

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 746

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO THE APPLICATION OF VICTOR AND DOROTHY VOSSEN FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN MAP TO CHANGE THE COMPREHENSIVE PLAN MAP DESIGNATION FOR TAX LOT 1400 WASHINGTON COUNTY ASSESSOR'S TAX MAP #2S 1 33 (PMA 81-02) FROM LOW DENSITY RESIDENTIAL (LDR) TO MEDIUM LOW DENSITY RESIDENTIAL (MLDR)

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1: The Council adopts as its findings of fact the findings set forth in the City Staff Report dated May 7, 1981, a copy of which is marked Exhibit A. hereto attached, under headings "Basic Facts" and "Findings". The Council finds the relevant criteria to be those specified in the staff report.

Section 2: The Council further finds that pursuant to the prescribed procedures the application for plan map amendment was the subject of review and public hearing by the City Planning Commission on May 19, 1981. Subsequent to that hearing the Planning Commission voted to defeat a motion to recommend the approval of the application, a copy of the Planning Commission's decision notice being marked Exhibit B and attached hereto.

Section 3: The Council further finds that after due and legal notice a public hearing was held on July 8, 1981 before an impartial council, and at said hearing all parties interested were afforded an opportunity to be heard and to present and rebut evidence. At said hearing the Council received in evidence, among other documents and testimony, Exhibit A.

Section 4: After due consideration of the application, the action of the Planning Commission, the staff report, and evidence adduced, the Council finds that the facts and findings set forth in the staff report should be adopted as the findings of the Council, and that those findings are fully supported by the factual information set forth in the staff report, and the testimony and evidence presented by the applicant's consultant, Robert Price of Berhendorf & Evans, Ltd.

Section 5: The application is therefore approved and the comprehensive plan map is hereby amended to change the plan map use designation for Tax Lot 1400, Assessor's Map #2S 1 33

ORDINANCE NO. 746

from Low Density Residential (LDR) to medium Low Density Residential (MLDR), said property being more particularly described on the attached sheet marked Exhibit C hereto attached and by this reference made a part hereof. The Planning Director is directed to take such action as necessary to document this amendment to the plan map as required by the Sherwood Community Development code.

PASSED:

By the Council by majority (4-1)
vote of all council members present,
after being read by caption three
times this 9 day of September, 1981.

APPROVED:

By the Mayor this 10th day of September, 1981
Clyde R. List, 1981.

Attest:

Polly Blankenbaker
City Recorder

STAFF REPORT

May 7, 1981

CITY CASE NO: PMA-81-02
SUBJECT: A Request to Amend the Comprehensive Plan Map
Changing the Designation on Tax Lot 2S1 33 : 1400
From Low Density Residential (LDR) to Medium Low
Density Residential
LOCATION: Murdock Road (See Figure 1)
APPLICANT: Gotter-Jaerhling
OWNER: Victor and Dorothy Vossen

APPLICABLE STANDARDS FOR REVIEW:

Chapter 1, Section 3.03 Community Development Code: Required
Findings for A Plan Amendment (see attached)

BASIC FACTS:

Growth Management:

Metro: Urban (Within Urban Growth Boundary)

Washington County: Future Urban

City of Sherwood: Future Urban (outside of City limits)

Land Use:

Washington County Zoning: RS-1 (Suburban Residential) - 1 DU/
Acre

Plan Designation: LDR (Low Density Residential) 3-5 DUs/Acre

Acreage:

Built On/Non Buildable	2	acre
Buildable	20.38	acres
Total Site	22.38	acres

Existing Structures and Uses: Single family home.

Environmental Resources:

Topography - Variable relief sloping northerly and easterly to
Rock Creek. Characterized by knolls and swales with slopes
varying from 3-10% on most of the site with a small area of
steep creek bank in excess of 25% slope at the easterly edge
of the site.

