



Community Development Department / Planning Division  
12725 SW Millikan Way / PO Box 4755  
Beaverton, OR 97076  
General Information: 503-526-2222 V/TDD  
[www.BeavertonOregon.gov](http://www.BeavertonOregon.gov)

## **MEMORANDUM**

TO: Planning Commission  
FROM: Rob Zoeller, Senior Planner  
DATE: October 14, 2024  
SUBJECT: Additional Public Testimony Received for the Cooper Mountain Community Plan

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Staff has received the following additional public testimony regarding the Cooper Mountain Community Plan hearing (CPMA42024-00679, ZMA42024-00681 and TA42024-00680) after the staff report dated October 2, 2024, was published.

### **Public Testimony (Exhibit 32)**

- Exhibit 32.1 Letter from Friends of Cooper Mountain Nature Park
- Exhibit 32.2 Letter from Zack Hillman, Cooper Mountain property owner
- Exhibit 32.3 Letter from Alice Kinzer, Cooper Mountain property owner
- Exhibit 32.4 Emails from Howard Herman and Jean Shaw, Cooper Mountain property owners

**EXHIBIT 32.1**  
**TESTIMONY**  
**FoCMNP**

To: Members of the Beaverton Planning Commission

October 16, 2024

From: Friends of Cooper Mountain Nature Park

Subject: Cooper Mountain Community Plan

Reference: LU2024-00682 CMCP (CPMA2024-00679, TA42024-00680, ZMA42024-00681)  
FoCMNP Testimony: May 15, 2024, CMCP Planning Commission Work Session  
FoCMNP Testimony: June 18, 2024, CMCP City Council Work Session

Thank you for the opportunity to provide testimony regarding the Cooper Mountain Community Plan (CMCP) at what we all hope is the final public hearing before you on this subject.

The Friends of Cooper Mountain Nature Park (FoCMNP) continue to hear strong community support for protecting Cooper Mountain's unique natural resources for today and the future. The vehicle of choice is a carefully constructed CMCP and associated infrastructure to protect and enhance the Significant Natural Resources that made Cooper Mountain a Metro regional target to begin with.

FoCMNP has reviewed the staff report dated October 2, 2024, for the Cooper Mountain Community Plan. We support Staff's recommendation of approval to amend the Comprehensive Plan (including the Land Use Map), the Development Code, and Zoning Map to implement the CMCP and related Oregon Administrative Rules. Case File Numbers include LU2024-00682 CMCP (CPMA2024-00679, TA44024-00680, ZMA42024-00681) as presented in the staff report.

We reiterate our comments in the two references above to FoCMNP Testimony of May 15, 2024, and June 18, 2024.

Regarding the currently proposed CMCP, we support the following:

The Project Goals specified in the CMCP's "Preferred Approach" that focus on preserving, incorporating, connecting, and enhancing natural resources as well as improving community resilience to climate change.

Planning Staff's current approach, findings and recommendations for the CMCP and its associated infrastructure, as presented in its latest staff report for this public hearing.

The proposed Resource Overlay and tailoring the tree code's approach, findings and recommendations specifically to increase the protections on Cooper Mountain.

The consistent commitment to Oregon's Goal 5 and Metro's Title 13, which support the Green Framework and Resource Overlay.

Retaining the currently proposed Park Overlay Plan/Map without changes.

Adjusting the proposed Community Park boundary so the park will be on flatter terrain, offer better access to residents, and be in line with THPRD functional requirements.

We second Metro's support of the City's proposed Resource Overlay and its support for a transportation plan that excludes a collector across McKernan Creek.

We cannot support carving up the natural area that would be required to meet the County's desire for an internal vehicular collector to Grabhorn Road, as noted in Exhibit 29.3, testimony from Washington County dated October 2, 2024. Sometimes, hard choices must be made. In this case, protection of the natural area and wildlife must take precedence. We believe that City Staff has done its homework and drawn the correct conclusions. Please accept your Staff's recommendations. We request that you do not accede to the County's request to modify the CMCP as proposed in their submission of October 2, 2024. Please retain Policies f) and r) where they currently are in the Active Transportation Policies, with no reference to vehicles.

