



MEMORANDUM

TO: Planning Commission
FROM: Jana Fox, Associate Planner JCF
DATE: January 20, 2016
SUBJECT: Appeal of Sunset Station & Barnes Road PUD Time Extension (APP2015-0003)

Staff is providing this memorandum in response to the appeal of the Sunset Station & Barnes Road PUD Time Extension.

History

The Planning Commission approved the Sunset Station & Barnes Road PUD (CU2013-0003) on October 30, 2013, the Land Use Order was issued on November 5, 2013. Conditional Use approvals are valid for a two year period unless vested pursuant to the Development Code or an extension is requested under the provisions of Section 50.93 of the Development Code. A request for an extension of CU2013-0003 was submitted on October 30, 2015, prior to the application expiring on November 5, 2015. The casefile for the extension request is EXT 2015-0004. Staff reviewed the application materials and public testimony submitted and the Director issued a decision on December 11, 2015 approving the request for a time extension. The December 11th decision granted an extension of two (2) years. On December 23, 2015 Jake Mintz, a party of record to the decision, filed an appeal of the Director's Decision. Staff reviewed and accepted the appeal as valid under the provisions of Section 50.65 of the Development Code.

Appeal

The appellant's appeal letter identifies criterion 50.93.6.B of the Extension as the criterion in which the appellant believes that the Director erred. Criterion 50.93.6.B states;

6. *In order to approve an extension of time application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied...*
 - B. *There has been no change in circumstances or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision for which the extension is sought.*

The appellant asserts that the City failed to appropriately respond to written testimony which asserted that both changes in circumstance and applicable regulations have occurred. The appellant asserts that the changes to Washington County's TSP which now identify a pedestrian connection from 95th Avenue to Barnes Road (see Exhibit 4.1) are changes in applicable regulations which would necessitate modifications to the decision for CU 2013-0003.

Additionally the appellant states that the applicant has blocked access to a trail used by residents in the vicinity of 95th Avenue to connect to Barnes Road, which constitutes a change in circumstances relevant to the PUD. The appellant requests that the PUD approval be modified to add a condition of approval requiring the re-opening of the trail.

The appellant concludes that "the Director's Decision fails to address the changes in circumstances and applicable regulations in its conditions of approval, and failed to address or include the new conditions proposed by us as reasonable to address the factual changes which have actually occurred since original approval."

Staff's Response

Attached to this memorandum, the Planning Commission will find the complete record for EXT 2015-0004 including the Director's decision and correspondence to the record. As staff states in the Director's decision, the area of the 95th Avenue trail is outside of the boundaries of the PUD approval. Because the trail is not within the area of the PUD approval, the trail is outside the scope of the request for a time extension for the Sunset Station & Barnes Road PUD.

Staff have reviewed the Pedestrian System Map in the Washington County TSP. The Pedestrian System Map identifies general locations for trails, the specific location of the trails are identified at the time of development. The Washington County TSP identifies a trail location on the border of the Peterkort Centre and St. Vincent Hospital. The Peterkort Centre and St. Vincent Hospital are private property which are not within the boundaries of the PUD. Because of this fact, the City cannot force a taking of private property not subject to the application as a condition of approval for a separate approval (see Exhibit 4.1 which shows the location of the PUD and the trail). Should the Peterkort Centre or St. Vincent Hospital propose new development or redevelopment in the future, the identified trail connection in the Washington County TSP would be considered at that time. Staff find that the addition of the 95th Avenue Trail to the Washington County TSP as a regional trail does not constitute a change in regulations which would constitute a change in applicable regulations or statutes which would require modification of the original PUD approval.

The owner of the Peterkort Centre's choice to fence off access to a path across their property is a private legal matter. Staff understand the desire by the neighborhood to have pedestrian access to SW Barnes Road and the Sunset Transit Center; however, this issue is a private legal matter.

Recommendation

Staff recommends that the Planning Commission **DENY** the **APPEAL OF SUNSET STATION AND BARNES ROAD PUD TIME EXTENSION (APP2015-0003)**, thereby affirming the Director's Decision approving the Sunset Station & Barnes Road PUD Time Extension (EXT2015-0004).

Exhibits

EXT2015-0004 Decision Materials

- 1.1 Applicant's Materials, submitted October 30, 2015
- 1.2 Director's Decision, dated December 11, 2015 (with public testimony)

Appeal Information

- 2.1 Appeal Information, submitted on December 23, 2015

Public Testimony

- 3.1 Email from Colby Neuman, dated January 10, 2016
- 3.2 Email from Joan Sifferle, dated January 13, 2016
- 3.3 Email from Evelyn Shoop, dated January 13, 2016
- 3.4 Letter from Gary R. Hargett, dated January 13, 2016
- 3.5 Email from Richard Kappler, dated January 15, 2016
- 3.6 Letter from Eric J Thompson, dated January 13, 2016
- 3.7 Letter from Phyllis A. Thompson, dated January 13, 2016
- 3.8 Letter from Jake Mintz, dated January 15, 2016
- 3.9 Letter from Gail Murphy, dated January 12, 2016

Materials Provided by Staff

- 4.1 Map showing properties subject to PUD approval (CU2013-0003) and the 95th Avenue trail connection

EXHIBIT 111

RECEIVED

OCT 30 2015

City of Beaverton
Planning Services

October 30, 2015

JAMES P. DRAUDT, P.C.

HAND DELIVERED

Ms. Jana Fox
Community Development Department
City of Beaverton
12725 SW Millikan Way
P. O. Box 4755
Beaverton, OR 97076-4755

Re: Sunset Station/Barnes Road PUD Extension
CU2013-0003

Dear Jana:

On behalf of J. Peterkort & Company, enclosed is the Application for Extension of the referenced PUD. Please contact me if any additional documentation or information is needed.

Very truly yours,



James P. Draudt

JPD:llp

cc: Lois D. Ditmars
Scott Eaton [via email]

Enc.

G:\Pete1054 (Part)\MasterPlan\FoxCityBvrtnCDD.ExtDecisnAppl.Ltr.docx



Beaverton
O R E G O N

CITY OF BEAVERTON
Community Development
Department
Planning Division
12725 SW Millikan Way
PO Box 4755
Beaverton, OR 97076
Tel: (503) 526-2420
Fax: (503) 526-2550
www.BeavertonOregon.gov

OFFICE USE ONLY	
FILE #:	Ext. 2015 - 0004
FILE NAME:	Sunset Station and Barnes Road PUD Extension
TYPE:	2
FEE PAID:	461
SUBMITTED:	
COMP. PLAN:	
RECEIVED BY:	
CHECK/DASH:	
LWI DESIG:	
NAC:	

EXTENSION OF A DECISION - DEVELOPMENT APPLICATION

Revised 07/2010

PLEASE SELECT ONE OF THE FOLLOWING BOXES:

FIRST TIME EXTENSION (TYPE 2 REVIEW) SECOND TIME EXTENSION (TYPE 2 REVIEW)

PROJECT NAME Sunset Station and Barnes Road

APPLICATION NUMBER CU2013-0003

(IF THE ORIGINAL PROJECT CONSISTED OF MULTIPLE APPLICATIONS, PLEASE FILL OUT ONE FORM FOR EACH APPLICATION)

APPLICATION EXPIRATION DATE November 5, 2015

APPLICANT: Use mailing address for meeting notification. Check box if Primary Contact

COMPANY: J. Peterkort & Company, L.P.

ADDRESS: 9755 SW Barnes Road, Suite 690

(CITY, STATE, ZIP) Portland, OR 97225

PHONE: (503) 292-1981 FAX: (503) 297-2428 E-MAIL: ldditmars@peterkort.com

SIGNATURE: _____ CONTACT: Lois D. Ditmars

(Original Signature Required)

APPLICANT'S REPRESENTATIVE: Check box if Primary Contact

COMPANY: James P. Draudt, P.C.

ADDRESS: 9755 SW Barnes Road, Suite 695

(CITY, STATE, ZIP) Portland, OR 97225

PHONE: (503) 225-1031 FAX: (503) 225-9611 E-MAIL: jpd@jd1031.com

SIGNATURE: _____ CONTACT: James P. Draudt

(Original Signature Required)

PROPERTY OWNER(S): Attach separate sheet if needed. Check box if Primary Contact

COMPANY: J. Peterkort & Company, L.P.

ADDRESS: 9755 SW Barnes Road, Suite 690

(CITY, STATE, ZIP) Portland, OR 97225

PHONE: (503) 292-1981 FAX: (503) 297-2428 E-MAIL: ldditmars@peterkort.com

SIGNATURE: _____ CONTACT: Lois D. Ditmars

(Original Signature Required)

PROPERTY INFORMATION (REQUIRED)

SITE ADDRESS: SW Barnes Road EXISTING USE OF SITE: Undeveloped

ASSESSOR'S MAP & TAX LOT # LOT SIZE ZONING DISTRICT

See attached Exhibit A _____ _____

PROPOSED DEVELOPMENT ACTION: P.U.D.



CITY OF BEAVERTON
 Community Development Department
Planning Division
 4755 SW Griffith Drive / PO Box 4755
 Beaverton, OR. 97076
 Tel: (503) 526-2420 • Fax: (503) 526-3720
www.BeavertonOregon.gov

EXTENSION OF A DECISION- SUBMITTAL CHECKLIST

WRITTEN STATEMENT REQUIREMENTS

- A. APPLICATION FORM.** Provide **one (1) completed** application form with original signature(s).
- B. CHECKLIST.** Provide **one (1) completed** copy of this checklist.
- C. WRITTEN STATEMENT.** Submit **three (3) copies** of a written statement that provides individual findings specifically addressing how and why the proposal satisfies each of the criterion within the appropriate Approval Criteria Section of Chapter 50 of the City's *Development Code* (ORD 2050), attached.
- D. FEES,** as established by the City Council. Make checks payable to the City of Beaverton.

PLANS & GRAPHIC REQUIREMENTS

- A. APPROVED SITE PLAN.** Provide **three (3) copies** of the approved site plan for the proposed project on 8 1/2"x11" or 11"x17" sheet(s).

As property owner or authorized agent, I hereby authorize the filing of this application for Extension of a Decision. I have provided all the items required by this one (1) page submittal checklist. I understand that any missing information, omissions or both may result in the application being deemed incomplete, which may lengthen the time required to process the application. As property owner or authorized agent, I hereby attest that the subject proposal meets each of the approval criteria for Extension of a Decision.

J. Peterkort & Company, L.P., By Peterkort Management
 Company, General Partner

Print Name

(503) 292-1981

Telephone Number

Lois D. Ditmars

Signature By: Lois D. Ditmars, President

10-29-15

Date



CITY OF BEAVERTON
Community Development Department
Planning Division
4755 SW Griffith Drive / P.O. Box 4755
Beaverton, OR, 97076
Tel: (503) 526-2420 • Fax: (503) 526-3720
www.BeavertonOregon.gov

EXTENSION OF A DECISION- SUBMITTAL CHECKLIST

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS "NOT APPLICABLE" OR "THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS" ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

Applications to extend the expiration date of a decision may be filed only before the decision expires. An applicant for Extension of a Decision shall address compliance with all of the following Approval Criteria as specified in 50.93.6 of the Development Code. Please respond to the approval criteria below in the space provided or in a typed supplemental written statement.

1. It is not practicable to commence development within the time allowed for reasons beyond the reasonable control of the applicant.

The PUD area is extensive, consisting of approximately 82.6 acres of undeveloped land. The PUD area is adjacent to several major transportation facilities: SW Barnes Road, SW Cedar Hills Boulevard, the Sunset Transit Center and two major freeway access points, at Highways 217 and 26 and Highway 26 at Cedar Hills Boulevard. Establishing a development plan must take into account impacts on traffic and significant offsite improvements required as conditions of approval. Since the effective date of the decision, November 5, 2013, applicant has conducted extensive work to identify: the uses supported by current market conditions, the initial parcels for development, offsite improvement costs at various levels of development and onsite infrastructure requirements. Applicant has since engaged in development planning for sites targeted as initial development sites and discussions with potential partners for such development. The extent of the work necessary for this size project has made it impracticable to commence development within the time allowed in the PUD approval. Having completed much of this work, applicant is anticipating commencement of development in the foreseeable future, within the time sought in this requested extension.

2. There has been no change in circumstances or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision for which the extension is sought.

Applicant is not aware of any applicable ordinance, regulation or statute that has changed since the effective date of the decision that would require modification of the land use decision or the conditions of approval.

3. The previously approved land use decision is not being modified in design, use, or conditions of approval.

No modifications to the land use decision or PUD are being requested in this request for extension.

EXHIBIT A

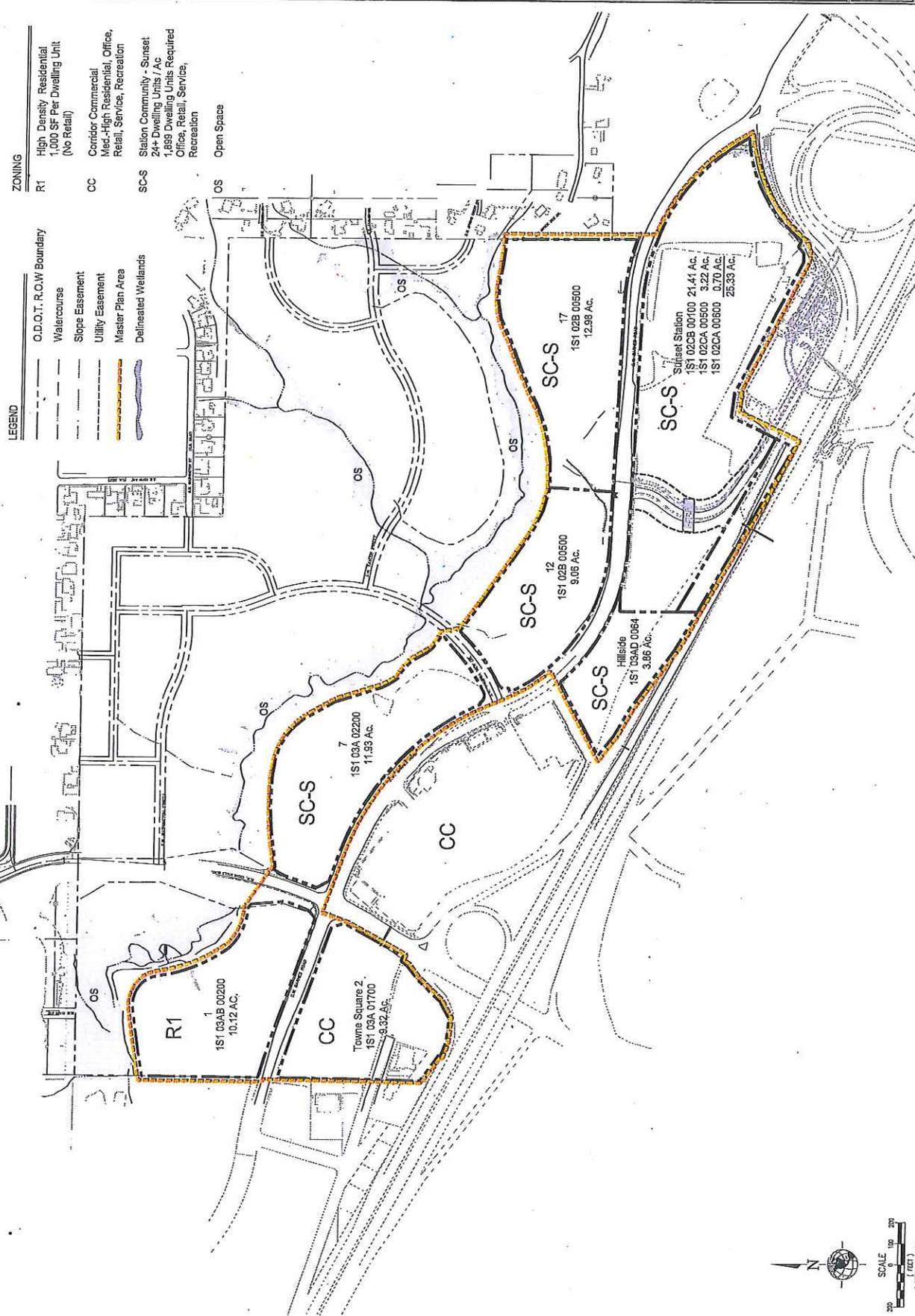
EXTENSION OF A DECISION – DEVELOPMENT APPLICATION

Project Name: Sunset Station and Barnes Road
Application No.: CU 2013-0003

Washington County Assessors Map	Tax Lot	Lot Size	Zoning Dist.
1S103AB	200	10.12 ac.	R1
1S103A0	1700	9.32 ac.	CC
1S103A0	2200	11.93 ac.	SC-S
1S102B0	500	22.04 ac.	SC-S
1S102CB	100	21.41 ac.	SC-S
1S102CA	600	.70 ac.	SC-S
1S102CA	500	3.22 ac.	SC-S
1S103AD	600	3.86 ac.	SC-S

NO.	BY	DATE	REVISIONS

DATE	BY	DATE	REVISIONS





MEMORANDUM
City of Beaverton
Community Development Department

EXHIBIT 1.2

To: Interested Parties
From: City of Beaverton Planning Division
Date: December 11, 2015
cc: EXT2015-0004 Sunset Station & Barnes Road PUD
First Time Extension (CU2013-0003),
Subject: *Notice of Decision for Time Extensions of Previously Approved Applications for Sunset Station & Barnes Road PUD.*

Please find attached the notice of decision for EXT2015-0004 Time Extension for Sunset Station & Barnes Road PUD. Pursuant to Section 50.40.11.E of the Beaverton Development Code, the decision for EXT2015-0004 is final, unless appealed within twelve (12) calendar days following the date of the decision. The procedures for appeal of a Type 2 Decision are specified in Section 50.65 of the Beaverton Development Code. The appeal shall include the following in order for it to be accepted by the Director:

- A. The case file number designated by the City.
- B. The name and signature of each appellant.
- C. Reference to the written evidence provided to the decision making authority by the appellant that is contrary to the decision.
- D. If multiple people sign and file a single appeal, the appeal shall include verifiable evidence that each appellant provided written testimony to the decision making authority and that the decision being appealed was contrary to such testimony. The appeal shall designate one person as the contact representative for all pre-appeal hearing contact with the City. All contact with the City regarding the appeal, including notice, shall be through this contact representative.
- E. The specific approval criteria, condition, or both being appealed, the reasons why a finding, condition, or both is in error as a matter of fact, law or both, and the evidence relied on to allege the error.
- F. The appeal fee of \$250.00, as established by resolution of the City Council.

The appeal closing date for EXT2015-0004 Time Extensions for Sunset Station & Barnes Road PUD is **4:00 p.m., Wednesday, December 23, 2015.**

The complete case file including findings, conclusions, and conditions of approval, if any, are available for review. The Director's Decision is available online at <http://apps.beavertonoregon.gov/DevelopmentProjects/>. The full case files may be reviewed at the Beaverton Planning Division, Community Development Department, 4th Floor, Beaverton Building, 12725 SW Millikan Way between 7:30a.m. and 4:00p.m., Monday through Friday, except holidays. For more information about the case file, please contact Jana Fox, Associate Planner, at (503) 526-3710.

NOTICE OF DIRECTOR'S DECISION

DATE: December 11, 2015

TO: All Interested Parties

FROM: Jana Fox, Associate Planner

PROPOSAL: EXT2015-0004 Sunset Station & Barnes Road PUD Time Extension

LOCATION: Generally North and South of Barnes Road from West of Cedar Hills Boulevard to Highway 217.
Washington County Tax Assessors Map 1S103AB Tax Lot 1200, Map 1S103A0 Tax Lots, 1700 and 2200, Map 1S102B0 Tax Lot 500, Map 1S102CB Tax Lot 100, Map 1S102CA Tax Lot 600, and Map 1S103AD Tax Lot 600.

SUMMARY: The applicant is seeking a first time extension for a previously approved Conditional Use-PUD application (file # CU2013-0003) that authorized an approximately 80 acre PUD, including residential and commercial uses. No physical development was approved with the PUD. No changes to the originally approved proposal are included with this time extension application. If approved, this time extension request will extend the expiration date of the prior approvals to November 5, 2017.

No changes to the originally approved designs are proposed with these applications. All critical facilities required for this development were evaluated during the review of the original applications. All conditions of approval still apply.

PROPERTY OWNER: J. Peterkort & Company, L.P
Lois D. Ditmars
9755 SW Barnes Road, Suite 690
Portland, OR 97225

APPLICANT'S REPRESENTATIVE: James P. Draudt, P.C
9755 SW Barnes Road, Suite 695
Portland, OR 97225

RECOMMENDATIONS: **APPROVAL of EXT2015-0004 Sunset Station & Barnes Road PUD Time Extension**, subject to conditions identified at the end of this report.

BACKGROUND FACTS

Key Application Dates

<u>Application</u>	<u>Submittal Date</u>	<u>Deemed Complete</u>	<u>Final Written Decision Date</u>	<u>240-Day*</u>
EXT2015-0004	October 30, 2015	October 30, 2015	February 27, 2015	June 26, 2015

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, with a continuance, by which a final written decision on the proposal can be made.

Existing Conditions Table

Zoning	Urban High Density (R1), Corridor Commercial (CC), and Station Community-Sunset (SC-S)	
Current Development	Vacant	
Site Size & Location	79.4 Acres	
NAC	Central Beaverton	
Surrounding Uses	Zoning: North: Urban High Density (R1) & Washington County TO:R40-80 & TO:R80-120 South: Highway 26 East: Washington County R-5 & Washington County TO:BUS West: Station Community-High Density Residential (SC-HDR) & Washington County TO:RC & TO:BUS	Uses: North: Natural Resource Areas South: Highway 26 East: Detached Housing & Commercial Office West: Vacant & Commercial

DESCRIPTION OF APPLICATION AND TABLE OF CONTENTS

PAGE No.

Attachment A: Facts and Findings for EXT2015-0004 Sunset Station & Barnes Road PUD Time Extension. 6-8

Attachment B: Conditions of Approval 9

Public comments:

- Exhibit 1.1 Email Received November 17, 2015, from Lynn M. Heider
- Exhibit 1.2 Letter & Petition, Received December 2, 2015, from Virginia Bruce and others
- Exhibit 1.3 Letter from Bruce Bartlett, Received December 2, 2015
- Exhibit 1.4 Letter from Patrick Gaston, Received December 2, 2015
- Exhibit 1.5 Letter & Petition from Jake Mintz, Received December 2, 2015

Public Comment Response:

Staff has received correspondence and petitions concerning the proposed extension of time application and those items are listed above. The correspondence and petitions consist of many pages and address a range of topics. Staff have reviewed each of the comments and have concluded that the comments can be summarized in the following five (5) major themes; Highway 26 eastbound off-ramp at Cedar Hills, Sidewalk connections in the area, 95th Avenue trail connection, Traffic in the area, and Parking Capacity at the Sunset Transit Center Parking Garage. Staff addresses each of these concerns below:

Highway 26 Eastbound Off-Ramp at Cedar Hills

Condition of Approval 2 of CU2013-0003 (Sunset Station & Barnes Road PUD) requires intersection improvements to the intersection of Cedar Hills Boulevard and Eastbound Highway 26 off-ramp when a specific, physical development is approved on a parcel within the boundary of the PUD. The application is not proposing to change the approved PUD or the conditions of approval with this time extension application. Therefore, the applicant will be required to improve the subject intersection, and construct other transportation improvements in the area as specified by the PUD conditions of approval when warranted by physical development within the PUD area.

