

City of Sherwood, Oregon

ORDINANCE NO. 90-909

AN ORDINANCE APPROVING A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) PRELIMINARY DEVELOPMENT PLAN AND OVERLAY ZONING DISTRICT FOR 295 ACRES, MORE OR LESS, LOCATED WEST OF THE SOUTHERN PACIFIC RAILROAD LINE, EAST OF HIGHWAY 99W, AND NORTH AND SOUTH OF S.W. WILSONVILLE ROAD, RESCINDING ORDINANCE NO. 89-903, AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City originally received application for a 295 acre residential PUD, commonly known as "Steeplechase Country Estates", and an associated 18-hole golf course, generally located along S.W. Wilsonville Road, in October 1989, and received a revised application in April 1990; and

WHEREAS, the Planning Commission has received both the original and revised PUD applications, associated rezoning and conditional use permit (CUP) applications, and the reports of the City's planning staff, and the Commission fully considered said materials; and

WHEREAS, the Planning Commission originally conducted public hearings on the proposed PUD, and associated rezoning and CUP applications, on October 16 and November 6, 1989, and after full and due consideration of the evidence, reports, and testimony presented, recommended adoption of the findings of fact contained in planning staff report PUD 89-1, dated October 30, 1989, and recommended approval of the PUD Preliminary Development Plan, subject to certain conditions dated November 6, 1989; and

WHEREAS, the City Council originally conducted a public hearing on the proposed PUD, and associated rezoning, on December 13, 1989, and after full and due consideration of the evidence, reports, and testimony presented, adopted City Ordinance No. 89-903 conditionally approving the PUD, and City Ordinance No. 89-904 conditionally approving the rezoning; and

WHEREAS, Ordinance No. 89-903 contained a condition that ". . . as a result of the applicant . . . making further changes to the proposal, and as a result the PUD is altered as per Code Section 2.202.04B . . . that the PUD may be returned . . . for further review"; and

WHEREAS, the applicant submitted revised plans for the PUD in the form of a Final Development Plan on April 16, 1990 and the City has determined that the revisions were substantial enough to return the PUD proposal to the Planning Commission and City Council for Preliminary Development Plan reconsideration,

although most modifications were in response to the City's conditions contained in Ordinance No. 89-903; and

WHEREAS, the Planning Commission considered the revised PUD application, a revised CUP application for the golf course element of this project, and a new preliminary subdivision plat for the entire project, on May 15, 1990, and although further formal public hearings were not conducted as the PUD revisions were substantially in response to prior City conditions, the Commission heard and considered public comments, and after full and due consideration of the evidence, reports, and comments presented, recommended adoption of the findings of fact contained in planning staff report PUD 89-1 (revised), dated May 10, 1990, and recommended approval of the revised PUD Preliminary Development Plan, subject to certain new conditions contained herein; and

WHEREAS, the City Council has received the original and revised application materials; the original and revised planning staff reports; new findings and conditions of approval; the minutes of the Planning Commission meetings; associated correspondence, notices and reports; and the Council has reviewed the materials submitted and the facts of the proposal.

NOW THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Commission Review. That the original application for a PUD Preliminary Development Plan for the "Steeplechase Country Estates" development was subject to a full and proper review before the City Planning Commission on October 16 and November 6, 1989, and the revised plans were reviewed on May 15, 1990, and the Commission recommended conditional approval of the PUD Preliminary Development Plan at both junctures.

Section 2. Findings. That after full and due consideration of the original application; the City staff reports; the record, findings, and recommendations of the Commission; the revised plan and materials submitted April 16, 1990; the evidence presented at the original public hearings; further public comments received by the Commission and Council; and the miscellaneous materials attached as exhibits to this Ordinance; the Council finds that, due to the unique problems of integrating a residential housing development in and around an 18-hole golf course, that this proposed development is unusually constrained in development potential as compared to other land with the same underlying zoning designation and is eligible for PUD designation under Code Section 2.202.02A.

Section 3. Adoption. The Council ADOPTS the findings of fact contained in staff report PUD 89-1 as revised, dated May 10, 1990, and further finds that this proposal is in conformance with

all requirements of Code Section 2.202.02, subject to any conditions contained herein.

Section 4. Approval. That the request for a PUD Preliminary Development Plan and Overlay Zoning District for the "Steeplechase Country Estates" PUD, as supplemented and amended by the applicant's April 16, 1990 revised application, is hereby APPROVED subject to the conditions referenced in Section 5 of this Ordinance.

Section 5. Conditions. That the aforementioned approval is subject to all recommended conditions of approval enumerated in the City Planning Commission's action of May 15, 1990, as amended by the City Council on May 23, 1990, which is attached to and made a part of this Ordinance, as are any other exhibits, reports, and agreements referred to as part of the findings of fact and conditions of approval.

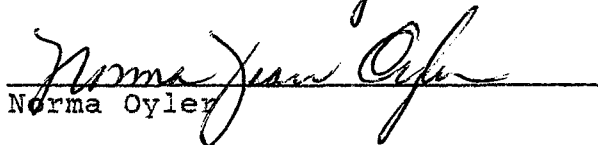
Section 6. Manager Authorized. That the City Manager is directed to take such action as may be necessary to document this amendment, including preparation of a certified modification to the Official City Zoning Map, at such time as all applicable conditions of approval have been fully satisfied in accordance with City ordinances and regulations, as determined by the City Manager.

Section 7. Ordinance Rescinded. City Ordinance No. 89-903, as approved on December 13, 1989, is hereby rescinded, and replaced by this Ordinance No. 90-909, which amends said earlier Ordinance.

Section 8. Effective Date. This Ordinance shall become effective at such time as the PUD Final Development Plan has been approved in accordance with Code Section 2.202.03, and certification by the City Manager that all conditions of approval have been satisfied or completed, or that a satisfactory performance bond, or other security acceptable to the City, has been posted guaranteeing completion of all conditions, but in any event this Ordinance shall not become effective earlier than thirty (30) days after passage and approval.

Duly passed by the City Council this 23rd day of May, 1990.

Approved by the Mayor this
24 day of May, 1990.


Norma Oyler

Attest:

Polly Blankenbaker

Polly Blankenbaker, City Recorder

	AYE	NAY
Birchill	<input checked="" type="checkbox"/>	___
Chavez	<input checked="" type="checkbox"/>	___
Hitchcock	<input checked="" type="checkbox"/>	___
Boyle	<input checked="" type="checkbox"/>	___
Oyler	<input checked="" type="checkbox"/>	___