



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us

AMENDED NOTICE OF ADOPTED AMENDMENT

October 1, 2007

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Washington County Plan Amendment
DLCD File Number 002-07



The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 15, 2007

This amendment was submitted to DLCD for review 45 days prior to adoption. Pursuant to ORS 197.830 (2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE: THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAN IT WAS MAILED TO DLCD. AS A RESULT YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.**

Cc: Doug White, DLCD Community Services Specialist
Meg Fernekees, DLCD Regional Representative
Aisha Willits, Washington County

<paa> ya/

FORM

2 DLCD Notice of Adoption



THIS FORM **MUST BE MAILED** TO DLCD WITHIN
5 WORKING DAYS AFTER THE FIRST FINAL DECISION
 PER ORS 197.610, OAR CHAPTER 660, DIVISION 18

Jurisdiction: **Washington County**

Local file number: **07-049-PA**

Date First Evidentiary Hearing: **7/18/2007**

Date of Final Hearing: **9/19/2007**

Date Notice of Adoption form (Form #2) was sent to DLCD: **9/24/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date mailed to DLCD: **2/27/2007**

- Comprehensive Plan Text Amendment
- Comprehensive Plan Map Amendment
- Land Use Regulation Amendment
- Zoning Map Amendment
- New Land Use Regulation
- Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached" (limit of 500 characters):
Remove a portion fo the existing R-9 (Residential, 9 units per acre) plan designation and designate that portion of the property TO:RC (Transit Oriented Retail Commercial) and TO:R18-24 (Transit Oriented Residential 18-24 units per acre). Approximately 5 acres will retain the R-9 designation.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan map changed from: **R-9**

to: **R-9, TO:RC and TO:R18-24**

Zone map changed from: **N/A**

to: **N/A**

Location: **Northeast corner of SW Murray Blvd and SW Jenkins Road**

Specify density: Previous: **7-9 units/acre** New density: **7-24 units/acre** Acres involved: **26**

Mark applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment 45-days prior to first evidentiary hearing? Yes No

If no, do the statewide planning goals apply? Yes No

If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. 002-07 (15909)

Please list affected state or federal agencies, local governments or special districts: Wash. Co. Dept. of Public Safety, Wash. Co. Dept. of Land Use & Transportation, Tualatin Valley Fire & Rescue, Tualatin Valley Water District, Clean Water Services, Wash. Co. Sheriff, City of Beaverton, Beaverton School Dist. 48J, Tualatin Hills Park & Rec., Metro, TriMet

Local Contact: **Aisha Willits**
E-mail: aisha_willits@co.washington.or.us
Phone: (503) 846-3961

Address: **155 N. First Ave., Suite 350-14**
City: **Hillsboro** Zip: **97124**
Fax: **(503) 846-4412**

ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision** per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

2. **Electronic Submittals:** At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. **Please Note:** Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

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BEFORE THE PLANNING COMMISSION
FOR WASHINGTON COUNTY, OREGON

In the Matter of a Proposed Plan)
Amendment Casefile 07-049-PA) RESOLUTION AND ORDER
Sawara Property Group LLC) No. 2007-02

This matter having come before the Washington County Planning Commission
(Commission) at its meetings of July 18 and September 19, 2007; and

It appearing to the Commission that the above-named applicant applied to Washington
County for a Plan Amendment to change the plan designation for certain real property described in
the Notice of Public Hearing, (Exhibit "A"), attached hereto and by this reference made a part
hereof, from R-9 Residential (R-9) to Transit Oriented Retail Commercial (TO:RC), Transit
Oriented Residential 18-24 units per acre (TO:R18-24); and R-9 Residential (R-9); and

It appearing to the Commission that notice of the public hearing was sent to property
owners as required by Community Development Code Section 204; and

On July 18, 2007, the Commission opened the public hearing, at which time staff
summarized the basis for staff's recommendation that the plan amendment be denied and then
invited the applicant to offer testimony in support of the request; and


On July 18, 2007, the Commission granted tentative approval of the request and directed
the applicant to prepare findings in support of the request and continued the public hearing until
September 19, 2007; and

It appearing to the Commission from evidence and supportive findings in the staff report
(Exhibit "B"), including attachments, the staff report addendum (Exhibit "C"), in the Application
(Exhibit "D"), and in the applicant's supplemental response (Exhibit "E") and by this reference
made a part hereof, that the aforementioned application does meet the requirements of the
Comprehensive Plan for such a Plan Amendment; and therefore that the aforesaid application
should be approved; and it is therefore

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RESOLVED AND ORDERED that Casefile No. 07-049-PA for a Plan Amendment for property described in Exhibit "A" is hereby APPROVED. The Commission further adopts the findings in Exhibits "B", "C", "D" and "E" as specifically referenced herein and as summarized in the Summary of Decision (Exhibit "F") attached hereto and by this reference made a part hereof.
5 votes Aye, 1 votes Nay.

PLANNING COMMISSION FOR
WASHINGTON COUNTY, OREGON



CHAIRMAN



RECORDING SECRETARY



WASHINGTON COUNTY
DEPARTMENT OF LAND USE AND TRANSPORTATION
PLANNING DIVISION
ROOM 350-14
155 NORTH FIRST AVENUE
HILLSBORO, OREGON 97124
(503) 846-3519 fax: (503) 846-4412
www.co.washington.or.us

NOTICE OF PUBLIC HEARING

PROCEDURE: TYPE III

CPO: 1 – Cedar Hills / Cedar Mill

COMMUNITY PLAN: Cedar Hills/Cedar Mill

EXISTING LAND USE DISTRICT(S):
R-9

PROPOSED PLAN AMENDMENT:

Remove a portion of the existing R-9 Residential plan designation and change that portion of the property to Transit Oriented Retail Commercial (TO:RC) and Transit Oriented Residential 18-24 units/acre (TO:R18-24). Approximately 5 acres of the site will retain the R-9 designation.

Casefile 07-049-PA
Exhibit A
Page 1 of 3

CASE FILE NO.: 07-049-PA

APPLICANT:
Sawara Property Group, LLC
P.O. Box 5727
Aloha, OR 97006

APPLICANT'S REPRESENTATIVE:
WRG Design, Inc.
5415 SW Westgate Drive
Portland, OR 97221

CONTACT PERSON: Susan Davis

OWNERS:	
Murray-Jenkins, LLC	Morley Group, LLC
1800 NW 167 th Pl., Suite 150	118 Kovenish Court
Beaverton, OR 97006	Palm Desert, CA 92260

PROPERTY DESCRIPTION:
ASSESSOR MAP NO(S): 1S1 09, 1S1 09BB
TAX LOT NO(S): 1000, 1400 and 1500
SITE SIZE: 26 acres
ADDRESS: 14205, 14275 and 14385 SW Jenkins Rd
LOCATION: NE corner of SW Murray Blvd and SW Jenkins Rd

Notice is hereby given that the Planning Commission will review the request for the above stated proposed plan amendment at a meeting on: **July 18, 2007** at 7:30 PM in the auditorium of Washington County Public Services Building, 155 North First, Hillsboro, Oregon.

All interested persons may appear and provide written or oral testimony (written testimony may be submitted prior to a hearing). Only those making an appearance of record shall be entitled to appeal. The public hearings will be conducted in accordance with the rules of procedure as adopted by the Board of County Commissioners. Reasonable time limits will be imposed.

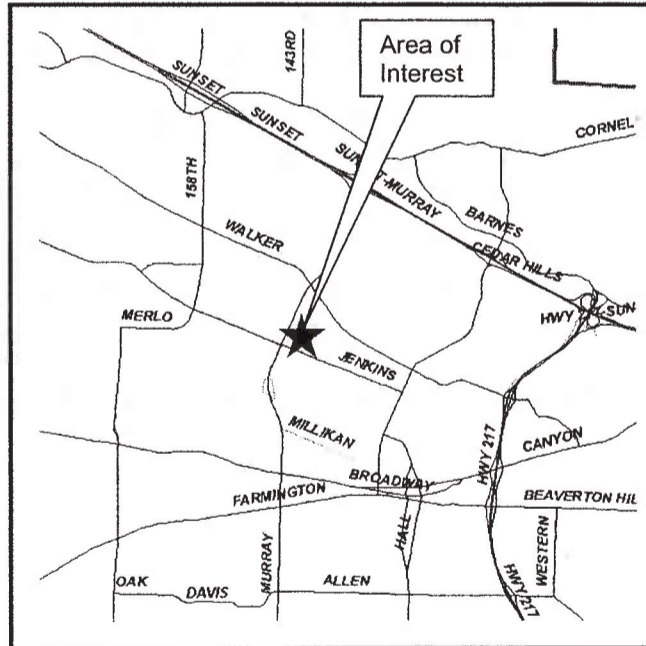
Assistive Listening Devices are available for persons with impaired hearing and can be scheduled for this meeting by calling (503) 846-8611 (voice) or (503) 846-4598 (TDD-Telecommunications Devices for the Deaf) no later than 5:00 p.m. on the day before the meeting. The County will also upon request endeavor to arrange for the following services to be provided: qualified sign language interpreters for persons with speech or hearing impairments, and qualified bilingual interpreters. Since these services must be scheduled with outside service providers, it is important to allow as much lead time as possible. Please notify the County of your need by 5:00 p.m. on the Monday preceding the meeting date.

FOR FURTHER INFORMATION, PLEASE CONTACT:

Aisha Willits, Senior Planner

AT THE WASHINGTON COUNTY DEPARTMENT OF LAND USE AND TRANSPORTATION, (503) 846-3961

AREA MAP



NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER:
ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

All interested persons may appear and provide written or oral testimony (written testimony may be submitted prior to the hearing but not after the conclusion of the hearing). Only those making an appearance of record (those presenting oral or written testimony) shall be entitled to appeal. Failure to raise an issue in the hearing, in person or by letter, or failure to provide sufficient specificity to afford the Review Authority (Planning Commission and/or Board of County Commissioners) an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals (LUBA) based on the issue.

The public hearing will be conducted in accordance with the following rules of procedure as adopted by the Board of County Commissioners. Reasonable time limits may be imposed.

RULES OF PROCEDURE

1. The staff will summarize the applicable substantive review criteria
2. A summary of the staff report is presented.
3. The applicant's presentation is given.
4. Testimony of others in favor of the application is given.
5. Testimony of those opposed to the application is given.
6. Applicant's rebuttal testimony is given.

Unless there is a continuance, if a participant so requests before the conclusion of the hearing, the record shall remain open for at least seven days after the hearing. Such an extension shall be subject to the limitations of ORS 215.428 or 227.178.

When the Review Authority reopens a record to admit new evidence or testimony, any person may raise new issues which relate to the new evidence, testimony or criteria for decision-making which apply to the matter at issue.

A copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost at the Department of Land Use and Transportation. A copy of this material will be provided at reasonable cost.

A copy of the staff report will be available for inspection at no cost at the Department of Land Use and Transportation at least seven days prior to the hearing. A copy of the staff report will be provided at reasonable cost.

For further information, please contact Aisha Willits, Senior Planner, Department of Land Use and Transportation, at (503) 846-3961.

Tax Map/Lot Number: 1S1 09, 1S1 09BB
Case File Number: 07-049-PA

Tax Lots 1000, 1400 and 1500



Legend:  Area of Consideration

Applicable Land Use Districts:

- R-9 Residential 9 units per acre
- TO:R18-24 Transit Oriented Residential,
18-24 units per acre
- TO:RC Transit Oriented Retail Commercial

Applicable Goals, Policies & Regulations:

- A. LCDC Statewide Planning Goals:
1, 2, 9, 10, 11, 12
- B. Washington County Urban Plan Policies:
1, 2, 14, 18, 21, 22, 23, 30, 32, 35, 36, 39, 40
- C. Washington County Cedar Hills-Cedar Mill Community
Plan Design Elements:
4, 5, 6, 8, 9, 10, 12, 13, 16
- D. Washington County Community Development Code:
Article II; Article III, Sections 304, 375
- E. OAR 660-012-0060
- F. Washington County Transportation Plan Policies:
1, 2, 4, 5, 6, 10, 12, 14, 15, 19
- G. Metro Functional Plan Titles:
1, 2, 7, 12



WASHINGTON COUNTY
DEPARTMENT OF LAND USE AND
TRANSPORTATION
PLANNING DIVISION, SUITE #350-14
155 NORTH FIRST AVENUE
HILLSBORO, OREGON 97124 846-3519

STAFF REPORT

PROCEDURE TYPE: III

CPO: 1 **COMMUNITY PLAN:** Cedar Hills-Cedar Mill

EXISTING LAND USE DISTRICT(S):
R-9 Residential (7-9 units per acre)

SITE SIZE: Approximately 26 acres

ADDRESS: None

LOCATION: Northeast corner of the intersection
of SW Murray Boulevard and SW Jenkins Road

CASEFILE NO.: 07-049-PA

APPLICANT:
Sawara Property Group, LLC
P.O. Box 5727
Aloha, OR 97006

APPLICANT'S REPRESENTATIVE:
WRG Design, Inc.
5415 SW Westgate Drive, Suite 100
Portland, OR 97221
CONTACT PERSON: Susan Davis

OWNER:
Murray-Jenkins, LLC
1800 NW 167th Place, Suite 150
Beaverton, OR 97006
MAP & TAX LOT NO.: 1S109BB01500

OWNER:
Morley Group, LLC
118 Kovenish Court
Palm Desert, CA 92260
MAP & TAX LOT NOS.: 1S10901000 and
1S109BB01400

REQUEST: Remove the R-9 plan designation from a portion of the site and designate a portion (approximately 13.3 acres) Transit Oriented Residential 18 – 24 Units Per Acre (TO:R18-24), and another portion (approximately 7.7 acres) Transit Oriented Retail Commercial (TO:RC). Under this proposal, approximately 4.84 acres of R-9 Residential would be retained.

