

**STAFF REPORT TO THE
PLANNING COMMISSION
FOR THE CITY OF TIGARD, OREGON**



120 DAYS = N/A

SECTION I. APPLICATION SUMMARY

FILE NO.: Comprehensive Plan Amendment (CPA) 2016-00002
Zone Change (ZON) 2016-00001
Planned Development Review (PDR) 2016-00012

FILE TITLE: **TOPPING C-P TO R-12 COMPREHENSIVE PLAN AMENDMENT/
ZONE CHANGE with PLANNED DEVELOPMENT REVIEW**

APPLICANT: Stafford Development Company, LLC.
485 S. State Street
Lake Oswego, OR 97034

REQUEST: The applicant requests approval of a Comprehensive Plan Designation and Zoning Map Amendment from Professional Commercial, C-P, to Medium Density Residential, R-12, and a Planned Development Review for a Concept Plan only on a three-parcel property totaling 1.54 acres. The proposed concept plan shows 18 single-family detached homes with approximately 23 percent of the site in open space, a portion of which is located at the corner of SW Spruce Street and SW 72nd Avenue.

In 2015, to facilitate the retention of R-12 zoning in the City, City Staff had requested approval of a zoning “swap” from C-P to R-12 on the subject property and from R-12 to C-G on another property on Pacific Hwy and School Street (CPA 2015-00005 and ZON 2015-00007). The City Council approved the Pacific Hwy property rezone. However, the Council did not approve the rezone for the subject property portion. The Council directed the property owner to submit a quasi-judicial zone change application on their own if they wanted to continue to pursue the zone change.

LOCATION: 7303 SW Spruce St., 10705 SW 72nd Ave., 10735 SW 72nd Ave;
TAX MAP/ LOT #'s: 1S136AC02200, 1S136AC02400, 1S136AC02500.

**COMP PLAN
DESIGNATION/
ZONING**

DISTRICT: FROM: Professional Commercial (C-P)
TO: Medium Density Residential (R-12)

APPLICABLE REVIEW CRITERIA: Community Development Code Chapters 18.350, 18.380.030, and 18.390.050; Comprehensive Plan Goals 1, 2, 10; Statewide Planning Goals 1, 2, 10; and Metro’s Urban Growth Management Functional Plan Titles 1, 7, and 12.

SECTION II STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend to the Tigard City Council **APPROVAL** of the Comprehensive Plan and Zoning Map Amendment as determined through the public hearing process. Staff further recommends that the Planning Commission recommend to the Tigard City Council **APPROVAL** of the Planned Development Concept Plan with clear direction to the applicant for preparation of a detailed plan, as determined through the public hearing process.

SECTION III BACKGROUND INFORMATION

Project History

In 2015, to facilitate the retention of R-12 zoning in the City, City Staff had requested approval of a zoning “swap” from C-P to R-12 on the subject property and from R-12 to C-G on another property of roughly the same size located on Pacific Hwy and School Street (CPA 2015-00005 and ZON 2015-00007). The City Council approved the Pacific Hwy property rezone. However, the Council did not approve the rezone for the Spruce Street property. Instead, the Council directed the property owner to submit a quasi-judicial zone change application on their own if they wanted to continue to pursue the zone change on the subject property.

For this application, Stafford Land Company is the applicant, with support from the City whose interest is increasing the supply of R-12 zoned land, as intended in the City’s prior zone change proposal. The affordable housing types allowed in the R-12 zone warrant the City’s support because of the City’s housing goal to provide opportunities for a variety of housing types to meet the diverse housing needs of current and future City residents.

To ensure the neighborhood would have the opportunity to be involved in how the property could be developed for residential use, the applicant agreed to apply for a Planned Development concept plan review concurrently with the comprehensive plan/zone change.

Staff has documented the quasi-judicial process and engaged the neighbors directly in the process to ensure information is available and notice received.

Site Description

The subject property (3 parcels totaling 1.54 acres) is developed with single-family residences and was annexed in 2006 (ZCA2006-00003), which changed the County zone from Commercial Office (OC) to the City’s Professional Commercial (C-P) zone, the zone most closely implementing the County’s plan map designation. The current zone does not allow residential use, which the market has identified as its highest best use as evidenced by the applicant’s several pre-application conferences over past couple of years to change the commercial zone to residential.