This has been a long but ultimately fruitful four-year process. We commend Staff for the quality and comprehensiveness of their proposed plan and code updates. Please strongly support Staff's recommendations - as we do - as the CMCP and its implementing code moves forward to City Council for ratification.

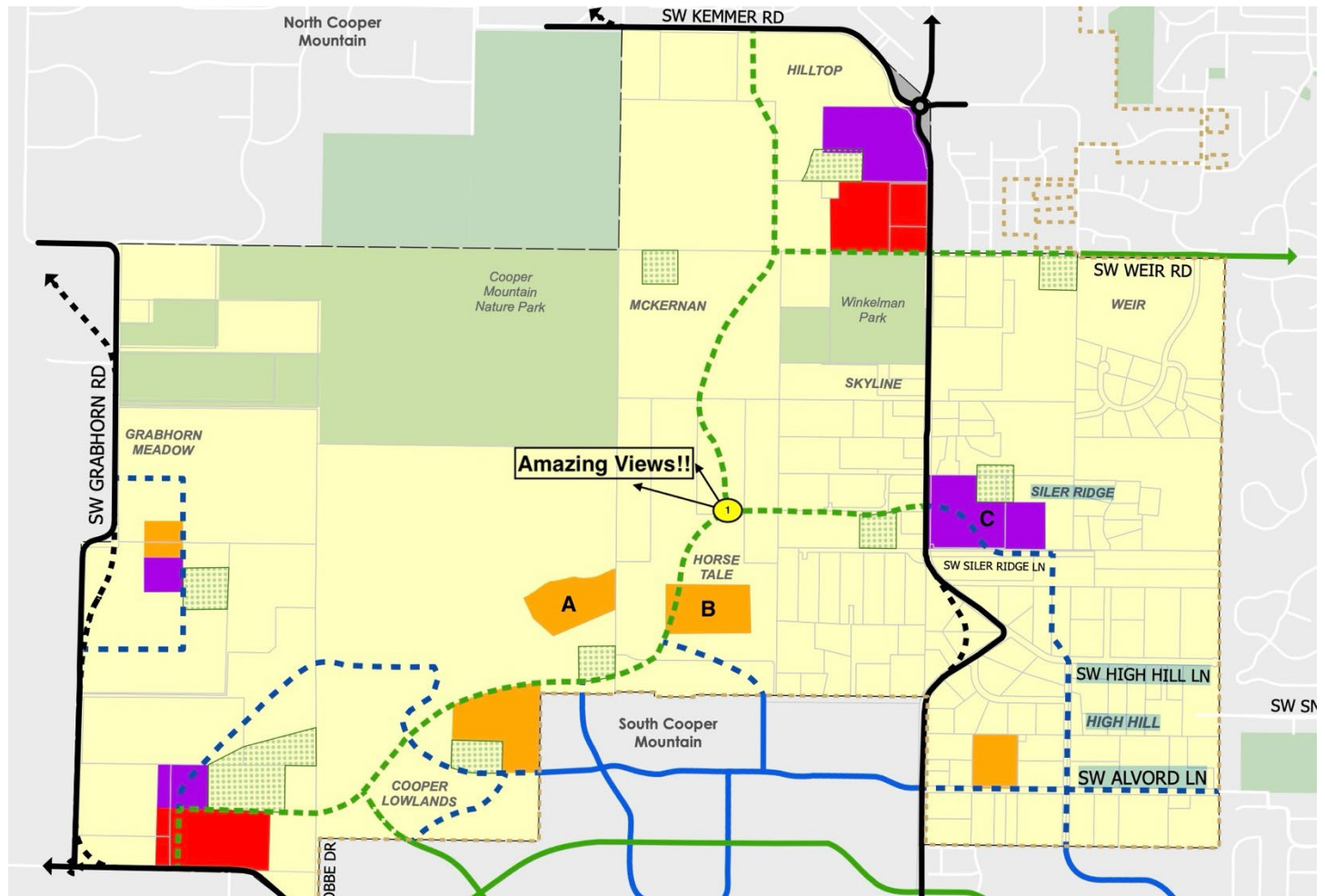
Thank you.