Improvement to this specific intersection is not solely the responsibility of the applicant. It is possible that this specific improvement could be constructed by another party proposing to develop separately from the approved PUD. If it is determined through the land use development review process of that potential separate development application that the development proposal is creating an impact to this specific intersection, that potential development would need to mitigate that impact. Furthermore, if no development proposal takes place and constructs the improvement to the specific intersection, it is possible that a public agency, such as Washington County and/or Oregon Department of Transportation, may construct the identified improvements to this specific intersection.

Sidewalk Connections

Numerous conditions of approval for CU2013-0003 (Sunset Station & Barnes Road PUD) require sidewalk improvements when development of specific parcels within the PUD parcels

takes place. As noted above, the applicant does not propose to change the approved PUD or the conditions of approval. Therefore, the conditions of approval concerning the sidewalks contained in the PUD approval will be fulfilled when warranted by physical development within the PUD area.

95th Avenue Trail

The area of the trail is located on a parcel that is not within the boundaries of the approved PUD. Further, the trail was not a part of the PUD decision made by the City Council in November, 2013. While the trail is a concern for the neighborhood, the subject is outside the scope of this request for a time extension and is not relevant to this application.

Traffic Concerns

Numerous conditions of approval for CU2013-0003 (Sunset Station & Barnes Road PUD) require street improvements to address vehicular capacity and pedestrian safety in the vicinity of the PUD. These improvements will be constructed when development of specific parcels within the boundary of the PUD is approved. As noted previously, the applicant does not propose any changes to the approved PUD or the conditions of approval. Therefore, the conditions of approval concerning the street system within the PUD are will be fulfilled when warranted by physical development within the PUD area.

Sunset Transit Center Parking Capacity & Safety

The Sunset Transit Center is a Tri-Met facility and is not located within the boundary of the approved PUD. Because the garage is not owned by the applicant and is not located within the approved PUD, this subject is outside the scope of this request for a time extension and is not relevant to this application. Concerns about Sunset Transit Center should be directed to TriMet.

Conditions of approval for the PUD (CU2013-0003) are not modified by approval of the Time Extension application. Time Extension requests do not allow modifications to previously approved development applications, as such no modifications are being considered with this proposal.

ANALYSIS AND FINDINGS FOR EXTENSION OF TIME FOR PREVIOUSLY APPROVED APPLICATIONS

Major Issues

No major issues were identified.

Section 50.93 Extension of a Decision

1. *An application to extend the expiration date of a decision made pursuant to this Code may be filed only before the decision expires as provided in Section 50.90 or before the decision expires as provided in the appropriate subsection of the specific application contained in Chapter 40 (Applications).*

Facts and Findings

The expiration date of CU2013-0003 is November 5, 2015. The applications for extension were filed on October 30, 2015.

Therefore, staff finds that this requirement is met.

2. *The following land use decisions are not subject to extensions of time: Director's Interpretation (Section 40.25), Home Occupation (Section 40.40), Loading Determination (Section 40.50), Parking Requirement Determination (Section 40.55.15.1), Shared Parking (Section 40.54.15.2), Use of Excess Parking (Section 40.54.15.3), Sign (Section 40.60), Solar Access (Section 40.65), Temporary Mobile Sales (Section 40.80.15.1), Temporary Non-Mobile Sales (Section 40.80.15.2), and all Zoning Map Amendment (Section 40.97) applications.*

Facts and Findings

This is an extension for a Conditional Use-Planned Unit Development application, which is not listed in Section 50.93.2 as an application not subject to extensions of time.

Therefore, staff finds that this requirement is met.

3. *A land use decision may be extended no more than two (2) times.*

Facts and Findings

This is the first request to extend the expiration date for this application.

Therefore, staff finds that this requirement is met.

4. *Extension of a land use decision for an application not listed in Section 50.93.2 may be granted for a period of time not to exceed two (2) years, will be subject to a Type 2 review procedure, and must be found to be consistent with the approval criteria listed in Section 50.93.6.*

Facts and Findings

This is the first application for a time extension and has been processed according to the procedure for a Type 2 application, as specified in Chapter 50 of the City of Beaverton Development Code.

Therefore, staff finds that this requirement is met.

5. *Extension requests shall provide mailed public notice to those parties identified in Section 50.40.2. In addition, the notice shall be mailed to the parties of record contained in the initial land use decision and any prior extension of time decision.*

Facts and Findings

Public notice for this time extension was mailed to: the applicant/property owner, Central Beaverton NAC Chair, all property owners within a three hundred foot radius (in accordance with Section 50.40.2), and all parties of record from the initial land use decision.

Therefore, staff finds that this requirement is met.

6. *In order to approve an extension of time application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied.*
 - A. *It is not practicable to commence development within the time allowed for reasons beyond the reasonable control of the applicant.*
 - B. *There has been no change in circumstances or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision for which the extension is sought.*
 - C. *The previously approved land use decision is not being notified in design, use, or conditions of approval.*

Facts and Findings

According to the applicant, "establishing a development plan must take into account impacts on traffic and significant offsite improvements as required by the conditions of approval." Additionally the applicant states they have been working on development planning for sites targeted as initial development sites, and having discussions with potential development partners. Given the extent of the work necessary for a project of this size it has been impracticable to commence development within the original approval period. Staff concurs that the complexity of the planning for projects of this scale makes it difficult to develop and receive land use entitlements for the master plan area within the two years provided by the PUD approval, and make it not practicable to commence development within the time allowed by the approval of CU 2013-0003.

Staff also finds that no significant changes have occurred to the applicable regulations that would result in the modification of the decision or the conditions of approval. The properties continue to be zoned Station Community-Sunset (SC-S), Urban High Density (R1), and Corridor Commercial (CC) and this request to extend the expiration date of the original approvals contains no proposals to make any changes to the approved plans. No other regulations have come into effect by the City's partner agencies such as Clean Water Services which would necessitate a new review of the previously approved PUD.

The applicant does not propose any changes or modifications to the previously approved Planned Unit Development, or conditions of approval.

Therefore staff finds that the approval criteria are met.

SUMMARY OF FINDINGS: For the reasons identified above, staff finds that the request for Extension of a Decision approval is supported within the approval criteria findings, noted above, for Chapter 50, Section 50.93 of the Development Code.

Staff has provided findings, and recommended conditions of approval to meet the necessary technical requirements identified in Section 40.03 of the Development Code. Based on the facts and findings presented, the Director concludes that the proposal, **EXT2015-0004 Sunset Station & Barnes Road PUD Time Extension** meets the requirements.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **EXT2015-0004 Sunset Station & Barnes Road PUD Time Extension** subject to the conditions identified in Attachment B.

CONDITIONS OF APPROVAL FOR EXT2015-0004

1. All construction shall be carried out in accordance with the plans submitted and approved with CU2013-0003. All conditions of approval from the original approval for the Sunset Station & Barnes Road PUD application remain in force and must be complied with before building permits, site development permits, or building occupancy permits, as applicable, can be obtained. No changes to the previously approved plans are permitted by this approval. Any changes to the approved plans will require new land use approval. (Planning Div/ JF)

2. This approval will expire November 5, 2017. (Planning Div/ JF)

Jana Fox

From: lynheider@aol.com
Sent: Tuesday, November 17, 2015 6:55 PM
To: Jana Fox
Subject: EXT2015-0004

Please accept my comments in opposition to the extension of CU2013-0003

Beaverton should resist the temptation to allow extreme high density development on every acre of open space.

Traffic in this area is already unmanageable. Apartment dwellers are parking their cars in front of residential homes. Buyers did not sign up for that. Shopping centers such as the one the new Market of Choice anchors are running out of parking spaces. This situation will only worsen when the monstrous condo complex under construction opens.

Is there any concern for the homeowners in Timberland who bought homes only two years ago facing a flowery meadow who will soon find themselves with another multi family building on top of them? What is your plan to ensure continued high quality education for neighborhood children when the student teacher ratio becomes 45-1? Are you funded to add police protection and firefighting resources to this over developed neighborhood?

If, in a mostly recovered economy, the permit holders of EXT2015-0004 have not been able to complete their plan, it is not worthy of further delay or consideration

Lynn M.Heider

**Beaverton: consider Cedar Mill concerns when renewing
Peterkort Co. PUD Land Use application**

EXHIBIT

1.2

RECEIVED

DEC 02 2015

City of Beaverton
Planning Services

City Of Beaverton
Facilities Review Committee
Planning Division, Director
12725 SW Milikan Way
Beaverton, OR 97076

RE: City of Beaverton Case File EXT2015-0004
Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request

Dear Beaverton Facilities Review Committee and Planning Division Director,

In 2014, the City of Beaverton approved a Planned Unit Development (PUD) application from Peterkort Co. to develop approximately 80 acres of its land around the intersection of Barnes Rd., and Cedar Hills Bl., into a mix of residential, office and commercial. Peterkort Co. is now asking the city to approve an extension for another two years.

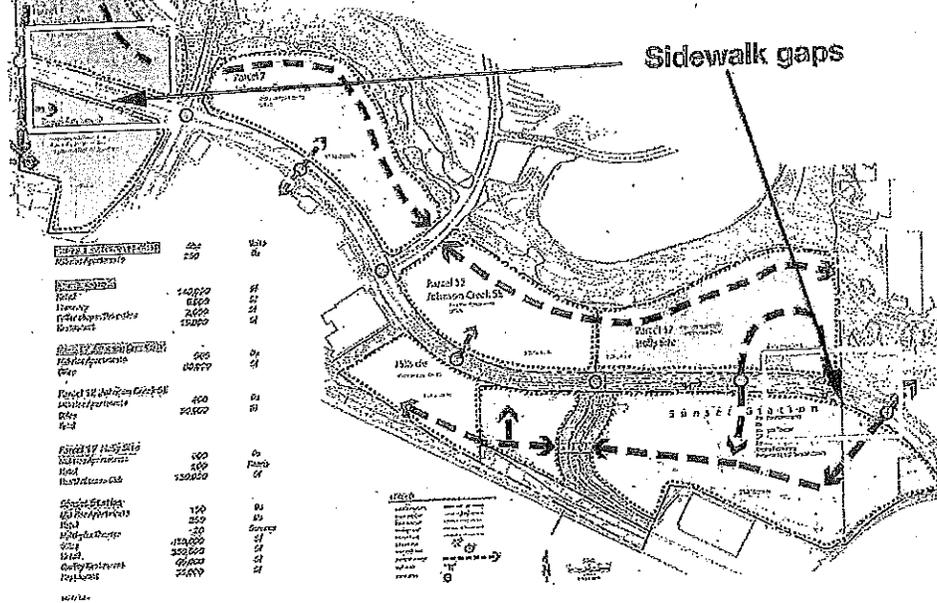
Residents of Cedar Mill and surrounding areas are concerned about several issues related to the renewal: the US 26 eastbound offramp to Cedar Hills Bl.; the lack of sidewalks on Barnes Rd.; and threats to the community trail between the West Haven neighborhood and Barnes.

Oregon Department of Transportation (ODOT) has been waiting for the development of the Peterkort PUD to fix this mess. We hear that a solution may be in the works, but the delay in the Peterkort PUD is part of the problem. This needs to be addressed before 2018. (see <http://cedar-mill.org/news/1115/TrafficTangles.html>)

We believe that it is important that sidewalks are built soon to fill in the gaps on Barnes between St. Vincents and the Sunset Transit Center, and the gap west of Cedar Hills Bl. (shown on map).

A trail has led from the West Haven neighborhood to Barnes Rd (the 95th Avenue Trail) for many years. Peterkort Co. has recently posted "No Trespassing" signs, and the neighbors are concerned that this action will jeopardize the "Public Access Easement" which can be applied to continuously-used trails. The trail allows West Haven residents to walk to the Sunset Transit Center and keeps many cars off the road and out of the inadequate STC parking lot.

Sunset Station & Barnes Road Planned Unit Development (PUD) Land
 Use Application
 City of Beaverton, Oregon
 April 2013



Petition posted on Change.org at https://www.change.org/p/cheryl-twete-beaverton-community-development-director-beaverton-consider-cedar-mill-concerns-when-renewing-peter-kort-co-pud-renewal?recruiter=309546&utm_source=share_petition&utm_medium=copylink

and signed and commented on by over 350 supporters: names, addresses and personal comments attached.

Virginia Bruce

Virginia Bruce
 12110 NW West Rd.
 Portland, OR 97229
 503-803-1813
 vrb@teamweb.com

RECEIVED

DEC 02 2015

City of Beaverton
Planning Services

Signatures

Name	Location	Date
Virginia Bruce	Portland, OR, United States	2015-12-01
Cindi Otis	Portland, OR, United States	2015-12-01
Sharon Lundquist	Beaverton, OR, United States	2015-12-01
Jonah Otis	Portland, OR, United States	2015-12-01
ERIC SQUIRES	Beaverton, OR, United States	2015-12-01
Annette Hadaway	Portland, OR, United States	2015-12-01
Becca Putnam	Beaverton, OR, United States	2015-12-01
Wendy Gibson	Portland, OR, United States	2015-12-01
Michelle Madison	Aloha, OR, United States	2015-12-01
Lois King	Portland, OR, United States	2015-12-01
Niven Singh	Portland, OR, United States	2015-12-01
Jeff Israel	Portland, OR, United States	2015-12-01
Paige Dickson	Portland, OR, United States	2015-12-01
linda sawaya	Portland, OR, United States	2015-12-01
Bonnie Barksdale	New York, NY, United States	2015-12-01
Mike & Karen Jackson	Portland, OR, United States	2015-12-01
William Sharp	Portland, OR, United States	2015-12-01
Sara Douglass-Cloe	Portland, OR, United States	2015-12-01
Stephen Besser	Portland, OR, United States	2015-12-01
Dean Herman	Portland, OR, United States	2015-12-01
Pamela R. Hamilton	Portland, OR, United States	2015-12-01
Pat Zagelow	Portland, OR, United States	2015-12-01
Colleen Donnelly	Portland, OR, United States	2015-12-01
Walt Socha	Portland, OR, United States	2015-12-01
Dirk Foss	Portland, OR, United States	2015-12-01
Linda Lawyer	Beaverton, OR, United States	2015-12-01
Shireen Farrahi	Portland, OR, United States	2015-12-01
Anne van der Linden	Portland, OR, United States	2015-12-01
Jane Kim	Portland, OR, United States	2015-12-01
Nancy Glassman	Portland, OR, United States	2015-12-01

Name	Location	Date
Walter Tomlinson	Portland, OR, United States	2015-12-01
Brandalyn Taylor	Portland, OR, United States	2015-12-01
Lynne Krasnow	Portland, OR, United States	2015-12-01
Melissa Krahmer	Portland, OR, United States	2015-12-01
Jenny Fears	Beaverton, OR, United States	2015-12-01
Brittany Tagliaferro-Lucas	Portland, OR, United States	2015-12-01
Stacey Gonzalez	Portland, OR, United States	2015-12-01
Greg Harr	Portland, OR, United States	2015-12-01
Tara Morissette	Portland, OR, United States	2015-12-01
Paul Reeves	Beaverton, OR, United States	2015-12-01
Sherry Seckington	Portland, OR, United States	2015-12-01
Suri M	Portland, OR, United States	2015-12-01
Ram Koganti	Portland, OR, United States	2015-12-01
Lauren McCabe	Portland, OR, United States	2015-12-01
Harriet Linville	Portland, OR, United States	2015-12-01
Martha May	Portland, OR, United States	2015-12-01
Laura Elvers	Portland, OR, United States	2015-12-01
lindsay galen	Portland, OR, United States	2015-12-01
Patricia K Stalp	Portland, OR, United States	2015-12-01
Linda Harries	Portland, OR, United States	2015-12-01
Shauna Pettit-Brown	Portland, OR, United States	2015-12-01
Priscilla Kopecky	Portland, OR, United States	2015-12-01
Wendy Jones	Portland, OR, United States	2015-12-01
Judith Barr	Portland, OR, United States	2015-12-01
Mary Lou Oberson	Portland, OR, United States	2015-12-01
Mary Castanier	Portland, OR, United States	2015-12-01
Elizabeth Liz McBride	Portland, OR, United States	2015-12-01
Pat Wieber	Portland, OR, United States	2015-12-01
Tracy Brown	Portland, OR, United States	2015-12-01
Maureen Louie	Portland, OR, United States	2015-12-01
Rocco Martin	Portland, OR, United States	2015-12-01
Shelley Hall	Portland, OR, United States	2015-12-01

Name	Location	Date
James Carlson	Beaverton, OR, United States	2015-12-01
Noelle Beltran	Portland, OR, United States	2015-12-01
David Miller	Portland, OR, United States	2015-12-01
d weaver	Portland, OR, United States	2015-12-01
Alma Rands	Portland, OR, United States	2015-12-01
Kim Netting	Portland, OR, United States	2015-12-01
Ronald Vennes	Portland, OR, United States	2015-12-01
Kristi Nelson	Portland, OR, United States	2015-12-01
Ruth Deal	Portland, OR, United States	2015-12-01
Scott Kempton	Portland, OR, United States	2015-12-01
Ernie Robledo	Portland, OR, United States	2015-12-01
Matthew Wangler	Portland, OR, United States	2015-12-01
Rick Kappler	Portland, OR, United States	2015-12-01
Steve Pepper	Portland, OR, United States	2015-12-01
Holly Vezinet	BEAVERTON, OR, United States	2015-12-01
Stana Medina	Portland, OR, United States	2015-12-01
Bonnie Leshar	Portland, OR, United States	2015-12-01
Leslie Coloma	Portland, OR, United States	2015-12-01
Jennifer Beres	Portland, OR, United States	2015-12-01
Shannon Carmichael	Portland, OR, United States	2015-12-01
Deborah Clausen	Portland, OR, United States	2015-12-01
Yvonee Grimmer	Portland, OR, United States	2015-12-01
Gary Kentner	Portland, OR, United States	2015-12-01
Audrey Schumacher	Portland, OR, United States	2015-12-01
Melinda Mosiman	Portland, OR, United States	2015-12-01
Kathy Phillips-Israel	Portland, OR, United States	2015-12-01
Elizabeth Bowers	Portland, OR, United States	2015-12-01
Pam Flora	Portland, OR, United States	2015-12-01
Dennis Bradford	Portland, OR, United States	2015-12-01
Jean Harkin	Portland, OR, United States	2015-12-01
Tina Lee	Portland, OR, United States	2015-12-02
Beth Earnest	Portland, OR, United States	2015-12-02

Name	Location	Date
Benjacob Beres	Portland, OR, United States	2015-12-02
Sherry Walters	Portland, OR, United States	2015-12-02
Patricia Montone	Portland, OR, United States	2015-12-02
Marc Mosiman	Portland, OR, United States	2015-12-02
Ian Shelley	Portland, OR, United States	2015-12-02
Myron Lee	Portland, OR, United States	2015-12-02
Lisa Sleasman	Portland, OR, United States	2015-12-02
Dell Hoffert	Portland, OR, United States	2015-12-02
Peter Hoeckel	Portland, OR, United States	2015-12-02
Lisa Gilmor	Beaverton, OR, United States	2015-12-02
Tom Wilson	Portland, OR, United States	2015-12-02
Mary French	Portland, OR, United States	2015-12-02
Jan Soderquist	Portland, OR, United States	2015-12-02
Amanda Chapman	Portland, OR, United States	2015-12-02
Erik Bjornstad	Portland, OR, United States	2015-12-02
Margaret Maloney	Portland, OR, United States	2015-12-02
Molly Brown	Portland, OR, United States	2015-12-02
Courtney Boden	Portland, OR, United States	2015-12-02
Cynthia Cornett	Portland, OR, United States	2015-12-02
Michael R. Scheinfein	Portland, OR, United States	2015-12-02
Kristie Duyckinck	Portland, OR, United States	2015-12-02
Randall Odermann	Portland, OR, United States	2015-12-02
olivia carter	Portland, OR, United States	2015-12-02
Tonya Davis	Beaverton, OR, United States	2015-12-02
CJ Fredricksen	Portland, OR, United States	2015-12-02
Eric Means	Portland, OR, United States	2015-12-02
Linda Illig	Portland, OR, United States	2015-12-02
Hrushu Ketineni	Portland, OR, United States	2015-12-02
Karen Trumper	Portland, OR, United States	2015-12-02
Susan Rosenbaum	Portland, OR, United States	2015-12-02
Adam Page	Portland, OR, United States	2015-12-02
Kara Campbell	Portland, OR, United States	2015-12-02

Name	Location	Date
Dave Kennedy	Portland, OR, United States	2015-12-02
Renee Niepoky	Portland, OR, United States	2015-12-02
Jenny Pompilio	Portland, OR, United States	2015-12-02
Mary Edwards	Beaverton, OR, United States	2015-12-02
Carlos Rozas	Portland, OR, United States	2015-12-02
Heather Hutchison	Seattle, WA, United States	2015-12-02
Terri Larson	Beaverton, OR, United States	2015-12-02
Joan Whitford-Schook	Portland, OR, United States	2015-12-02
sherryl worley	Forest Grove, OR, United States	2015-12-02
Helen Spector	Portland, OR, United States	2015-12-02
Marion de Nijs	Portland, OR, United States	2015-12-02
John Gruher	Portland, OR, United States	2015-12-02
carol moore	Portland, OR, United States	2015-12-02
Madhavi murthy	Boring, OR, United States	2015-12-02
Robert Douglas	Portland, OR, United States	2015-12-02
Richard Streb	Portland, OR, United States	2015-12-02
Brittany Villela	Portland, OR, United States	2015-12-02
William O'Brien	Beaverton, OR, United States	2015-12-02
Emily Jones	Portland, OR, United States	2015-12-02
Pamela Head	Portland, OR, United States	2015-12-02
Joanne Dunatchik	Portland, OR, United States	2015-12-02
Sheila Hobernicht	Portland, OR, United States	2015-12-02
Lisa Beatty	Portland, OR, United States	2015-12-02
Elia Freedman	Portland, OR, United States	2015-12-02
Robert Miller	Portland, OR, United States	2015-12-02
Linda Stone	Portland, OR, United States	2015-12-02
Dean Moberg	Portland, OR, United States	2015-12-02
James Mattern	Portland, OR, United States	2015-12-02
Nancy Thompson	Portland, OR, United States	2015-12-02
Marie Conser	Portland, OR, United States	2015-12-02
Elizabeth Ptak	Portland, OR, United States	2015-12-02
Kevin Collins	Portland, OR, United States	2015-12-02