Casefile No. 07-049-PA Staff Report for the July 18, 2007 Planning Commission Hearing

I. APPLICABLE REGULATIONS:

- A. LCDC Statewide Planning Goals 1, 2, 9, 10, 11 and 12
- B. Transportation Planning Rule (OAR 660-012-0060)
- C. Urban Growth Management Functional Plan: Titles 1, 2, 7 and 12
- D. Washington County Comprehensive Framework Plan Policies (and Implementing Strategies): 1, 2, 14, 18, 21, 22, 23, 30, 32, 35, 36, 39, and 40
- E. Washington County Transportation Plan Policies 1, 2, 4, 5, 6, 10, 12, 14, 15 and 19
- F. Cedar Hill-Cedar Mill Community Plan, General Design Elements 5, 6, 8, 9, 10, 12, 13, and 16 and the Cedar Hills Subarea
- G. Washington County Community Development Code:
 1. Article II, Procedures
Section 204-4, Type III Actions
 2. Article III, Land Use Districts
Section 375, Transit Oriented Districts

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II. AFFECTED JURISDICTIONS AND AGENCIES:

Washington County Department of Land Use and Transportation
Tualatin Valley Fire and Rescue (TVF&R)
Tualatin Valley Water District (TVWD)
Clean Water Services (CWS)
Washington County Sheriff
City of Beaverton
Beaverton School District
Tualatin Hills Park & Recreation District (THPRD)
Metro
TriMet
Oregon Department of Transportation

III. FINDINGS

A. General

Applicant: See pages 2-10 of the applicant's June 22, 2007 narrative.

Staff: The subject property consists of a collection of three tax lots under two separate ownerships located at the northwest corner of the intersection of Murray Blvd. and Jenkins Road. Tax lots 1000 (1S1 09) and 1400 (1S1 09BB) are owned by Morley Group LLC. Until recently, the property supported three mobile home parks: the Beaverton Mobile Lodge, Young's Mobile Park and Nut Tree Mobile Park. The three parks are in the process of closing; the parks are scheduled for official closure in August 2007. The property is approximately 26 acres in size and is relatively flat, with slopes of less than five percent.

The combined tax lots are just over 20 acres in size. Located between tax lots 1000 and 1400, tax lot 1500 (1S1 09BB) is the third property involved in the plan amendment request. This tax lot is owned by Murray-Jenkins I, LLC. The applicant, Sawara Property Group, LLC, has requested a plan amendment for approximately 21 acres of the 26-acre subject property. The R-9 designation would remain on 4.84 acres of the property and serve as a buffer between the proposed future development and existing single family neighborhoods to the north and east of the subject property.

Land Use History: The property was designated R-9 (residential, 9 dwelling units/acre). Prior to that, the subject property was designated RU-20 (tax lots 1000 & 1400, a portion of 1500) and RU-10 (remainder of tax lot 1500). The RU-20 zone was a medium high density, single and multi-family residential zone. The RU-10 was a medium density residential zone, but primarily designed to accommodate mobile home parks. Single family subdivisions were also allowed in the RU-10 zone on a minimum lot size of 7,000 square feet.

Density Issues: The applicant, as noted above, is requesting that the current land use designation be changed from R-9 to a combination of R-9, TO:RC and TO:R18-24. Under the current designation, a minimum of 182 units is required; a maximum of 234 units would be allowed. The TO:RC designation does not require a minimum residential density, nor does the district have a prescribed maximum for residential units. Under the proposed TO:R18-24 designation, a minimum of 18 units per acre would be required and a maximum of 24 units per acre could be constructed. The retention of 4.84 acres as R-9 land would result in a minimum of 34 units and a maximum of 44 units. Consequently, under the plan designations proposed by the applicant, a minimum of 273 dwelling units would be required and maximum of 363 units

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would be allowed on the 26-acre site (see table below). A change from R-9 to TO:RC, TO:R18-24 and R-9 could result in a net gain of between 91 and 129 dwelling units on the subject property.

Designation	Minimum Number of Units	Maximum Number of Units
R-9 (entire site)	182	234
TO:RC (7.77 acres)	0	None
TO:R18-24 (13.3 acres)	239	319
R-9 (4.84 acres)	34	44
Total:	273	363
<i>Difference between current and proposed designations:</i>	91 additional units under proposed designations	129 additional units under proposed designations

Surrounding Properties: The site abuts lands designated R-5 (residential, five units/acre) residential to the north, and R-5 and R-24 (residential, 24 units/acre) residential to the east. The R-5 lands to the north and east are developed with detached single family residences. The R-24 lands to the east are developed with apartments and a daycare facility. Across Jenkins Road to the south is the Maxim Campus, and the Nike World Headquarters is located directly west of the subject property, across Murray Boulevard. The southeast quadrant of the Murray/Jenkins intersection is in Beaverton and is designated as Station Community, Mixed Use. This +55 acre area is vacant.

Written Testimony: One letter was received pertaining to the Murray Village development prior to the completion of the staff report. The letter indicated support for the proposed Murray Village concept and the ability to shop close to home. However, the writer was opposed to opening 144th Avenue near the northwest corner of the subject property to vehicular traffic due to the following reasons: 1) Access to Walker/Murray does not and will not exist if the dead end is opened; 2) Safety and congestion; 3) Parking and crime; 4) Livability and property value; and 5) Precedent.

Staff response: In 2000, the county adopted Ordinance No. 552, the Local Street Connectivity Ordinance, in order to bring the county into compliance with the requirements of Metro's Title 6 (Regional Accessibility) requirements. The ordinance identified all "local street connectivity lands" within the county. These lands were described as contiguous vacant or underdeveloped urban lands of five acres or more. The subject property was designated as local street connectivity land. As such, the ordinance indicated two future street connections: one at 144th Avenue, and another at Burlwood Street. These future road connections, added to the Cedar Hills – Cedar Mill Community Plan in 2000, are intended to improve local circulation, providing connected routes for local trips, and preserving the function of the regional road network for regional trips. Should this plan amendment be approved, these street connections would be required at the development review stage.

Additional testimony received after the completion of the Planning Commission packet will be provided to the Planning Commission for review and inclusion in the record at the hearing.

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B. Statewide Planning Goals

Statewide Planning Goals applicable to this proposal are addressed under related policies from the Washington County *Comprehensive Framework Plan for the Urban Area*.

C. Transportation Planning Rule (OAR 660-012-0060)

Applicant: See pages 31-32 of the applicant's June 22, 2007 narrative, as well as Exhibit C to the application, the transportation review memorandum developed by Kittelson & Associates (dated June 4, 2007), the letter from Marc Butorac and Alek Pochowski of Kittelson & Associates (dated December 11, 2006) and the Transportation Impact Analysis/Access Report developed by Kittelson & Associates (dated September 2006).

Staff: See Attachment "A". The findings in Attachment "A" also pertain to Statewide Planning Goal 12, Transportation.

D. Urban Growth Management Functional Plan

Section 3.07.830.A. of Title 8 of Urban Growth Management Functional Plan (UGMFP) requires that all comprehensive plan changes submitted after February 19, 1997 "... shall be consistent with this functional plan."

1. Title 1, Requirements for Housing and Employment Accommodations, states:

FUNCTIONAL PLAN POLICIES IN TITLE 1 SEEK WAYS TO INCREASE THE CAPACITY WITHIN THE URBAN GROWTH BOUNDARY, SUCH AS CHANGING LOCAL ZONING TO ACCOMMODATE DEVELOPMENT AT HIGHER DENSITIES IN LOCATIONS SUPPORTIVE OF THE TRANSPORTATION SYSTEM.

Applicant: See pages 17-18 of the applicant's June 22, 2007 narrative.

Staff: Under the current designation of R-9, a minimum of 7 units per acre would be required, and a maximum residential density of 9 units per acre is allowed. If developed at the maximum density, the subject property could accommodate 234 dwelling units. The proposed change to TO:R18-24 would provide a significant increase in the number of dwellings on the site.

2. Title 2, Regional Parking Policy, states:

THE STATE'S TRANSPORTATION PLANNING RULE CALLS FOR REDUCTIONS IN VEHICLE MILES TRAVELED PER CAPITA AND RESTRICTIONS ON CONSTRUCTION OF NEW PARKING SPACES AS A MEANS OF RESPONDING TO TRANSPORTATION AND LAND USE IMPACTS OF GROWTH. THE METRO 2040 GROWTH CONCEPT CALLS FOR MORE COMPACT DEVELOPMENT AS A MEANS TO ENCOURAGE MORE EFFICIENT USE OF LAND, PROMOTE NON-AUTO TRIPS AND PROTECT AIR QUALITY.

Applicant: See page 19 of the applicant's June 22, 2007 narrative.

Staff: Title 2 of the UGMFP establishes the Regional Parking Policy for the region. Title 2, Section 2 includes performance standards implementing the Regional Parking Policy. Among other things, the policy, a) establishes parking minimums which cities and counties

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cannot require more than, b) establishes parking maximums which cities and counties cannot allow more than, c) establishes a variance process, and d) provides definitions of the type of parking subject to these requirements. The County responded to the UGMFP Parking requirements (Title 2) in the form of Ordinance 551, which amended Community Development Code (Code) standards regulating parking. Ordinance 551 was adopted on June 6, 2000 and became effective on July 6, 2000. The plan amendment application does not include a request to amend any of the new parking provisions designed to meet Title 2 nor does it affect the County's current parking standards. In addition, the applicant is not proposing development of the site at this time; therefore parking requirements will be reviewed through a subsequent development application.

3. Title 7, Affordable Housing, states:

PROVIDE A CHOICE OF HOUSING TYPES, REDUCE BARRIERS TO SUFFICIENT AND AFFORDABLE HOUSING FOR ALL INCOME LEVELS IN THE REGION, CREATE HOUSING OPPORTUNITIES COMMENSURATE WITH THE WAGE RATES OF JOBS AVAILABLE ACROSS THE REGION, INITIATE A PROCESS FOR ADDRESSING CURRENT AND FUTURE NEEDS FOR AFFORDABLE HOUSING, AND REDUCE CONCENTRATIONS OF POVERTY.

Applicant: See pages 19-20 of the applicant's June 22, 2007 narrative.

Staff: As noted above, a maximum of 234 units could be developed on the property under the current plan designation compared with a maximum of 363 units if the plan amendment were to be approved. Of the 363 units, approximately 44 units could be constructed in the R-9 portion of the subject property. The applicant's conceptual site plan shows residential units being provided above retail uses in two of the proposed seven commercial buildings. The remaining units would be constructed within the TO:R18-24 area of the property. Typically, attached residential units tend to be more affordable than detached single family dwellings.

E. Washington County Comprehensive Framework Plan for the Urban Area

1. Policy 1, the Planning Process, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO ESTABLISH AN ONGOING PLANNING PROGRAM WHICH IS A RESPONSIVE LEGAL FRAMEWORK FOR COMPREHENSIVE PLANNING AND COMMUNITY DEVELOPMENT AND ACCOMMODATES CHANGES AND GROWTH IN THE PHYSICAL, ECONOMIC AND SOCIAL ENVIRONMENT, IN RESPONSE TO THE NEEDS OF THE COUNTY'S CITIZENS.

IT IS THE POLICY OF WASHINGTON COUNTY TO PROVIDE THE OPPORTUNITY FOR A LANDOWNER OR HIS/HER AGENT TO INITIATE QUASI-JUDICIAL AMENDMENTS TO THE COMPREHENSIVE PLAN ON A SEMI-ANNUAL BASIS. IN ADDITION, THE BOARD OF COMMISSIONERS, THE PLANNING DIRECTOR, OR THE PLANNING COMMISSION MAY INITIATE THE CONSIDERATION OF QUASI-JUDICIAL MAP AMENDMENTS AT ANY TIME DEEMED NECESSARY.

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Applicable Implementing Strategy:

- f. **Approve a quasi-judicial plan amendment to the Community Plan Maps, including the implementing tax maps, only if the Review Authority determines that the proponent has demonstrated that the proposed designation conforms to the locational criteria of the Comprehensive Framework Plan, the Community Plan Overview and sub-area description and design elements, complies with the applicable policies, strategies and systems maps of the Transportation Plan, complies with the applicable regional functional planning requirements established by Metro, and demonstrates that the potential service impacts of the designation will not impact the built or planned service delivery system in the community. This is a generalized analysis that in no way precludes full application of the Growth Management Policies to development permits as provided in the Code.**

Quasi-judicial and legislative plan amendments which currently have a rural land use designation and were recently added to the Urban Growth Boundary, shall include documentation that the land was annexed into the Urban Road Maintenance District, the Enhanced Sheriff Patrol District and, where applicable, the Tualatin Hills Park and Recreation District. Annexation into these districts shall be completed prior to the County's determination that a quasi-judicial plan amendment application is complete and prior to the County's adoption of a legislative plan amendment.