Friends of Cooper Mountain Nature Park

# EXHIBIT 32.2 TESTIMONY HILLMAN

Dear community leaders,

I would like to take this opportunity to thank you for the immense work that has obviously gone into this project. It's a great start for the future of this area. I write to you all today with two concerns.



## Walkability and Equity

If our goal is to create a truly walkable, equitable community in Cooper Mountain, we must address a key shortcoming in the current plan layout. The year-round community-based destinations (CM-CS zones marked in red) are heavily concentrated in the northern and southwestern corners of the development area. Given Cooper Mountain's challenging topography, the high-density central areas labeled A, B, and C on the map are situated too far from these commercial zones to be considered walkable for a significant portion of residents. Each of these areas is at least ½ mile from the nearest CM-CS zone, with notable elevation changes in one or both directions. This reality contradicts the equity goals outlined in the Cooper Mountain Community Plan as well as with increasing the need for car trips in the area.

To remedy this issue, I propose the following:

1. **Create a mandated, small-scale, street-front commercial center** in the heart of the neighborhood, allowing residents to enjoy genuine walkability and a stronger sense of community.
2. **The area labeled "1" (in the yellow circle on the map)** is an ideal location for this commercial hub.
  - It is less than ¼ mile from the high-density areas A, B, and C.
  - The elevation change between these areas and Area 1 is minimal—significantly less than 50 feet.
  - This location offers stunning views of McKernan Creek to the north and west, with opportunities for breathtaking sunsets.

- Such views make this a perfect gathering place, ideal for a community café, restaurant, locally owned wine or beer tasting room, corner market, bakery, or a combination of these.
- This commercial space can be developed without sacrificing housing by integrating street-level retail with housing above.

This kind of community amenity is essential, but it will not happen without clear direction from community leaders. Developers tend not include flexibility for retail in their plans unless directed to do so by property owners or city planners. I urge you to consider this equitable solution for the future residents of Cooper Mountain before finalizing a zoning proposition that may limit the neighborhood's potential.

### **Neighborhood Character**

Another concern is the homogeneity of housing styles in recent developments. South Cooper Mountain, particularly the areas of South Cooper Mountain and in Tigard, South of Scholls Ferry, demonstrates this issue. The Community Plan should go beyond simply mandating a variety of housing types (single-family, duplexes, cottage clusters, etc.) and also require diversity in architectural styles. Incorporating styles such as traditional, craftsman, modern, contemporary, art deco, creole, Queen Anne, and Victorian would bring vibrancy, character, and a sense of uniqueness to the neighborhood.

A diverse range of architectural designs fosters individuality while promoting inclusivity by catering to different tastes, needs, and cultural backgrounds. This approach would prevent the monotony seen in many uniform developments and create a visually stimulating and dynamic community. For inspiration, I encourage you to look at Discovery West as an example of architectural diversity done well. For the record, I have no ties whatsoever with any developers, including Discovery West.

### **Discovery West:**

Video Presentation: <https://www.youtube.com/watch?v=7YKiaJDT-tY>

Website: <https://discoverywestbend.com/>

Thank you for your consideration in these ideas, and best of luck in the finishing stages of this project. We're counting on you to ensure the best possible outcome for this wonderful area!

Zack Hillman  
Cooper Mountain Resident and Homeowner

**EXHIBIT 32.3**  
**TESTIMONY**  
**KINZER**

Project name: COOPER MOUNTAIN COMMUNITY PLAN

Case File Numbers: LU42024-00682, CPMA42024-00679, TA42024-00680, ZMA42024-00681

10/9/2024

Attention Planning Commission

Pertaining to Property: 11600 SW Grabhorn Road  
Beaverton, OR 97007

Mr. Rob Zoeller:

Thank you for the update. I realize you sent this information to me out of courtesy. Disappointingly, I have given up on you, and Beaverton. I won't be spending my time combing through hundreds of pages of information that will eventually change and be modified, repeatedly. Beaverton has made it a priority to be a developer when they have no experience developing property. I have sat through countless zoom meetings where experts have told your staff that what you are planning will not work. Yet, you do not heed their advice. I no longer hope or expect you to give us the courtesy of making things right for us.