Name	Location	Date
Chris Kondrat	Portland, OR, United States	2015-12-02
Jennifer Kveton	Portland, OR, United States	2015-12-02
Rodney Bell	Portland, OR, United States	2015-12-02
Jim Lundblade	Portland, OR, United States	2015-12-02
Barbara Ramsey	Portland, OR, United States	2015-12-02
Tammie Haley	Portland, OR, United States	2015-12-02
Lee Nguyen	Portland, OR, United States	2015-12-02
Kristen Faust	Portland, OR, United States	2015-12-02
Paul Hack	Portland, OR, United States	2015-12-02
Sandra Dvergsdal	Portland, OR, United States	2015-12-02
William Catton	Portland, OR, United States	2015-12-02
Deja Garcia	Portland, OR, United States	2015-12-02
Mari Olmeda	Portland, OR, United States	2015-12-02
Sally Sonek	Portland, OR, United States	2015-12-02
Greg Powers	Portland, OR, United States	2015-12-02
Mary Beth Wells Wells	Portland, OR, United States	2015-12-02
Barbara GICKING	Portland, OR, United States	2015-12-02
Stacia Cook	DEATH VALLEY, CA, United States	2015-12-02
Van Engel Elizabeth	Portland, OR, United States	2015-12-02
Joan Andon	Portland, OR, United States	2015-12-02
Jessica Coloma	Portland, OR, United States	2015-12-02
Kelli Eickelberg	Portland, OR, United States	2015-12-02
Kim Howell	Portland, OR, United States	2015-12-02
Denise Masanga	Portland, OR, United States	2015-12-02
Marianne Thelin	Portland, OR, United States	2015-12-02
Anita Misra-Press	Portland, OR, United States	2015-12-02
Erik Sorensen	Portland, OR, United States	2015-12-02
Mary Beth Buffum	Portland, OR, United States	2015-12-02
Joleen Shiffler	Portland, OR, United States	2015-12-02
Jennifer Nordmark	Portland, OR, United States	2015-12-02
joan bailey	portland, OR, United States	2015-12-02
Maya Howlett	Portland, OR, United States	2015-12-02

Name	Location	Date
Christine Baker	Portland, OR, United States	2015-12-02
Kellie Turkisher	Portland, OR, United States	2015-12-02
Lea Anne Clifton	Portland, OR, United States	2015-12-02
David Olson	Portland, OR, United States	2015-12-02
Lynda Gordon	Portland, OR, United States	2015-12-02
Katherine Shields	Portland, OR, United States	2015-12-02
Kathy Thorson	Portland, OR, United States	2015-12-02
Michael Herring	Portland, OR, United States	2015-12-02
Linda Byrne	Portland, OR, United States	2015-12-02
Warren Mitchell	Portland, OR, United States	2015-12-02
Pamela Fielder	Portland, OR, United States	2015-12-02
Becky Kuhn	Portland, OR, United States	2015-12-02
James Pollock	Beaverton, OR, United States	2015-12-02
John Bravard	Portland, OR, United States	2015-12-02
Martha Moyer	Portland, OR, United States	2015-12-02
Sandy Baldrige	Portland, OR, United States	2015-12-02
Brian Novick	Portland, OR, United States	2015-12-02
Robert Hetzer	Portland, OR, United States	2015-12-02
Jeff Hollister	Portland, OR, United States	2015-12-02
Cleo Reilly	Portland, OR, United States	2015-12-02
Neil Hefty	Portland, OR, United States	2015-12-02
Bruce Bartlett	Portland, OR, United States	2015-12-02
Jayme Wendland	Portland, OR, United States	2015-12-02
tamiko warren	Portland, OR, United States	2015-12-02
Kristin Stevens	Portland, OR, United States	2015-12-02
Jeffrey Disney	Portland, OR, United States	2015-12-02
Heather Sorensen	Portland, OR, United States	2015-12-02
Andrew Zechnich	Portland, OR, United States	2015-12-02
David Ptak	Portland, OR, United States	2015-12-02
Chris Jaworski	Portland, OR, United States	2015-12-02
Michelle Navarro	Portland, OR, United States	2015-12-02
Barbara Crawford	Portland, OR, United States	2015-12-02

Name	Location	Date
Tracey Lorts	Portland, OR, United States	2015-12-02
curt jantz	Portland, OR, United States	2015-12-02
Norvelle Geiger	Portland, OR, United States	2015-12-02
Susan McConnell	Portland, OR, United States	2015-12-02
Roopal Shah	Portland, OR, United States	2015-12-02
Mary Cottle	Portland, OR, United States	2015-12-02
Michelle Meyer	Portland, OR, United States	2015-12-02
Nina Pollock	Beaverton, OR, United States	2015-12-02
Christine Campbell	Portland, OR, United States	2015-12-02
Lynn Zechnich	Portland, OR, United States	2015-12-02
K Jeffrey Eriksen	Portland, OR, United States	2015-12-02
Deb Hendrix	Portland, OR, United States	2015-12-02
Lydia Boswell	Portland, OR, United States	2015-12-02
Janet Rhine	Portland, OR, United States	2015-12-02
Dave Kresta	Portland, OR, United States	2015-12-02
Leland Ashworth	Portland, OR, United States	2015-12-02
Ron Berti	Portland, OR, United States	2015-12-02
E. Novick	Portland, OR, United States	2015-12-02
Peri Periakaruppan	Portland, OR, United States	2015-12-02
Lisa Martinsen	Portland, OR, United States	2015-12-02
Paulette Hanchett	Portland, OR, United States	2015-12-02
Evelyn Shoop	Portland, OR, United States	2015-12-02
Janet Simpson	Portland, OR, United States	2015-12-02
Jared Blaisdell	Portland, OR, United States	2015-12-02
Bret Harter	Portland, OR, United States	2015-12-02
Laurie Randall	Portland, OR, United States	2015-12-02
Christine Clark	Portland, OR, United States	2015-12-02
Faye Johnson	Portland, OR, United States	2015-12-02
Andy Nordhoff	Portland, OR, United States	2015-12-02
Lisa McCullough	Portland, OR, United States	2015-12-02
Helen Delgado	beaverton, OR, United States	2015-12-02
Nicole Chamberlin	Portland, OR, United States	2015-12-02

Name	Location	Date
Jessie + Todd Harris	Portland, OR, United States	2015-12-02
Karen Holce	Portland, OR, United States	2015-12-02
Philip Choi	Portland, OR, United States	2015-12-02
Clay Atkins	Portland, OR, United States	2015-12-02
Jason Steyens	Portland, OR, United States	2015-12-02
Claudine Wilson	Portland, OR, United States	2015-12-02
marlene weil-perez	Portland, OR, United States	2015-12-02
Julia Gies	Portland, OR, United States	2015-12-02
Elissa Ryan Morris	Portland, OR, United States	2015-12-02
Seth Eater	PORTLAND, OR, United States	2015-12-02
Stacey Mills	Portland, OR, United States	2015-12-02
Jeanne Patterson	Portland, OR, United States	2015-12-02
Jo Ann Morrison	Portland, OR, United States	2015-12-02
Russell sharonrussell01@yahoo.com	Portland, OR, United States	2015-12-02
Gabriel Granett Granett	Portland, OR, United States	2015-12-02
Stephanie Keeler	Portland, OR, United States	2015-12-02
Patricia Ralston Ellis	Portland, OR, United States	2015-12-02
Sue Hutchison	Portland, OR, United States	2015-12-02
lawrence pedersen	Portland, OR, United States	2015-12-02
James King	Portland, OR, United States	2015-12-02
Dan Salzer	Portland, OR, United States	2015-12-02
Vibeke Klocke	Portland, OR, United States	2015-12-02
Gail Durham	Portland, OR, United States	2015-12-02
Richard Whitton	Portland, OR, United States	2015-12-02
Susan Brock	Portland, OR, United States	2015-12-02
Carole Pool	Portland, OR, United States	2015-12-02
Michelle Kime	Portland, OR, United States	2015-12-02
Jeffrey Petrillo	Portland, OR, United States	2015-12-02
Steve Williams	Portland, OR, United States	2015-12-02
Carol & Robert Landgraf	Portland, OR, United States	2015-12-02
Robert Mroz	Portland, OR, United States	2015-12-02

Name	Location	Date
Kimberly Harr	Portland, OR, United States	2015-12-02
Denise Wertzler	Portland, OR, United States	2015-12-02
Sarah McLain	Beaverton, OR, United States	2015-12-02
Robin Sherwin	Portland, OR, United States	2015-12-02
Joselyn Hanmer	Portland, OR, United States	2015-12-02
Withycombe Brenda	Portland, OR, United States	2015-12-02
Darlene Miller	Portland, OR, United States	2015-12-02
Jennie Jensen	Portland, OR, United States	2015-12-02

change.org

Recipient: Cheryl Twete

Letter: Greetings,

Beaverton: consider Cedar Mill concerns when renewing Peterkort Co. PUD
renewal

Comments

Name	Location	Date	Comment
Virginia Bruce	Portland, OR	2015-12-01	Delays in the development of these properties are preventing much-needed improvements to our infrastructure. Virginia Bruce, 12110 NW West Rd., Portland OR 97229
Michelle Madison	Beaverton, OR	2015-12-01	This is an unsafe area for pedestrians to begin with! Save this trail!
Bonnie Barksdale	New York, NY	2015-12-01	Concerned about sidewalks and traffic from the 26 eastbound. Need bike lanes and sidewalks.
Sara Douglass-Cloe	Portland, OR	2015-12-01	I am concerned about the safety and accessibility of our area.
Dean Herman	Portland, OR	2015-12-01	Lack of sidewalks along Barnes is dangerous and the intersection at eastbound Cedar Hills exit off of HW26 is atrociously dangerous for drivers to safely exit onto Cedar Hills northbound.
Pamela R. Hamilton	Portland, OR	2015-12-01	The traffic congestion will be problematic on Barnes Road and Cedar Hills Blvd. And the intersection cannot support a large increase of motor vehicles, bicycles and pedestrians.
Colleen Donnelly	Portland, OR	2015-12-01	I am concerned about pedestrian access to the Sunset Transit Center and the Barnes Road area from the West Haven neighborhood. I would like the pedestrian trail to remain open, as my neighborhood is designated "transit-oriented". Ironically, if the trail does not remain open it is for all intents and purposes, not transit-oriented at all. I would also like to feel safer when walking on Barnes Road and I feel sidewalks would help accomplish this. And I do not use the eastbound 26 Cedar Hills Blvd exit ramp because it is an extremely dangerous intersection.
Jenny Fears	Beaverton, OR	2015-12-01	I frequently use, and am frustrated by, the off-ramp from E 26 at Cedar Hills Blvd. It's needed better signaling for a long time, and certainly can't wait another 2 years while near misses and accidents keep occurring. I have 2 daughters who use Max quite a bit, thus have walked along Barnes Road and the trail up to West Haven many times with their friends who live in that area. Improving and maintaining accessibility to a major transit center seems like an excellent priority. If the Peterkort extension results in more time to add sidewalks on Barnes and solve traffic safety issues then it just isn't a good idea to grant that extension. I respectfully request that it not be granted if safety issues have to be backburnered until their project is completed. We can't afford to ignore safety problems in order to gain more strip malls. Thank you.
Greg Harr	Portland, OR	2015-12-01	The Eastbound exit off HWY26 @ Cedar Hills is a death trap and a long-term fix to that exit enabling safe egress both northbound and south on Cedar Hills cannot wait until 2018.
Lauren McCabe	Portland, OR	2015-12-01	Needed improvements to pedestrian safety and the offramp from Eastbound Hwy 26 to Cedar Hills Blvd. can't be ignored any longer.
Harriet Linville	Portland, OR	2015-12-01	Concern for traffic congestion and safety. More parking at Sunset TC? Exit 68 east is a death trap.
Shauna Pettit-Brown	Portland, OR	2015-12-01	I am concerned about how this important part of land is developed and its impact to our community.

Name	Location	Date	Comment
Wendy Jones	Portland, OR	2015-12-01	Cedar Mill exit from US 26 is dangerous already. I can only imagine the added impact with the addition of housing and business units. I already avoid this exit and travel through other neighborhoods to avoid this deadly intersection. Safety must be addressed first.
Judith Barr	Portland, OR	2015-12-01	I'm concerned about *the West Haven Trail * traffic congestion.... already particularly bad at peak hours.... have to wait for several light changes on CHB before entering the Barnes intersection. *Exiting US26 onto CHB is frequently "hairy", especially when exiting via the the very short, north-bound ramp.
Mary Oberson	Portland, OR	2015-12-01	I agree that the off ramp of eastbound hwy 26 at Cedar Hills Blvd. is extremely dangerous. This intersection needs a fix right now, not years in the future. There is already too much traffic for Cedar Hills Blvd. and Barnes Rd. to handle most of the day. Pedestrians are in danger any time they venture along both streets where there are no sidewalks. Please address these needs now. Do not wait years in the future. Also the no trespassing signs blocking entry to a long established trail is not being a good neighbor. There are so many issues to address now instead of waiting years so that developers take on the funding and construction.
Noelle Beltran	Portland, OR	2015-12-01	I'm in favor of increasing the safety and walk-ability of our community and promoting a healthier lifestyle by creating pedestrian/bike friendly sidewalks/trails.
David Miller	Portland, OR	2015-12-01	Improvements are sorely needed to the US 26 EB offramp/interchange at Cedar Hills Blvd, and to sidewalks and pedestrian facilities along Barnes Road and on Cedar Hills Blvd at the Hwy interchange. Barnes road was extended through the Peterkort development over 20 years ago, much development has occurred, yet we are still waiting for these improvements. Need some sort of a funding strategy to get the improvements done soon without holding them hostage to the eventual "final" development. Especially relevant to the current extension request are the sidewalks along Barnes Road, which are clearly the developers responsibility. The gaps ID'd by the petition are the highest priority, but lets not forget the north side of Barnes Road either, where there are currently no sidewalks at all!
Alma Rands	Portland, OR	2015-12-01	I am very concerned about the need to address the increased traffic and impact on the residents of the area
Ruth Deal	Portland, OR	2015-12-01	I use Barnes Rd many times daily in my commutes to medical care, shopping, exercise, volunteering, light rail, etc. Traffic is increasingly crowded on Barnes, Cedar Hill intersection and dangerous feeling. We use light rail and are concerned about lack of parking in future due to the amount of development planned, so walking during times without #50 bus service will be our only way to access light rail via the trail in question. Remember they re-zoned and built homes densely in westhaven specifically to have access to light rail and now the trails are being blocked! This route leads to the nearest pedestrian entrance to our light rail via St Vincents sidewalks. Also: how many bad broadside accidents have to happen at the east bound Hwy 26 accident until something is done to that Cedar Hill intersection? I hope your planners and designers are ready for the huge challenge of growth around Barnes Rd.
Ernie Robledo	Portland, OR	2015-12-01	We need the sidewalks and public access to trails.
Shawn Pepper	Portland, OR	2015-12-01	Infrastructure upgrades must be part of any development approval

Name	Location	Date	Comment
Bonnie Leshar	Portland, OR	2015-12-01	I am greatly concerned about this intersection now and have been for many years! I even called the city of Beaverton to find out the status of fixing this hazardous area. The city person I talked to told me what he could in that it was to be addressed by the Peterkort Deveolpment but has never been. This I had already known and it just confirmed my wariness over this intersection. After seeing multiple accidents or near misses this needs to be remedied soon.
Jennifer Beres	Portland, OR	2015-12-01	I am concerned about the US26 EB offramp at Cedar Hills.
Audrey Schumacher	Portland, OR	2015-12-01	I am concerned about the increased traffic on the Cedar Hills exit and the Barnes Road/Cedar Hills intersection. We need sidewalks on Barnes Road because folks walking on this busy road are not safe with the heavy traffic. Additional parking is needed at the STC to handle the increased population growth. Closing off community trails that allow neighborhood residents to safely walk to STC defeats the whole purpose of using public transportation. These issues ail need to be addressed as soon as possible.
Kathy Phillips-Israel	Portland, OR	2015-12-01	issues have not been adequately addressed. Sunset Transit Center can not handle the volume of traffic today, so why would we want to add even more development?
Jean Harkin	Portland, OR	2015-12-01	Too much development, too much traffic already, no sidewalks, and threatens a community trail.
Beth Earnest	Portland, OR	2015-12-02	City of Beaverton and Peterkort Co. need to address these issues sooner than later. It is the right thing to do.
Ian Shelley	Portland, OR	2015-12-02	The Sunset Transit Center is already far beyond capacity. It is disingenuous to allow even more development under the guise of it being "transit oriented" unless parking is added at Sunset.
Myron Lee	Portland, OR	2015-12-02	I've run around the neighborhood a number of times over the years, and the lack of sidewalk from St. Vincents to Cedar Hills is a major concern. There definitely needs to be a safe area to walk/run on the north side of Barnes road. I also skipped using the EB Cedar Hills offramp due to the dangerous nature in attempting to go North. This is the biggest change we need in our neighborhood. Many neighbors either get off at the Park exit or Murray exit and try to take local home.
Tom Wilson	Portland, OR	2015-12-02	I'm concerned about the traffic situation in that area.
Jan Soderquist	Portland, OR	2015-12-02	Traffic and Safety Concerns
Margaret Maloney	Portland, OR	2015-12-02	I'm very concerned about pedestrian safety as insufficient sidewalks AND extreme traffic congestion and exit ramp from northbound 26 to Cedar Hills Blvd has NO traffic lights.
molly brown	Portland, OR	2015-12-02	This area is at capacity! Fix the sidewalk and the 26 on ramp....and get more parking for the sunset max center!
Michael R. Scheinfein	Portland, OR	2015-12-02	The traffic infrastructure at present is over ODOT limits. We need careful planning the incorporates the views of present taxpayers rather than those of developers who do not rely on the infrastructure.
Kristie Duyckinck	Portland, OR	2015-12-02	Traffic, trail and sidewalk issues must be addressed first.
CJ Fredricksen	Portland, OR	2015-12-02	I drive this route regularly, and want it t be really safe for pedestrians in the area.
Eric Means	Portland, OR	2015-12-02	It is crucial that we maintain easy pedestrian access throughout this area. We need these sidewalks and trails.

Name	Location	Date	Comment
Susan Rosenbaum	Portland, OR	2015-12-02	I want to continue to use the 95th Avenue trail to access the Max. I would like sidewalks on Barnes Road, and I do not use the US26 eastbound offramp to Cedar Hills Blvd because it is very dangerous. Thank you for your consideration.,
Adam Page	Portland, OR	2015-12-02	The eastbound Cedar Hills exit off US-26 is dangerous and inconvenient. I'd also like to see better bicycle lanes/markings on Cedar Hills south of the Barnes intersection (and including that intersection).
David Kennedy	Santa Clara, CA	2015-12-02	I'm very concerned about the Eastbound exit off highway 26 to Cedar Hills Blvd. At rush hour it's exceptionally dangerous and I see stupid driving and close calls every day. This needs to be addressed before adding more housing.
Mary Edwards	Portland, OR	2015-12-02	Sidewalks are a must out here, especially near the Sunset TC. Peterkort is being a terrible neighbor by trying to block a path that has been long used.
Carlos Rozas	Portland, OR	2015-12-02	I am frequent user of the off-ramp from E 26 at Cedar Hills Blvd and I am amazed that more accidents do not occur at the intersection. Before we add more development in the area it is imperative that the safety issues in this petition be addressed.
Terri Larson	Beaverton, OR	2015-12-02	Because I'm worried about the lack of sidewalk and ease of a walkable /live able neighborhoods. Portland has done a great way of developing the east side. But should consider this type of development for the west cedar mills neighborhood.
carol moore	Portland, OR	2015-12-02	no more traffic
Marion De Nijs	Portland, OR	2015-12-02	My husband works in Hillsboro and uses the exit Cedar Hill Bld daily to get to Cornell Rd. We call it the kamekaze exit. Solve it!!!!
Richard Streb	Portland, OR	2015-12-02	I am quite concerned about the livability of this area and the increasingly pedestrian-hostile growth. The sidewalk gaps on Barnes Road and Cedar Hills are downright dangerous and the eastbound off-ramp from 26 demands attention. The public good can only be served by addressing these issues sooner rather than later.
Emily Jones	Portland, OR	2015-12-02	Sidewalks and pedestrian safety desperately needed in this area!
Pamela Head	Portland, OR	2015-12-02	There are no sidewalks. People walk in the street at night head on to oncoming right turn traffic Barnes Rd Cedar Hills Blvd.
Sheila Hobernicht	Portland, OR	2015-12-02	Please plan for "walkability" and pedestrian safety as a highest priority in the Peterkort development zone.
Lisa Beatty	Portland, OR	2015-12-02	Especially concerned about the US 26 eastbound off ramp to CH Blvd.
Elia Freedman	Portland, OR	2015-12-02	I'm signing because I'm tired of Beaverton and Metro approving new development without providing benefits to existing residents. The off ramp at Cedar Hills Blvd is a joke and forces excess traffic at Murray Rd.
Linda Stone	Portland, OR	2015-12-02	Keep the trail open and free to all
Dean Moberg	Portland, OR	2015-12-02	Much of this land has wildlife habitat adjacent to a riparian area and wetland.
Elizabeth Ptak	Portland, OR	2015-12-02	Transit oriented does mean using public transit, right? How can the entire West Haven neighborhood be zoned transit oriented when our access to public transit has been cut off? Build the sidewalks, keep the trails open or put yourselves back at square one and resubmit the entire proposal again.
Kevin Collins	Portland, OR	2015-12-02	The terrible Cedar Hills offramp and poor pedestrian access in this area does not make sense to let sit with the amount of growth this area has had. More delays is not a good solution.

Name	Location	Date	Comment
Rodney Bell	Portland, OR	2015-12-02	As a former VP of CPO1 and a neighborhood representative active in Cedar Mill land use issues for 35+ years, my experience is that city and county approvals of land use ALWAYS favor developers at the expense of current residents. Will Beaverton be different? Rodney Bell, Sunningdale-Case Heights Association Chairperson
Dominic & Lee Nguyen	Portland, OR	2015-12-02	I utilize the US eastbound offramp to Cedar Hills every week day to drive from work to pick up my kids. It is so dangerous that I always take a right and use the nearby neighborhoods to turn around to head towards Cornell Rd. There was recently a terrible accident after work at this intersection and it just reinforced just how dangerous this intersection is and that it needs to be addressed quickly especially with the growth of homes and businesses in the surrounding neighborhoods. Thank you.
Kristen Faust	Portland, OR	2015-12-02	I live in the Torreyview area above Barnes and Cedar Hills Blvd. The proposed plans of infill with business and apartments means only to make worse a traffic mess that can only be described as critical. Many of us attempt to walk, bike, use public transportation and also drive to work, school and to shopping. We like to shop at our local stores. People already jam onto Barnes road when hwy 26 is stopped and also Cedar Hills Blvd when 217 is impassible. We already can't travel in our busier areas and in looking at this plan, there seems to be no apparent concern for the safety and well-being to our existing and long standing community INCLUDING no sidewalks, no bike or pedestrian overpasses-why? We don't need more junky strip malls or apartments over here. It creates a transient community. The development that must take place needs to be thoughtful with our community in mind. We have enjoyed the nature we have had in this area. Currently the area at upper Leahy is being literally stripped of trees to make way for what will no doubt be a huge jangle of apartment homes. Yuck! Some of the nicest woods in the area, streams, old trees and animals of all kinds will be gone for good. It has to stop! What about preserving some of these natural areas? Please consider our local community needs for safety, ease in traffic and noise, and desire to stay less populated. We don't have to look like Beaverton to be in Beaverton's boundary areas. It'd be nice to let our area look more progressive and like the new "Beaverton." Help keep the Peterkort/Cedar Mill area safe, clean, and green. Thank you!
Mari Olmeda	Portland, OR	2015-12-02	It is an inconvenience the lack of sidewalks that would provide safety to neighbors who want to walk to the stores or Sunset TC.
Susan Rosenbaum	Portland, OR	2015-12-02	This area cannot support more traffic due to the incredibly dangerous off ramp, lack of side walks on Barnes and now the closure of the trail to the transit center. More development only makes all this worse
Barbara Gicking	Portland, OR	2015-12-02	The EB Cedar Hills Blvd situation needs to be fixed ASAP. If you look at an overhead view, of this intersection, a 6 armed roundabout could be built, eliminating the light at Butner and improving the traffic flow in all directions and greatly improving the safety of this intersection. It's time that Washington Co. DOT quit solving every problem with another stop light. A round about would be less expensive and solve the whole problem. Please consider this option. Also, we should certainly be making sidewalks on Barnes a priority to encourage walking to errands and the transit center. We got sidewalks on 119th very quickly after there was a pedestrian death. Hopefully, it won't take another death to accomplish these important safety projects. Do not approve the renewal of the Peterkort Co. PUD. We have enough traffic in this area already, we don't need to build more stores to attract more traffic. Let's leave some open space, green spaces etc.