Applicant: See page 22 of the applicant's June 22, 2007 narrative.

Staff: The property is currently located within the service boundaries of the Urban Road Maintenance District, Enhanced Sheriff Patrol District and the Tualatin Hills Park & Recreation District as required by Policy 1.

In addition, the proponent shall demonstrate...

2. **A lack of appropriately designated suitable alternative sites within the vicinity for a proposed use. Factors in determining the suitability of the alternative sites are limited to one of the following:**
- a) **Size: suitability of the size of the alternative sites to accommodate the proposed use; or**
 - b) **Location: suitability of the location of the alternative sites to permit the proposed use.**

Applicant: See pages 22-25 of the applicant's June 22, 2007 narrative, as well as the maps located in Exhibit A and the Market Analysis and Alternative Sites Analysis developed by Johnson Gardner (dated June 8, 2007) in Exhibit B to the application.

Staff: When analyzing a request under this plan policy it is necessary to describe the proposed use, determine the locational characteristics (e.g., market area of use or influence), identify the site characteristics needed to accommodate the use, and finally

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review vacant and underdeveloped land inventories to determine whether or not alternative sites exist. These factors are discussed below.

Description of Proposed Use: The applicant proposes to develop a commercial center and multi-family and townhouses on the subject property. The R-9 designation would be retained on 4.84 acres of the property to serve as a buffer between future development and existing single family neighborhoods to the north and east of the site. Additional residential units would be provided through increased density on 13.3 acres of the property if designated through this plan amendment as TO:R18-24. The TO:R18-24 designation would result in between 239 and 319 new units on the subject property. A 7.77-acre portion of land at the corner of SW Murray Boulevard and SW Jenkins Road would be designated as TO:RC. The applicant proposes to construct approximately 60,000 square feet of retail space on the TO:RC portion of the property. No residential units are proposed in the commercial area.

Locational Characteristics (e.g., market area of use or influence): The purpose of identifying the market area is to identify the area in which alternative sites are to be inventoried. Applicants typically have a market study prepared that defines the market area boundaries as the limits of the "primary trade area" (or "area of influence") for the subject site. Johnson Gardner, a consultant firm that specializes in real estate development and land use economics prepared the market study for the applicant and identified a primary market area for the proposed mixed residential and commercial development. The market study area prescribed by Johnson Gardner was based upon a 15-minute drive time radius around the subject property. The market area is generally bounded by 185th Avenue (to the west), just north of Highway 26 (to the north), just east of Highway 217 (to the east), and roughly to Sexton Mountain Road (to the south). The identified market area appears reasonable.

Necessary Site Characteristics: Under the current R-9 designation, a minimum of 182 dwelling units would be required and maximum of 234 units would be allowed on the approximately 26-acre subject property. The applicant has indicated an interest in creating a "village" concept on the subject property by mixing both residential and commercial uses. A portion of the current R-9 designation would be retained along the northern and eastern boundary of the subject property, while approximately 22 acres would be designated as transit oriented residential and commercial.

Staff analyzed county land use districts and zoning districts in the city of Beaverton to determine the districts or zones that could accommodate the applicant's proposed uses. The table below illustrates the county districts and city zones that would allow the type of retail commercial and residential development that the applicant has proposed. For this reason, the market study analyzed only lands with the designations shown below.

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	Washington County Plan Designations	Beaverton Zoning Districts
Commercial	<ul style="list-style-type: none"> ▪ Transit Oriented – Retail Commercial (TO:RC) ▪ General Commercial (GC) ▪ Neighborhood Commercial (NC) ▪ Office Commercial (OC) 	<ul style="list-style-type: none"> ▪ Station Area – Multiple Use (SA-MU) ▪ Station Community – Multiple Use (SC-MU) ▪ Community Service (CS) ▪ Convenience Service (CV) ▪ General Commercial (GC) ▪ Neighborhood Service Center (NS)
Residential	<ul style="list-style-type: none"> ▪ Transit Oriented Residential District, 18-24 units per acre (TO:R18-24) ▪ Residential 24 units per acre District (R-24) 	<ul style="list-style-type: none"> ▪ Station Area – Medium Density Residential (SA-MDR) ▪ Urban High Density (R1) ▪ Urban Medium Density (R2)

Availability of Alternative Sites: The market study identified both vacant properties and existing available retail locations featuring the appropriate commercial or residential designations. The primary trade area established the location criteria for the proposed use, and the study described the size needed for each type of use. The applicant desires to construct a +50,000 square foot retail center comprised of multiple structures, parking areas and open space. According to the applicant, the acreage needed to accommodate its proposed retail center is 7.77 acres. Smaller or larger commercial properties could also accommodate +50,000 square feet of retail space using a different building and site design. After subtracting the 4.84 acres from the subject property that would remain R-9, 13.3 acres would be designated TO:R18-24 if the plan amendment were approved. The 13.3 acres could accommodate between 239 and 319 dwelling units under the TO:R18-24 designation. Staff finds that the acreage requirements described by the applicant are reasonable. After taking into account size and location criteria, a total of 5 sites were found to be alternative sites to the subject property. Of the five sites, one site was deemed an appropriate alternative for the residential component of Murray Village; four sites could potentially function as alternatives for the commercial element of the proposal.

Residential Alternatives The applicant analyzed parcels within the market area that had the following designations – TO:R18-24 and R-24 (county land use districts) and SA-MDR, R1 and R2 (Beaverton city zoning). Taking into account the 13.3 acre size of the proposed TO:R18-24 area on the site, the applicant's initial submittal found one appropriately designated site large enough to be considered as an alternative site. This site is known as the Panzer Nursery site. Since its initial submittal, the applicant has provided a letter from the property owner of the Panzer Nursery site stating the site is not available for development. Staff therefore concludes there are no available alternative residential sites.

Commercial Alternatives The applicant's market study identified four potential alternatives for the retail commercial element of the plan amendment request.

Triangle at Baseline and 170th Avenue: This vacant site is comprised of six parcels totaling 8.33 acres. The properties were recently annexed to the city of Beaverton and are currently designated "Interim Washington County Zoning". Prior to annexation, the properties were designated TO:RC. The applicant provided a letter

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from the owner of two parcels within this site (totaling 6.1 acres) indicating that the properties were not available for purchase or development by third parties. Staff finds that without those two properties, the site does not meet the size requirements and is therefore not considered an available alternative site.

Nike (southwest corner of Murray Boulevard and Jenkins Road): This vacant 74-acre site is designated Station Community – Multiple Use and is within the city limits of Beaverton. The applicant provided a letter from Nike indicating that the company intends to use the land for future expansion and does not intend to sell the property in the foreseeable future. Therefore, staff finds that this site is not an available alternative site.

Town Square Too, LLC (Peterkort property): This vacant 9.3-acre property was recently annexed to Beaverton and is located north of Highway 26, on the southwest corner of the intersection of Cedar Hills Boulevard and Barnes Road. Prior to annexation, the property was designated TO:RC. Beaverton zoning has not yet been applied to the property. The applicant submitted a letter from the property's owner stating that the owner does not intend to sell the parcel now or in the foreseeable future. Therefore, staff finds that this site is not an available alternative site.

DeCal Oregon, Inc. (southwest corner of Murray Boulevard and Jenkins Road): This vacant site is 9.3 acres and zoned Station Community – Multiple Use. It is located in Beaverton. The applicant provided evidence that certain restrictions exist on the site to limit the amount of developable land available. Namely, the site is part of a grove of trees that designated as Class A Wildlife Habitat by Metro and the city of Beaverton. In addition, developable land on the site would be decreased further by wetland mitigation, right of way dedication for a future three-lane collector and restrictive covenants on the land requiring a 10-foot buffer between the parcel and adjacent properties. The applicant states that the developable acreage after accounting for mitigation of the items listed above would be 6.21 acres, which is less than the 7.77 acres requested by the applicant on the subject property.

Staff assessed the uses and intensity of development allowed within the TO:RC district as well as within Beaverton's SC-MU zone. Both TO:RC and SC-MU allow multi-story development that would allow the applicant to meet square footage targets for commercial development within a smaller footprint. The plan amendment process does not adopt site plans for development, and staff is therefore unable to distinguish between single-story commercial development surrounded by surface parking from multi-story buildings with first floor retail and underground parking. Because of the comparable intensity of development allowed on the DeCal site, staff finds that the site **is a viable alternative**.

Based upon an analysis of the applicant's market study and the above findings, staff finds that the applicant has **not** adequately demonstrated that there is a lack of appropriately designated sites within the vicinity for the proposed commercial use. Consequently, the requirements of Policy 1 have **not** been met.

(These findings also pertain to Statewide Planning Goal 2, Land Use Planning.)

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2. Policy 2, Citizen Involvement, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE CITIZEN PARTICIPATION IN ALL PHASES OF THE PLANNING PROCESS AND TO PROVIDE OPPORTUNITIES FOR CONTINUING INVOLVEMENT AND EFFECTIVE COMMUNICATION BETWEEN CITIZENS AND THEIR COUNTY GOVERNMENT.

Applicant: See pages 25-26 of the applicant's June 22, 2007 narrative.

Staff: A quasi-judicial plan amendment such as this must be considered through a Type III procedure. In accordance with Code Section 204-1, the County placed a legal notice of the hearing in a newspaper of general circulation (The Oregonian) at least ten days prior to the July 18, 2007 Planning Commission hearing date (published July 5, 2007). In addition, pursuant to Code Section 204-4, a notice of the public hearing for this application was sent to all owners of record of property within 500 feet of the subject property. This notice was sent at least 20 days prior to the hearing (mailed June 28, 2007).

A copy of the plan amendment application was mailed to the representative for the local Citizen Participation Organization (CPO 1). Finally, the staff report was available to all interested parties seven days prior to the hearing as required by Code Section 203-6.2. Based upon these actions, the requirements of Policy 2 have been met.

(These findings also pertain to Statewide Planning Goal 1, Citizen Involvement.)

3. Policy 14, Managing Growth, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO MANAGE GROWTH IN UNINCORPORATED LANDS WITHIN THE UGB SUCH THAT PUBLIC FACILITIES AND SERVICES ARE AVAILABLE TO SUPPORT ORDERLY URBAN DEVELOPMENT.

Applicant: See pages 26-27 of the applicant's June 22, 2007 narrative.

Staff: Copies of statements of service availability from the service providers to the site are included in the applicant's submittal. These statements are from the Tualatin Valley Water District (TVWD), Tualatin Valley Fire & Rescue (TVF&R), Clean Water Services (CWS), the Washington County Sheriff's Office, Tualatin Hills Park & Recreation District (THPRD), TriMet, and the Beaverton School District #48J (BSD). All service providers, with the exception of the BSD, stated they can provide adequate services to the site if the plan amendment is approved. Comments provided along with a staff response are provided below for those services noting an inadequate level of service in their response.

BSD Comments: *The service provider letter completed by BSD included a supplemental service provider statement prepared by BSD staff. The Service Provider Statement contains a service analysis for the school district describing present enrollments and capacity of the district's schools that serve the site. Information obtained from the BSD shows the site is located within the following school attendance areas: Barnes Elementary School, Meadow Park Middle School, and Sunset High School. The service provider letter analyzed a development scenario that would result in the addition of 37 single family residences and 331 multiple family residences. As noted previously, maximum of 234 single family detached dwelling units could be constructed on the property under the current plan designation of R-9.*

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The school district projects a total of 44 future elementary-age children to attend Barnes Elementary School, 18 future middle school-age children to attend Meadow Park Middle School, and 22 future high school-age children to attend Sunset High School. The analysis contained in the Service Provider Statement is based upon several factors: 1) The School District's capacity data, 2) Current enrollment, 3) Projected student impact of county and city-approved, yet unbuilt dwelling units, and 4) Projected student impact from the proposed conversion from R-9 to TO:RC, TO:R18-24 and R-9. The number of projected future students based on the unbuilt or unoccupied dwelling units from the developments with planning approval from the local government jurisdiction do not include projected students from proposed residential developments that have yet to receive land use approval, which may result in a greater number of actual projected future students.

The District's analysis concluded that the conversion from R-9 to TO:RC, TO:R18-24 and R-9 would produce the following impacts to the schools that serve the property:

Barnes Elementary School: Moderate impact- the school is currently over capacity

Meadow Park Middle School: Moderate impact

Sunset High School: Moderate impact

Appendix D-3 to the Comprehensive Framework Plan for the Urban Area (Beaverton School District Objective Criteria for School Capacity) indicates the ratios used to determine the number of students (by age group) that would be expected to result from a proposed development. The District has indicated that the proposed development would result in moderate impacts to all three levels of schools, and noted that Barnes Elementary is currently over capacity.