The subject site is located across Spruce Street from Fred Meyers and within 1,000 feet of Pacific Hwy. The locational characteristics of the subject property support the comprehensive plan amendment and zone change. The subject property fronts on a local street and a neighborhood street and is adjacent to property

zoned R-4.5 and low-density unincorporated Washington County. The adjacent lower class streets and low density residential use zone makes the property more suitable for medium density residential use to form a transition from the General Commercial (C-G) zone to the south.

Proposal Description

The applicant requests approval of a Comprehensive Plan Designation and Zoning Map Amendment from Professional Commercial, C-P, to Medium Density Residential, R-12, and a Planned Development Review for a Concept Plan only on a three-parcel property totaling 1.54 acres. The proposed concept plan shows 18 single-family detached homes with approximately 23 percent of the site in open space, a portion of which is located at the corner of SW Spruce Street and SW 72nd Avenue.

Decision Process

The Commission will make a recommendation to Council on the Comprehensive Plan/Zone Change and Planned Development Concept Plan. The Council must first approve the Comprehensive Plan/Zone Change before consideration of the Concept Plan. Council's Approval of the Concept Plan must give the applicant clear direction for preparation of the Detailed Plan. The Detailed Plan will be by separate application and will be reviewed and decided by the Planning Commission.

SECTION IV. APPLICABLE CRITERIA, FINDINGS AND CONCLUSIONS

This section contains all of the applicable city, state and metro policies, provisions, and criteria that apply to the proposed comprehensive plan amendment, zone change, and concept planned development review.

18.380 ZONING MAP AND TEXT AMENDMENTS

Chapter 18.380.030 Quasi-Judicial Amendments and Procedures to this Title and Map.

A. Quasi-judicial zoning map amendments shall be undertaken by means of a Type III-PC procedure, as governed by Section 18.390.050, using standards of approval contained in subsection (B) of this section. The approval authority shall be as follows: (3) The commission shall make a recommendation to the council on a zone change application which also involves a concurrent application for a comprehensive plan map amendment.

FINDING: The proposed quasi-judicial amendment is being reviewed under the Type III procedure as set forth in this chapter. This procedure requires public hearings before both the Planning Commission and City Council.

B. Standards for making quasi-judicial decisions. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following standards:

1. Demonstration of compliance with all applicable comprehensive plan policies and map designations;

Chapter 1: Citizen Involvement

Goal 1.1 Provide citizens, affected agencies, and other jurisdictions the opportunity to participate in all phases of the planning process.

Policy 2 The City shall define and publicize an appropriate role for citizens in each phase of the land use planning process.

Policy 5 The opportunities for citizen involvement provided by the City shall be appropriate to the scale of the planning effort and shall involve a broad cross-section of the community.

Citizens, affected agencies, and other jurisdictions were given the opportunity to participate in all phases of the planning process. Several opportunities for participation are built into the Comprehensive Plan amendment process, including public hearing notification requirements pursuant to Chapter 18.390.050 of the Tigard Community Development Code.

On October 18, 2016, public hearing notice of the Planning Commission and City Council public hearings was sent to the interested parties list and all property owners within 500 feet of the subject parcels.

On October 27, 2016 a notice was published in The Tigard Times. The notice invited public input and included the phone number of a contact person to answer questions. The notice also included the address of the City's webpage where the staff report to the Planning Commission could be viewed.

On October 31, 2016, the site was posted with a notice board.

On October 17, 2016, the proposal was posted on the City's web site.

On November 14, 2016 the staff report was made available on the city's website.

FINDING: As shown in the analysis above, the Tigard Comprehensive Plan Goal 1.1 Policies 2 and 5 are met.

Chapter 2: Land Use Planning

Goal 2.1 Maintain an up-to-date Comprehensive Plan, implementing regulations and action plans as the legislative basis of Tigard's land use planning program.

Policy 1 The City's land use program shall establish a clear policy direction, comply with state and regional requirements, and serve its citizens' own interests.

The goals and policies contained in the Tigard Comprehensive Plan provide the basis for the city's land use planning program. This policy is met.

Policy 2 The City's land use regulations, related plans, and implementing actions shall be consistent with and implement its Comprehensive Plan.

