarily. Because of the nature of the recreational and office use, the land use is **NOT to provide** service and convenience uses to meet the frequent need of **nearby residents**, but rather to provide a variety of business types compatible with and of similar scale to commercial activities along the City's major streets. The NS zone is very narrow and allows for minimal services for the local residents. Based on the applicant's business model, only 49% of clients are local versus 51% from towns and cities outside the local area. This type of business will be more closely represented in the purpose statement of the CS zone. It is in the best interest of both the applicant and the city to have land use that most accurately represents the purpose of the land use.

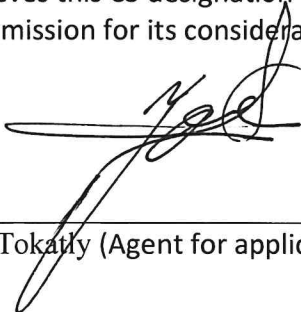
2. **Height Limit.** The current height limit under the WA County GC zone is 65 feet. The current height limit in the CS zone is 60 feet. This is more comparable with the current conditions than the NS zone which is limited to only 35 feet. Future development of the site may call for more height in which the CS zone would be much more advantageous. Superscript 20.10.15 Site Development Standards does mention that "the maximum building height of any building within 100 feet of a residentially zoned property is 35 feet. The property to the North and East are not annexed to the city, but upon their annexation it is likely they get

zoned as R1 or R2 because the property that abuts to the East is zoned as R2, and also because of the current GC zone under WA County. The height restriction upon this annexation would be of 60 feet. Upon this future annexation it would be of convenience to both the city and the applicant for 595 SW 150th avenue to have CS land use so that it can also be built to 60 feet. This would allow for there to be no height discrepancies with the abutting properties.

3. **Land Use Permissions.** The GC WA County Zone currently permits several land uses such as Child Care Facilities, Marijuana Dispensary, Retail Marijuana Sales, Temporary Living Quarters, Vehicles Rental, Transit Centers, and others that should remain permitted through the annexation. As stated in the Development Code of the City of Beaverton Chapter 20.10.20, there are several land uses (Child Care Facilities, Marijuana Dispensary, Retail Marijuana Sales, Temporary Living Quarters, Vehicles Rental, Transit Centers, and others) that are currently prohibited in in the NS zoning but permitted in the CS land use. For the annexation to best meld with the current Washington County Zoning and the existing Washington County Zoning for adjacent properties, CS land use would be the most appropriate designation.
4. **Devaluation.** It is in the interest of the applicant to honor the annexation process of not forgoing the allowed uses under the current zoning, and devaluating the existing property as it is annexed. For certain current uses to not be allowed would cause the property to be devaluated and thus do a disservice to both the applicant and the City.
5. **Safe Guards.** Safe Guards are currently in place to insure against any type of use that is not in harmony with the nearby residential developments. The applicant plans to honor these current safe guards in the annexation to the City of Beaverton. Examples of measures to be set in place could include Community Service land use with the exclusion of Marijuana Dispensary or Transit Centers, or whatever measures the planning commission deems viable. In the case of this action being taken, an irrevocable statement would be signed and be amended only with the planning commission's authorization.

Conclusion:

Due to the above mentioned written statement the applicant would strongly urge the planning commission to accept the proposal of the Community Service land use designation. The applicant believes this CS designation will be the best fit for all the parties involved and thanks the planning commission for its consideration.



Joe Tokatly (Agent for applicant TTT Ranch IV, LLC)