However, based upon the ratios included in Appendix D-3, full development of the subject property under the current designation of R-9 would result in a greater number of students than would be generated under the higher density designation of TO:R18-24. This is due to the fact that multi-family dwellings typically generate fewer students than single family residences. Using the ratios in Appendix D-3 adopted by Ordinance 598 and amended by A-Engrossed Ordinance 612, an example of the potential number of students that could be generated from development of the subject property is illustrated below. Therefore, staff finds that the impacts to schools generated at the subject property would be greater under the existing designation of R-9 than under the proposed designations of TO:RC and TO:R18-24.

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	Ratio	R-9 (assuming 234 single family dwellings)	TO:RC / TO:R18-24 (assuming 331 multi- family and 37 single family dwellings)
Single Family Dwellings			
Elementary Students	.4	94	15
Middle School Students	.17	40	6
High School Students	.14	33	5
Multi-family dwellings			
Elementary School Students	.08		26
Middle School Students	.03		10
High School Students	.03		10
Totals:		167	72

Of the service providers commenting, only water (TVWD), sanitary sewer & drainage (CWS) and fire protection (TVF&R) are classified as critical services. Schools (BSD) and police (Washington County Sheriff) constitute essential services, while transit service (TriMet) and parks (THPRD) are desirable services. All of the critical and essential services are or can be provided to serve the property as well as future residential development should the plan amendment be approved.

Based upon the service provider letters and supplemental analysis provided, staff finds that an efficient, economic provision of public facilities and services are available to the property under the proposed TO:RC and TO:R18-24 districts, provided that alternatives are utilized to provide the essential education needs of children projected to be living in the future residential development. ORS 195.100 (11) allows the County to deny a quasi-judicial plan amendment based solely on school capacity, but does not require the County do so.

(These findings also pertain to Statewide Planning Goal 11, Public Facilities and Services.)

4. Policy 18, Plan Designations and Location Criteria for Development, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO PREPARE COMMUNITY PLANS AND DEVELOPMENT REGULATIONS IN ACCORDANCE WITH LAND USE CATEGORIES AND LOCATION CRITERIA CONTAINED IN THE COMPREHENSIVE FRAMEWORK PLAN.

Transit Oriented Residential District, 18-24 units per acre (TO:R18-24)

The TO:R18-24 District is generally applied to property beyond one-quarter mile of LRT stations, in regional and town centers, and along designated main streets and corridors. Developments in the district could include duplexes/triplexes/fourplexes, townhouses and rowhouses, and apartments. Single family residences may also be developed in the district on small lots, as long as the minimum density standard is met. The required minimum density for development in the district is 18 dwelling units per acre. The maximum allowed density is 24 dwelling units per acre.

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Group residences such as nursing homes are allowed if located and designed to be compatible with surrounding residences. For such developments, the minimum FAR is 0.5.

Transit Oriented – Retail Commercial District (TO:RC)

The TO:RC District is primarily intended to provide the goods and services needed by people living and working in or near LRT station communities, regional and town centers, main streets and corridors. Uses in the district must be pedestrian oriented in design and function. Auto-oriented uses, such as motor vehicle service stations, may be allowed if appropriately designed, and in compliance with minimum FAR standards. Retail uses that market primarily to an area larger than a station community may also be allowed if located at least one-quarter mile from an LRT station or in a town center, or along a main street or corridor. Hotels, apartments, and town houses are also allowed on the upper floors of a building with first floor retail commercial uses.

In a station community, the minimum FAR in the TO:RC District is 0.5 within one-quarter mile of an LRT station, 0.35 between one-quarter and one-half mile from an LRT station, and 0.25 beyond one-half mile from an LRT station.

Applicant: See pages 28-29 of the applicant's June 22, 2007 narrative.

Staff: The property is located within ½ mile of the Beaverton Creek light rail station, and along a Transit Corridor as identified by the Metro 2040 Growth Concept. Murray Boulevard is designated as a Transit Corridor and as an arterial by the Washington County 2020 Transportation Plan. The subject property is located at the northeastern corner of Murray Boulevard's intersection with Jenkins Road, also a county arterial roadway. As stated in the description for the TO:RC designation, retail uses that market to an area larger than a station community may be allowed if the subject property is located at least ¼ mile from a light rail station or in a town center, or along a main street or corridor. The subject property meets these requirements. After a review of the location criteria staff finds that the TO:R18-24 and TO:RC districts meet the locational criteria of these districts.

(These findings also pertain to Statewide Planning Goal 2, Land Use Planning.)

5. Policy 21, (Urban Area Housing) Housing Affordability, States:

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE THE HOUSING INDUSTRY TO PROVIDE AN ADEQUATE SUPPLY OF AFFORDABLE HOUSING FOR ALL HOUSEHOLDS IN THE UNINCORPORATED URBAN COUNTY AREA.

Applicant: See pages 29-30 of the applicant's June 22, 2007 narrative.

Staff: As stated previously, under the current designation a maximum residential density of 9 units per acre is allowed. The designation of 7.77 acres of the property as TO:RC would result in a decrease in the availability of land for residential development. However, the increased density on 13.3 acres of the subject property would result in a net increase of between 91 and 129 dwelling units. The TO:R18-24 and R-9 districts allow attached units and single and multi-family housing

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In Washington County's Final Periodic Review Order for the Urban Area, it was calculated that in 1989 there was an opportunity to construct new housing on the remaining residential land in the urban unincorporated area, given 1989 designations, at an overall density of 8.6 units per acre (110,842 potential units divided by 12,848 vacant acres). Urban plan amendments since 1989 have only resulted in a small number of acres of residential land lost to non-residential plan designations. A gain of up to 129 would help maintain the current overall average for new housing in the urban unincorporated area.

(These findings also apply to Statewide Planning Goal 10, Housing.)

6. Policy 22, (Urban Area Housing) Housing Choice and Availability, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE THE HOUSING INDUSTRY TO MAKE A VARIETY OF HOUSING TYPES AVAILABLE, IN SUFFICIENT QUANTITIES, TO THE HOUSING CONSUMER.

Applicant: See page 30 of the applicant's June 22, 2007 narrative.

Staff: The subject of this policy is the potential ratio of attached and detached dwelling units developed on vacant residential land in the urban unincorporated area. In the Final Periodic Review Order for the Urban Area, it was calculated that in 1989 the potential ratio was 47.3 percent single-family residences to 52.7 percent multi-family residences (52,416 single-family units/58,426 multi-family units, a difference of 6,010 units).

Urban plan amendments since 1989 have not changed this ratio significantly. Multi-family dwelling units are allowed in the TO:R18-24 and R-9 districts and in the TO:RC district when provided as part of a mixed-use development. The applicant has indicated that the subject property would be developed with a mix of single and multi-family housing. The property is likely to be developed primarily with attached dwelling units. Therefore, the overall percentage of multi-family dwellings is expected to increase should the plan amendment be approved.

(These findings also apply to Statewide Planning Goal 10, Housing.)

7. Policy 23, (Urban Area Housing) Housing Condition, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE THE MAINTENANCE AND REHABILITATION OF THE EXISTING HOUSING STOCK IN THE UNINCORPORATED AREAS.

Applicant: See page 31 of the applicant's June 22, 2007 narrative.

Staff: The proposed land use designations would allow the subject property to be developed with a mix of commercial and residential uses, while increasing residential density above what would have been required under the current R-9 district standards. The property is currently developed with three manufactured dwelling parks. The parks are scheduled for full closure in August 2007; however, most homes have been removed from the park or are being demolished as they are vacated. Development of the site with single and multi-family dwellings will result in an increased number of more permanent housing options within the county.

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8. Policy 30, (Public Facilities and Services) Schools, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO COORDINATE WITH SCHOOL DISTRICTS AND OTHER EDUCATIONAL INSTITUTIONS IN PLANNING FUTURE SCHOOL FACILITIES TO ENSURE PROPER LOCATION AND SAFE ACCESS FOR STUDENTS.

Applicant: See page 31 of the applicant's June 22, 2007 narrative.

Staff: In 1994, the Beaverton School District adopted a school facility plan to comply with ORS 195.110. In 2002, the BSD adopted an updated school facility plan. The update was in response to the periodic review requirements of ORS 195.110. The update was also necessary to address the additional elements added to ORS 195.110 by House Bill 3045 (HB 3045). HB 3045 was passed by the Oregon State Legislature in 2001. The 2002 plan contained up-to-date data on existing school facilities, projected enrollment growth, projected site needs, and population projections by school age group to the year 2020.

The County's *Comprehensive Framework Plan for the Urban Area* (CFP) was amended in 2002 through Ordinance No. 598 to include the updated school facility plan, including amendments to Appendix D of the CFP, Criteria for School Capacity. Consequently, the school district's methodology for determining school capacity contained in their service provider analysis is the same as Washington County's adopted methodology, since it is based upon the criteria set forth in Appendix D, as amended by Ordinance No. 598 and Ordinance No. 612. See the discussion under Policy 14, above.

(These findings also pertain to Statewide Planning Goal 11, Public Facilities and Services.)

9. Policy 32, Transportation, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO REGULATE THE EXISTING TRANSPORTATION SYSTEM AND TO PROVIDE FOR THE FUTURE TRANSPORTATION NEEDS OF THE COUNTY THROUGH THE DEVELOPMENT OF A TRANSPORTATION PLAN AS AN ELEMENT OF THE COMPREHENSIVE PLAN.

Applicant: See pages 31 and 32 of the applicant's June 22, 2007 narrative, as well as Exhibits C (Traffic Impact Analysis prepared by Kittelson & Associates) and D (Access Management Plan Information) to the narrative.

Staff: The application included a transportation analysis prepared by Kittelson & Associates (see Section F of this staff report as well as Attachment "A", which includes the *Transportation Staff Report for this plan amendment*).

10. Policy 35, Residential Conservation, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE A REDUCTION IN RESIDENTIAL ENERGY CONSUMPTION AND INCREASE OPPORTUNITIES FOR PRODUCTION OF ENERGY FROM ALTERNATIVE SOURCES.

Applicant: See page 32 of the applicant's June 22, 2007 narrative.

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Staff: The proposed residential designations of R-9 and TO:R18-24 will allow for a mix of housing types on the subject property. The county's policy regarding reducing residential energy consumption is outlined in the implementing strategies for Policy 35. They encourage clustering and common-wall dwelling types and the provision of high-density housing near labor-intensive industries. Implementing Strategy h. states the county will support mixed use developments that demonstrate energy savings. The Urban Plan defines mixed-used development as having residential units above commercial uses. The TO:RC District does not require residential uses in conjunction with commercial development. When residential uses are provided, the TO:RC District requires that they be located above commercial uses (i.e. upper floors). Two of the seven buildings are proposed to have residential units on the second floor. The provision of second story residential units in two buildings does not satisfy Implementing Strategy h. The applicant can satisfy this criteria by providing upper story residential units on at least a majority of the buildings.

11. Policy 36, Commercial Conservation, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE ENERGY-SAVING BUILDING PRACTICES IN EXISTING AND FUTURE COMMERCIAL STRUCTURES.

Implementing Strategies

The County will:

- a. Encourage cluster development of mixed uses, with a variety of commercial, office, residential uses, to promote energy conservation and to allow more efficient centralized energy systems.**
- b. Discourage strip-commercial development and other scattered office-commercial development.**

Applicant: See pages 32 - 33 of the applicant's June 22, 2007 narrative.

Staff: The Summary Findings and Conclusions of Policy 26 state that the provision of commercial buildings with common wall construction and central heating can help reduce energy consumption. The use of energy saving building practices in commercial buildings would also help to reduce energy consumption. The applicant's conceptual plan shows the construct of seven detached buildings. The applicant will need to provide information that demonstrates the designs of the detached building are at least as energy efficient as attached buildings.

12. Policy 39, Land Use Conservation, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO DEVELOP LAND USE STRATEGIES WHICH TAKE ADVANTAGE OF DENSITY AND LOCATION TO REDUCE THE NEED TO TRAVEL, INCREASE ACCESS TO TRANSIT, INCREASE THE USE OF ALTERNATE MODES OF TRANSPORTATION, INCLUDING TRANSIT, AND PERMIT BUILDING CONFIGURATIONS WHICH INCREASE THE EFFICIENCY OF HEATING AND COOLING RESIDENCES.

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Implementing Strategies

The County will:

- a. **Limit low-density sprawl development, and create a multi-centered land use pattern in the preparation of Community Plans to decrease travel needs.**
- b. **Encourage infilling of passed-over vacant land and revitalization of older areas, especially where a major transportation corridor is close by.**
- c. **Plan for higher density urban development in areas with convenient access to public transportation.**
- d. **Encourage close locational relationships between living, working, shopping, and recreation areas in accord with the development concept.**
- e. **Encourage development of compact communities containing a range of commercial and residential uses.**

Applicant: See pages 33 - 34 of the applicant's June 22, 2007 narrative.

Staff: The proposed use of the site is consistent with Implementing Strategies b, c and d. Providing higher density residential uses along a transit corridor with frequent service and in close proximity to a number of nearby employers has a much higher potential of reducing vehicular trips than the existing R-9 designation.

(These findings also pertain to Statewide Planning Goal 12, Transportation, Goal 13, Energy Conservation, and Goal 14, Urbanization.)