The City's development code, Title 18, has been found to be consistent with the Comprehensive Plan. This policy is met.

Policy 3 The City shall coordinate the adoption, amendment, and implementation of its land use program with other potentially affected jurisdictions and agencies.

Potentially affected jurisdictions and agencies were given an opportunity to comment. Any comments that were received are addressed in Section VI: Outside Agency Comments. This policy is met.

Policy 5 The City shall promote intense urban level development in Metro designated Centers and Corridors, and employment and industrial areas."

The Metro 2040 Growth Concept Map shows that Pacific Hwy, through Tigard, is designated as a “Corridor.” The proposed rezone of the subject site from commercial professional to medium density residential would meet market demand for residential development where the existing commercial zone designation has resulted in underdeveloped land for the past ten years, since annexation in 2006. This policy is met.

Policy 6 The City shall promote the development and maintenance of a range of land use types which are of sufficient economic value to fund needed services and advance the community’s social and fiscal stability.

Policy 7 The City’s regulatory land use maps and development code shall implement the Comprehensive Plan by providing for needed urban land uses including:

- A. Residential;**
- B. Commercial and office employment including business parks;**
- C. Mixed use;**
- D. Industrial;**
- E. Overlay districts where natural resource protections or special planning and regulatory tools are warranted; and**
- F. Public services**

The rezoning of the subject property to medium-density residential would allow for a needed increase in the variety of housing options available to the citizens of Tigard. The proposed zone change would allow for smaller lot sizes, higher density, and more affordable housing options, promoting a greater level of financial stability among the citizens of Tigard. These policies are met.

Policy 15 In addition to other Comprehensive Plan goals and policies deemed applicable, amendments to Tigard’s Comprehensive Plan/Zone Map shall be subject to the following specific criteria:

- A. Transportation and other public facilities and services shall be available, or committed to be made available, and of sufficient capacity to serve the land uses allowed by the proposed map designation;**
- B. Development of land uses allowed by the new designation shall not negatively affect existing or planned transportation or other public facilities and services;**

ODOT’s trip generation analysis for the subject site (ODOT Comment letter, dated December 2, 2015) showed a reduction of trips, from 220 PM trips under the current C-P zone to 43 PM trips under the proposed R-12 zone. Therefore, a determination of no significant adverse effect on the transportation system can be made and the Transportation Planning Rule compliance measures under OAR Section 660-12-0060 Plan and Land Use Regulation Amendments are not invoked.

Additional public services such as stormwater, water, and sanitary sewer will connect to existing infrastructure and it is not anticipated that the proposed zone change from C-P to R-12 will result in additional demands on public services. These policies are met.

- C. The new land use designation shall fulfill a proven community need such as provision of needed commercial goods and services, employment, housing, public and community services, etc. in the particular location, versus other appropriately designated and developable properties;**
- D. Demonstration that there is an inadequate amount of developable, appropriately designated, land for the land uses that would be allowed by the new designation;**

The proposed rezoning satisfies a need for property zoned R-12. In 2013 the City Council adopted a Housing Strategies report prepared by Angelo Planning Group and Johnson & Reid in support of the Periodic Review update to Goal 10, Housing. This report illustrated that at that time the city had nearly twice as much buildable land in areas zoned R-7 (72.1 net buildable acres) than in areas zoned R-12 (36.7 net buildable acres). The report analyzed the city's current and future housing needs, which included the following conclusion: "In general, there is a need for some less expensive ownership units and rental units". R-12 zoned land permits attached single-family and multi-family housing types, which contribute to the city's variety of more affordable housing stock.

The city is also in need of adequate commercially zoned land to support employment and economic development goals. However, the proposed rezone of the subject site from commercial professional to medium density residential in a location where the existing commercial zone designation has resulted in underdeveloped land for the past ten years, since annexation in 2006. These policies are met.

E. Demonstration that land uses allowed in the proposed designation could be developed in compliance with all applicable regulations and the purposes of any overlay district would be fulfilled;

A planned development concept plan is being concurrently reviewed with the proposed zone change to demonstrate that medium density residential use can be developed in compliance with applicable regulations and the purposes of the planned development chapter. This policy is met.

