SPACE RESERVED FOR WASHINGTON CO. RECORDERS USE

BEFORE THE PLANNING COMMISSION
FOR
THE CITY OF BEAVERTON, OREGON

After recording return to:
City of Beaverton, City Recorder:
4755 SW Griffith Drive
P.O. Box 4755
Beaverton, OR 97076

IN THE MATTER OF A REQUEST FOR APPROVAL OF A CONDITIONAL USE PROPOSAL TO OPERATE A NEW SCHOOL, PRE-KINDERGARTEN THROUGH 12TH GRADE, MONDAY THROUGH FRIDAY FROM 8:30 AM TO 4:00 PM, AND ON SUNDAYS FROM 10:00 AM TO 2:00 PM (EDUCATIONAL INSTITUTION AT 9800 SW NIMBUS). NIMBUS WATUMULL, LLC AND MADRONA NIMBUS, LLC, APPLICANT.	ORDER NO. 2324 CU2013-0004 ORDER APPROVING EDUCATIONAL INSTITUTION AT 9800 SW NIMBUS CONDITIONAL USE.

The matter came before the Planning Commission on June 26, 2013, on a request for approval of a Conditional Use proposal to operate a new school, Pre-Kindergarten through 12th Grade, Monday through Friday from 8:30 am to 3:20 pm, and on Sundays from 10:00 am to 2:00 pm. Total number of students is 160 (maximum enrollment). No building or site modifications are proposed and no outdoor play area is proposed. The school would be operated by the Muslim Educational Trust. The site is located at 9800 SW Nimbus Avenue and is specifically identified as Tax Lot 1000 on Washington County Tax Assessor's Map 1S1-27DC.

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 June 19, 2013, and the findings contained therein, as applicable to the approval criteria contained in Sections 40.03 and 40.15.15.3.C of the Development Code.

Therefore, **IT IS HEREBY ORDERED** that **CU2013-0004** is **APPROVED**, based on the testimony, reports and exhibits, and evidence presented during the public hearings on the matter and based on the facts, findings, and conclusions found in the Staff Report dated June 19, 2013, and subject to the conditions of approval as follows:

1. Prior to the school beginning operation, a Building Permit through the City will be required for a change of Occupancy (from Group B to Group E). A permit for temporary occupancy may be obtained for a limited period as determined by the City Building Official and described under permit.

2. School hours recognized through this Conditional Use approval are limited to 8:30 am through 4:00 pm, Monday through Friday. School hours during other days of the week are not subject to the hours limitation. Ancillary after-school activities with the exception of religious based holidays and observance shall not occur after 10:00 pm.

3. This Conditional Use approval recognizes an educational institution (Pre-K through 12th grade) not to exceed a maximum enrollment of 160 students.

4. The site plan graphics (Exhibits A and B) depicting entrance-only from the north access and exit-only from the south vehicle access, shall be recorded with the Washington County Recorder's Office. Cones and signs directing vehicles to enter and exit the property as shown, shall be in place prior to the beginning and end of school hours identified herein, Monday through Friday. To ensure the flow of vehicles through the site during the AM and PM peak arrival periods, vehicles arriving for student drop-off or pick-up are not to be parked on-site.

5. Fire lanes are to be kept free and unobstructed at all times.

6. A bicycle rack is to be provided on-site (for approximately 15 spaces) at the time when the educational institution use is operating on-site. Prior to occupancy, the bicycle rack shall meet City Bicycle Parking Standards in Section 740 of the Engineering Design Manual.

7. The Conditional Use permit shall run with the land and shall continue to be valid upon a change of ownership of the site or structure unless otherwise specified in conditions attached to the permit.

8. The land use order shall be recorded with the Washington County Recorder's Office.

9. Conditional use approval does not recognize an outdoor play area. Conditional Use Modification approval is required for addition of an outdoor play area.

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

AYES:	Doukas, Maks, Stephen and Overhage.
NAYS:	None.
ABSTAIN:	None.
ABSENT:	Kiene, Nye, and Winter.

Dated this 3rd day of July, 2013.

To appeal the decision of the Planning Commission, as articulated in Land Use Order No. 2324 an appeal must be filed on an Appeal form provided by the Director at the City of Beaverton's Community and Economic Development Department's office by no later than 5:00 p.m. on Monday, July 15 2013.

PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:

SCOTT WHYTE, AICP
Senior Planner

APPROVED:

KIM OVERHAGE
Chair

STEVEN A. SPARKS, AICP
Planning Division Manager