13. Policy 40, Regional Planning Implementation, states:

IT IS THE POLICY OF WASHINGTON COUNTY TO HELP FORMULATE AND LOCALLY IMPLEMENT METRO'S REGIONAL GROWTH MANAGEMENT REQUIREMENTS IN A MANNER THAT BEST SERVES EXISTING AND FUTURE RESIDENTS AND BUSINESSES.

Applicant: See pages 34 - 35 of the applicant's June 22, 2007 narrative.

Staff: Plan Policy 40 was adopted by Ordinance 561 in 2000. Ordinance 561 applied the 2040 Growth Concept Design Types to all of the unincorporated, urban areas of Washington County. There are nine design types: Regional Center, Town Center, Town Center-Area of Interest, Station Community, Neighborhoods, Main Street, Transit Corridor, Employment or Industrial Areas. The Neighborhood design type applies to the site. Murray Blvd. and adjacent properties are designated as a Transit Corridor.

The Neighborhood design type is defined as:

"New residential neighborhoods generally will be developed at densities of four to six units per acre. Future residential developments within neighborhoods will be slightly more compact than subdivisions created prior to the late 1990's. "Infill" development is anticipated on sites that were previously overlooked and on underutilized larger

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lots. Some institutional and limited commercial activities may be appropriate in neighborhoods."

The Transit Corridor design type is defined as:

"Transit Corridors generally include areas along transit routes that have or will have frequent service. Transit Corridor development will include a mix of complementary land uses, including rowhouses, duplexes, apartments, office or retail buildings, institutional uses and mixed commercial and residential uses. Commercial and offices uses will be allowed at specific points along the Transit Corridors and not in a linear manner that promotes strip commercial development and traffic congestion. Collectively, these land uses will generate increased pedestrian and transit ridership. Therefore, these areas will feature a high-quality pedestrian environment with wider sidewalks and pedestrian amenities. Transit Corridors will evolve into environments that provide for walking, cycling and transit. Mixed-use development will enhance the vitality of businesses since they can provide services for employees during the day and goods and services to area residents during the evening."

Between TV Hwy. and Jenkins Road, almost all of the uses along Murray Blvd., between TV Hwy. and Jenkins Road are retail commercial, offices and industrial uses. The retail and office uses are located in a linear manner rather than at specific points. At the Murray/Jenkins intersection, the southwest quadrant has about 55 vacant acres of commercial land and industrial and office uses (Nike) are located at the northwest and southeast quadrants of the intersection. North of Jenkins Road, the east side of the corridor is primarily made up of single family dwellings with limited commercial and multi-family units at major intersections. On the west side of the corridor, Nike's World Headquarters is located between Jenkins and Walker Roads. The remainder of the corridor is single family homes and limited commercial areas at major intersections.

The proposed TO:R18-24 designation will introduce additional dwelling units to a corridor that is predominantly made up of commercial and office uses. The addition of higher density residential increases the potential for more transit ridership and biking or walking to nearby employment. The addition of more commercial along Murray Blvd. will increase the length of linear commercial uses along the corridor and cause the Murray/Jenkins intersection to be dominated with retail and office uses. Designating the subject site as TO:R18-24 and R-9 more fully complies with this policy rather than the proposed designations.

(These findings also pertain to Statewide Planning Goal 2, Land Use Planning.)

F. Washington County Transportation Plan and Transportation Planning Rule

Applicant: See pages 31 and 32 of the applicant's June 22, 2007 narrative, as well as Exhibits C (Traffic Impact Analysis prepared by Kittelson & Associates) and D (Access Management Plan Information) to the narrative.

Staff: Attachment "A", which is by this reference incorporated into this staff report, contains discussions of whether the plan amendment complies with the Transportation Plan and the Transportation Planning Rule. Based on the applicant's written materials and the findings in this report, staff concludes that this proposed plan amendment will not "significantly affect" a transportation facility as defined in OAR 660-12-0060. Staff finds the plan amendment is consistent with the Transportation Planning Rule and the county's Transportation Plan (see

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Attachment "A"). The Transportation Staff Report for Casefile 07-049-PA recommends that in the event this plan amendment is approved, the following conditions be met:

- The applicant shall comply with all conditions of Casefile 07-046-AMP; and
- As part of future development review approval, the applicant shall dedicate 12 feet of additional right-of-way (i.e., to provide 61 feet from centerline) along the subject site's entire SW Murray Boulevard frontage.

(These findings also pertain to Statewide Planning Goals 11, Public Facilities and Services and 12, Transportation.)

G. Cedar Hills-Cedar Mill Community Plan

Community Plan Overview, Applicable General Design Elements:

5. **All new subdivisions, attached unit residential developments, and commercial developments shall provide for pedestrian/bicycle pathways which allow public access through or along the development and connect adjacent developments and/or shopping areas, schools, public transit and park and recreation sites. The pedestrian-bicycle system is especially important in providing a link between existing and planned high density residential areas along Barnes Road with the transit center at Highway 26-217. This system may include off right-of-way segments.**

Applicant: See page 39 of the applicant's June 22, 2007 narrative.

Staff: Pedestrian and bicycle pathways will be required through the land development process. Therefore, staff finds that this requirement can be satisfied.

6. **Open space shall be utilized for park and recreation facilities or passive recreation and dedicated to the appropriate recreation service provider wherever feasible.**

Applicant: See page 39 of the applicant's June 22, 2007 narrative.

Staff: The property is located within the Tualatin Hills Park & Recreation District and therefore is considered to be provided with park and recreational service. Additionally, the property is located within ½ mile of Wanda L. Peck Memorial Park. Open space facilities will be provided as required through the land development process. Therefore, staff finds this requirement can be satisfied.

8. **Bicycle parking facilities shall be required as a part of all commercial, institutional and residential developments. Residential developments which have parking lots of 20 or more spaces shall provide bicycle parking facilities.**

Applicant: See page 39 of the applicant's June 22, 2007 narrative.

Staff: Bicycle parking facilities will be provided as required through the land development process. Therefore, staff finds this requirement can be satisfied.

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9. In the design of road improvements that are required of new developments to meet the County's growth management policies, pedestrian/bicycle pathways identified in the County's Transportation Plan shall be included.

Applicant: See page 39 of the applicant's June 22, 2007 narrative.

Staff: The applicant will be required to comply with this requirement through the land development process. Therefore, staff finds that this requirement can be satisfied.

10. Noise reduction measures shall be incorporated into all new developments located adjacent to Arterials and Collectors. Noise reduction alternatives include vegetative buffers, berms, walls and other design techniques such as insulation, setbacks, and orientation of windows away from the road.

Applicant: See pages 39 - 40 of the applicant's June 22, 2007 narrative.

Staff: The applicant will be required to comply with this requirement through the land development process. Therefore, staff finds that this requirement can be satisfied.

12. New development shall dedicate right-of-way for road extensions and alignments as indicated in Washington County's Transportation Plan or Community Plans. New development shall also be subject to conditions set forth in the County's growth management policies during the development review process.

Applicant: See page 40 of the applicant's June 22, 2007 narrative.

Staff: As noted in the Transportation Staff report, an additional 12 feet of right of way must be dedicated along the site's frontage on Murray Blvd. in order to mitigate the impacts of the proposed plan amendment. If the plan amendment is approved, the request must be conditioned to dedicate the additional right of way as required by the State Transportation Planning Rule. Therefore, staff finds that this requirement can be satisfied.

13. New access onto Arterials and Collectors shall be limited. Shared or consolidated access shall be required prior to the issuance of a development permit for land divisions or structures located adjacent to these facilities, unless demonstrated to be infeasible.

Applicant: See page 40 of the applicant's June 22, 2007 narrative.

Staff: The Access Management Plan (AMP) for the subject site (Casefile 07-045-PA) approved by the county's Hearings Officer requires certain conditions be met with regard to access onto Murray Boulevard and Jenkins Road. See Attachment A to this staff report for conditions of approval for the AMP. Staff finds that this requirement can be met provided the subject property develops under the conditions required by the AMP.

16. The required amount of parking for development shall be determined by the Parking Maximum Designations and the standards of the Community Development Code.

Staff: The applicant will be required to comply with this requirement through the land development process. Therefore, staff finds that this requirement can be satisfied.

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CEDAR HILLS SUBAREA

With few exceptions, the established low density character of the Cedar Hills subarea is continued in the plan. A small amount of Community Business District land has been set aside north and south of SW Walker Road immediately to the east of the Beaverton city limits. This land includes an existing grocery and two lots which may be suitable for retail or office use.

No change to the present land use arrangement is envisioned in the Cedar Hills Shopping Center vicinity. In the far southeast portion of the Cedar Hills subarea, existing retail uses along Canyon Road will be continued under the Community Business District designation. Generally north of the creek and along Center Street, high-density residential uses are planned. This designation will complement similar adjacent uses now located inside the Beaverton city limits. Mixed use structures will be permitted here as specified in the Community Development Code.

Design Elements:

1. Access to the new Neighborhood Commercial site located between SW Walker and SW Butner shall not be provided from SW Walker or SW Murray Roads. The size of this Neighborhood Commercial area shall be limited to the area shown on the Community Plan Map.
2. Access to the Community Business District area located north of SW Walker Road, east of Cedar Hills Boulevard, shall be allowed only from Walker Road. Resolution of potential sight distance problems must be approved by the Department of Land Use and Transportation before development permits will be issued for any of the three tax lots designated Community Business District.

Applicant: See page 40 of the applicant's June 22, 2007 narrative.

Staff: While the subject property is located within the Cedar Hills subarea, it does not provide access to the neighborhood commercial site between Walker Road and Butner Road, or the community business district area northeast of the intersection of Walker Road and Cedar Hills Boulevard. Therefore, this requirement does not apply to the proposed request.

H. Washington County Community Development Code

1. Article III, Land Use Districts:

375 TRANSIT ORIENTED DISTRICTS

375-1 Intent and Purpose

The intent of the transit oriented districts is to direct and encourage development that is transit supportive and pedestrian oriented in areas within approximately one-half mile of light rail transit stations, within one-quarter mile of existing and planned primary bus routes and in town centers and regional centers.

The purpose of the transit oriented districts is to limit development to that which (1) has a sufficient density of employees, residents or users to be supportive of the type of transit provided to the area; (2) generates a relatively high percentage of trips serviceable by transit; (3) contains a complementary mix of land uses; (4)

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is designed to encourage people to walk; ride a bicycle or use transit for a significant percentage of their trips.

Staff: The proposed TO:RC and TO:R18-24 designations meet the criteria to be located within on-quarter mile of an existing primary bus route. If the request is approved, uses would be limited to those permitted in the TO:RC and TO:R18-24 Districts. Development would also have to comply with the standards of Code Section 431, Transit Oriented Design Principles, Standards and Guidelines.

IV. SUMMARY AND CONCLUSIONS

Based on information submitted by the applicant and contained in this report, staff finds that the TO:RC District does not comply with Policy 1, Implementing Strategy f. 2. This strategy requires the applicant to demonstrate that there are no other available alternative commercial sites. The vacant commercial site in the southwest quadrant of the Murray/Jenkins intersection is available. The transit oriented development standards that are applicable to the site are very flexible and would allow the amount of retail space proposed by the applicant.

Staff has also concluded that the request for TO:RC does not comply with Policy 40, Regional Planning Implementation. The provision of TO:R18-24 and R-9 would provide needed residential uses along this transit corridor that is predominantly developed with commercial (retail, office) and industrial uses. The proposed TO:RC would also result in all quadrants of the Murray/Jenkins intersection with non-residential uses.

The applicant has demonstrated that the proposed plan amendment is consistent with other requirements of the Comprehensive Framework Plan for the Urban Area with the exception of Policies 35 and 36. The proposal can comply with Policy 35 through the provision of additional residential units in upper stories of the retail buildings in the proposed TO:RC area. The proposal can comply with Policy 36 if the applicant can demonstrate that detached retail buildings would conserve as much energy a larger building(s) with a combination of uses.

The proposed plan amendment is consistent with Policies 1, 2, 4, 5, 6, 10, 12, 14, 15 and 19 of the county's 2020 Transportation Plan and state the Transportation Planning Rule, subject to the dedication of additional right of way along Murray Blvd. and compliance with the conditions of approval of the Access Management Plan for the proposed site.

Local service providers currently can provide or have the ability to provide an adequate level of public facilities and services for the property, with the exception of Beaverton School District. Specifically, Clean Water Services, Tualatin Valley Water District, Tualatin Hills Park & Recreation District, Tualatin Valley Fire & Rescue, and the Enhanced Sheriff's Patrol District can serve the property. The plan amendment would, according to the Beaverton School District, moderately impact the district regarding elementary, middle and high school capacities.

V. RECOMMENDATION

Staff recommends that the plan amendment be **DENIED** because it does not comply with the following policies of the Comprehensive Framework Plan for the Urban Area: Policy 1, Implementing Strategy f. 2., Policy 36 and Policy 40.