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DEC 02 2015

City of Beaverton
Planning Services

Name	Location	Date	Comment
stacia cook	portland, OR	2015-12-02	The roads can not handle The traffic.
Van Engel Elizabeth	Portland, OR	2015-12-02	E.J. Van Engel
Barbara Gicking	Portland, OR	2015-12-02	The EB Cedar Hills Blvd ramp needs a solution soon. From an overhead view one can see that a six armed roundabout would be a safe, inexpensive and easily achievable solution to this intersection. The stop light at Butner could be eliminated and all traffic would move to the right into the roundabout, eliminating all left turns in this area. Safety and traffic flow would be greatly enhanced and it should not require a huge reconfiguration of this intersection. Additionally, the sidewalks in the gaps on Barnes are important to keeping people walking to errands and the transit center and out of cars. The traffic in this area is already close to capacity, we don't need more development to encourage more cars to the area. Please do not extend the Peterkort PUD. thank you, Barbara Gicking
Denise Masanga	Portland, OR	2015-12-02	Sidewalks and eastbound Hwy 26 exit
Mary Beth Buffum	Portland, OR	2015-12-02	We request denial of the Peterkort PUD extension. Too many important traffic and safety concerns will go unaddressed as long as the Peterkorts are allowed to put off developing their property as promised. At a time when we're trying to promote pedestrian and bicycle use over cars, the intersection at Barnes Rd and Cedar Hills Blvd is extremely dangerous for both cyclists and pedestrians. Additionally, the lack of safe sidewalks discourages pedestrian traffic to the available mass transit. Finally, it is very distressing that the Peterkorts have posted "No Trespassing" signs along the trail from 95th Ave to the property west of St. Vincent Hospital. This is a commonly used path for West Haven residents to get to the Sunset Transit Center, and has been for as many years as I've lived in the area (since 1993), and likely long before that. It was always my understanding that this path would eventually be a paved public path, so the "No Trespassing" signs came as a shock. Please deny the Peterkort PUD extension request so that important public safety and access issues will be addressed sooner, rather than later.
joan bailey	portland, OR	2015-12-02	I'm signing because we have to keep our neighborhood safe.
Maya Howlett	Portland, OR	2015-12-02	further development must take into account traffic congestion and pedestrians.
Lea Anne Clifton	Portland, OR	2015-12-02	I'm signing because safety concerns and sidewalks are important to the community and to myself. If this development company doesn't care about the community it works in then it should not be granted the right to develop this land since they can't do so in a responsible manner. This company should value the communities they work in and so far they haven't shown that they do.

Name	Location	Date	Comment
Katherine Shields	Portland, OR	2015-12-02	Quality of life in our neighborhood has been severely impacted by the massive development of condos and Market of Choice through increased traffic. The Peterkort corporation forced out Albertsons by doubling the rent. This was a family favorite store for many. Installing adequate sidewalks and traffic flow, street widening and safety measures to keep Cedar Hills and Barnes road flowing clearly and safely are a high priority to reduce negative impacts from the high traffic introduced. Prompt completion of safe, accessible, right of way, pedestrian access is very important. People need access to the Max. How about inviting parking in the old Albertson's while that store is empty? Widening roads and adding traffic control tools as needed will also go a long way to reducing the impact on the roads.
Warren Mitchell	Portland, OR	2015-12-02	IF THEY CAN'T ACCOMPLISH THIS DURING THE TIME FRAME ALLOCATED ~ NEW PUBLIC HEARINGS ARE NECESSARY
James Pollock	Beaverton, OR	2015-12-02	We have lived here over 35 years and almost never use the Cedar Hills Blvd exit because its the most unsafe exit in the metro area.
Martha Moyer	Portland, OR	2015-12-02	The developer should be conditioned to take care of these things.
Brian Novick	Portland, OR	2015-12-02	I have almost been hit and seriously injured from drivers exiting 26. I find it a serious safety issue that nothing has been done. If delaying the pud means delaying a solution then I am against the delay.
Robert Hetzer	Portland, OR	2015-12-02	I'm signing because of concern with the lack of sidewalks and existing problems with the US 26 off ramp access to Cedar Hills Blvd.. Egress from St. Vincent's Sunset clinic to Barnes Road is extremely difficult and hazardous.
Jeff Hollister	Portland, OR	2015-12-02	It is important to address gaps in this roadway to protect all bikers and pedestrians that are at risk of injury each and every day a solution to these problems are delayed.
Neil Hefty	Portland, OR	2015-12-02	I'm a resident
Jayne Wendland	Portland, OR	2015-12-02	The infrastructure of this future development needs to be established before any considerations for future planning are approved. Oregon has established a history of allowing developers to build new developments without bearing any of the cost. Only to leave the burden at the taxpayers expense down the road. It's time to place the burden of cost and planning back on the developers.
tamiko warren	Portland, OR	2015-12-02	Current inadequate pedestrian walkways in and around Cedar Hills Bv/Barnes Rd
Heather Sorensen	Portland, OR	2015-12-02	We need safe walking access in this increasingly busy neighborhood. Please do not delay!
Chris Jaworski	Portland, United States Minor Outlying Islands	2015-12-02	It goes without saying that pedestrian, bicycle, and automotive improvements must be improved north of Butner and south of Barnes in the development area. Let's not mess up the opportunity to do great development like has taken place elsewhere in the Portland region.
Michelle Navarro	Portland, OR	2015-12-02	I want the trail and trees protected as well as the sidewalk situation addressed.
Curt Jantz	Portland, OR	2015-12-02	Sidewalks are needed! Dangerous. Kids/adults forced to walk in bike paths and fields.
Norvelle Geiger	Portland, OR	2015-12-02	The eastbound entry to Hwy 26 could be made more user friendly if there would be a roundabout on Cedar Hills Blvd at or near the entrance so traffic in the 26 offramp could access Cedar Mill Blvd more easily and traffic on Cedar Mill Blvd could proceed without long left turn wait and being obstacles to those coming off 26. And, protecting areas that have been wetland mitigation for other Peterkort projects.

Name	Location	Date	Comment
Mary Cottle	Portland, OR	2015-12-02	I believe that development should be a positive force in a neighborhood. Sidewalks and trails need to be maintained. Residents should benefit by this, not suffer negative impacts.
Christine Campbell	Portland, OR	2015-12-02	These are big safety issues. No sidewalks from the transit center on Barnes Rd is a disaster waiting to happen. No traffic light at Cedar Hills Crossing must be addressed before passengers are killed.
Deb Hendrix	Portland, OR	2015-12-02	I'm concerned that the concerns of existing residents will not be considered.
Lydia Boswell	Portland, OR	2015-12-02	I agree with the concerns expressed in this petition and the concerns expressed by those who have signed it.
Leland Ashworth	PORTLAND, OR	2015-12-02	There is too much traffic as it is. But I guess money talks. Isn't this where we stopped Walmart?
E. Novick	Portland, OR	2015-12-02	Fixing the 26 off ramp at Barnes Rd. cannot wait. It is dangerous. The ridiculous wait to get off, even during non-peak hours also impacts traffic; I very rarely get off at that exit, even though that should be the most convenient exit for me, and use Murray or Park instead. Novick
Peri Periakaruppan	Portland, OR	2015-12-02	Infrastructure is needed before development. That is what makes a forward city different from a backward one!
paulette hanchett	Portland, OR	2015-12-02	We don't have the infrastructure to support this
Evelyn Shoop	Portland, OR	2015-12-02	What will the city do to add incentives to walk or ride transportation to and from the new development given that this is a transit-oriented district and Metro's goals include reducing car trips? The Peterkort developments have resulted in strip mall designs that marginalize pedestrians. Though my family lives within a mile of current and planned developments, the lack of meaningful pedestrian access and the need for pedestrians to cross over five-to-seven lane roads and then walk through parking lots leaves me asking for more from both Beaverton and Washington County planning commissions. Please create and widen sidewalks and crosswalks, maintain regional trails, provide meaningful wheelchair and stroller access, and develop sidewalk and street-facing shopping, instead of parking-lot facing. Thank you so much for your work on this issue!
Andy Nordhoff	Portland, OR	2015-12-02	Safe sidewalks save lives.
Nicole Chamberlin	Portland, OR	2015-12-02	I drive by the hwy 26 e bound off ramp onto cedar hills daily. It is a death trap. I see people turn illegally almost daily. This needs to be fixed before adding more people with more cars. The safety of people needs to come before developer profit!
Clay Atkins	Portland, OR	2015-12-02	Myself and my family live in the Torreyview neighborhood and regularly walk to Sunset TC and St. Vincent hospital complex using the trail and roads/sidewalks. Sidewalks are needed for safety especially in our wet, early darkness winter months! I have used the trail for over 10 years now walking to Sunset TC and St. Vincent.
Claudine Wilson	Portland, OR	2015-12-02	We need a traffic light off US 26 ramp at Cedar Hills Blvd and sidewalks along Barnes Road that allow pedestrians safer access to local destinations.
marlene weil-perez	Portland, OR	2015-12-02	cedar hills exits are very dangerous already-and the impact of more homes and business will extremely add to the problem
Elissa Ryan Morris	Portland, OR	2015-12-02	I'm a very concerned resident of Cedar Mill.

Name	Location	Date	Comment
Jeanne Patterson	Portland, OR	2015-12-02	I agree with the concerns stated. Sunset Transit Center has inadequate parking for current use. Further development will add to the burden. many people now must opt to travel by car due to growing inaccessibility of transit. As a healthcare professional, I can see the need for sidewalks as high priority safety issue - especially during the dark and rainy winter season. Going through open fields and parking lots is a big concern. Sunset TC has had criminal incidents due to the lack of security and safety. Automobil vandalism, loitering and predatory opportunities require mitigation and vigilance.
Russell sharonrussell01@yahoo.com	Portland, OR	2015-12-02	Random county decisions have a negative impact on more than they help
Gabriel Granett Granett	Portland, OR	2015-12-02	Pedestrian safety and convenience are very important especially as areas get more dense and traffic gets worse.
Dan Salzer	Portland, OR	2015-12-02	I'm concerned about pedestrian safety issues getting to and from the Sunset light rail station along Barnes Road and support safe pedestrian access to Barnes Road from the West Haven neighborhood
Vibeke Klocke	Portland, OR	2015-12-02	We need updated infrastructure in the surrounding area to support any development at the Peterkort land.
Gail Durham	Portland, OR	2015-12-02	Peterkort needs to be held accountable to the community. Sidewalks and pathways are important and not trivial.
richard whitton	portland, OR	2015-12-02	I'm signing because I am concerned about the the negative impact on the the area's traffic and safety.
Susan Brock	Portland, OR	2015-12-02	I live in Cedar Hills just off of Barnes Road and Cedar Hills Boulevard. Over the years I have seen an increase in traffic with little concern about those on foot or on a bicycle. (Remember Walmart?) We need more sidewalks in this area to join neighborhoods and increase walkability.
Carole Pool	Portland, OR	2015-12-02	I have lived in this region for 40 plus years. I would like to see thoughtful planning that takes the needs of ordinary citizens into consideration.
Michelle Kime	Portland, OR	2015-12-02	Beaverton is allowing Peterkort to destroy our neighborhood and quality of life as homeowners with total disregard to the impact these changes have on local residents.
Steve Williams	Portland, OR	2015-12-02	I'm signing because I'm a concerned citizen of Cedar Mill, living up the 113th Street hill. I pass through this area daily. I'm concerned that future development needs to take into account being consistent with the character of the neighborhood. Too much development in the past, either planned or already done has not preserved the flavor of the area into which we moved.
Kimberly Harr	Portland, OR	2015-12-02	I live in Cedar Mill and have watched accident after accident at Cedar Hills offramp. We need a plan for the future!
Robin Sherwin	Portland, OR	2015-12-02	Over development and lack of planning are strangling Cedar Mill. We need better planning to move cars and people, not just construction of houses, schools and stores.
Al Gabel	Portland, OR	2015-12-02	Traveling east I take the Cedar Hills Blvd exit off of Hwy 26, and it is a mess. You cannot delay fixing that.

Name	Location	Date	Comment
Jennie Jensen	Portland, OR	2015-12-02	I am signing this petition because I am extremely concerned about the overdevelopment, safety and increased traffic this will add to the community. There are already safety concerns regarding lack of sidewalks and the dangerous off ramp from 26 onto cedar hills blvd. the traffic along cedar hills blvd, barnes road, Cornell road and Walker road are already extremely congested, especially at peak hours. I feel this development will be a detriment to the community by increasing traffic, decreased safety, and overcrowding. This will also overwhelm our schools. Please considering the community that would be greatly impacted by such a development.
Dwight Stone	Portland, OR	2015-12-02	I used the 95th trail daily to go to work when I worked downtown, and my son still uses it to go to PSU. When we go to the airport or receive guests from the airport we often just walk to and from the Sunset Transit center on the 95th path. Without this path we would be forced to use our car.
Kami Hanchett	Portland, OR	2015-12-02	The eastbound Cedar Hills Blvd exit is a complete cluster and very dangerous. With the increasing housing and businesses already in, and plans to increase further, there needs to be a solution.
Janice Beadles	Portland, OR	2015-12-02	The safety needs of the area (eastbound Cedar Hills exit, sidewalks on Barnes and Cedar Hills Blvd) need to be a priority BEFORE all this new development happens.
Lark Brandt	Hillsboro, OR	2015-12-02	As usual, WashCo "leadership" is not listening to the people.
Carole Long	Portland, OR	2015-12-02	The traffic in the area is already bad. Many new developments are planned North of Cornell Road and on Thompson Road, all those cars will be going through that intersection to get on Highway 26, it will be gridlock constantly.
Antonio Cervantes	Portland, OR	2015-12-02	Antonio Cervantes
Carol Kirkbride	Portland, OR	2015-12-02	I'm signing this petition because I have concerns about this development near the Peterkort Shopping Center. The US 26 eastbound offramp-intersection at Cedar Hills Blvd. needs to be addressed. It is currently nearly impossible to exit there and plan on turning to the North. I can't imagine how it would be with all of the additional traffic if it is left as is. There also needs to be sidewalks all the way from beyond Cedar Hills Blvd. to the West extending continuously down towards St Vincent Hospital. If all of that acreage is going to be built out there needs to be sidewalks. Also, for years, the neighborhoods to the North of St. Vincent Hospital have used the community trail to walk to Max and shopping. This needs to be kept available. It allows those of us who use it to not use our cars and jam up the roads and parking lots. I think there are quite a few of us who do use it. I often see others using it when I am using it. Keeping the use of cars down is especially important if all this acreage is going to be built out adding many many more cars to the roads. We need to keep this public access easement open to the public.

Name	Location	Date	Comment
J Rain	Portland, OR	2015-12-02	<p>What will the city do to add incentives to walk or ride transportation to and from the new development given that this is a transit-oriented district and Metro's goals include reducing car trips? The Peterkort developments have resulted in strip mall designs that marginalize pedestrians. Though my family lives within a mile of current and planned developments, the lack of meaningful pedestrian access and the need for pedestrians to cross over five-to-seven lane roads and then walk through parking lots leaves me asking for more from both Beaverton and Washington County planning commissions.</p> <p>Please create and widen sidewalks and crosswalks, maintain regional trails, provide meaningful wheelchair and stroller access, and develop sidewalk and street-facing shopping, instead of parking-lot facing.</p> <p>Thank you so much for your work on this issue!</p>
Susanne Orlich	Portland, OR	2015-12-02	<p>Until 2013 we were residents of Cedar Hill, know this area well and think, our former follow residents need every help they can get.</p>
Wendy Squires	Portland, OR	2015-12-02	<p>I am concerned about the traffic situation. The offramp is very dangerous without a traffic control device. I am in favor of walking trails and sidewalks.</p>
David F Keyes	Portland, OR	2015-12-02	<p>Why is Peterkort closing the West Haven Trail. We need more trails!</p>
Aaron Humphrey	Beaverton, OR	2015-12-02	<p>Sidewalks. Off ramp.</p>
James Ellis	Beaverton, OR	2015-12-02	<p>I shouldn't have to instruct my driving teenage daughter to avoid the 26E off ramp at Cedar Hills because it is not safe. But that's exactly what I did. I don't use it either. It's not safe!</p>
Linda Roth	Portland, OR	2015-12-02	<p>Sidewalks and Trail Access are important!</p>
Sherie Briggs	Portland, OR	2015-12-02	<p>I'm signing because I'm concerned about the lack of sidewalks and the lack of a traffic signal for the 26 eastbound cars. We should not delay this any further as both are safety hazards.</p>
Keith Briggs	Portland, OR	2015-12-02	<p>The off ramp is a major problem. Sidewalks are needed badly.</p>
Steven Matthews	Portland, OR	2015-12-02	<p>No analysis of traffic was made along NW 101st Avenue which will become a cut through for drivers trying to reach Cornell. This road is nominally 25mph and use as a cut through will jeopardise safety for residents and for the child day care centers on Leahy west of 101st.</p>
Theresa bean	Beaverton, OR	2015-12-02	<p>Theresa I bean</p>
CINDY HAYES	Portland, OR	2015-12-02	<p>I'm signing because the roads are already congested during commute hours, and inadequate parking spots at Sunset TC.</p>
Minnie Stoumbaugh	Beaverton, OR	2015-12-02	<p>The timing seems poor as not all is prepared.</p>

EXHIBIT 1.3

To: City Of Beaverton, Facilities Review Committee
Planning Division, Director
12725 SW Millikan Way
Beaverton, OR 97076

RECEIVED

DEC 02 2015

From: Bruce Bartlett
Chair, Citizen Participation Organization #1 Cedar Mill/Cedar Hills
503-706-6389
bonnyslopemayor@gmail.com

City of Beaverton
Planning Services

Date: 2 December 2015

RE: City of Beaverton Case File EXT2015-0004
Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request

Dear Beaverton Facilities Review Committee and Planning Division Director,

In 2014, the City of Beaverton approved a Planned Unit Development (PUD) application from Peterkort Company, which is now asking the City to approve an extension of the application for two years.

At our 24 November 2015 meeting, CPO 1 members were informed of, and discussed some details of the application. We became concerned about several issues related to the extension: actions taken by the Peterkort Co. to eliminate access to the historic community trail between the West Haven neighborhood and Barnes Road leading to the Sunset Transit Center; the US Hwy 26 eastbound off-ramp to Cedar Hills Blvd.; and the lack of continuous sidewalks on NW Barnes Rd.

At that meeting, CPO 1 members voted 14-0 in favor of submitting this letter.

A pedestrian trail has connected the West Haven neighborhood via 95th Ave to Barnes Road (the "95th Avenue Trail") for many years. The trail allows West Haven residents to efficiently walk to the Sunset Transit Center and keeps many cars off the road and out of the over-used STC parking lot. Unfortunately, Peterkort Co. has recently posted "No Trespassing" signs and fenced off the southern end of the trail in an attempt to prevent public access. The community is concerned about the detrimental impacts of this action on active transportation and transit use throughout the region. In addition, neighbors are concerned that the Peterkort Co. is infringing upon public prescriptive easement rights that have been established through decades of continuous trail use. Therefore, we ask that the applicant be conditioned to maintain access to this important trail.

Next, CPO 1 members believe that it is important that sidewalks are built to fill in the gaps on Barnes between St. Vincent Hospital and the Sunset Transit Center, and the gap west of Cedar Hills Blvd. We ask that the applicant be conditioned to build these sidewalks in the initial phase of the project.

We recognize that the condition of the eastbound off-ramp from Hwy US26 to Cedar Hills Blvd. is a long-standing problem and requires the cooperation of several jurisdictions to resolve. We ask that reasonable conditions be included in the approval of the project extension.

Sincerely,



Bruce Bartlett on behalf of CPO 1

EXHIBIT 1.4

RECEIVED

DEC 02 2015

11/30/2015

City of Beaverton
Planning Services

Dear Beaverton Facilities Review Committee and Planning Director,

I am writing to appeal for all assistance in maintaining access to the 95th Ave Regional Trail during your consideration of the Sunset Station and Barnes Road PUD Extension application (City of Beaverton Case File EXT2015-0004).

This trail serves an important purpose in allowing foot traffic from the neighborhood to the Providence St. Vincent Medical Center, the MAX Sunset Transit Center, and Barnes Road in general. Until recently, I personally commuted along this trail daily, on my way to work at St. Vincent's, where I am a staff physician. On multiple occasions, access to this trail has been the sole reason that I have been able to report to work. I have even become the default practice backup physician when others are unable to reach the hospital due to inclement weather. I also used the trail in walking with my children to daycare at the medical center for six years, and I know others do as well.

The trail has been used by my neighbors for generations, and I have personally used it for seven years. Access to the trail played a real part in my decision to move to my current house. If the trail is blocked, I am forced to drive to work, contributing to pollution and crowded streets and parking lots, instead of taking the carbon-free and exercise-allowing hike twice a day. Many of my neighbors do not even have the option of driving instead of walking, and there is no realistic alternative route by foot. Curiously, even Google believes this trail is the right way for me to commute—a Google maps route search recommends I follow the trail route (0.7 miles) rather than the road route (1.8 miles).

I ask you to recognize the longstanding importance of this path to the community and the benefits of its free use to the city as a whole. This includes protecting the existing trail and ensuring that recent attempts to block the trail do not continue in the future.

Best regards,



Patrick Gaston, MD
9690 SW Spring Crest Dr.
Portland, OR 97225
503-901-9976

City Of Beaverton
Facilities Review Committee
Planning Division, Director
12725 SW Milikan Way
Beaverton, OR 97076

RECEIVED

November 23, 2015

DEC 02 2015

City of Beaverton
Planning Services

RE: City of Beaverton Case File EXT2015-0004
Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request

Dear Beaverton Facilities Review Committee and Planning Division Director,

We note that the applicant for Conditional Use-PUD (file # CU2013-003) development at Sunset Station and SW Barnes Road is seeking to extend the expiration date of its approval (EXT2015-0004). Under section 50.93.6.B of the Development Code, in order to receive an extension, the applicant must demonstrate that "there has been no change in circumstance or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision..." (Appendix A). In this case, there have been changes in both circumstances and regulations that significantly impact the decision. Therefore, an extension should not be granted unless the conditions of approval are modified to adequately address the relevant changes.

First, transportation impacts in the City of Beaverton and unincorporated Washington County were fundamental considerations during the approval process for the applicant's Conditional Use-PUD. Therefore, the City must now consider the 2014 TSP Update that recognized the 95th Ave Trail as a Regional Trail (see Appendix C). In doing so, the City should recognize and protect the trail in the conditions of approval as an essential link to transit and the Regional Trail System.

