



COPY

Resolution No. 2000-849

A RESOLUTION AMENDING THE ATLEY ESTATES PLANNED UNIT DEVELOPMENT (CITY FILE PUD 88-1)

WHEREAS, The Atley Estates Homeowners Association requested City approval to modify the Final Development Plan and Subdivision Plat for Atley Estates Planned Unit Development by eliminating the city requirements for landscape and access tracts A, B, C, and D, and;

WHEREAS, the Atley Estates PUD is unique from other planned unit developments in the City, in that land was not dedicated for public use, nor were lot sizes or uses varied from the zoning code, and;

WHEREAS, the Planning Commission held a public hearing on October 19, 1999 and recommended denial of the request, and:

WHEREAS, the City Council held a public hearing on December 14, 1999 and January 11, 2000 and considered public testimony, the Staff Report dated October 12, 1999 and the two memorandums dated October 26, 1999 and January 4, 2000.

NOW, THEREFORE, THE CITY RESOLVES AS FOLLOWS:

Section 1. Adoption: Notice of Decision attached as hereto as Exhibit A is hereby approved and adopted.

Section 2. Effective Date. This Resolution shall become effective January 25, 2000.

Duly passed by the City Council this 25th day of January 2000.

Walt Hitchcock, Mayor

ATTEST:

C.L. Wiley, City Recorder



DRAFT

NOTICE OF DECISION

TAX LOT: Various
MAP NO: 2S 1 32AA
CASE NO: PUD 88-1 Modif
DATE OF DECISION: 01-25-2000

Applicant:

Patricia L. Stout
1740 SE G&T Drive
Sherwood, OR 97140

Owners:

All Property Owners in Atley Estates

On January 25, 2000, the City Council of the City of Sherwood, Oregon approved Resolution No. 2000-849 recommending modifications to the Final Development Plan and Subdivision Plat for PUD 88-1 Atley Estates Planned Unit Development by revising specific conditions in the original approval.

This decision was based on the findings contained in the Staff Report dated October 12, 1999, and two memorandums dated October 26, 1999 and January 4, 2000, and public testimony received on December 14, 1999 and January 11, 2000.

The following conditions were placed on approval of the application:

1. Return control of Tracts A, B and C to the Atley Estates Homeowners Association, with the provision that the Oregon Street portion of Tracts A and B shall be designated as a ten (10) foot landscape corridor and utility easement to be maintained by the adjoining property owners.
2. The portion of Tract A adjoining Lots 1 through 10 shall be dedicated to the City as a ten (10) foot utility easement.
3. Tract D (Tax Lot 10400) shall be dedicated to the City of Sherwood for access to the adjoining open space.
4. The Atley Estates Homeowners Association shall give to the City any known interest in the adjoining Orland Villa Planned Unit Development 1.05 acre park site (Tax Lot 6200).

5. The modification of Lots 1 through 23 incorporating the landscape buffer into the adjoining lots is the responsibility of the individual lot owners. Lot owners may request a fee waiver for the lot line adjustment(s) from the City Council.

This approval is valid for three (3) years from the date of this decision.

Signed: _____
Carole W. Connell, Planning Consultant

X Final Action

APPEAL

Persons who are a party to the decision and who have a basis for an appeal based on an issue that has been raised, are eligible to appeal this decision not more than 21 days after the date on which the action took place. For the applicant, the 21 days are counted from the date this decision was mailed.

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