Attachment "A"

June 28, 2007

**TRANSPORTATION REPORT
FOR
CASEFILE NO. 07-049-PA**

Applicant: Sawara Property Group, LLC
Location: On the northeast corner of SW Murray Boulevard and SW Jenkins Road
Tax Map/Lot: 1S1 09 TL1000, 1S1 09BB TL 1400, 1500
Site Size: 25.91± acres

Staff has reviewed this request for compliance with the applicable Oregon Transportation Planning Rule as well as the Washington County 2020 Transportation Plan policies and rules and submits the following findings and recommendations.

FINDINGS

A. General:

This proposal would re-designate approximately 21 acres of the roughly 26 acre site from the current Residential 9 units per acre (R-9) plan designation to a mixture of 13.29 acres of Transit Oriented Residential, 18 to 24 units per acre (TO: R18-24) and 7.77 acres of Transit Oriented Retail Commercial (TO: RC); the remaining 4.84 acres of the site will remain designated Residential 9 units per acre (R-9).

1. The subject property currently supports a mobile home park which will be removed from the site.
2. Due to site conditions and access needs, the applicant submitted and was granted approval of an Access Management Plan (Casefile 07-046-AMP) by the Washington County Hearings Officer on June 8, 2007. The Notice of Decision includes specific conditions of approval which are binding on the applicant and development of the subject site. A copy of the Notice of Decision for Casefile 07-046-AMP is attached to this Transportation Staff Report and is incorporated by reference herein (Exhibit 1).
3. The following standards are applicable to this request and are addressed in this staff report:
 - a. OAR 660, Division 12, Oregon Transportation Planning Rule:
Section 060 - Plan and Land Use Regulation Amendments
 - b. Washington County Comprehensive Framework Plan For the Urban Area:
Policy 1.f – Criteria for Plan Amendment Approval
 - c. Washington County 2020 Transportation Plan Policies:
 - 1.0 Travel Needs Policy
 - 2.0 System Safety Policy
 - 4.0 System Funding Policy
 - 5.0 System Implementation and Plan Management Policy
 - 6.0 Roadway System Policy
 - 10.0 Functional Classification Policy
 - 12.0 Transit Policy
 - 14.0 Pedestrian Policy
 - 15.0 Bicycle Policy
 - 19.0 Transportation Planning Coordination and Public Involvement Policy

B. Oregon Transportation Planning Rule

1. The Oregon Transportation Planning Rule, OAR 660-012-0060, requires an analysis of the impact of a proposed plan amendment on the planned transportation system to determine whether the proposal will 'significantly affect' the planned transportation system in the area. Pursuant to the OAR, the proposed plan amendment would 'significantly affect' the transportation system if it does any of the following:
 - Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
 - Change standards implementing a functional classification system; or
 - As measured at the end of the planning period identified in the adopted transportation system plan:
 - Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
 - Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
 - Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.
2. Considering the criteria above, in order to determine if a plan amendment will result in a 'significant impact' on transportation facilities, the County generally requires a comparative analysis of a 'reasonable worst-case development' of a site under current and proposed land use designations. A 'reasonable worst case' development would be one with the greatest potential trip generation based on a reasonable build-out of the site.
3. The county evaluates roadway performance based on the volume to capacity ratios (V/C), measured at signalized intersections. Table 5 of the 2020 Transportation Plan sets forth the applicable performance criteria for plan amendment requests. For this plan amendment, performance of the SW Murray Boulevard/SW Jenkins Road intersection was considered.
4. The applicant provided a relatively extensive traffic analysis, in part due to the need to obtain Access Management Plan approval prior to the processing of the plan amendment request. Several iterations of the traffic analysis were provided in response to issues that became evident during review of the Access Management Plan (AMP). This traffic information has been reviewed by both transportation planning and traffic engineering staff. Relevant findings pertaining to the traffic analysis is discussed in the following paragraphs.
5. A memorandum, dated May 10, 2007 and entitled "Updated Transportation Planning Rule Compliance Evaluation" includes information that is relevant to these findings.

- According to Table 1 of this memorandum, under the existing plan designation and with no mitigation at the intersection, the volume to capacity ratio (V/C ratio) of SW Murray Boulevard and SW Jenkins Road will exceed county standards by the end of the planning horizon (in year 2020). The county's performance measures identify a V/C ratio of 0.99 as the minimum acceptable threshold; the projected V/C under the existing plan designation is 1.150.
6. According to the applicant's traffic analysis, under the identified reasonable worst case development scenario that could occur under the proposed new plan designations, and assuming no mitigation, the V/C ratio at Murray/Jenkins will be 1.177. Based on the definition of when a plan amendment will result in a 'significant affect' on a transportation facility found in OAR 660-012-0060(1)(c)(C), the proposed plan amendment will significantly affect the county's transportation facilities because it would worsen the performance of SW Murray Boulevard/SW Jenkins Road intersection. That intersection is already projected to perform below the minimum acceptable performance standard of 0.99 that is identified in Table 5 of the adopted 2020 Washington County Transportation Plan.
 7. OAR 660-012-0060(3) (a)-(c) set forth the criteria for when a local government may approve a plan amendment that will result in a significant affect on transportation facilities. County staff interprets subsection (a) to include transportation facilities that are currently or are forecast to perform below the minimum acceptable performance threshold during the time horizon found in the adopted Transportation Plan. The SW Murray Boulevard/SW Jenkins Road intersection is currently projected to fall below the minimum performance threshold by the horizon-year in the county's 2020 Transportation Plan (year-2020) without mitigation and absent the proposed plan amendment.
 8. The applicant's traffic analysis includes specific mitigation that will improve intersection performance at the SW Murray Boulevard/SW Jenkins Road intersection. This information has been reviewed by the county's Traffic Engineering Division as well as by Planning Division Transportation staff. The following mitigation is recommended in order to improve performance of the SW Murray Boulevard/SW Jenkins Road intersection:
 - Construction of a second, westbound through lane along the entire SW Jenkins Road site frontage. This improvement is required by the conditions of approval for Casefile 07-046-AMP.
 - Provision of the other improvements identified in the Notice of Decision for Casefile 07-046-AMP (see Exhibit 1 to this staff report).
 9. With construction of the improvements identified in Finding 8, the applicant's traffic analysis demonstrates that at the end of the planning horizon (in year-2020), the Murray/Jenkins intersection will function with a V/C ratio of 1.105 under the proposed plan designations and assuming protected left-turn signal phasing, which the county typically uses at signalized intersections. Since the predicted V/C at the affected intersection is 1.150 without the plan amendment, the request is capable of meeting the requirements listed in Table 5 of the 2020 Transportation Plan, which state that "*For plan amendment purposes, if a plan amendment is predicted to exceed the acceptable performance standard, the*

performance on applicable facilities will not be allowed to deteriorate further, and mitigation may be necessary.”

10. With the identified mitigation, the proposed plan amendment is also consistent with OAR 660-012-0060(3)(c), which allows approval of plan amendments that will significantly affect a transportation facility if development “will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures.”
11. The applicant’s traffic analysis demonstrates that the proposed mitigation will actually improve, by a small increment, the operation of the affected intersection over what would occur without the plan amendment and without the proposed mitigation. This makes the proposed amendment consistent with OAR 660-012-0060(3)(c).
12. OAR 660-012-0060(3)(c) also provides for additional, higher levels of mitigation if needed to avoid degradation of the affected transportation facility. Analysis by the county’s Traffic Engineering staff identified additional improvements that would further mitigate the affects of future development on the intersection of SW Murray Boulevard and SW Jenkins Road. A memorandum, dated May 24, 2007 from Jinde Zhu, P.E. and Stacy Shetler, P.E. and attached to this staff report as ‘Exhibit 2’ identifies additional mitigation that would improve the subject intersection V/C to 0.89. To facilitate the future provision of the identified additional mitigation that could be implemented on the subject site, the applicant could provide an appropriate contribution by dedicating 12 feet of additional right-of-way along the subject site’s SW Murray Road frontage, allowing future construction of a second southbound left-turn lane. This dedication would be in addition to the normal 49 feet from centerline that would be standard for a five-lane arterial, such as Murray Boulevard. Total right-of-way from centerline would therefore be 61 feet along the subject property’s SW Murray Boulevard frontage.
13. With the mitigation proposed by the applicant to add a second westbound through lane to SW Jenkins Road, together with the additional right-of-way dedication mentioned under Finding 12, staff concludes that the proposed plan amendment will be consistent with the applicable requirements of Section -0060 of the Transportation Planning Rule as well as the performance requirements from Table 5 of the 2020 Transportation Plan.

C. Washington County Comprehensive Framework Plan For The Urban Area

1. This plan amendment request is subject to Policy 1.f. from the County’s Comprehensive Framework Plan (CFP). This policy states the following:

A quasi-judicial plan amendment to the Community Plan Maps, including the implementing tax maps, shall be granted only if the Review Authority determines that the proponent has demonstrated that the proposed designation conforms to the locational criteria of the Comprehensive Framework Plan, the Community Plan Overview and the sub-area description and design elements, complies with the regional plan, and demonstrates that the potential service impacts of the designation will not impact the built or planned service delivery system in the community. This is a generalized analysis that is no way precludes full application of the

Growth Management Policies to development permits as provided in the Code.

STAFF: As it pertains to transportation, this policy requires the County to analyze the existing transportation system as well as the planned system. Although there will be significant traffic impacts as a result of the plan amendment on the subject site, with the mitigation described in Section B, the future performance of nearby transportation facilities will not be degraded further than would occur under the existing plan designations. Based on this, the plan amendment will be consistent with Policy 1.f. with regard to transportation.

D. Washington County 2020 Transportation Plan

The proposed plan amendment is subject to 10 policies from the County's 2020 Transportation Plan, which are listed and addressed below.

1.0 TRAVEL NEEDS POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO PROVIDE A MULTI-MODAL TRANSPORTATION SYSTEM THAT ACCOMMODATES THE DIVERSE TRAVEL NEEDS OF WASHINGTON COUNTY RESIDENTS AND BUSINESSES.

STAFF: The proposed plan amendment is not anticipated to have a significant detrimental impact on the capacity or level of service on transportation facilities provided that the mitigation detailed in Section B is provided by the applicant. With the identified mitigation, the plan amendment will not result in additional degradation of system performance beyond what would occur without the plan amendment. Staff therefore concludes that the proposal does not conflict with Policy 1.0.

2.0 SYSTEM SAFETY POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO PROVIDE A TRANSPORTATION SYSTEM THAT IS SAFE.

STAFF: Any traffic safety impacts associated with future development or redevelopment on the subject property will be subject to the traffic safety regulations set forth in the Community Development Code and Resolution and Order 86-95 which implement Policy 2.0. In addition, the applicant is required to comply with the conditions of Casefile 07-046-AMP which will ensure safe operation on the affected transportation facilities.

4.0 SYSTEM FUNDING POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO AGGRESSIVELY SEEK ADEQUATE AND RELIABLE FUNDING FOR TRANSPORTATION FACILITIES AND SERVICES, AND TO ENSURE THAT FUNDING IS EQUITABLY RAISED AND ALLOCATED.

STAFF: Detrimental impacts to system capacity are anticipated in the future both with and without the proposed plan amendment. However, with the mitigation detailed in Section B, the impacts to system capacity with the proposed plan amendment will be lower than without the plan amendment. The identified mitigation is therefore recommended in conjunction with the approval of this plan amendment and will be funded by the applicant. In addition, any future development or redevelopment on the site will require payment of the appropriate Traffic Impact Fee toward future capacity improvements. Payment of the Traffic Impact Fee is consistent with the strategies included under Policy 4.0.

5.0 SYSTEM IMPLEMENTATION AND MANAGEMENT POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO EFFICIENTLY IMPLEMENT THE TRANSPORTATION PLAN AND TO EFFICIENTLY MANAGE THE TRANSPORTATION SYSTEM

STAFF: Significant impacts on capacity or roadway safety are not anticipated under the proposed plan designation due to the relatively minor increase in trips. The proposal is therefore consistent with Policy 5.0.

6.0 ROADWAY SYSTEM POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENSURE THAT THE ROADWAY SYSTEM IS DESIGNED IN A MANNER THAT ACCOMMODATES THE DIVERSE TRAVEL NEEDS OF ALL USERS OF THE TRANSPORTATION SYSTEM.

STAFF: The applicant's traffic analysis, together with the analysis provided by the county Traffic Engineering Division demonstrates that with the mitigation identified in Section B, the proposed plan amendment will not result in further degradation of the planned motor vehicle system and that the amendment will be consistent with the performance measures set forth in the strategies for implementation of Policy 6.0.

10.0 FUNCTIONAL CLASSIFICATION POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENSURE THE ROADWAY SYSTEM IS DESIGNED AND OPERATES EFFICIENTLY THROUGH USE OF A ROADWAY FUNCTIONAL CLASSIFICATION SYSTEM.

STAFF: No changes in functional classifications of the existing, affected roadway system are required as a result of this plan amendment request. At the time of future development of the subject property, the on-site roadway circulation system will connect to the established, surrounding local street network but will serve Transit Oriented (TO) uses if the plan amendment is approved. CDC Section 431-4 provides for use of Special Area Street Design Standards based on the land use district.

12.0 TRANSIT POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE AND SUPPORT DEVELOPMENT OF TRANSIT FACILITIES AND SERVICES THAT INCREASE TRANSIT USE IN WASHINGTON COUNTY.