Second, the City must consider paragraph 501-7.1.B of Washington County's recently adopted A-Engrossed Ordinance No. 799, which states that Regional Trails identified on the TSP Pedestrian System map are Essential Services, on par with collectors, arterials, and state highways (see Appendix B). The Essential Service designation is applicable to the 95th Ave Regional Trail and right-of-way between the Transit Oriented Westhaven neighborhood, the surrounding Pedestrian District, and Sunset Transit Station (see Appendix C & D). Therefore, the Traffic Impact Analysis that was conducted along collectors, arterials, and state highways should be updated to also cover essential pedestrian access. In addition, the conditions of approval must be modified to reflect the essential nature of the 95th Ave Regional Trail and ensure full access to it and other pedestrian services. Among other impacts, failure to consider and protect essential pedestrian services would undermine previous Traffic Impact Analyses for the Barnes Road vicinity.

Third, the City should consider the applicant's repeated attempts to block the 95th Ave Regional Trail with fences and signs (see Figures 2). If the applicant is allowed to block essential pedestrian services such as the 95th Ave Regional Trail during project extensions, it would compromise the active transportation and transit use of members of the Transit Oriented community for years to come. Without the 95th Ave Regional Trail, the walking distance from Westhaven's TO designated Pedestrian District to Sunset Transit Station would increase from a short nature walk to a trek that is miles long (see Figure 1). This would significantly reduce the Transit Oriented community's ability to access Sunset Transit Station, negatively impact the station's functionality, and undermine previous Traffic Impact Analyses for the Barnes Road vicinity. Furthermore, auto impacts would increase throughout the region due to decreased

pedestrian access and higher demand on Sunset Transit Station's already over-burdened parking facility. The applicant's actions also threaten to compromise the success of State, Regional, County, and City policies and goals that seek to increase active transportation, reduce VMT, reduce auto-related climate change impacts, and improve public health. Therefore, the conditions of approval should be modified to require the applicant to protect the 95th Ave Regional Trail and enhance pedestrian access to transit in the Transit Oriented community.

Fourth, the facts and history surrounding the 95th Ave Regional Trail demonstrate that the trail runs along a well-established public trail corridor that may be subject to the common law doctrine of prescription. In particular, the public corridor is supported by generations of continuous, open, and uninterrupted use of the trail by the public. Public use of the trail has been well-documented, particularly over the past 17 years since Sunset Transit Station opened in 1998. The fact that public use continues despite repeated attempts by the applicant to block the path reaffirms the public's long-held use rights.

Fifth, the points listed above are not affected by the fact that the 95th Ave Regional Trail is located immediately adjacent to the PUD rather than within the development. In fact, CU2013-003 Order Approving Sunset Station & Barnes Road PUD Conditional Use (ORDER NO. 2337) already considers transportation-related requirements and impacts in both Beaverton and unincorporated Washington County, many of which fall outside the PUD. For example, Condition 2 of the approval document requires substantial investment and improvements at the intersection of Cedar Hills Boulevard and eastbound Highway 26, including widening roads, adding lanes, adding traffic signals, and constructing other transportation infrastructure. In addition, Condition 31 requires the applicant to pay \$166,500 to Washington County for improvements at the intersection of Cornell Road and Trail Street, miles away from the PUD. Other examples of approval conditions that affect areas outside the PUD include Approval Conditions 3, 4, 8, 10, 11, 12, 13, 21, 26, 27, 29, 30, and 32. In contrast to these examples, the 95th Ave Regional Trail is directly connected to the PUD and protection of its essential services would not require any immediate investment by the City or the developer.

The Interagency Government Agreement between the City of Beaverton and Washington County requires that the City acknowledge and implement this Regional Trail designation. It is appropriate and important to do so at this time because of the potential for immediate loss of essential pedestrian connectivity between Sunset Transit Station and its TO Community. Furthermore, it would be unreasonable to put off these issues for years during extensions on multiple parcels with uncertain development timing. The safety and essential service access can be addressed prior to a development application, as evidenced by the applicant's current work with the City, County, and ODOT to address safety issues at the eastbound exit of Highway 26.

In summary, the applicant's extension request requires consideration of new circumstances and regulations, such as the establishment of the 95th Ave Regional Trail, the classification of Regional Trails as Essential Services, and the applicant's efforts to block access to transit in the Transit Oriented community. Under section 50.93.6.B of the Development Code, the Facility Review Committee should not recommend approval to the Director and the Director should not approve this extension unless the following conditions of approval are revised to adequately recognize, protect, and enhance the established public use pedestrian corridor, easement and associated pedestrian services.

We respectfully request that the Facility Review Committee and the Director amend the conditions of approval to require the Applicant to:

1. Amend the originally approved development plan maps to show the 95th Ave Regional Trail.
2. Remove fencing and other obstacles from the 95th Ave Trail within 30 days in order to allow the public free passage along the pedestrian corridor.
3. Require construction of the trail to meet Regional Trail requirements in the future Sunset Station development application.

Thank you for the opportunity to comment and for your decision to protect the public access along the 95th Ave Trail for future generations.

Jake Mintz (group member)
Neighbors For Smart Growth
9849 SW Spring Crest Dr.
Portland, OR 9722

[Please see attached signature pages 10-16 for additional signees and descriptions of trail usage.]

Figure 1

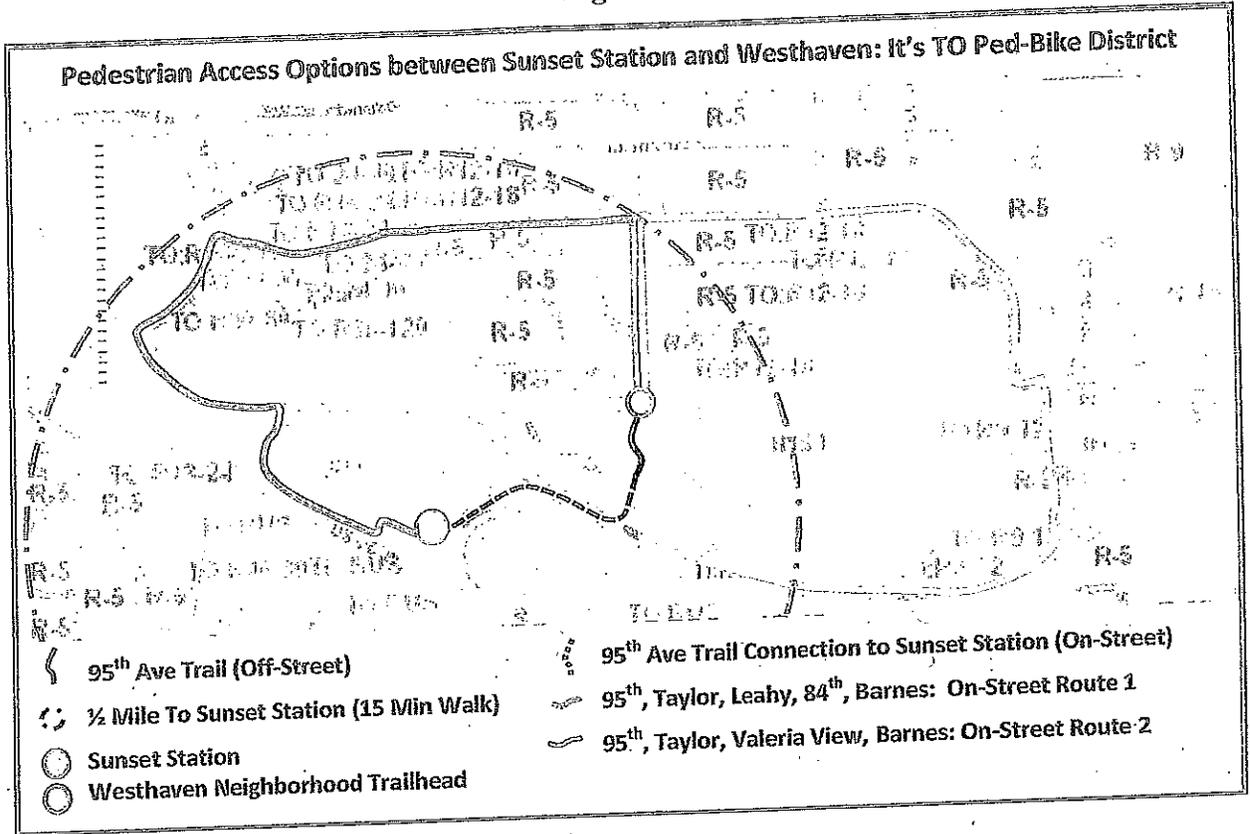
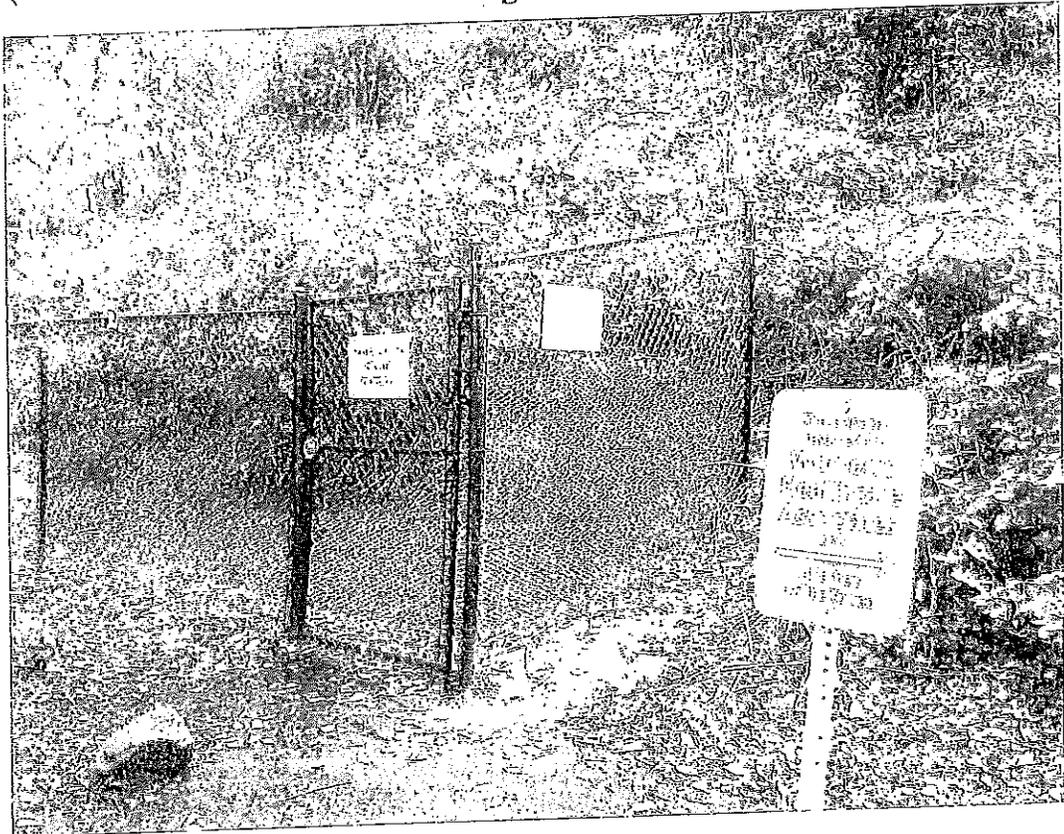


Figure 2



Appendix A



CITY OF BEAVERTON
Community Development Department
Planning Division
4755 SW Griffith Drive / PO Box 4755
Beaverton, OR 97076
Tel: (503) 526-2420 • Fax: (503) 526-3720
www.BeavertonOregon.gov

EXTENSION OF A DECISION - SUBMITTAL CHECKLIST

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS "NOT APPLICABLE" OR "THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS" ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

Applications to extend the expiration date of a decision may be filed only before the decision expires. An applicant for Extension of a Decision shall address compliance with all of the following Approval Criteria as specified in 50.93.6 of the Development Code. Please respond to the approval criteria below in the space provided or in a typed supplemental written statement.

1. It is not practicable to commence development within the time allowed for reasons beyond the reasonable control of the applicant.

The PUD area is extensive, consisting of approximately 82.6 acres of undeveloped land. The PUD area is adjacent to several major transportation facilities: SW Barnes Road, SW Cedar Hills Boulevard, the Sunset Transit Center and two major freeway access points, at Highways 217 and 26 and Highway 26 at Cedar Hills Boulevard. Establishing a development plan must take into account impacts on traffic and significant offsite improvements required as conditions of approval. Since the effective date of the decision, November 5, 2013, applicant has conducted extensive work to identify the uses supported by current market conditions, the initial parcels for development, offsite improvement costs at various levels of development and onsite infrastructure requirements. Applicant has since engaged in development planning for sites targeted as initial development sites and discussions with potential partners for such development. The extent of the work necessary for this size project has made it impracticable to commence development within the time allowed in the PUD approval. Having completed much of this work, applicant is anticipating commencement of development in the foreseeable future, within the time sought in this requested extension.

2. There has been no change in circumstances or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision for which the extension is sought.

Applicant is not aware of any applicable ordinance, regulation or statute that has changed since the effective date of the decision that would require modification of the land use decision or the conditions of approval.

3. The previously approved land use decision is not being modified in design, use, or conditions of approval.

No modifications to the land use decision or PUD are being requested in this request for extension.

Appendix B

A-Engrossed Ordinance No. 799
Exhibit 8
August 25, 2015
Page 2 of 25

provided that the negative effects could be avoided with a comprehensive public roadway improvement project on the subject road, designed and constructed in accordance with the Washington County Transportation System Plan and Road Design and Construction Standards.

501-6.6 Notwithstanding the provisions of this Section 501-6, all new construction and expansion of the existing structures shall pay the Transportation Development Tax, except as provided in the Transportation Development Tax Ordinance (Ordinance 691 as amended). No exception to the Transportation Development Tax shall be granted except as provided in the Transportation Development Tax Ordinance.

501-7 Levels of Public Facilities and Services

501-7.1 Implementation strategies of the Comprehensive Plan have placed Public Facilities and Services into three (3) categories for development:

- A. **Critical Services.** Public water, public sewer, fire protection, drainage and access on Local and Neighborhood Route roads;
- B. **Essential Services.** Schools, Arterial (including State highways) and Collector roads, Regional Trails identified on the Transportation System Plan Pedestrian System map, transit improvements, police protection, street lighting and on-site pedestrian and bicycle facilities in the public right-of-way; and
- C. **Desirable Services.** Public transportation service, parks, traffic calming devices, mid-block crossings, Community Trails identified on the Transportation System Plan Pedestrian System Map, Special Area Trails, Pedestrian Connectivity Areas identified on the Community Plans and off-site pedestrian and bicycle facilities, bicycle facilities and off-site pedestrian facilities, including off-street trails identified on the Transportation Plan Trails and Pedestrian System map, off-street pathways, Special Area Trails and Pedestrian Connectivity Areas identified on the Community Plans.

501-8 Standards for Development

501-8.1 Critical Services

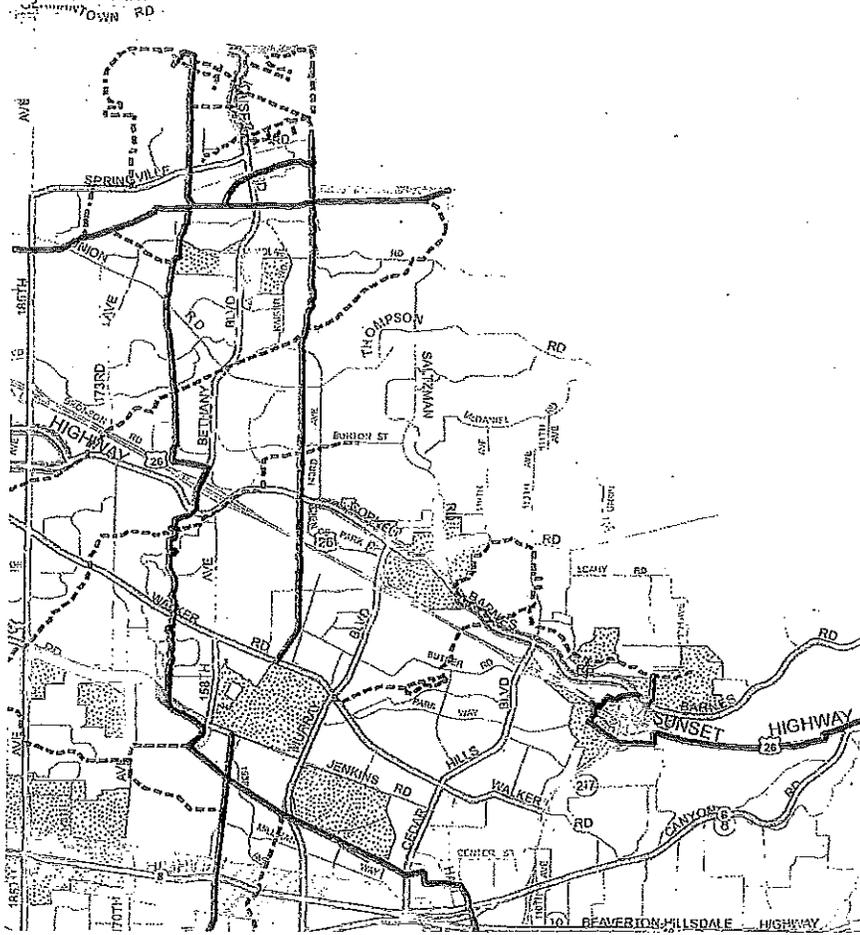
- B. ~~No development shall be approved without an adequate level of access to the proposed development in place or assured at the time of occupancy, with "adequate" defined for critical road services as:~~

abcdef Proposed additions
abcdef Proposed deletions

Appendix C

A-Engrossed Ordinance No. 783
 Exhibit 4
 August 26, 2014
 Page 11 of 40

The Pedestrian System Map 4 of 8 is incorporated into the Washington County Transportation System Plan:



- | | | | |
|--|-----------------------------------|--|--------------------------------|
| | Regional Trail Existing/Proposed | | Streetscape Overlay |
| | Community Trail Existing/Proposed | | Pedestrian/Bicycle District |
| | Pedestrian Pathway | | Regional Trail Refinement Area |

Features on this map are shown in bold solid, dashed or patterned lines; as displayed in the legend. Other features shown are for reference only, and are not affected by this exhibit.

For proposed regional and community trails identified, refer to community plan and/or trail master plan documents to determine additional details regarding specific trail alignment.

abcdef Proposed additions
 abedef Proposed deletions

City of Beaverton Case file EXT2015-0004
 Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
 Letter Signature Page(s)

Name	Address	Phone	Email	Signature	Date
DARVE TEAKS	9555 SW WASHINGTON ST	503 203 8046	dummond@aol.com	<i>[Signature]</i>	11/23/15
Greg Mintz	9849 SW Spring Crest Dr	503 297 7909	gregmintz@gmail.com	<i>[Signature]</i>	
Shirley Keller	9185 SW Taylor St	503 297 3042	shirley@keller-farm.com	<i>[Signature]</i>	
Gary Hargrett	9795 SW Taylor	503 292 4763	ghargr19@gmail.com	<i>[Signature]</i>	
GEORGE YANE	9330 PARKER	503 487 8880	gkime@yahoo.com	<i>[Signature]</i>	
VALERIE O'KEEFE	9543 SW Spruce Crest Dr		v50508@comcast.net	<i>[Signature]</i>	
DONOVAN FRASER	" " "	" " "	DONOVANFRASER@comcast.net	<i>[Signature]</i>	
Daniel N. Allen	7255 W Burnside St	971 858 1670	dna1234@gmail.com	<i>[Signature]</i>	
Betsy Ptak	9705 SW Spring Crest Dr	503 292 2149	betsyptak@gmail.com	<i>[Signature]</i>	
LINDY CARNEY	9751 SW Brookside Dr	503 319 6686	CARNEYLINDY@GMAIL.COM	<i>[Signature]</i>	

City of Beaverton Case file EXT2015-0004
 Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
 Letter Signature Page(s)

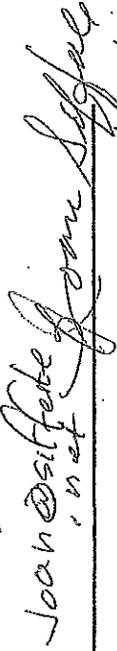
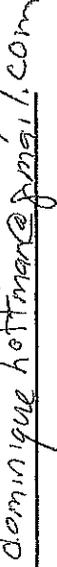
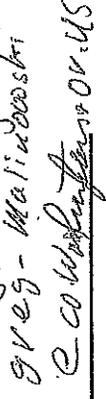
Name	Address	Phone	Email	Signature	
Charles Flaxel	9580 Sw Westhaven Dr	503-314-3841	Charles@ MoonCreekYards.com		11/23/15
Nancy Myers	9855 SW Morrison	503 297-6322	nncaym-pdx@ yahoo.com		
Lee Rosenbaum	9675 SW Springcrest	503 297 3065	lgro@re-ee.org		
Erik Mace Evelyn Sharp Mathew	9432 SW Leathen Dr Portland OR 345 NW 95th Ave Portland, OR 97229	503-265-8159 718 772 2350	ebmace@gnail.com evshoop@yahoo.com		
OLAF NIELSEN	790 NW 90th Pl.	503 247 9587	olaf.nielsen@comcast.net		

City of Beaverton Case file EXT2015-0004
 Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
 Letter Signature Page(s)

Name	Address	Phone	Email	Signature	Date
B. Joan SIFFERLE	9312 SW Salem 503 292 2255	503-292-2255	joan@sifferle.net		11/23/15
William G Sifferle	same				
Robert W. Coffin	65 SW 93 Ave	503-292-9338	roffin@uwaga.com		
Shirley A. Coffin	65 SW 93rd Ave	503-292-9338			
Jake Mintz	9849 SW Spring Crest D. Portland OR 97225	503-260-2006			

Westhaven Neighborhood Meeting Sign In Sheet (11-23-15)

95th Ave Trail Rights

Name	Address	Phone	Email	Signature
Charles Flavel	9580 Sw Westlawn Dr	503-314-3841	Charles @ MeadCreekYard.com	
Bill + Joan Sifferke	9312 Sw Salmon	503 292 2255	Joan@sifferte .net	
Dwight Stone	195 NW 95th Ave 9601 NW Leahy Rd,	503-312-3399	dwrights@gmail.com	
Dominique Hoffman	#100	919-619-4359	dominique.hoffman@gmail.com	
Elizabeth Ptak	9705 Sw Spring Crest Drive	503-292-2144	betsyptak@gmail.com	
Greg Malinowski	130450 N.W. Springville Ln	503-367-1983	greg-malinowski @comcast.net	
Greg Mintz	9849 Sw Spring Crest Dr	503-297-7949	gregmintz@gmail.com	

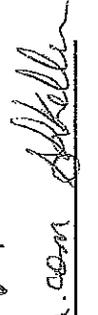
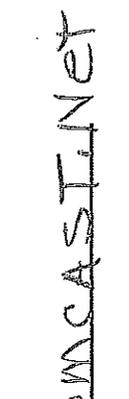
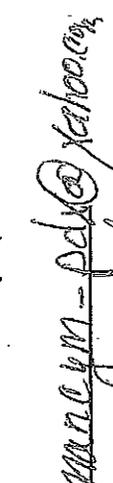
Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
Letter Signature Page(s)

Name	Address	Phone	Email	Signature	DATE
JEAN SINGER	810 SW VIEWMONT DR		JEANSINGERC HOTMAIL.COM		11/24/15
Janifer Alger	9240 NW Cedar Ct		jeanlger@gmail.com		11/24/15

City of Beaverton Case file EXT2015-0004
Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
Letter Signature Page(s)

Name	Address	Phone	Email	Signature	DATE
Brian SIFFELLE	9312 SW Salem	503-292-2255	siffelle.net		11/23/15
William G Siffelle	same				
Robert W. Coffin	65 SW 93 Ave	503-244-9338	robertwcoffin@comcast.com		
Shirley A. Coffin	65 SW 93rd Ave	503-242-9338			
Jake Muntz	9849 SW Spring Crest Dr	503-200-2008			
	Portland OR 97225				

Westhaven Neighborhood Meeting Sign In Sheet (11-23-15)
95th Ave Trail Rights

Name	Address	Phone	Email	Signature
Valerie O'Keefe	9543 SW Spring Crest Dr.		vjo508@comcast.net	
Shirley + Bob Coffin	65 SW 93rd Ave.		coffin@europa.com	
Lee Rosenbaum	9675 SW Springcrest		lgr@iecee.org	
Stan Jovost + Shirley Keller	9185 SW Taylor		shirley@keller-fan.com	
Annette Holmstrom	725 SW 95th		ANGELTOO@COMCAST.NET	
John & Sue Marsh	670 SW 95th		S.Marsh@concast.net	
Gary Hargrett	9795 SW Taylor	503-292-4763	gkgrjht2@gmail.com	
Daniel N. Allen	2255 W Burnside St #203 Pdx	97210		
Nancy Myers	9855 SW Morrison		Portland	
Evelyn Shoop Mathew	345 NW 95th Ave	7187722350		

Westhaven Neighborhood Meeting Sign In Sheet (11-23-15)

95th Ave Trail Rights

Name	Address	Phone	Email	Signature
Gregory King	7530 SW Taylor	503 477 8680	gking@yahoocom	
Erik Mace	9432 SW Westman	503 265 8159	emace@gnulinux.org	
Nicole VanDerHeyden	195 NW 95th	Portland	VanDerHeyden	
Jake Muntz	9849 SW Spring Crest Dr.	Portland, OR		



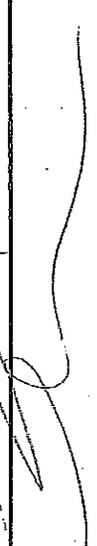
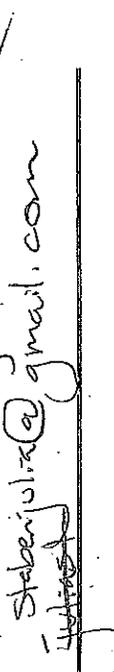
95th Ave Trail and Prescriptive Easement

The 95th Ave Trail on the eastern property line of 9701 SW Barnes Road, Portland, OR 97225, is an essential pedestrian link between the Transit Oriented Westhaven Neighborhood and the Sunset Transit Station that the Transit Oriented designation was developed to serve.