F. Land uses permitted by the proposed designation would be compatible, or capable of being made compatible, with environmental conditions and surrounding land uses; and

The proposed R-12 zone would allow residential housing types at a scale that would be compatible with adjacent low density residential and commercial uses; there is no reason to believe the property could not be developed in conformance with R-12 standards. A planned development overlay is proposed on the subject property to ensure compatibility. This policy is met.

G. Demonstration that the amendment does not detract from the viability of the City's natural systems.

The subject property has been previously developed with single family dwellings. The site has a six percent slope toward the west and does not contain any city-regulated sensitive natural resources. The proposed rezone would not detract from the viability of the City's natural systems. This policy is met.

Policy 20 The City shall periodically review and if necessary update its Comprehensive Plan and regulatory maps and implementing measures to ensure they are current and responsive to community needs, provide reliable information, and conform to applicable state law, administrative rules, and regional requirements.

The proposed Comprehensive Plan and Zoning Map Amendment would increase the City's supply of R-12 zoned land. Staff supports the zone change in response to the growing need for affordable housing. The City supports the proposed update to its Comprehensive Plan and Zoning map through this process to ensure it is current and responsive to community needs and will conform to applicable state law, administrative rules, and regional requirements. This policy is met.

Chapter 10: Housing

Goal 10.1 Provide opportunities for a variety of housing types at a range of price levels to meet the diverse housing needs of current and future City residents.

Policy 1 The City shall adopt and maintain land use policies, codes, and standards that provide opportunities to develop a variety of housing types that meet the needs, preferences and financial capabilities of Tigard's present and future residents.

The subject property was annexed in 2006 (ZCA 2006-00003), which changed the Washington County comprehensive plan and zoning designation from Commercial Office (OC) to the City of Tigard's Professional Commercial (C-P) zone, the zone most closely implementing the County's plan map designation. However, since the subject property's annexation in 2006, the City's need for residential property zoned R-12 has increased.

In February 2016, in response to CPA 2015-00005 & ZON 2015-00007, the City Council approved the rezoning of a 1.37 acre site on Pacific Hwy W from R-12 to C-G, but not the rezoning of the subject property from C-P to R-12, resulting in a loss of 1.37 acres of residential property zoned R-12. Medium-density residential properties are important to the ongoing implementation of the City's housing policies, for a number of reasons, including growth in population of the City of Tigard, and a need for flexibility in allowable and available housing types to provide a level of affordability for first time home buyers, singles and retirees, as well as other members of the populace who desire more affordable housing options in Tigard's neighborhoods.

The population of Tigard has increased by 6.6% since 2010 (United States Census Bureau). With this increase in population, the demand for housing continues to grow, particularly the need for residential properties zoned with the flexibility necessary to promote a level of affordability.

In 2013 the Council adopted a Housing Strategies report prepared by Angelo Planning Group and Johnson & Reid in support of the Periodic Review update to Goal 10, Housing. This report illustrated that at that time the city had about twice as much buildable land in areas zoned R-7 (72.1 net buildable acres) than in areas zoned R-12 (36.7 net buildable acres). The report analyzed the city's current and future housing needs, which included the following conclusions of relevance to the application:

- "In general, there is a need for some less expensive ownership units and rental units."
- "Single family attached units are projected to meet nearly 20% of future housing need."
- "It is projected that in coming decades a greater share of housing will be attached types, including attached single family."

This type of housing is possible in the R-12 zone, which allows attached and multi-family housing on 3,050 square-foot lots. R-12 is a versatile medium density residential zone that can better meet the preferences and financial capabilities of Tigard's present and future residents. This policy is met.

METRO Urban Growth Management Functional Plan

Title 1: Housing Capacity

The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity.

The City's Housing Strategies Report indicates that "in general, there is a need for some less expensive ownership units and rental units." This type of housing is possible in the R-12 zone, which allows attached and multi-family housing on 3,050 square-foot lots. With this quasi-judicial action, the zone change to R-12 on the subject site will result in a marginal increase of R-12 zoned land in the City of Tigard to help meet the preferences and financial capabilities of Tigard's present and future residents, consistent with the purpose of Title 1.