Once again, the current plans for our property have been changed. It does not mean that it's even close to an accurate assessment of our property. I offered to show several Beaverton employees what our property looks like, but I have not had any individual interested in doing that. It's really easy to make plans on a flat piece of paper, but that doesn't account for the firsthand experience of seeing what it really looks like in person. Of course, you know other homeowners in our area have attempted to ask you for the same courtesy regarding their property. No one on the Beaverton staff is interested in what the landowners see and want. We're not considered essential 'stakeholders', and our input is not welcome, despite the fact we own the property. You have assumed that everyone that currently owns property in our area will sell their property. That is an incorrect assumption.

The latest map shows you've minimally decreased the SNRA overlay on our property. Unfortunately, the map doesn't come close to representing the real lay of our property. The large area of 'wetland' that is indicated on our southwest portion of our property is non-existent. A 'ditch' was put in by a previous owner and it gets some water in it from the

draining of the field to the west of our property. 90% of the time, there is no water in it. The ditch is about 200' long and abruptly ends. To designate it as a wetland is really ridiculous.

Our property is private and will remain private. With all the fencing restrictions, we know we will have great difficulty keeping our property private. How do you suggest we deal with people trespassing on our property constantly? Under the SNRA it is designated as a wetland and for wildlife habitat. What part of people over running our property is part of that definition? How is Beaverton going to address this problem? Beaverton will have created the problem so it's only natural for us to look to you to fix the problem. It's time Beaverton addressed this.

The road that goes nowhere remains on our property and will completely divide our property in two. The path of the road has been cleverly changed so that it doesn't cause the removal of our house. It just goes through our front lawn now. How nice! It also goes right through an area where deer and coyotes currently frequent. It will not service our property and will cut through our property driveway so we can't use our private road. We will not allow you to cut our property in two and thus disallow us from using our own private road. Therefore, the road needs to be redesigned and placed on the west property going south along the property line (or further west) and align with the feeder road to the south. It's time someone modified it to meet our request.

We want the road removed from our property and we won't settle for anything less.

Clean Water Services has been in communication with us, and it is our understanding that Beaverton now wants to put in a sewage substation next to our property. It is adjacent to the SNRA designated property on our land. How can that even be considered responsible development? Even with the best system installed, spillage can and does occur because systems break down. If an overflow does occur it will spill onto our property in the area that is supposed to be significantly protected. It will also overflow into a community park on the adjacent property. So much for keeping people, wildlife, and water quality safe with a sewage spill. That spillage will end up flowing into the pipes that will move water away from our property into the city's stormwater treatment facility. It certainly won't go into the sewage system. It will contaminate everything. How will Beaverton deal with overflows of sewage into that same system?

I was told by Cassara, your predecessor, that all the water drainage from the top of Cooper Mountain will be sent into the storm runoff system of Beaverton at the edge of our property. Currently it is supposed to be feeding into the Tualatin River. How can Beaverton send that water into your storm drain system and it still be called a creek? Do the Tualatin River Keepers know and understand this?

We are unwilling to allow Clean Water Services on our property to complete their required surveys and tests necessary. You may want to begin looking at an alternate site for the substation, so development can occur. I advise you to find an area that doesn't sit next to an SNRA designated area. I imagine environmentalists would be shocked to know you want to place a substation next to property with an SNRA designation.

I appreciate the mammoth task you are attempting to accomplish. However, until you truly address property owners' concerns with the courtesy they deserve, you will find us unwilling to help Beaverton accomplish their goals. If you want us to cooperate with Beaverton, then start addressing the problems I have stated and make us a willing partner.