The Westhaven community has openly and continuously used the 95th Ave Trail for generations in order to access medical services, attend school, commute to work, and access adjacent communities. This use created a well-established prescriptive easement. We demand that all attempts to block or otherwise discourage pedestrian access along this public thoroughfare be curtailed immediately. In particular, we demand the removal (within one week) of the fence that was recently built across the trail at the east end of the NW Gastroenterology Center at 9710 SW Barnes Road.

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Ent Mesa	access to tractor daily school commute & to get to ^{to get to} down town ^{to get to} recreation ^{recreation} walking. instead of daily	weekdays	2003	
Everlyn Shoop Mathew	Walk to doctor	A few times per year	2012	

City of Beaverton Case file EXT2015-0004
 Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
 Letter Signature Page(s)

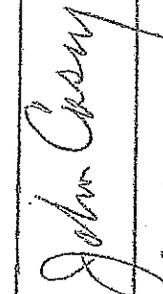
Name	Address	Phone	Email	Signature
Kathleen Moon	9950 SW 24th Street Knappton	503-705-1417	KMOON34@jakeen.com	
Mike Moon	11 503.502.7405			
STEVE MOON	u	951820 944		
Jordan Meredith	9880 SW Spring Crest Dr Portland OR	971-804-3365	cedar.park.meredith@gmail.com	
Sarah Meredith	9880 SW Spring Crest Dr Portland OR 97225	971 678 0166	Sarah.meredith@pc.edu	
Dierdre Forbes	9801 SW Spring Crest Dr Aurora 97025	503-421-0407	jeeniz384@aol.com	
SUSAN CHOW	9775 SW SPRING CREST DR	503-296-0593	SUSANCHOW1@GMAIL.COM	
Richard Helvick	u	u	Rich.Helvick@GMAIL.COM	
David Ptak	9705 SW Spring Crest Dr		dauid@ptak.org	
Julia Staben	9655 SW Spring Crest Dr		stabenjulia@gmail.com	

City of Beaverton Case file EXT2015-0004
Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
Letter Signature Page(s)

Name	Address	Phone	Email	Signature
JAMES FOREY	9798 SW BROOKSIDE DR			
Tracy Choi	9822 SW Brookside			
MATTHAN MEREDITH	9890 SW SPANISH CREST DR			
DANIEL J. OKAPAL	9957 SW Spring Crest Dr Portland OR 97225			
Mary Okapal	9957 SW Spring Crest Dr. Portland, OR 97225			Mary Okapal
Christie C. Funk	9957 SW Spring Crest Dr. Portland, OR 97225			
XXXXXXXXXX				

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
ERIC J. THOMPSON	access to hospital, Also to public trails	2x per week	1993	Eric J. Thompson
PHYLLIS A THOMPSON	point access to public transport	≈ 1x/wk	1993	Phyllis Thompson
Debbie Ebert	Access to Cedar Hills to school, light rail	once in a while	2006	Debbie Ebert
DOUG EBERT	ACCESS TO CEDAR HILLS LIGHT RAIL	1 per month	2006	K. D. Ebert
ALICE EBERT	Access to light Rail	once in a while	2006	ALICE EBERT
Will Ebert	Access to School and light rail	once a month	2008	will ebert
GAIL MURPHY	access to light rail	3x/wk 1996- 2007 4x/mo now	1985	Gail Murphy
PAUL RICHARDSON	access to light rail	once week	1982	Paul Richardson
Lara Richardson	access to light rail	often	1985	Lara Richardson
Meara Murphy	access to light rail	1x mo	1988	Meara Murphy
Allan Olsen	Hiking Mountain Biking	weekly	1980	Green Olsen
GAYLE OLSEN	walking to work at S.C. Jess	1x mo	1989	Gayle Olsen

RECEIVED

NAME	ADDRESS	PHONE	DEC 02 2015	EMAIL	SIGNATURE
Deann Benson	9601 NW Leaky Rd #309 Portland OR 97229	503 296-7248		Deann Benson 6457 City of Beaverton Planning Services @ COMM. OR	
Siminique Hoffman	9601 NW Leaky Rd #100 Portland OR 97229				
Selen Spedex	9601 NW Leaky 309	503 296-7248		helen94611 @Gmail.com	
Inchy Benson	9601 NW Leaky 306	503 292-1905		integratepassion@gmail.com	
Negla Stent	9601 NW Leaky Rd, Unit 310 503 858-0657	503 847-1777		negla.stent@gmail.com glenicevas@wind @gmail.com	
Juan Delmonico	9601 NW Leaky Rd 9601 NW Leaky Rd #212	503 758 8304		juan.delmonico @gmail.com	
John Casey	9601 NW Leaky Rd #306	503 853-6188		John.RioCasey @hotmail.com	
Lorraine Keller	9601 NW Leaky Rd #309	503 292-5364			
Edward Owen	9601 NW Leaky Rd #203	503 957-7570			
Edde Hughes	9640 NW Murkard Drive Portland OR 97229			adelrocket@gmail.com	

Name Trail Use Purpose(s) Frequency First Use (Year) Signature

Paul Foley My family used the trail for 30 years to get to Barnes Rd for bus transport and light rail Once a week At least 1980 *[Signature]*

Stephanie Burchfield I've used the trail to get to Max for work downtown 4x/week 1998 *[Signature]*

Robert Sawyer access to Sunset TC and Catling Gabel School 1x month 2004 *[Signature]*

Angela Vargas access to sunset TC ~ 10 years 2005 *[Signature]*

Sue Salt 9884 NW Leahy Rd Portland OR Horses + walked 1965 *[Signature]*

David Galt 9884 NW Leahy Rd Portland OR 1x/week 2010 *[Signature]*

Susan Morea to use Sunset Transit 1x month 2012 *[Signature]*

Nicholas Morea 9074 SW West Haven Dr 97225 1x month 2012 *[Signature]*

Mark Wilson To Sunset transit to commute to PSU. Transit center is full by 6:30am 3x a week 2012 *[Signature]*

Maria Abad My family use the trail x the path to yards, kids walk to school, transit, hospital. I also live right across from the trail and see a stream of people walking through out the days. 2004 *[Signature]*

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
------	----------------------	-----------	------------------	-----------

Lee Rosenbaum	Transit Access	3x/week		
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CINDY CARNEY	SUNSET TRANSIT Hospital Access	weekly	2008	Cindy Carney 11/23/15
--------------	-----------------------------------	--------	------	-----------------------

Lee Rosenbaum	Sunset Transit	Monthly	1995	[Signature] 11/23/15
---------------	----------------	---------	------	----------------------

Robert W Coffin	Sunset Transit Cedar Hills Blvd	Monthly	2002	Robert W Coffin 11/23/15
-----------------	------------------------------------	---------	------	--------------------------

CINDY CARNEY	MEDICAL VISITS	23x/year	2008	Cindy Carney 11/23/15
--------------	----------------	----------	------	-----------------------

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature	11/23/15
Valerie O'Keefe	Access to MAX Grocery Access	2-4x per wk	2006	<i>Valerie O'Keefe</i>	
	DR. Office Access				
Donna Traber	Access to MAX -	2x wk	2006	<i>Donna Traber</i>	
	Recreational Walk				

DATE

Name Trail Use Purpose(s) Frequency First Use (Year) Signature

Colleen Donnelly - commuting to work/hospital 2-3x/wk 2011 Colleen Donnelly 11/24/15

EDW SINGER

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Greg Muntz	Recreational, work commuting	2 round-trips per month	1990 - present	Greg Muntz 11/23/15
Shirley Kuller	Recreation, work commute	5 days wk	1973	Shirley Kuller 11/23/15
Jake Muntz	Recreation, work commute Recreation, exercise 4x/week Commuting CRT 1-4 times/mo To and from 203 freeway Baker Games Portraids		1981 - Present " " "	Jake Muntz 11/23/15

95th Ave Trail and Prescriptive Easement

The 95th Ave Trail on the eastern property line of 9701 SW Barnes Road, Portland, OR 97225, is an essential pedestrian link between the Transit Oriented Westhaven Neighborhood and the Sunset Transit Station that the TO district was created to serve. The community has openly and continuously used the 95th Ave Trail for generations in order to access medical services, attend school, commute to work, and access adjacent communities. This use created a well-established prescriptive easement.

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Paige Dickson	Personal recreation	Monthly (spring/summer) 2-3 times weekly (winter)	2006	
Clay Atkins	Commute to work, Personal recreation	Weekly at least most of the year, especially when cold.	2005	

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Marie L. Ranger	Doctors Apointments	monthly	1998	Marie L. Ranger
Marie L. Ranger	Access to MAX	weekly	1998	Marie L. Ranger

95th Ave Trail and Prescriptive Easement

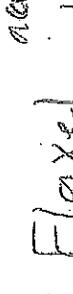
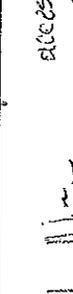
The 95th Ave Trail on the eastern property line of 9701 SW Barnes Road, Portland, OR 97225, is an essential pedestrian link between the Transit Oriented Westhaven Neighborhood and the Sunset Transit Station that the TO district was created to serve. The community has openly and continuously used the 95th Ave Trail for generations in order to access medical services, attend school, commute to work, and access adjacent communities. This use created a well-established prescriptive easement.

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Ian Swain	Get to transit station	4 days a week	Starting in '96.	Ian Swain

95th Ave Trail and Prescriptive Easement

The 95th Ave Trail on the eastern property line of 9701 SW Barnes Road, Portland, OR 97225, is an essential pedestrian link between the Transit Oriented Westhaven Neighborhood and the Sunset Transit Station that the TO district was created to serve. The community has openly and continuously used the 95th Ave Trail for generations in order to access medical services, attend school, commute to work, and access adjacent communities. This use created a well-established prescriptive easement.

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Beverly K Heath	Tr Met Access, hospital Access	Monthly	1991	<i>Beverly K Heath</i>
Max White	MAX access, Neighborhood	Weekly	1991	<i>Max White</i>

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Charles Flaxel	access to Medical facility & MAX	1-2 x/month	2006	
Amy Flaxel	access to Dr's office & MAX	1-2 x/month	2006	
Ismael Nuñez	access to work + Max.	1-3/month	2010	
William E. Ulitz	Access to work & Max at emergency	5 x week	2015	
Eugene Commenal	access to medical facility & max	5 x week	2006	
Eduardo Saldaña	work + Max	F-H x week	2011	
Joel Nuñez	access to work + Max.	5 x week	2010	Joel Nuñez



CITY OF BEAVERTON
Community Development Department
Development Services Division
4755 SW Griffith Drive
PO Box 4755
Beaverton, OR. 97076
Tel: (503) 526-2420
Fax: (503) 526-3720
www.ci.beaverton.or.us

OFFICE USE ONLY	
FILE #:	APP2015-0003
FILE NAME:	Appeal of Sunset Station PUD (Ext 2015-0004)
TYPE:	RECEIVED BY: <u>YS/SW</u>
FEE PAID: <u>\$250.00</u>	CHECK/CASH: <u>3649</u>
SUBMITTED: <u>12/23/15</u>	NAC: _____

Tim
Ensil

RECEIVED
DEC 23 2015

LAND USE DECISION APPEAL

PLEASE SELECT THE SPECIFIC TYPE OF APPEAL FROM THE FOLLOWING LIST:

<input type="checkbox"/> APPEAL OF A TYPE 1 DECISION	<input type="checkbox"/> APPEAL OF A TYPE 3 DECISION
<input type="checkbox"/> APPEAL OF A TYPE 2 DECISION	<input type="checkbox"/> OTHER

APPELLANT NAME(S): Jake Mintz
SIGNATURE(S): *[Signature]* (Original Signature(s) Required)
& As Representative of Neighbors for Smart Growth

EACH APPELLANT MUST HAVE PROVIDED EVIDENCE TO THE DECISION MAKING AUTHORITY THAT WAS CONTRARY TO THE DECISION.

APPELLANT REPRESENTATIVE: All pre-hearing contact will be made solely to this person.
IF MORE THAN ONE APPELLANT, APPELLANT'S MUST DESIGNATE A SINGLE APPELLANT REPRESENTATIVE.

NAME: Jake Mintz **COMPANY:** _____
ADDRESS: 9849 SW Spring Crest Dr. Portland
(CITY, STATE, ZIP) Portland, OR 97225
PHONE: (503) 260-2606 **FAX:** _____
SIGNATURE: *[Signature]* (Original Signature Required)

REQUIRED INFORMATION

SITE ADDRESS: _____ **CASE FILE NO. UNDER APPEAL:** _____
SPECIFIC APPROVAL CRITERIA / CONDITION BEING APPEALED: _____

SPECIFIC REASON(S) WHY A FINDING / CONDITION IS IN ERROR AS A MATTER OF FACT, LAW OR BOTH: _____
See attached - SW
(Attach additional sheets if necessary)

SPECIFIC EVIDENCE RELIED ON TO ALLEGE ERROR: _____
See attached - SW
(Attach additional sheets if necessary)

HOW DID THE APPELLANT(S) PROVIDE EVIDENCE TO THE DECISION MAKING AUTHORITY? WHERE IN THE OFFICIAL RECORD IS SUCH EVIDENCE?: _____
See attach - SW
(Attach additional sheets if necessary)

RECEIVED

DEC 23 2015

December 23, 2015

City Of Beaverton
Planning Division
12725 SW Milikan Way
Beaverton, OR 97076

City of Beaverton
Planning Services

Subject: Notice of Appeal of the City of Beaverton's Decision for Time Extensions of Previously Approved Applications for Sunset Station & Barnes Road PUD. Case File EXT2015-0004
Sunset Station & Barnes Road PUD First Time Extension (CU2013-0003)

Dear City of Beaverton Planning Division,

Under section 50.93.6.B of the Development Code, in order to receive an extension for Beaverton's Conditional Use-PUD (file # CU2013-0003) development at Sunset Station and SW Barnes Road, the applicant must demonstrate that "there has been no change in circumstance or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision."

In this case, the Director's December 11th extension approval Decision is not supported by substantial evidence in the whole record. In particular, the Decision fails to appropriately respond to Neighbors For Smart Growth's written testimony and the findings of fact with references to relevant Development Code sections contained in our November 23, 2015 Letter (attached), which is also attached to the Notice of Decision as Exhibit 1.5. The testimony describes in detail that there have been changes in both circumstances and applicable regulations. Substantial evidence is in the record which supports, at a minimum, modification of the conditions of approval to address the impacts of these changes.

The Director simply makes an erroneous and incomplete conclusionary statement as the only finding on point on the top of page 8 of the Decision that "Staff also finds that no significant changes have occurred to the applicable regulations..." The Director findings do not even mention "change in circumstance" or in "Statutes".

The Director's Decision fails to comply with the applicable provisions of BDC 50.93.6(B) by failing to address the "change[s] in circumstances" described in our testimony - including the designation and use and blockage by the developer of the existing community trail to and through the subject property, as well as the new "applicable regulations" consisting of Washington County's adoption of this community trail as a Regional Trail, a segment of which currently crosses the subject property, providing historic and current multi-modal and pedestrian access to the nearby light rail station.

The Director's Decision fails to address the changes in circumstances and applicable regulations in its conditions of approval, and failed to address or include the new conditions proposed by us as reasonable to address the factual changes which have actually occurred since original approval.

If there is any problem with this appeal or if you need additional information, please contact our organization at the contacts below. Thank you for your time and consideration.

Sincerely,



Jake Mintz (group member)
Neighbors For Smart Growth
9849 SW Spring Crest Dr.
Portland, OR 97225

Related links to Beaverton Staff Reports of previous decision(s)

<http://www.beavertonoregon.gov/DocumentCenter/View/4914>

<http://www.beavertonoregon.gov/DocumentCenter/Home/View/2296>

November 23, 2015

City Of Beaverton
Facilities Review Committee
Planning Division, Director
12725 SW Milikan Way
Beaverton, OR 97076

RE: City of Beaverton Case File EXT2015-0004
Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request

Dear Beaverton Facilities Review Committee and Planning Division Director,

We note that the applicant for Conditional Use-PUD (file # CU2013-003) development at Sunset Station and SW Barnes Road is seeking to extend the expiration date of its approval (EXT2015-0004). Under section 50.93.6.B of the Development Code, in order to receive an extension, the applicant must demonstrate that "there has been no change in circumstance or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision..." (Appendix A). In this case, there have been changes in both circumstances and regulations that significantly impact the decision. Therefore, an extension should not be granted unless the conditions of approval are modified to adequately address the relevant changes.

First, transportation impacts in the City of Beaverton and unincorporated Washington County were fundamental considerations during the approval process for the applicant's Conditional Use-PUD. Therefore, the City must now consider the 2014 TSP Update that recognized the 95th Ave Trail as a Regional Trail (see Appendix C). In doing so, the City should recognize and protect the trail in the conditions of approval as an essential link to transit and the Regional Trail System.

Second, the City must consider paragraph 501-7.1.B of Washington County's recently adopted A-Engrossed Ordinance No. 799, which states that Regional Trails identified on the TSP Pedestrian System map are Essential Services, on par with collectors, arterials, and state highways (see Appendix B). The Essential Service designation is applicable to the 95th Ave Regional Trail and right-of-way between the Transit Oriented Westhaven neighborhood, the surrounding Pedestrian District, and Sunset Transit Station (see Appendix C & D). Therefore, the Traffic Impact Analysis that was conducted along collectors, arterials, and state highways should be updated to also cover essential pedestrian access. In addition, the conditions of approval must be modified to reflect the essential nature of the 95th Ave Regional Trail and ensure full access to it and other pedestrian services. Among other impacts, failure to consider and protect essential pedestrian services would undermine previous Traffic Impact Analyses for the Barnes Road vicinity.

Third, the City should consider the applicant's repeated attempts to block the 95th Ave Regional Trail with fences and signs (see Figures 2). If the applicant is allowed to block essential pedestrian services such as the 95th Ave Regional Trail during project extensions, it would compromise the active transportation and transit use of members of the Transit Oriented community for years to come. Without the 95th Ave Regional Trail, the walking distance from Westhaven's TO designated Pedestrian District to Sunset Transit Station would increase from a short nature walk to a trek that is miles long (see Figure 1). This would significantly reduce the Transit Oriented community's ability to access Sunset Transit Station, negatively impact the station's functionality, and undermine previous Traffic Impact Analyses for the Barnes Road vicinity. Furthermore, auto impacts would increase throughout the region due to decreased

pedestrian access and higher demand on Sunset Transit Station's already over-burdened parking facility. The applicant's actions also threaten to compromise the success of State, Regional, County, and City policies and goals that seek to increase active transportation, reduce VMT, reduce auto-related climate change impacts, and improve public health. Therefore, the conditions of approval should be modified to require the applicant to protect the 95th Ave Regional Trail and enhance pedestrian access to transit in the Transit Oriented community.

Fourth, the facts and history surrounding the 95th Ave Regional Trail demonstrate that the trail runs along a well-established public trail corridor that may be subject to the common law doctrine of prescription. In particular, the public corridor is supported by generations of continuous, open, and uninterrupted use of the trail by the public. Public use of the trail has been well-documented, particularly over the past 17 years since Sunset Transit Station opened in 1998. The fact that public use continues despite repeated attempts by the applicant to block the path reaffirms the public's long-held use rights.

Fifth, the points listed above are not affected by the fact that the 95th Ave Regional Trail is located immediately adjacent to the PUD rather than within the development. In fact, CU2013-003 Order Approving Sunset Station & Barnes Road PUD Conditional Use (ORDER NO. 2337) already considers transportation-related requirements and impacts in both Beaverton and unincorporated Washington County, many of which fall outside the PUD. For example, Condition 2 of the approval document requires substantial investment and improvements at the intersection of Cedar Hills Boulevard and eastbound Highway 26, including widening roads, adding lanes, adding traffic signals, and constructing other transportation infrastructure. In addition, Condition 31 requires the applicant to pay \$166,500 to Washington County for improvements at the intersection of Cornell Road and Trail Street, miles away from the PUD. Other examples of approval conditions that affect areas outside the PUD include Approval Conditions 3, 4, 8, 10, 11, 12, 13, 21, 26, 27, 29, 30, and 32. In contrast to these examples, the 95th Ave Regional Trail is directly connected to the PUD and protection of its essential services would not require any immediate investment by the City or the developer.

The Interagency Government Agreement between the City of Beaverton and Washington County requires that the City acknowledge and implement this Regional Trail designation. It is appropriate and important to do so at this time because of the potential for immediate loss of essential pedestrian connectivity between Sunset Transit Station and its TO Community. Furthermore, it would be unreasonable to put off these issues for years during extensions on multiple parcels with uncertain development timing. The safety and essential service access can be addressed prior to a development application, as evidenced by the applicant's current work with the City, County, and ODOT to address safety issues at the eastbound exit of Highway 26.