FINDING: As shown in the analysis above, the proposed comprehensive plan/zone change demonstrates compliance with all applicable comprehensive plan policies and map designations;

2. Demonstration of compliance with all applicable standards of any provision of this code or other applicable implementing ordinance; and

FINDING: As shown in the findings above and below, the proposed comprehensive plan/zone change demonstrates compliance with all applicable standards of the provisions of Title 18 and other implementing ordinances.

3. Evidence of change in the neighborhood or community or a mistake or inconsistency in the comprehensive plan or zoning map as it relates to the property which is the subject of the development application.

The population of Tigard has increased by 6.6% since 2010 (United States Census Bureau). This influx in population has generated an increased need for housing in the City of Tigard. In particular, there is presently a deficit in the availability of affordable housing in the City of Tigard. Zoning the subject property R-12 would help accommodate the City's growth in population and subsequent need for residential properties.

The increasing need for affordable housing is a change in the community that supports the comprehensive plan/zone change. Given the variety of permitted housing types, property zoned R-12 is of increasing importance in the City of Tigard to insure the availability of affordable housing. With a minimum lot size of 3,050 S.F. the R-12 zone provides the flexibility necessary to meet the housing type preferences and financial capabilities of Tigard's present and future residents.

The trend in the market and development in the community as a whole is progressing towards smaller lots, in an effort to satisfy the demand for affordable housing in the region. Since the subject property's annexation and zoning in 2006, properties zoned R-12 have been developed in the surrounding area. An R-12 zoning of residential property in the area is ideal due to the proximity of services and transit options. White Oak Village, an R-12 zoned subdivision, located 2/10ths of a mile southwest of the subject property at SW 74th Ave. north of SW Pacific Highway, was developed in 2008.

Increases in population and commercial and residential development have led to an increase in traffic in the neighborhood. While increased traffic is clearly an issue effecting property's owners in the vicinity of the subject property, an ODOT Trip Generation Analysis showed that the proposed zone change of the subject property from C-P to R-12 will result in a reduction of 220 PM trips to 43 PM trips. Rezoning of the subject property to R-12 may help curb future traffic pressure in the neighborhood. Furthermore, the proposed development includes future street improvements to SW Spruce St. and SW 72nd Ave. which will reduce an existing lack of parking in the surrounding area by including the widening of roadways and addition of parking lanes.

There is an increasing need for open space in the surrounding neighborhood, as the general development patterns in the area and public testimony received through CPA 20015-00005 & ZON 2015-00007 public hearings suggest. The proposed Planned Development Concept Plan includes two proposed open space tracts that comprise approximately 23.8% of the subject property that will preserve natural open space and promote pedestrian connectivity.

FINDING: As shown in the analysis above, there is evidence of change in the neighborhood or community to support the proposed comprehensive plan/zone change.

RECOMMENDATION:

Staff recommends that the Planning Commission recommend to the Tigard City Council **APPROVAL** of the Comprehensive Plan and Zoning Map Amendment as being in compliance with all applicable comprehensive plan policies, all applicable standards of any provision of this code or other applicable implementing ordinance, as evidenced by change in the neighborhood and the community, and as determined through the public hearing process.

18.390 DECISION MAKING PROCEDURES

18.390.080 General Provisions

D. Applications

- 2. Consolidation of proceedings. Whenever an applicant requests more than one approval and more than one approval authority is required to decide the applications, the proceedings shall be consolidated so that one approval authority shall decide all applications in one proceeding;**
 - a. When a request which contains more than one approval is consolidated, the hearings shall be held by the approval authority having original jurisdiction over one of the applications under this chapter in the following order of preference: the council, the commission, the hearings officer, or the director.**
 - b. Where there is a consolidation of proceedings:**
 - i. The notice shall identify each action to be taken;**
 - ii. The decision on a plan map amendment shall precede the decision on the proposed zone change and other actions; and**
 - iii. Separate actions shall be taken on each application.**

FINDING: The applicant has requested concurrent review of a comprehensive plan map amendment from Professional Commercial to Medium Density Residential District/Zone Change from C-P to R-12 and a Planned Development concept plan approval. According to 18.390.080.D.2, the proceedings are consolidated and decided by the City Council. Notices have identified each action to be taken. The decision on the plan map amendment shall precede the decision on the proposed zone change, which shall precede the decision on the planned development concept plan, with separate actions being taken on each application.