Alice & Don Kinzer  
10915 SW Avocet Ct.  
Beaverton, OR 97007



# EXHIBIT 32.4 TESTIMONY HERMAN & SHAW

From: [Howard Herman](#)  
To: [Alissa Maxwell](#)  
Cc: [Brian Martin](#); [Rob Zoeller](#); [Mailbox CDD Planning](#)  
Subject: [EXTERNAL] Cooper Mountain Community Plan  
Date: Thursday, October 10, 2024 4:36:59 PM

**CAUTION: This email originated from outside the City of Beaverton. Exercise caution when opening attachments or clicking links from unknown senders.**

Project name: COOPER MOUNTAIN COMMUNITY PLAN  
Case File Numbers: LU42024-00682, CPMA42024-00679, TA42024-00680, ZMA42024-00681

Alissa,

This letter is in reference to the Cooper Mountain Community Plan as it regards our 2.35 acre property on Alvord Lane, Sky High Acres No. 2, Lot PT 33, Map 1S131DD01000.

We previously submitted notification that the trees in question are not on the perimeter of our property, they are in the Right-of-Way, on Alvord Lane to the north and Dowitcher Lane to the south. The attached drone photo shows that the trees are in the Right-of-Way, and Washington County has properly and appropriately updated their assessment to determine that there is no Significant Wildlife Habitat on this tax lot.

The property pins have been located by Caswell Hertel Registered Surveyors, and are still intact and in place, clearly delineating the Right-of-Way.

We request that Beaverton updates their assessment to bring it in line with Washington County, and remove the Significant Wildlife Habitat designation from the entirety of our property. I am forwarding the applicable letter from Washington County separately.



Thank you very much,

Howard Herman  
Jean Shaw  
Jazzmanhoward@gmail.com  
(503)705-8865

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**From:** Howard Herman <jazzmanhoward@gmail.com>  
**Sent:** Thursday, October 10, 2024 5:16 PM  
**To:** Alissa Maxwell  
**Cc:** Brian Martin; Rob Zoeller; Mailbox CDD Planning  
**Subject:** [EXTERNAL] Cooper Mountain Community Plan

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Project name: COOPER MOUNTAIN COMMUNITY PLAN

Case File Numbers: LU42024-00682, CPMA42024-00679, TA42024-00680, ZMA42024-00681

Alissa,

This letter is in reference to the Cooper Mountain Community Plan as it regards our 4.69 acre property on Alvord Lane. The address is 16795 SW Alvord Lane, Beaverton, OR, 97007, Sky High Acres No. 2, Lot 29, Map: 1S131DD01200.

There is currently no Significant Natural Resource on this property, there are no trees and we have no wetlands, creeks, or wildlife habitat.

We are attaching a photo from Washington County which reflects the appropriate removal of the designation of Significant Natural Resource from our property.

4:47



3 Messages

Done

To: Suzanne Savin

<[Suzanne\\_Savin@washingtoncountyor.gov](mailto:Suzanne_Savin@washingtoncountyor.gov)>

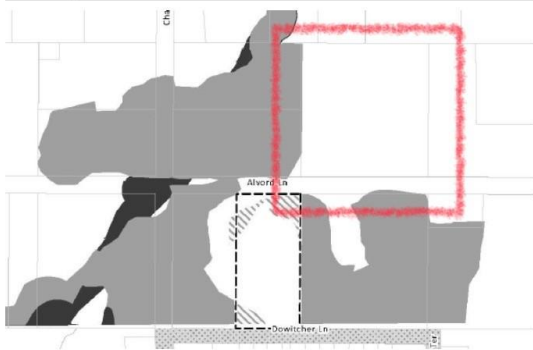
**Subject:** FW: [EXTERNAL] Cooper Mountain Community Plan

Hi Suzanne,

Didn't you send Mr. Herman an email telling him that we removed the SNR from his property?

Here is the exhibit?

I just want to be sure he got an email from us before I respond. Thanks!



This is from the exhibit to the Board Oct. 1 page 5 of attachment 2.

Thanks,

Michelle

**Michelle Miller | Senior Planner**

(503) 846-8101 direct messages |

[michelle\\_miller@washingtoncountyor.gov](mailto:michelle_miller@washingtoncountyor.gov)

Monday, Wednesday: In Office | Tuesday,  
Thursday, Friday: Remote



Thank you very much,

Howard Herman  
Jean Shaw  
Jazzmanhoward@gmail.com  
(503)705-8865

Sent from my iPad