In summary, the applicant's extension request requires consideration of new circumstances and regulations, such as the establishment of the 95th Ave Regional Trail, the classification of Regional Trails as Essential Services, and the applicant's efforts to block access to transit in the Transit Oriented community. Under section 50.93.6.B of the Development Code, the Facility Review Committee should not recommend approval to the Director and the Director should not approve this extension **unless** the following conditions of approval are revised to adequately recognize, protect, and enhance the established public use pedestrian corridor, easement and associated pedestrian services.

We respectfully request that the Facility Review Committee and the Director amend the conditions of approval to require the Applicant to:

1. Amend the originally approved development plan maps to show the 95th Ave Regional Trail.
2. Remove fencing and other obstacles from the 95th Ave Trail within 30 days in order to allow the public free passage along the pedestrian corridor.
3. Require construction of the trail to meet Regional Trail requirements in the future Sunset Station development application.

Thank you for the opportunity to comment and for your decision to protect the public access along the 95th Ave Trail for future generations.

Jake Mintz (group member)
Neighbors For Smart Growth
9849 SW Spring Crest Dr.
Portland, OR 9722

*****[Please see attached signature pages 10-16+ for additional signees and descriptions of trail usage.]*****

Figure 1

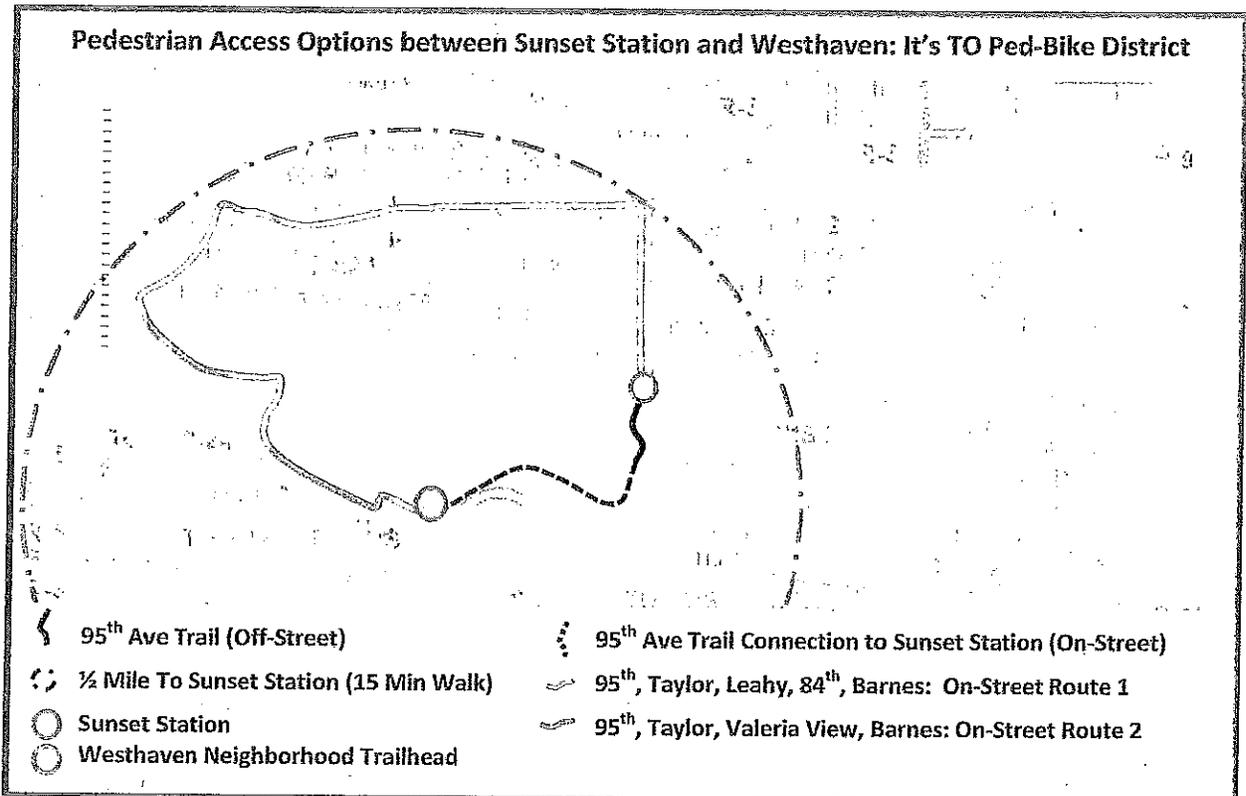
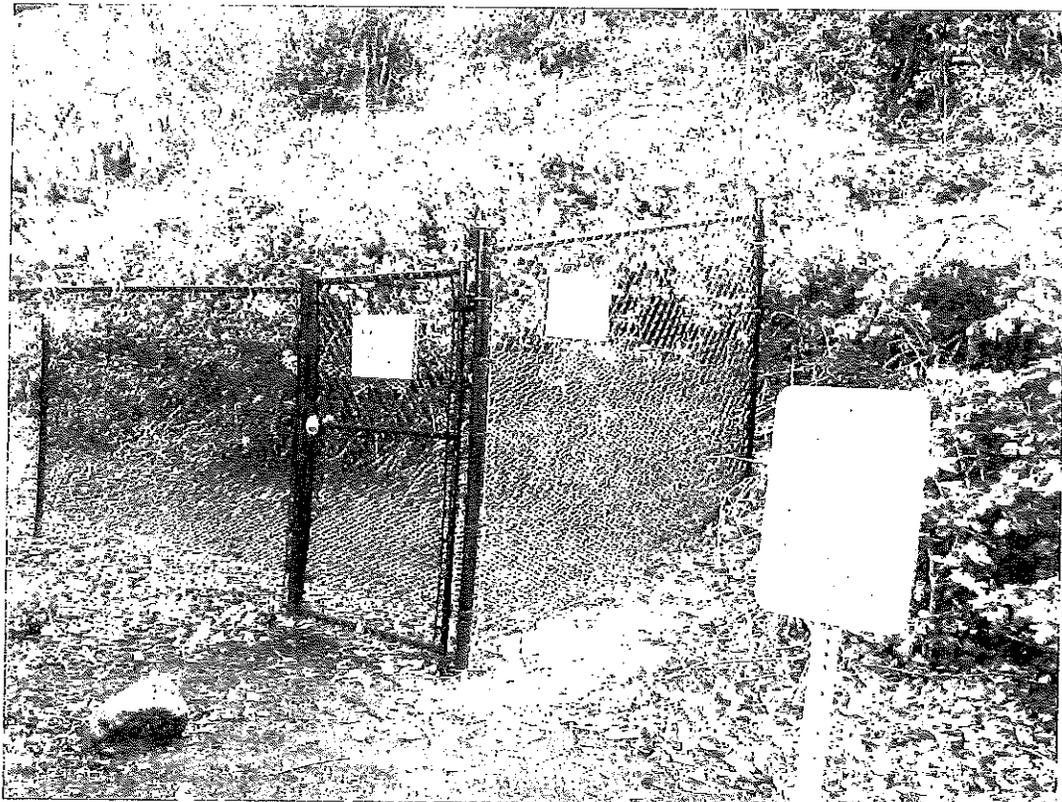


Figure 2



Appendix A



CITY OF BEAVERTON
Community Development Department
Planning Division
4755 SW Griffith Drive / PO Box 4755
Beaverton, OR 97076
Tel: (503) 526-2420 • Fax: (503) 526-3720
www.BeavertonOregon.gov

EXTENSION OF A DECISION- SUBMITTAL CHECKLIST

PURSUANT TO SECTION 50.25.1.B OF THE DEVELOPMENT CODE, A WRITTEN STATEMENT ADDRESSING THE APPROVAL CRITERIA FOR AN APPLICATION MUST BE SUBMITTED IN ORDER FOR AN APPLICATION TO BE DEEMED COMPLETE. STATEMENTS SUCH AS "NOT APPLICABLE" OR "THE PROPOSAL WILL COMPLY WITH APPLICABLE DEVELOPMENT REGULATIONS" ARE NOT SATISFACTORY. THE WRITTEN STATEMENT MUST ADDRESS EACH CRITERION AND MUST SPECIFY IN DETAIL HOW EACH WILL BE COMPLIED WITH.

Applications to extend the expiration date of a decision may be filed only before the decision expires. An applicant for Extension of a Decision shall address compliance with all of the following Approval Criteria as specified in 50.93.6 of the Development Code. Please respond to the approval criteria below in the space provided or in a typed supplemental written statement.

1. It is not practicable to commence development within the time allowed for reasons beyond the reasonable control of the applicant.
- The PUD area is extensive, consisting of approximately 82.6 acres of undeveloped land. The PUD area is adjacent to several major transportation facilities: SW Barnes Road, SW Cedar Hills Boulevard, the Sunset Transit Center and two major freeway access points, at Highways 217 and 26 and Highway 26 at Cedar Hills Boulevard. Establishing a development plan must take into account impacts on traffic and significant offsite improvements required as conditions of approval. Since the effective date of the decision, November 5, 2013, applicant has conducted extensive work to identify the uses supported by current market conditions, the initial parcels for development, offsite improvement costs at various levels of development and onsite infrastructure requirements. Applicant has since engaged in development planning for sites targeted as initial development sites and discussions with potential partners for such development. The extent of the work necessary for this size project has made it impracticable to commence development within the time allowed in the PUD approval. Having completed much of this work, applicant is anticipating commencement of development in the foreseeable future, within the time sought in this requested extension.
2. There has been no change in circumstances or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision for which the extension is sought.
- Applicant is not aware of any applicable ordinance, regulation or statute that has changed since the effective date of the decision that would require modification of the land use decision or the conditions of approval.
3. The previously approved land use decision is not being modified in design, use, or conditions of approval.
- No modifications to the land use decision or PUD are being requested in this request for extension.

Appendix B

A-Engrossed Ordinance No. 799
Exhibit 8
August 25, 2015
Page 2 of 25

provided that the negative effects could be avoided with a comprehensive public roadway improvement project on the subject road, designed and constructed in accordance with the Washington County Transportation System Plan and Road Design and Construction Standards.

501-6.6 Notwithstanding the provisions of this Section 501-6, all new construction and expansion of the existing structures shall pay the Transportation Development Tax, except as provided in the Transportation Development Tax Ordinance (Ordinance 691, as amended). No exception to the Transportation Development Tax shall be granted except as provided in the Transportation Development Tax Ordinance.

501-7 Levels of Public Facilities and Services

501-7.1 Implementation strategies of the Comprehensive Plan have placed Public Facilities and Services into three (3) categories for development:

- A. **Critical Services.** Public water, public sewer, fire protection, drainage and access on Local and Neighborhood Route roads;
- B. **Essential Services.** Schools, Arterial (including State highways) and Collector roads, Regional Trails identified on the Transportation System Plan Pedestrian System map, transit improvements, police protection, street lighting and on-site pedestrian and bicycle facilities in the public right-of-way; and
- C. **Desirable Services.** Public transportation service, parks, traffic calming devices, mid-block crossings, Community Trails identified on the Transportation System Plan Pedestrian System Map, Special Area Trails, Pedestrian Connectivity Areas identified on the Community Plans and off-site pedestrian and bicycle facilities, bicycle facilities and off-site pedestrian facilities, including off-street trails identified on the Transportation Plan Trails and Pedestrian System map, off-street pathways, Special Area Trails and Pedestrian Connectivity Areas identified on the Community Plans.

501-8 Standards for Development

501-8.1 Critical Services

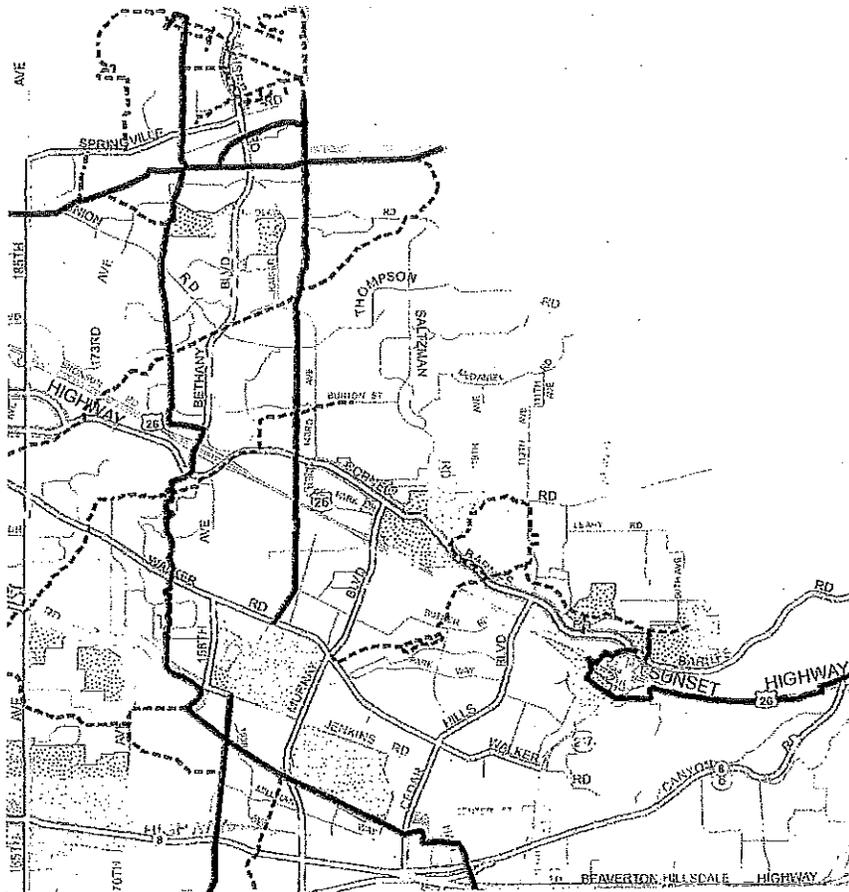
- B. No development shall be approved without an adequate level of access to the proposed development in place or assured at the time of occupancy, with "adequate" defined for critical road services as:

abcdef Proposed additions
~~abcdef~~ Proposed deletions

Appendix C

A-Engrossed Ordinance No. 783
 Exhibit 4
 August 26, 2014
 Page 11 of 40

The Pedestrian System Map 4 of 8 is incorporated into the Washington County Transportation System Plan:



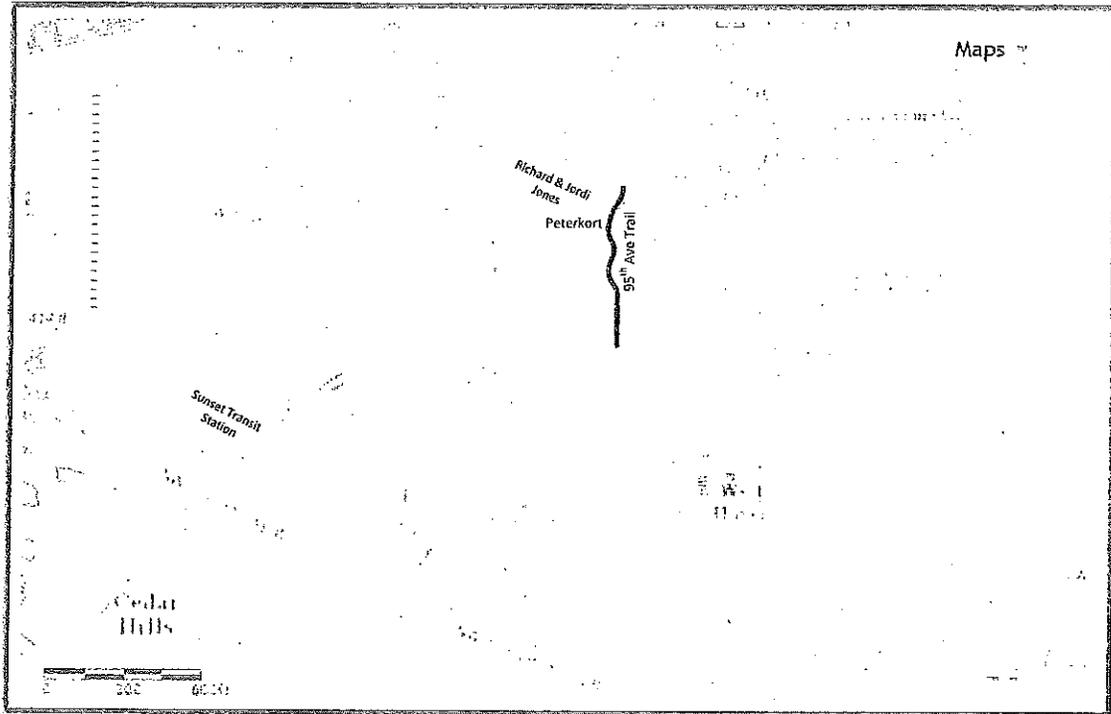
- Regional Trail Existing/Proposed
- Community Trail Existing/Proposed
- Pedestrian Parkway
- Streetscape Overlay
- Pedestrian/Bicycle District
- Regional Trail Refinement Area

Features on this map are shown in bold solid, dashed or patterned lines; as displayed in the legend. Other features shown are for reference only, and are not affected by this exhibit.

For proposed regional and community trails identified, refer to community plan and/or trail master plan documents to determine additional details regarding specific trail alignment.

abcdef Proposed additions
~~abedef~~ Proposed deletions

Appendix D



City of Beaverton Case file EXT2015-0004
 Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
 Letter Signature Page(s)

Name	Address	Phone	Email	Signature	Date
DAVINE TEALS	9555 SW WASHINGTON ST	503 203 8046	drummondka@aol.com	<i>[Signature]</i>	1/23/15
Greg Mintz	9849 SW Spring Crest Dr	503-297-7949	gregmintz@gmail.com	<i>[Signature]</i>	
Shirley Keller	9185 SW Taylor St	503 297 3042	shirley.keller-farm.com	<i>[Signature]</i>	
GARY HANGH	9795 SW Taylor	503-292-4763	ghangh12@gmail.com	<i>[Signature]</i>	
GEORGE YANE	9530 Taylor	503-487-6850	gkine@jaboo.com	<i>[Signature]</i>	
VALERIE O'KEEFE	9593 SW Spruce Crest Dr		vjo5d@comcast.net	<i>[Signature]</i>	
DANUAIN FEASER	" " "	" "	DONOVANFEASER@comcast.net	<i>[Signature]</i>	
Daniel N. Allen	2255 W Burnside St	971-888-1670	dna1267@gmail.com	<i>[Signature]</i>	
Betsy Plak	9705 SW Spring Crest Dr	503-292-2149	betsy.plak@gmail.com	<i>[Signature]</i>	
CINDY CARNEY	9751 SW Brookside Dr	503-319-6686	CARNEYCINDY@GMAIL.COM	<i>[Signature]</i>	

City of Beaverton Case file EXT2015-0004
 Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
 Letter Signature Page(s)

Name	Address	Phone	Email	Signature	Date
Charles Flaxel	9580 SW Westhaver, Dr	503-314-3894	Charles@meadowcreekyschools.com		11/23/15
Nancy Myers	9855 SW Morrison	503 297-6522	nmyersm-pdx@yahoo.com		
Lee Rosenbaum	9675 SW Sprucecrest	503 297 3065	lgro@reco.org		
Erk Mess	9432 SW Westhaver Dr	503-265-8154	erkmess@gmail.com		
Evelyn Sharp Matthew	345 NW 95th Ave Portland, OR 97229	718 772 2350	evsharp@yahoo.com		

City of Beaverton Case file EXT2015-0004
 Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
 Letter Signature Page(s)

Name	Address	Phone	Email	Signature	Date
August Sharp	110 N.W. 95th Ave	503 297 3899	asharp@reco.org		11/23/15

Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
Letter Signature Page(s)

Name	Address	Phone	Email	Signature	DATE
JEAN SINGER	810 SW VIEWMONT DR		JEANSINGERC@HOTMAIL.COM		11/24/15
Jennifer Alger	9240 NW Cedar Ct		jenalger@gmail.com		11/24/15

City of Beaverton Case file EXT2015-0004
Sunset Station & Barnes Road PUD Extension Application Conditions of Approval Request
Letter Signature Page(s)

Name	Address	Phone	Email	Signature	DATE
Brian SIFFERLE	9312 SW Salmon	503-292-2255	siffle.net		11/23/15
William G. Sifferle	same				
Robert W. Coffin	65 SW 93 Ave	503-244-9338	robcoffin@comcast.com		
Shirley A. Coffin	65 SW 93rd Ave	503-242-9338			
Jake Mintz	9849 SW Spring Crest Dr	503-240-2000			
	Portland OR 97225				

95th Ave Trail and Prescriptive Easement

The 95th Ave Trail on the eastern property line of 9701 SW Barnes Road, Portland, OR 97225, is an essential pedestrian link between the Transit Oriented Westhaven Neighborhood and the Sunset Transit Station that the Transit Oriented designation was developed to serve.

The Westhaven community has openly and continuously used the 95th Ave Trail for generations in order to access medical services, attend school, commute to work, and access adjacent communities. This use created a well-established prescriptive easement. We demand that all attempts to block or otherwise discourage pedestrian access along this public thoroughfare be curtailed immediately. In particular, we demand the removal (within one week) of the fence that was recently built across the trail at the east end of the NW Gastroenterology Center at 9710 SW Barnes Road.

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Ent Mica	access to TC for daily school commute recreation	to get to high school at least 2 times daily	2003	
Evelyn Shoop Matthew	Walk to doctor	A few times per year	2012	

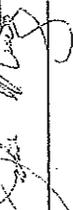
Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature	DATE
Difford, B. Sean	to get to Drs	weekly	2000	<i>[Signature]</i>	11/23/15
	+ Transit Center			<i>[Signature]</i>	

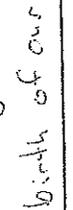
Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature	DATE
Lee Rosenbaum	Transit Access	Weekly			
CINDY CARNEY	SUNSET TRANSIT HOSPITAL ACCESS	WEEKLY	2008	<i>[Signature]</i>	11/23/08
Lee Rosenbaum	Sunset Transit	Monthly	1995	<i>[Signature]</i>	11/23/15
Robert W Coffin	Sunset Transit Bear Hills Area	Monthly	2002	<i>[Signature]</i>	11/23/15
CINDY CARNEY	MEDICARE VISITS	23x/YEAR	2008	<i>[Signature]</i>	11/23/08

Name: Colleen Donnelly DATE
 Trail Use Purpose(s): commuting to work/hospital
 Frequency: 2-3x/wk
 First Use (Year): 2011
 Signature: Colleen Donnelly 11/24/15
JEAN SINGER

Name: Valerie O'Keefe
 Trail Use Purpose(s): Access to MAX
 Frequency: 2-4x
 First Use (Year): 2006
 Signature: Valerie O'Keefe
Grocery Access
per wk
Dr. Office Access

Name: Donovan Frazier
 Trail Use Purpose(s): Access to MAX
 Frequency: 24 WK
 First Use (Year): 2006
 Signature: Donovan Frazier
Recreational Walk

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Greg Wirtz	Recreational, work commutating	2 round-trips per month	1990 - present	 11/23/15
Stanley Kibler	Recreation, work commutating	Sometimes with Rose on Xmas Eve	1973	 11/23/15
Jane M. Wirtz	Commuting (RT) for the children's business courses & personal	1-4 times/week	1981 - Present	 11/23/15

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Ecty + David Plak	Getting to Dr's offices, getting to Sunset, Monthly, Jock	Monthly Plak	(for the birth of our child)	 11/23/15

Name	Trail Use Purpose(s)	Frequency	First Use (Year)	Signature
Deepti Shrivastava	Commuting to work	Daily	2010	 11/23/15

Name _____ Trail Use Purpose(s) _____ Frequency _____ First Use (Year) _____ Signature _____ 11/27/15

Daniel W. Allen I use it for IT's Quicker
all the way around from Sunset Transit Center: then
Down Barnes to Valeria View then to Taylor.
Then 3/4's of a ways up on Taylor to my
destination. Which is 9795 S.W. Taylor. "Gary targets
house". Using the trail saves me about
15 minutes of time. And its not as hard
on the body as well. (The Frequency of my
use would be 3 times a week. There
and back.) First time I used 2008



Jana Fox

From: Colby Neuman <colby.neuman@gmail.com>
Sent: Sunday, January 10, 2016 10:36 PM
To: Jana Fox
Subject: 95th Ave Trail Access

Please consider delaying the approval of the J. Peterkort & Company's PUD in regards to the Sunset Transit Center...primarily for the reasons that the land owner continues to block access to the public right away found along 95th Avenue that provides access to the St Vincent Hospital and the Sunset Transit Center. It was one of the main reasons I chose to buy a house in the West Sylvan neighborhood because there was easy and direct access to the hospital and the Sunset Transit Center. By closing this trail without taking it into account in the latest PUD appears to be unlawful. Please consider bringing this issue to the forefront and finding a way to make a more permanent solution that allows public access along the 95th Ave Trail and increases everyone's ability to use public transportation that Oregon so proudly advertises as a way of living green.