18.350 PLANNED DEVELOPMENTS

18.350.050 Concept Plan Approval Criteria

A. **The concept plan may be approved by the commission only if all of the following criteria are met:**

- 1. The concept plan includes specific designations on the concept map for areas of open space, and describes their intended level of use, how they relate to other proposed uses on the site, and how they protect natural features of the site.**

The applicant states that “The proposed development includes two open space tracts totaling .31 acres (20.3 percent of the site) which will preserve existing conditions and natural resources, including an existing oak tree in the northwest corner of the subject property. Open space will promote natural amenities and provide a more walkable community, while serving as a transition between surrounding low-density residential properties and existing commercial properties.”

The applicant’s statement and concept plan address preservation of the existing oak tree on the site and how the proposed open space protects the natural features of the site. The applicant only minimally indicates how the proposed open space areas relate to access and use by future residents of the development or by the public. This criterion is met but the Commission may require the applicant to more substantively address the open space area designations as to their intended level of use and how they relate to other proposed uses on the site.

- 2. The concept plan identifies areas of trees and other natural resources, if any, and identifies methods for their maximized protection, preservation, and/or management.**

The applicant’s concept plan identifies areas of trees and other natural resources and minimally identifies methods for their maximized protection, preservation, and management. The narrative states that “The Concept Development Plan in Exhibit G illustrates the proposed development’s two open space tracts totaling .31 acres, and their relationship to other uses on the subject property. There are no wetlands or sensitive areas on the subject property. All existing trees on the subject property have been identified (see Concept Development Plan, Exhibit G).”

The applicant’s narrative does identify a large oak tree in the northwest corner of the site, but it should be shown on the Concept Plan and additional methods for management should be identified as well as an indication of how it would be incorporated into the development. This criterion is minimally met.

To better meet this criterion, the Commission may require the applicant to substantively address methods for the oak tree’s maximized protection, preservation, and/or management.

- 3. The concept plan identifies how the future development will integrate into the existing neighborhood, either through compatible street layout, architectural style, housing type, or by providing a transition between the existing neighborhood and the project with compatible development or open space buffers.**

The applicant states that “The proposed Planned Development Subdivision is designed around the existing transportation network, and will not require or result in any changes to the functional classification of the transportation system in the vicinity of the subject property. As shown on the Concept Development Plan in Exhibit G, the layout of the proposed development concentrates homes to SW Spruce St., SW 72nd Ave. and the proposed private drive, while preserving two open space tracts totaling .31 acres on the northern,

western and eastern property boundaries. These open space tracts will serve as an additional buffer between the existing low-density residential and commercial uses.

A total of eighteen lots are proposed. Eleven lots will have frontage on SW Spruce St., three lots will have frontage on SW 72nd Ave, and four lots will have frontage on the proposed private drive. The private drive runs north to south in the middle of the subject property, ending at an open space tract on the subject property's northern boundary.”

The concept plan identifies how the future development will integrate into the existing neighborhood using the existing streets and providing a transition with open space buffers. This criterion is met.

- 4. The concept plan identifies methods for promoting walkability or transit ridership, such methods may include separated parking bays, off street walking paths, shorter pedestrian routes than vehicular routes, linkages to or other provisions for bus stops, etc.**

The applicant states that future development of the site with street improvements on SW Spruce St. and SW 72nd Ave., including sidewalks and planter strips will promote a more walkable neighborhood. This criterion is minimally met.

To better meet this criterion, the Commission may require the applicant to substantively address how the concept plan also promotes transit ridership.

- 5. The concept plan identifies the proposed uses, and their general arrangement on site. In the case of projects that include a residential component, housing type, unit density, or generalized lot sizes shall be shown in relation to their proposed location on site.**

The applicant states that “The Concept Development Plan in Exhibit G illustrates the proposed arrangement of lots and their relationship to open space tracts on the subject property.”

As show on the concept plan, this criterion is met.