Soils

Type: Silt loam and Rock outcrop

Limitations: Underlying surface basalt

Agricultural Capability: Class IV and VII

Flood Plain: Not Applicable

Recreation Resources

Greenway: Rock Creek greenway borders the site on the east.

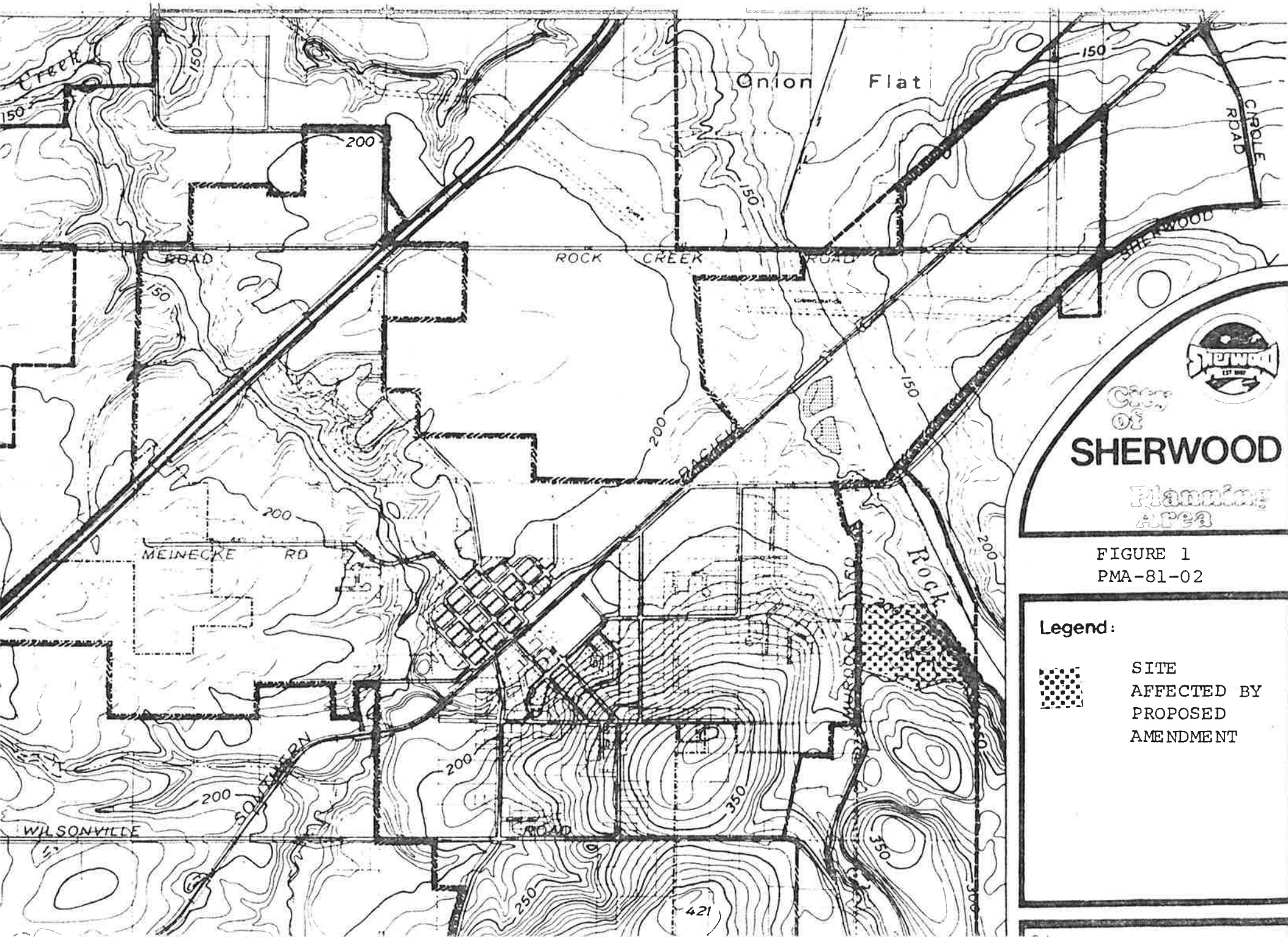
Parks: Within 800 feet of undeveloped neighborhood park on
Murdock Rd; 3/4 mi. from Stella Olsen Community Park.