Colby

Jana Fox

From: Joan Sifferle <joan@sifferle.net>
Sent: Wednesday, January 13, 2016 3:45 PM
To: Jana Fox
Subject: Planning Division: Appeal of Sunset Station & Barnes Road PUD First Time Extension

Dear Sir or Madam,

We are really concerned about keeping open the 95th Ave. trail that runs to Sunset Station and Providence St. Vincent Hospital. We have used it for years to access the hospital, the clinics and the Sunset Station by foot. As you well know, the Transit Station parking is limited and generally full at peak hours.

When the Sunset Transit Station was put in, our area was re-zoned as "easy access to the Max". This trail is critical to that designation. Foot access by Leahy Rd. or Cedar Hills Blvd. is much further and would deter such access.

The developer seems to be trying to fence off this trail and this would be most unfortunate for the local population. This trail pre-existed the development of the Peterkort property and rather than fencing it off, it should be protected and improved. This would be more in keeping with the excellent values and policies of the City of Beaverton and Washington County.

Thank you for considering our concerns.

Joan & Bill Sifferle
9312 SW Salmon St.
97225

Jana Fox

From: Evelyn Shoop <evshoop@yahoo.com>
Sent: Wednesday, January 13, 2016 4:54 PM
To: Jana Fox
Subject: written testimony, Barnes Road PUD--thank you!

City of Beaverton, Planning Division
 PO Box 4755, Beaverton, OR 97076
 Attention: Jana Fox
 Project Name: Appeal of Sunset Station & Barnes Road PUD First Time Extension
 Case File: APP2015-0003 (an appeal of EXT2015-0004)

Dear Ms. Fox and City of Beaverton, Planning Division,

First, thank you for the hard work and critical thought you are putting into developing our region. We're lucky to have such a wonderful place to live.

I am a resident of West Haven, the neighborhood between Barnes Road and Cornell Road, adjacent to the area to be developed. I wanted to provide feedback on two issues that will likely be addressed as the Barnes Road PUD extension moves forward.

1. Continued use of the 95th Avenue regional trail; and
2. Pedestrian- and bicycle-friendly development along the Barnes Road PUD affected areas.

First, we were grateful to see the 95th Avenue trail designated as a regional trail: It's been in continuous use since the 1950s and families and children in our neighborhood use the trail to access Barnes Road, the Sunset Transit Center, and the medical buildings at St. Vincent's Hospital. Without trail access, we are forced into our cars. Recently, access to the regional trail has been hampered by "No Trespassing" signs and a gate. Given the trail's new designation since the time of the original PUD agreement, we hope the PUD will be amended to address this issue.

Second, as the PUD moves forward, we are excited to see the designs. Washington County is a beautiful place to live, but has traditionally not been as pedestrian- and bicycle-friendly as it could be. Washington County will see a significant influx of residents over the next twenty years, and METRO's goals for the region include reducing household trips. The Barnes Road PUD area, given it's transit-oriented designation, has the potential to play a big role in helping residents reduce trips and live in a walkable, transit-friendly area.

We live within walking distance of the Peterkort shopping area, but walking there is unappealing. Pedestrian access is confusing and the strip mall is uninviting. Once in the car, we prefer to take our business to the Timberland Development, which includes more local retailers, wider sidewalks, and outdoor seating areas. It's considerably less car-focused than the Peterkort strip mall.

The Barnes Road PUD has the potential to invite area residents and their spending capital in by:

1. Creating wide sidewalks that provide simple access to shops, rather than standard-sized sidewalks that prioritize parking lot access.
2. Creating retail with entrances that face the street, rather than exclusively facing a parking lot.
3. Making pedestrians feel safe while crossing Barnes Road. Currently, pedestrians cross six or seven lanes of traffic, which feels overwhelming and often unsafe, even with a walk sign. Options to help invite people over Barnes Road would include:
 - a. Widening crosswalks,
 - b. Creating a pedestrian bridge, and
 - c. Installing planters to divide the road.
4. Creating seating and outdoor spaces that invite shoppers to linger.
5. Eliminating retail "islands" that are surrounded by parking lot, but isolated from other retail.

We know the current application is an extension of the previous PUD, and no plans have been put forward yet. Design suggestions are both preliminary and ambitious, but as this new development comes to life, residents of West Haven and the areas in close proximity to the Barnes Road PUD look forward to a new place to walk to and enjoy.

Current Peterkort developments in the area give residents the impression that outdated ideas about consumers wanting to spend more time in cars and frequent strip malls remain. We hope that the new developments will reflect the best of twenty-first century planning, and invite us to use our spending power there.

All my best and thank you again,

Evelyn Shoop Mathew
NW 95th Avenue
Portland

Evelyn Shoop | Editor | Writer
evelynshoop.com | [@EvelynShoop](https://twitter.com/EvelynShoop)
nomadic.wordpress.com

9795 SW Taylor St.
Portland OR 97225
503-292-4763
ghargett2@gmail.com
January 13, 2016

City of Beaverton, Planning Division
PO Box 4755, Beaverton, OR 97076
Attention: Jana Fox

Project Name: Appeal of Sunset Station & Barnes Road PUD First Time Extension
Case File: APP2015-0003 (an appeal of EXT2015-0004)

Dear Ms. Fox:

I support the appeal filed by Neighbors for Smart Growth, as referenced above. Others have pointed out that actions by the Peterkort Corporation violate Washington County Ordinance 783, which designates the path from the neighborhood to St. Vincent Hospital to be a Regional Trail, and Ordinance 799, which recognizes the trail as providing essential services on par with Collectors, Arterials and State Highways.

I personally am physically unable to use the path, but people who visit me to help me do use it. Any development in that area should protect the right of citizens to walk to the Sunset Transit Center and the bus service at St. Vincent Hospital. To do otherwise, besides flouting the intents of the above-referenced ordinances, puts an unreasonable burden on people in terms of distance they have to walk, and it undercuts the very purpose of a transit center, to be accessible without reliance on automobiles.

I encourage the Planning Division to look favorably on the appeal and ensure that a foot path continues to be available as a vital link from the neighborhood to public transportation.

Sincerely,



Gary R. Hargett

Jana Fox

From: Kappler, Richard <RichardKappler@corban.edu>
Sent: Friday, January 15, 2016 12:49 PM
To: Jana Fox
Subject: Appeal of Sunset Station & Barnes Road PUD First Time Extension

Dear Beaverton and Jana Fox,

Please reject the Peterkort plan. Automobile-centric development is not wanted in the eastern parts of Washington County and in East Beaverton. The Sunset Transit Center is the second-busiest transit center in Beaverton.

Case File: APP2015-0003 (an appeal of EXT2015-0004) needs to be rejected.

Specifically, Washington County recently adopted Ordinances 783 and 799, which classify the 95th Ave path as both a Regional Trail and an essential service. In addition, the Peterkort's have attempted to fence off and block access to the 95th Ave Trail, which neighbors have been using for generations. This trail connects SW 95th Ave from SW Spring Crest Drive to SW Barnes Road.

This trail serves an emergency purpose. It leads to a giant hospital and the many TriMet buses on SW Barnes Road and to the Cedar Hills Shopping Center and nearby offices and THPRD parks.

There is a reason that Beaverton has some of the most deadly roads in Oregon such as SW Laurelwood Ave, TV Highway, SW Barnes Road, and SW Scholls Ferry Road.

The Peterkort property wants to redevelop land on a steep cliffside. Beaverton and Washington County do not need more landslides and washed-out culverts.

Please help the obesity epidemic by making Beaverton into a walkable and bikable city. I ride a bike to an office where I work by the Peterkort property and there have been multiple pedestrian and bicycle deaths on the nearby roads since early 2014.

Sincerely,

Rick Kappler
5690 SW Mayfield Place
Portland, Oregon 97225

To: City of Beaverton/ Planning Division
P.O. Box 4755
Beaverton, Or 97076

1/13/2016

Attn: Jana Fox

Project Name: Appeal of Sunset Station & Barnes Rd. PUD First Time Extension.
Case File: APP2015-0003 (an appeal of EXT2015-004)

Dear City of Beaverton;

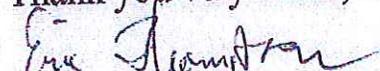
I live at 9891 s.w. Spring Crest Drive, Portland, Or. Many times over the years I have had to get to the hospital, or more recently, Light Rail. It has been great to have a way to get around if I am unable to drive. Let me give you an example: I had shoulder surgery in 2015 and had to have physical therapy for five months afterwards at St. Vincent Hospital. The 95th Avenue Trail to the hospital was a huge benefit. The doctor said I could walk short distances, and I had to go for the therapy three times per week. If I would have had to hire a cab for five months, it would have cost me a fortune.

Now our neighborhood is being threatened with shutting off direct access to the hospital and to light rail, even though the trail is a designated by Washington County as a Regional Trail. I guess someone figures that walking or taking public transportation is a bad idea and want to keep us in our cars as much as possible.

Light Rail was supposed to help with public transportation; except maybe in this case where one landowner seems to be able to shut down the walking access of an entire neighborhood.

Please do your jobs, provide for the best use of this public trail.

Thank you very much,


Eric J Thompson

9891 s.w. Spring Crest Drive,
Portland OR 97225

'AnglingEric@msn.com'

To: City of Beaverton/ Planning Division
P.O. Box 4755
Beaverton, Or 97076
Attn: Jana Fox

1/13/2016

Project Name: Appeal of Sunset Station & Barnes Rd. PUD First Time Extension.
Case File: APP2015-0003 (an appeal of EXT2015-004)

Dear Ladies and Sirs;

My name is Phyllis A Thompson. I have lived at 9891 s.w. Spring Crest Drive, Portland, Or for over 20 years. I am a long time employee of The U.S. Veteran's Hospital up on 'Pill-Hill', a very difficult daily commute, even during good traffic conditions. I work as a Registered Nurse in the Oncology (Cancer) field. Sometimes it is snowy or icy, and I cannot drive to work (or to Sunset Light Rail Station either, since there is never a place to park).

The solution: I walk up the 'historic 95th Ave Trail' past St. Vincent Hospital and directly to Sunset Rail Station. This has been a great solution, until now.

Ever since the landowner has been granted this permit extension, they have put up signs to scare people away and try to make them feel like criminals for their efforts to get to Light Rail or St. Vincent Hospital. They have even put up a gate in their attempts to keep people (including doctors, nurses, and patients of St. Vincent Hospital) from getting to where they need to be.

Lastly, if, or when, there is an earthquake in our neighborhood, people will converge on St. Vincent for emergency services and they be willing to hike three times farther than needed due to poor planning on the part of City of Beaverton. Most cities and municipalities are trying to prepare for medical events during emergencies like earthquakes (except for maybe the City of Beaverton?)

Anyway, it is quite ironic that we have a light rail station with good access to it right here in our neighborhood, but we are being threatened with the option of not being able to reach it.

Thank you very much,

Phyllis A. Thompson, R.N., O.C.N.

503-880-2732
dat-phyl@wildmail.com.

RECEIVED

JAN 15 2016

EXHIBIT 3.8

City of Beaverton
Planning Services

City of Beaverton, Planning Division
Beaverton Planning Commission
PO Box 4755, Beaverton, OR 97076
Attention: Jana Fox

January 15, 2016

RE: Appeal of Sunset Station & Barnes Road PUD First Time Extension
Case File: APP2015-0003 (an appeal of EXT2015-0004)

Commissioners Doukas, Winter, Nye, Wilson, Kroger and Overhage:

Neighbors For Smart Growth (NFSG) has appealed the Beaverton Planning Director's decision to approve the Sunset Station Area PUD Extension because it does not meet the City's criteria for extension of a development application under Development Code Section 50.93.6.B. Section 50.93.6.B provides that, in order to approve an extension of time application, the decision making authority must find that "there has been no change in circumstances or the applicable regulations or Statutes likely to necessitate modification of the decision or conditions of approval since the effective date of the decision for which the extension is sought."

In this case, there have been changes in both relevant regulations and circumstances that necessitate modification of the conditions of approval. Failure to recognize the relevant changes would significantly compromise essential transportation services through the PUD as well as to Sunset Transit Station. Therefore, as explained in our November 23, 2015 letter describing these changes (on record from the Development Extension Application testimony), we ask that you modify the Planning Director's approval by requiring that new conditions be placed on this PUD before it can be extended.

First, new regulations have arisen that require changes to the conditions of approval. These regulations include Washington County Ordinance 783, which designates the 95th Ave Trail to be a Regional Trail, and Ordinance 799, which recognizes the trail as providing essential services on par with Collectors, Arterials and State Highways. The new essential transportation services feed directly into the PUD, provide access to the Sunset Transit Station, and clearly require consideration in any future development. In particular, the impact of the new essential services on any previous Traffic Impact Analysis (TIA) needs to be considered, and plans must be made to properly integrate the essential services into the PUD.

Second, J. Peterkort & Company is currently engaged in attempts to fence off and block West Haven's historic 95th Ave Trail. This Regional Trail has served the surrounding Transit Oriented community for decades and, as described above, it provides transportation services that are essential to the region. The developer's ongoing attempts to shut down essential transportation infrastructure that serves the PUD area have created new circumstances that the City must address, as required by Section 50.93.6.B, before the developer's PUD is extended. Just as Beaverton would not have approved the original PUD if the developer threatened to shut down the essential services provided by Barnes Road or Cedar Hills Boulevard, the City should not extend the PUD without assurances that the developer will cease all attempts to block the essential pedestrian services provided by the 95th Ave Trail.

Third, the changes in circumstance described above impact automobile and roadway conditions in a manner that requires either modification of the development's conditions of approval or completion of a new TIA. All of the conditions placed on the original PUD approval were based on circumstances identified during a previous TIA that focused on areas located within, adjacent to and, in many cases, far from the PUD. Due to the changed circumstances related to traffic in those areas, the TIA is now outdated. In particular, the existing TIA will be significantly compromised and

outdated if the developer is allowed to block the 95th Ave Trail, as closure of the major pedestrian route would significantly increase the burden on local and extended roadway and parking systems. Therefore, if the 95th Ave Trail is not adequately protected and integrated into the PUD through modified conditions of approval, a new TIA would need to be completed to accurately reflect the new conditions that exist in the region.

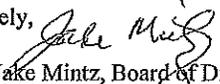
Fourth, Condition 37 of the Planning Commission's Order No 2337 (October 30, 2013) specifically requires that the developer "provide pedestrian connections throughout the PUD which connect parcels and transit opportunities in conformance with Section 60.55 of the Development Code..." In this case, the developer is not only failing to provide pedestrian connections, it is actively attempting to block existing pedestrian connections to the PUD and transit. In addition, Section 60.55.20.3 is specifically referenced in Condition 37 and requires that "the Traffic Impact Analysis shall evaluate the Area of Influence of the proposed development and all segments of the surrounding transportation system where users are likely to experience a change in the quality of traffic flow." Based on the applicant's attempts to block traffic flow on the 95th Ave Trail, the trail clearly needs to be addressed as part of the Area of Influence. Ultimately, the applicant's recent attempts to block existing pedestrian connections to the PUD and the Area of Influence have resulted in changed circumstances and changes in the quality of the traffic flow that necessitate the imposition of new conditions of approval for transit and pedestrian access, including as required under Section 60.55.

Based on the information provided above and in our November 23rd letter, we respectfully request that the Planning Commission modify the Planning Director's approval by including the following conditions on the application in order to address relevant changes in circumstance.

1. Amend the originally approved development plan maps to explicitly include and recognize the 95th Ave Regional Trail.
2. Require the developer to remove fencing and all other obstacles from the 95th Ave Trail within 30 days, as well as allow free public passage along the pedestrian corridor and refrain from any future blockage or interference with pedestrian access to the PUD or Sunset Transit Station. An additional requirement for the dedication of public right-of-way along the 95th Ave Trail, as applicable under Beaverton Development Code 60.55.10.5, would allow for construction and maintenance of a public trail.
3. Require that the developer meaningfully integrate the 95th Ave Regional Trail into the PUD in a manner that protects and enhances pedestrian access, while minimizing impacts to the surrounding natural area.
4. Require the developer to improve the 95th Ave Trail to meet Washington County Regional Trail standards as part of any future Sunset Station development application.

Thank you for providing us with this opportunity to comment on this development approval, recognizing the importance of protecting public access along the 95th Ave Trail through the PUD and for your consideration in modifying the conditions of approval.

Sincerely,


Jake Mintz, Board of Directors Member
Neighbors For Smart Growth
9849 SW Spring Crest Dr.
Portland, OR 97225

EXHIBIT

3.9

RECEIVED

JAN 19 2016

January 12, 2016

To: City of Beaverton Planning Division

Project: Appeal of Sunset Station and Barnes Road PUD extension
City of Beaverton
Community & Economic Dev

Case#: APP2015-0003

I am writing to support the appeal of the City's decision to extend the Planned Unit Development by J. Peterkort & Co. at Sunset Station. I believe the importance of retaining a pedestrian access to Barnes Road via the footpath from Springcrest should be considered.

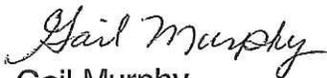
I have lived in the West Haven neighborhood for 30 years. I worked in downtown Portland for 11 years and utilized the trail for access to the Max at least 3 times per week. My family and I also continue to walk to the Max station frequently to avoid using our cars on the very crowded highways.

This neighborhood is growing rapidly and I believe anything that facilitates reducing cars on the overcrowded roads is beneficial to all. Also, the health benefits of walking are universally known now and should be promoted at all levels, including municipal governments.

Please review Washington County ordinance #783, which designates the footpath as a Regional Trail; and, ordinance #799, which recognizes the trail as providing essential services on par with collectors, arterials, and state highways.

Thank you for your consideration.

Sincerely,



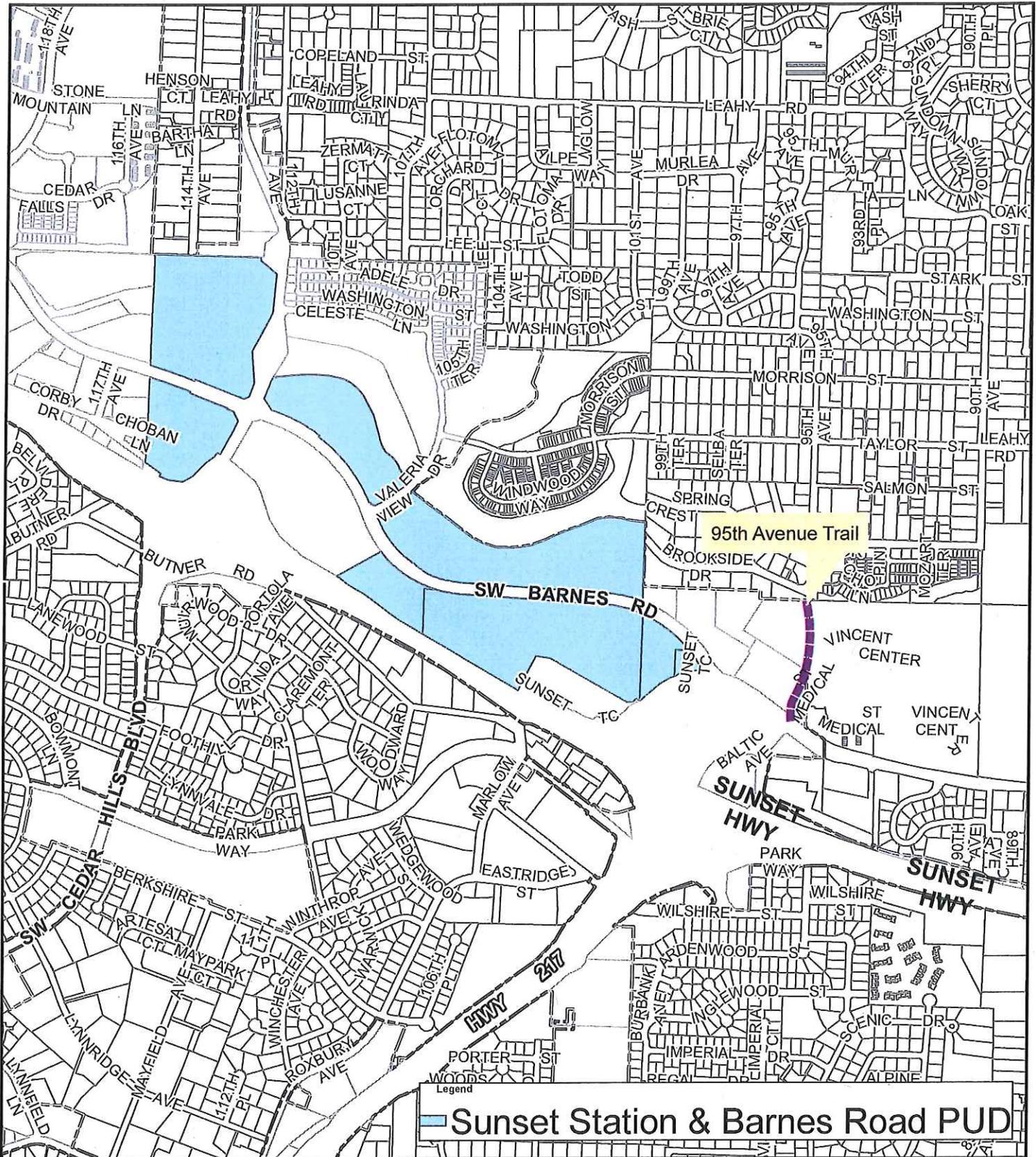
Gail Murphy

503 292 4699

ormurphys@msn.com

VICINITY MAP

EXHIBIT 4.1



**APPEAL OF SUNSET STATION & BARNES
ROAD PUD TIME EXTENSION
APP2015-0004**

**COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division**

1/13/2016

Tax Lot #'s

N



Application #

APP2015-0004