- 6. The concept plan must demonstrate that development of the property pursuant to the plan results in development that has significant advantages over a standard development. A concept plan has a significant advantage if it provides development consistent with the general purpose of the zone in which it is located at overall densities consistent with the zone, while protecting natural features or providing additional amenities or features not otherwise available that enhance the development project or the neighborhood.**

The applicant states that “The proposed concept plan would provide a density consistent with the R-12 zone. Two open space tracts comprising 23.8% of the subject property are proposed; their design will preserve an existing oak tree in the northwest corner of the subject property, while providing natural amenities, promoting pedestrian connectivity within the area and serving as a buffer between existing residential and commercial developments in the surrounding area.”

The proposed development of 18 single-family dwellings would be permitted in the R-12 zone at the maximum allowed density, consistent with the general purpose of the zone. Trees, including the large oak in the northwest corner of the site, will be protected within an open space tract. This criterion is minimally met.

To better meet this criterion, the Commission may require the applicant to provide more information on how the concept plan provides significant advantages over standard development with additional amenities or features not otherwise available that enhance the development project or the neighborhood.

FINDING: As shown in the analysis above, the concept plan approval criteria are minimally met, but may be strengthened subject to the Commission's direction to the applicant to revise the proposed Concept Plan.

RECOMMENDATION:

Staff recommends the Planning Commission recommend to the City Council approval of the proposed Concept Plan, subject to the Commission's direction to the applicant to supplement their findings on the approval criteria, as determined through the hearings process.

SECTION V. ADDITIONAL CITY STAFF COMMENTS

The City of Tigard's Development Services Division (Engineering), and Public Works Department had an opportunity to review this proposal and had no objections.

SECTION VI. OUTSIDE AGENCY COMMENTS

The following agencies/jurisdictions had an opportunity to review this proposal and did not respond: **Metro Land Use and Planning, Washington County Department of Land Use and Transportation, Oregon Department of Land Conservation and Development.**

Tualatin Valley Fire and Rescue reviewed the concept plan proposal and provided a comment letter dated October 31, 2016 addressing basic approval standards. Additional opportunities for substantive comment will be provided with application for a Detailed Development Plan.

Clean Water Services reviewed the concept plan proposal and provided a comment letter dated October 26, 2016 addressing basic approval standards. Additional opportunities for substantive comment will be provided with application for a Detailed Development Plan.

Oregon Department of Transportation, Region 1 reviewed this proposal under CPA 2015-00005 and ZON 2015-00007 and provided a comment letter dated December 2, 2015 from Marah Danielson, ODOT Development Review Planner. ODOT determined that for Site A (the subject site), vehicle trips to OR 99W intersections will likely be reduced and that the proposed zone change from C-P to R-12 does not significantly affect a state highway facility.

SECTION VII. INTERESTED PARTIES COMMENTS

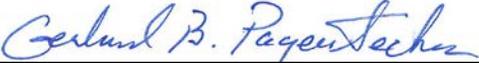
The applicant held a neighborhood meeting on March 16, 2016. Documentation is provided in Exhibit E of the application. Seventeen attendees discussed the proposed zone change, comprehensive plan amendment, and the planned development concept plan. Issues discussed included open space and parks, streets and utilities, housing type and design, and land use process.

The city received written comments from neighbors within 500 feet of the subject properties regarding the proposed amendment. Approximately 140 neighbors within a half-mile of the subject property who live both within and outside of the City boundary signed a petition in support of the use of the subject property as a “walk-to residential park.” Nancy Tracy submitted a letter requesting that the City buy and preserve the land for park use. These comments included a letter dated April 18, 2016 from Holly Polivka, Chair of the Parks and Recreation Advisory Board, in support of the park idea, with the caveat that the City did not have funding to help purchase the property.

SECTION VIII. CONCLUSION

The proposed Comprehensive Plan and zone change comply with the applicable Statewide Planning Goals, applicable regional, state and federal regulations, the Tigard Comprehensive Plan, and applicable provisions of the City’s implementing ordinances. Provided the Commission gives direction to the applicant to revise the plan to substantively address the approval criteria, the proposed planned development concept plan can meet the applicable review criteria.

Therefore, Staff recommends that the Planning Commission recommend approval of the proposed comprehensive plan/zone change amendment and planned development concept plan to the Tigard City Council, as determined through the public hearing process.



PREPARED BY: Gary Pagenstecher
Associate Planner

November 14, 2016

DATE



APPROVED BY: Tom McGuire
Assistant Community Development Director

November 14, 2016

DATE