STAFF: The proposed plan amendment will not conflict with the development of transit facilities and services that increase transit use in the County and is therefore consistent with Policy 12.0.

14.0 PEDESTRIAN POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE AND SUPPORT GREATER PEDESTRIAN ACTIVITY IN THE COUNTY BY PROVIDING AND MAINTAINING AN ENVIRONMENT WHERE WALKING IS A SAFE, CONVENIENT AND PLEASANT MODE OF TRAVEL.

STAFF: Future development of the site, under either the existing or proposed plan designation, will result in provision of pedestrian facilities along the subject property's frontages as well as on-site as conditions of development approval. Staff therefore concludes that the proposed plan amendment is consistent with Policy 14.0.

15.0 BICYCLE POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO ENCOURAGE AND SUPPORT GREATER BICYCLING ACTIVITY IN WASHINGTON COUNTY BY PROVIDING AN ENVIRONMENT IN WHICH BICYCLING IS A SAFE AND CONVENIENT MODE OF TRAVEL.

STAFF: The site has frontage on SW Murray Boulevard and SW Jenkins Road, which are arterial and collector roadways, respectively. On-street bicycle facilities are required on streets of these functional classifications when streets are built or re-built; currently, both roadways include bicycle facilities.

Significant improvements will be required on the subject streets as part of the Access Management Plan conditions of approval (Casefile 07-046-AMP). The applicant will be responsible for ensuring that bicycle facilities continue to be provided after future improvements are completed.

In addition, the Community Development Code (CDC Section 429 – Bicycle Parking) provides for bicycle parking facilities to be developed in conjunction with future development that would be likely to occur under the proposed plan designation. Considering these facts, staff concludes that the proposed amendment is consistent with Policy 15.0.

19.0 TRANSPORTATION PLANNING COORDINATION AND PUBLIC INVOLVEMENT POLICY

IT IS THE POLICY OF WASHINGTON COUNTY TO COORDINATE ITS TRANSPORTATION PLANNING WITH LOCAL, REGIONAL, STATE AND FEDERAL AGENCIES AND TO PROVIDE OPPORTUNITIES FOR CITIZENS TO PARTICIPATE IN PLANNING PROCESSES.

STAFF: Policy 19 provides that all plan amendments be reviewed for consistency with the applicable provisions of the Transportation Planning Rule (OAR 660-012-0060). This request has been reviewed and determined to be consistent with the applicable provisions of the Transportation Planning Rule (see findings in Section B., above). It is therefore consistent with Policy 19.0.

CONCLUSION/RECOMMENDATION

Based on the findings in this report, staff concludes that this plan amendment proposal will "significantly affect" a transportation facility as defined in OAR 660, Division 12. However, with the mitigation detailed in Section B of this report which will be constructed to satisfy the conditions of approval for Casefile 07-046-AMP and the dedication of an additional 12 feet of right-of-way along the subject site's SW Murray Boulevard frontage, the plan amendment will meet the requirements of the Transportation Planning Rule as well as the 2020 Transportation Plan.

Staff recommends that this plan amendment include conditions requiring the following:

- **The applicant shall comply with all conditions of Casefile 07-046-AMP; and**
- **As part of future development review approval, the applicant shall dedicate 12 feet of additional right-of-way (i.e., to provide 61 feet from centerline) along the subject site's entire SW Murray Boulevard frontage.**



Washington County
Department of Land Use and
Transportation
Land Development Services
155 N First Ave, Suite 350-13
Hillsboro, OR 97124
503-846-8761 fax 503-846-2908

NOTICE OF DECISION OF THE HEARINGS OFFICER

PROCEDURE TYPE III

CPO: 1
COMMUNITY PLAN: Cedar Hills-Cedar Mill

LAND USE DISTRICT:
R-9 (Residential 9 units/acre)

PROPERTY DESCRIPTION:
ASSESSOR MAP: **TAX LOT NUMBER(S):**
1S1 09 1000
1S1 09BB 1400, 1500

CASEFILE: 07-046-AMP

APPLICANT:
Sawara Property Group, LLC
PO Box 5727
Aloha, OR 97006

APPLICANT'S REPRESENTATIVE:
WRG Design, Inc
5415 SW Westgate Drive, Ste. 100
Portland, OR 97221

OWNER OF TAX LOT 1500:
Murray-Jenkins, LLC
1800 NW 167th Place, #150
Portland, OR 97221

OWNER OF TAX LOTS 1000/1400:
Morley Group Ltd. Partnership & Morley Family
Trust & Morley, Earl Jr.

PROJECT LOCATION: At the northeast corner
of the intersection of SW Jenkins Road and SW
Murray Blvd.

PROPOSED DEVELOPMENT ACTION: Access Management Plan for Access to SW Jenkins Road
and SW Murray Blvd.

DATE OF DECISION:

June 8, 2007

A summary of the decision of the Hearings Officer and supplemental findings are attached.

This decision may be appealed to the Land Use Board of Appeals (LUBA) by filing a notice of Intent to Appeal with LUBA within 21 days of the date of this decision. Contact your attorney if you have any questions in this regard.

For further information contact the Land Use Board of Appeals at 503-373-1265.

The complete case, including Notice of Decision, Application, Staff Report, Findings and Conclusions, and Conditions of Approval, if any, are available for review at no cost at the Department of Land Use and Transportation. Copies of this material will be provided at reasonable cost.

Notice to Mortgagee, Lien Holder, Vendor or Seller: ORS Chapter 215 requires that if you receive this notice it must promptly be forwarded to the purchaser.

Notice of Decision of Hearings Officer
June 8, 2007
Page 2

CASEFILE NUMBER: 07-046-AMP

SUMMARY OF DECISION:

On June 8, 2007, the Washington County Hearings Officer issued a written decision (Attachment "C") for Washington County Casefile No. 07-046-AMP located at the northeast corner of the intersection of SW Jenkins Road and SW Murray Blvd., and described as tax lots 1S1 09 1000 and 1S1 09BB 1400/1500 in Washington County, Oregon. His decision is as follows:

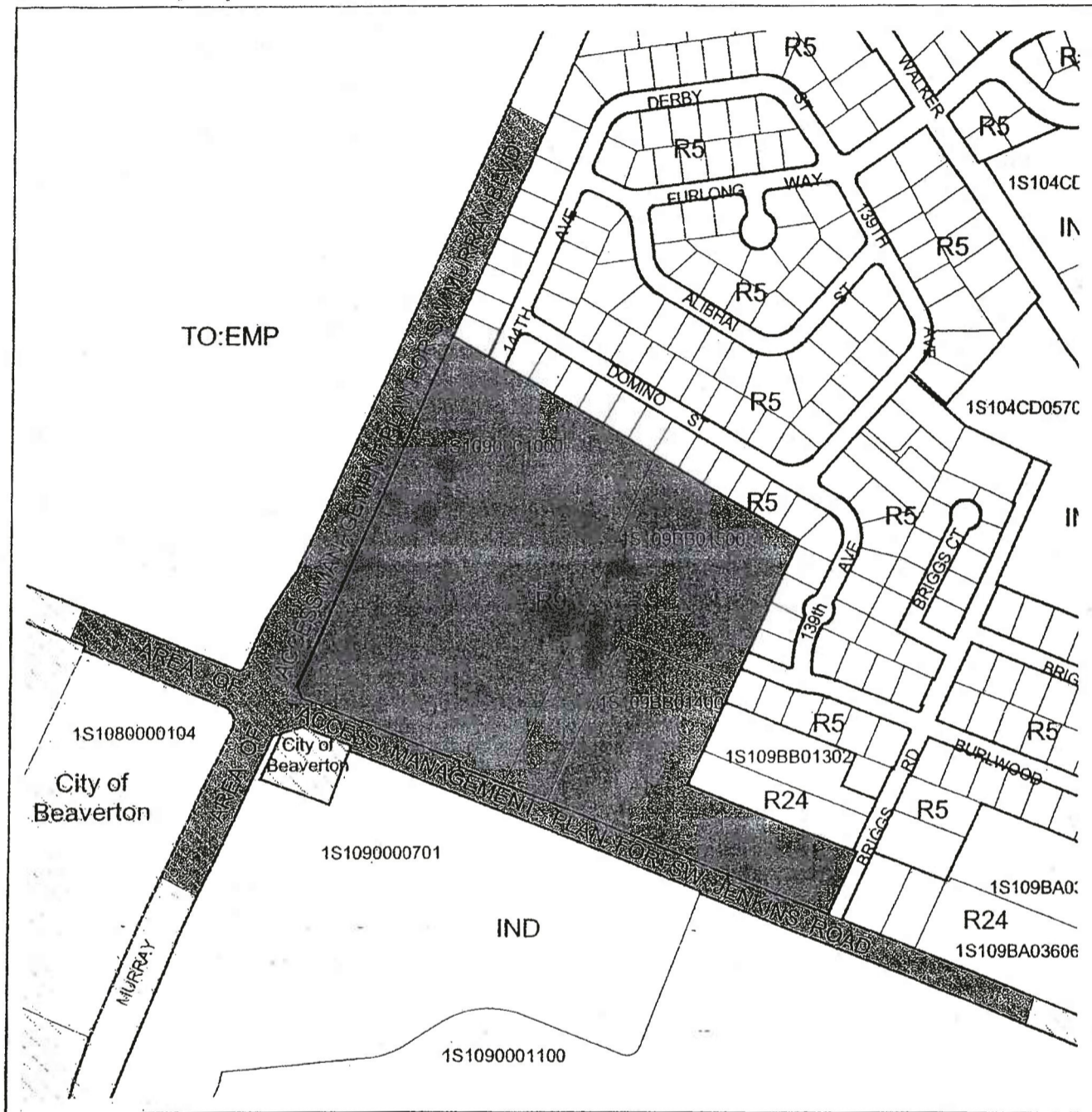
ORDER:

The Application is APPROVED subject to the Conditions set forth in Attachment "B".

Attachments: A. Vicinity Map
B. Conditions of Approval
C. Hearings Officer's Findings, Conclusion and Order

ATTACHMENT A VICINITY MAP

TAX MAP/LOT NO. 1S1 09 00 01000; 1S1 09 BB 01400, 01500 CASE FILE NO. 07-046-AMP



↑ NORTH ■ AREA OF CONSIDERATION

SCALE: 1" TO 400'

SITE & SURROUNDING LAND USE DISTRICTS:

- R9 (Residential 7-9 units/acre)
- R5 (Residential 4-5 units/acre)
- R24 (Residential 19-24 units/acre)
- INST (Institutional)
- IND (Industrial)
- TO:EMP (Transit Oriented Employment District)
- City of Beaverton

REVIEW STANDARDS FROM CURRENT OR APPLICABLE ORDINANCE OR PLAN

- A. WASHINGTON COUNTY COMPREHENSIVE PLAN
- B. APPLICABLE COMMUNITY PLAN (See Front of Notice)
- C. TRANSPORTATION PLAN
- D. WASHINGTON COUNTY COMMUNITY DEVELOPMENT CODE:
 - ARTICLE I, INTRODUCTION & GENERAL PROVISIONS
 - ARTICLE II, PROCEDURES
 - ARTICLE III, LAND USE DISTRICTS
 - ARTICLE IV, DEVELOPMENT STANDARDS
 - ARTICLE V, PUBLIC FACILITIES AND SERVICES
 - ARTICLE VI, LAND DIV. & LOT LINE ADJUSTMENTS
 - ARTICLE VII, PUBLIC TRANSPORTATION FACILITIES
- E. R & O 86-95 TRAFFIC SAFETY IMPROVEMENTS
- F. ORD. NO. 524 UNIFORM ROAD IMPROVEMENT STANDARDS
- G. ORD. NO. 379 TRAFFIC IMPACT FEE
- H. R & O 04-9 DESIGN AND CONSTRUCTION STANDARDS

Casefile 07-046-AMP

Attachment B CONDITIONS OF APPROVAL

- I. PRIOR TO FINAL APPROVAL AND/OR ISSUANCE OF A BUILDING PERMIT FOR ANY DEVELOPMENT OF THE SITE A FACILITY PERMIT MUST BE OBTAINED FOR THE FOLLOWING IMPROVEMENTS:**
1. Close all existing accesses to the site along Jenkins Road and Murray Boulevard.
 2. Install a traffic signal at the proposed access onto Jenkins Road. The signal should be 890 feet east of Murray Boulevard and designed according to the engineer's recommended configuration, which includes separate southbound right and left turn lanes. Coordinate with Washington County to implement the proper timing plan to interconnect with the existing signal at Murray Boulevard and Jenkins Road. The signal will be operational when traffic signal warrants are met or when the site is fully developed and occupied.
 3. Construct a second westbound through-right turn lane along the entire site frontage along Jenkins Road from Briggs Road to Murray Boulevard. Coordinate with Washington County to modify the traffic signal at Murray Boulevard and Jenkins Road to accommodate the added second westbound through/right lane.
 4. At the proposed right-in/right-out access onto Murray Boulevard: Extend the existing raised median on Murray Boulevard and construct a pork-chop island at the proposed site access to safely and effectively restrict the site access to right-in/right-out movements only.
 - a. Extend the existing raised median on Murray Boulevard at the proposed site access. The raised median shall be designed to effectively restrict vehicle movements to right in/right out only. It is the applicant's responsibility to ensure that the access restrictions are adequate on Murray Boulevard to restrict movements to right-in/right-out only. Washington County will monitor the access to assure that it operates as a right-in/right-out intersection. If it is found that there are a significant number of violations of the restricted turning movements or safety/operational problems arise, the applicant will be responsible for assuring the safe operation of the driveway. This may require that the applicant retrofit additional traffic control devices to limit turning movements and/or physical improvements to the roadway. All changes will be subject to Washington County approval. If the retrofit(s) is (are) unsuccessful the County reserves the right to further limit and/or close the access.
 - b. The roadway within the limits of the raised median shall be adequately illuminated satisfying the requirements of the Department of Land Use and Transportation 1991 Roadway Illumination Standards, Latest revision. Direct technical questions concerning this condition or the 1991 Roadway Illumination Standards to Vaughn Lewis, Engineering Associate at (503) 846-7959.
 - c. It is the responsibility of the applicant to ensure that sufficient roadway width exists for the raised median, striping, lane markers, and shy distances.
 5. At the proposed right-in/right-out access onto Murray Boulevard, construct a right turn deceleration lane. Design according to County Standards.