REQUIRED FINDINGS

PLAN AMENDMENT


In order to grant an amendment to the text of this Part, the City Council shall find that:

- (1) The proposed amendment is in conformance to map and text portions of the Comprehensive Plan not being considered for amendment.
- (2) The public interest is best served by granting the amendment at this time.
- (3) The following factors in ORS 215.055 were consciously considered; the various characteristics of the areas in the City; the suitability of the various areas for particular land uses and improvements; the land uses and improvements in the areas, trends in land improvement; density of development; property values; the needs of economic enterprises in the future development of the area; transportation access; natural resources and the public need for healthful, safe and aesthetic surroundings and conditions.




 City of
 SHERWOOD
 Planning Area

FIGURE 1
PMA-81-02

Legend:
 SITE
 AFFECTED BY
 PROPOSED
 AMENDMENT

Community Facilities and Services:

Water: 12" main on Murdock Road (under construction)

Sewer: No existing urban service.

Drainage: No existing urban service.

Public Safety: Washington County Sheriff's Office and TRFPD.

Transportation:

Vehicle Access: Murdock Road, gravel travel surface 16 feet, 60 foot right of way.

Bike and Pedestrian Access: No developed facilities

Transit: 3/4 mile to nearest bus stop.

FINDINGS:

Required Findings for the granting of a Plan Map Amendment (see applicant findings P. 42ff)

1. "The Proposed amendment is in conformance with the map and text portions of the plan not being considered for amendment."

Map and text portions of the Comprehensive Plan which are of principal concern in evaluating the request are contained in Section IV of the Community Development Plan.

Residential Designation Objectives

The Plan requires that land be allocated among the residential density classifications so as to create a mix of residential uses in a neighborhood context which meets the needs of residents with regard to price, style, density, quality and energy efficiency. The effect of changing the current LDR designation on the 22.38 acre site to MDRL would be to shift the proportion of LDR land from 55% of the planned residential land in the UGB and 39% of the planned new dwelling limits to 53% and 38% respectively. The change may be considered minor in view of the fact that both the LDR and MDRL designations are predominately single family areas. The multifamily uses permitted in the MDRL area are intended to be generally compatible with single family uses and can be appropriately mixed with lower density single family areas within the same neighborhood. The proposed increase in density would not materially affect the integrity of the neighborhood (Policy 1, p. IV-15, CDP). The applicant states an intention to use the planned development approach consistent with the Plans intent for areas of five or more acres.

EFFECT ON
HOUSING MIX
IN UGB

COMPATIBILITY
WITH EXISTING
AND PLANNED
USES IN AREA

HOUSING
TENURE, STYLE
AND AFFORDA-
BILITY

The proposal will have the effect of shifting allocated units to a generally more affordable category of home ownership and rental options. The applicants expressed intention to develop the site for manufactured units is consistent with the Plan's 25% manufactured housing mix provision. The Plan requires that the City allocate an adequate quantity of buildable land for all categories of residential use (Policy 3, p. IV-15 CDP). The City currently has about sixty platted LDR lots only ten of which have been built on in two years. Demand for more affordable units and lots is increasing as LDR land is passed over in favor of MDRL and MDRH land.

PLANNING
DESIGNATION
AREA
OBJECTIVES

The site is not well suited for conventional single family subdivision development due to topographical variations and surface geology. The proposed change in category of permitted use would amount to an additional 3 units per acre for an approved planned development on the site. The increased density could be effectively clustered on the site to mitigate any potential adverse effects on adjacent LDR development.

ENVIRONMENTAL
AND SERVICE
IMPACTS

The additional 3 units per acre capability should not materially affect design of major service systems planned for the area. Traffic impacts due to density should be partially offset by generally decreased average trips per day generated by manufactured homes and higher density development. The change in designation would add the potential of 60 school children (see applicant findings p. 54). 19

2. "The granting of the amendment is in the public interest" and it "is best served by granting the amendment at this time."

The proposed change in the plan addresses a change in market preference for manufactured homes and conventional homes on smaller more affordable lots. It is in the public interest to seek to meet that demand by making more land available over time for preferred residential uses.

3. "Factors in ORS 215.055 were consciously considered."

The proposed change in the range of permitted residential uses on the site will not adversely affect existing and planned uses in the area. The site is well buffered by Murdock Road on the West and the Rock Creek Greenway on the east. Planned MDRL areas are located on the north and LDR uses are planned on the south. Access could be provided by improvements to Murdock Road, a planned arterial, in conjunction with eventual development on the site. Increased density allowable on the site will have the effect of supporting the eventual extension of sewer service lines, payment of trunk sewer and water service line LID costs, and arterial road development costs attributable to the site.

STAFF RECOMMENDATION

Based on the above findings the staff recommends approval of the Plan Map amendment request.



P.O. Box 167
Sherwood, Oregon 97140
625-5522 625-5523

TAX LOT: 33 : 1400

CASE NO: PMA-81-03

DATE: 6-3-81

NOTICE OF DECISION

TO: City Council

Bob Price
Benkendorf-Evans
620 SW 5th
Portland, Ore. 97204

Sam Gotter
12995 SW Pacific Hwy
Tigard, Ore. 97223

Victor Vossen
16735 SW Pacific Hwy
Tigard, Ore. 97223

The Planning Commission of the City of Sherwood, Oregon defeated a motion to recommend approval of your application for a plan map amendment on May 19, 1981

The decision was based on the following major findings:

The proposal failed to provide adequate findings to show that 1) the proposed densities could be adequately served by existing school facilities, and 2) that there were changed conditions sufficient to justify increased densities in the area and an alteration of the overall mix of housing types in the Plan.

A handwritten signature in cursive script, likely reading "Clyde L. Stewart".

Chairman, Planning Commission

STATUS OF PLAN COMPLIANCE REVIEW

X Additional Required Action
Review Body

Date of Meeting

X City Council

June 10, 1981

Commencing at a point on the East line of the Southwest 1/4 of the Northwest 1/4 of Sec. 33, T. 2 S., R. 1W., W.M., Washington County, Oregon, which point is 563.31 feet North from the Southeast corner of the said Southwest 1/4 of the Northwest 1/4 of Sec. 33; running thence N. 33° 30' W. a distance of 894.46 feet to a point on the North line of the Southwest 1/4 of the Northwest 1/4 of said Sec. 33; thence West, and tracing the North line a distance of 810.64 feet, more or less, to a point in the center of a county road, which point is the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of said Sec. 33; thence running South and tracing the center line of said county road a distance of 703 feet, more or less, to an iron pipe in the center of said county road; thence following the center line of a 20 foot road which is hereby reserved and which center line is described as follows:

South 65° 31' East a distance of 155.3 feet; thence S. 77°23'E. a distance of 129.5 feet; thence S. 65° 55'E. a distance 441.5 feet; thence N. 72° 7' E. a distance of 272.5 feet; thence N. 87° 57' E. a distance of 225 feet; thence S. 40° 13' E. a distance of 104.4 feet; thence S. 9° 9' E. a distance of 65 feet; thence S. 69° 7'E. to the East line of the Southwest 1/4 of the Northwest 1/4 of said Sec. 33, which is the termination of the roadway to be reserved; thence North and tracing the East line of the Southwest 1/4 of the Northwest 1/4 of said Sec. 33, to the place of beginning; Subject to reservations and easements of public record and rights of the public in any portion within the boundaries of roads and highways.

EXHIBIT C