6. Provide adequate illumination at the proposed site access onto Murray Boulevard. Adequate illumination shall consist of at least one 200-watt high pressure sodium cobra head luminaire mounted at a minimum height of 20 feet on **existing utility poles if available**. The fixture shall have a medium semi-cutoff type III distribution. The pole shall be within the area defined by the radius returns of the intersection. The fixture shall be oriented at 90 degrees to centerline of the collector or arterial. For intersections of collectors with arterials, or arterials with arterials, the luminaire fixture shall be installed at 90 degrees to the higher classified roadway. If the intersecting roadways are of the same functional classification, the fixture may be oriented at 90 degrees to either roadway. **If no existing utility poles are available within the intersection area defined by the radius returns, the developer shall meet the requirements of the Department of Land Use and Transportation 1991 Roadway Illumination Standards, latest revision.** Washington County may require illumination in addition to the above-stated minimums. Direct technical questions concerning this condition or the 1991 Roadway Illumination Standards to Vaughn Lewis, Engineering Associate at (503) 846-7959

**HEARING BEFORE
WASHINGTON COUNTY HEARINGS OFFICER**

CASEFILE NO: 07-046-AMP

APPLICANT: Sawara Property Group, LLC

PROPOSED DEVELOPMENT ACTION: Access Management Plan for Access to SW
Jenkins Road and SW Murray Blvd.

FINDINGS, CONCLUSIONS, AND ORDER

FINDINGS

1. This Hearing was opened on May 10, 2007. Naomi Vogel-Beattie summarized the Staffs' Findings and Recommendations in the Staff Report. Ms. Vogel-Beattie testified that the Staff recommended that the Hearings Officer approve the request for an Access Management Plan, based on the findings in the Staff Report and the finding in the Traffic Engineering Division Memorandum.

2. The names of those appearing on behalf of the Applicant, those in favor of the Application and those opposed, or with questions, are set forth in the Record. The Applicant's representatives stated that they were in agreement with the Staffs' Recommendations. There were number of persons who raised questions about the Application or where in opposition. This testimony related to general traffic concerns and possible future development of the Site. However, none of this testimony related to the Approval Criteria, for the Access Management, which was the subject of the Hearing for this Casefile. In order for the Site to be developed there must be subsequent applications and related hearings. The testimony offered in this Hearing may relate to approval criteria in those Hearings.

3. The Staff in the Staff Report and in the Traffic Engineering Division Memorandum sets forth the Applicable criteria governing this Application and the

evidence regarding the criteria. In both the Staff Report and the Traffic Engineering Division Memorandum, the Staff has found that the Applicant meets all the Applicable Criteria and that the Access Management Plan will maintain the classified function and integrity of SW Jenkins Road and SW Murray Blvd., subject to the improvements as outlined in the Traffic Engineering Division Memorandum. There is no evidence to contradict these findings. The Hearings Officer adopts the Findings in the Staff Report and the Traffic Engineering Division Memorandum in support of approval of the Application.

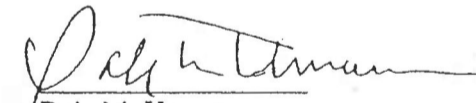
CONCLUSION

Based on the findings above, the request for an Access Management Plan should be approved, subject to the Conditions of Approval set forth in the Staff Report

ORDER

The Application is approved subject to the Conditions of Approval set forth in the Staff Report.

June 8, 2007


Dale M. Hermann
Hearings Officer

Attachment C STAFF REPORT

I. APPLICABLE STANDARDS:

- A. **Washington County Comprehensive Framework Plan**
- B. **Cedar Hills-Cedar Mill Community Plan**
- C. **Washington County Community Development Code:**
 - 1. **Article II, Procedures:**
 - Section 202-3 (Type III Procedure)
 - Section 202-5 (Determination of Proper Procedure Type)
 - Section 204 (Notice of Type I, II or III Development Actions)
 - Section 205 (Public Hearings)
 - Section 207-5 (Conditions of Approval)
 - 2. **Article III, Land Use Districts:**
 - Section 304 (R-9 District)
 - 3. **Article IV, Development Standards:**
 - Section 404 (Master Planning)
 - 4. **Article V, Public Facility Standards:**
 - Section 501-8.5 (Access to County and Public Roads)
- D. **2002 Washington County Transportation Plan**

II. AFFECTED JURISDICTIONS

Washington County Dept. of Land Use and Transportation

III. FINDINGS

A. Background:

1. The applicant, Sawara Property Group, requests approval of an Access Management Plan for access to SW Jenkins Road and SW Murray Blvd. An Access Management Plan (AMP) is necessary because the site is not able to comply with the 600 foot access spacing standard for SW Jenkins Road and SW Murray Blvd. and the proposed access is not an Arterial or Collector as required by Section 501-8.5.B.(4). Primary access to the site is proposed via a signalized full access on SW Jenkins Road located approximately 890 feet east of SW Murray Blvd. and a right-in-right-out access on SW Murray Blvd. located approximately 380 feet north of SW Jenkins Road.
2. Currently, the subject site is designated R-9 (Residential 9 units/acre). The applicant has submitted a Plan Amendment for the subject site. The proposed Comprehensive Plan Amendment is requesting a change from the R-9 designation to a Transit Oriented Retail Commercial District (TO:RC), R-24 (Residential 24 units/acre), R-15 (Residential 15 units/acre) and R-9. The Planning Division is processing the plan amendment application (Casefile 07-049-PA) to apply the mixed-use plan designation. The plan amendment will not go to hearing until after the Hearings Officer renders a decision on the AMP. Once the decision on the AMP is made then findings regarding access and

compliance with the Transportation Planning Rule can be made for the Plan Amendment (and included in the Planning Commission staff report).

3. The purpose of this application is to determine the feasibility of an access location for the site. The Traffic Impact Analysis was based on the proposed development and for a reasonable "worst-case" development scenario under the proposed plan designation. The potential trip generation is necessary for evaluating the proposed Access Management Plan.
4. One letter of comment was received prior to the writing of the staff report. Staff notes that the questions posed in the comment letter cannot be addressed at this time. The author has proposed conditions of approval that will be addressed at the time the applicant applies for development review for a new use on the site. The opportunity for public comment is available up to and at the public hearing for this request.

B. Washington County Comprehensive Framework Plan:

There are no specific Plan policies or goals, which affect this request that are not implemented by the Code or the Community Plan. The Framework Plan requires development applications to be in compliance with the Community Development Code and the applicable Community Plan. By demonstrating in this report that the request complies with the standards of the Code and the Community Plan, this Plan requirement will be satisfied.

C. 2004 Cedar Hills-Cedar Mill Community Plan:

The site is located in the Cedar Hills subarea. The site is not located in an Area of Special Concern. The site is not designated as a Significant Natural Resource. The Community Plan is implemented by the Community Development Code. When built in conformance with the Conditions of Approval, the project will be in compliance with the Community Plan.

D. 2006 Washington County Community Development Code:

1. Article II, Procedure:

Section 202-3 Type III

STAFF: This request is being processed via the Type III procedure. The request for an Access Management Plan is usually processed through the Type II procedure. However, the applicant has elected to elevate the review to a Type III procedure as allowed by Section 202-5.3. Section 202-5.3 allows an applicant, upon payment of the proper fee, to have the proposal processed under a procedure type which provides greater notice and opportunity to participate than would otherwise be required.

Section 203-3 Neighborhood Meeting

STAFF: This proposal is not subject to this requirement pursuant to Section 203-3.2 A.

Section 204 Notice of Type I, II or III Development Actions

STAFF: A Public Notice for this Access Management Plan request was provided in accordance with Section 204-4 of the Code.

Section 205 Public Hearings

STAFF: As a public hearing item before the County Hearings Officer, this request is subject to the provisions of Section 205 which outline the rules of procedure for public hearings.

Section 207-5 Conditions of Approval

The Review Authority may impose conditions on any Type II or III development approval. Such conditions shall be designed to protect the public from potential adverse impacts of the proposed use or development or to fulfill an identified need for public services within the impact area of the proposed development. Conditions shall not restrict densities to less than that authorized by the development standards of this Code.

STAFF: Conditions of approval must be imposed to ensure compliance with the standards of the Code and other County regulations and to mitigate any adverse impacts the proposal may have on the surrounding area.

2. Article III, Land Use Districts:

Section 304 R-9 District (Residential 9 Units Per Acre)

STAFF: The site is currently designated R-9. Staff notes that until a Plan Amendment is approved, the site is subject to the requirements of the R-9 designation. The purpose of this application is to determine the feasibility of an access location for the site based on the proposed land use designation. The Traffic Impact Analysis was based on the proposed development and for a reasonable "worst-case" development scenario under the proposed zoning. The proposed Comprehensive Plan Amendment is requesting a change from the R-9 designation to a Transit Oriented Retail Commercial District (TO:RC), R-24 (Residential 24 units/acre), R-15 (Residential 15 units/acre) and R-9. The potential trip generation of the proposed plan amendment is necessary for evaluating the access management plan.

3. Article IV, Development Standards:

Section 404 Master Planning

STAFF: The Master Planning section describes the site plans required for review of development proposals. Development of the property will not be approved until the applicant has received Plan Amendment approval and an application for Land Development is submitted. The purpose of the request is to approve the

feasibility of an access location. Given the limited scope of review, the plans submitted and contained within the casefile are adequate.

Section 408 Neighborhood Circulation

STAFF: The site will be reviewed for compliance to Section 408-5 at the time an application for Land Development is submitted for the subject site. Staff notes that the proposed internal circulation has been designed to allow existing residential development to the north and the east of the site use the proposed signalized full access intersection on SW Jenkins Road.

4. Article V, Public Facilities and Services

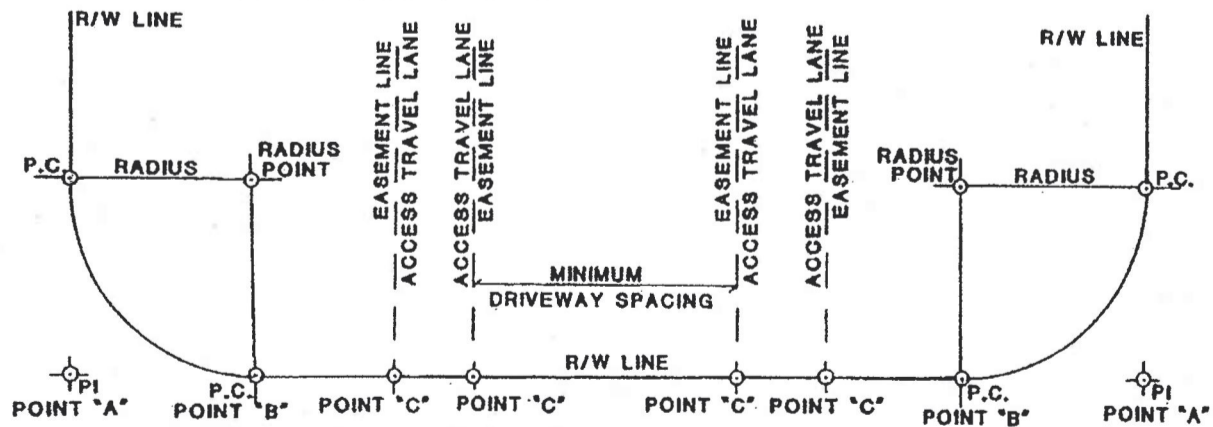
Section 501-8.5 Access to County and Public Roads

All developments shall have legal access to a County or public road. Except for interim access as provided in Section 501-8.5 E. [Interim Access], access onto any County road in the unincorporated or incorporated urban area shall be permitted only upon issuance of an access permit upon demonstration of compliance with the provisions of the County road standards and the standards of Section 501.

A. Roadway Access

See following access diagram where R/W = Right-of-Way; and P.I. = Point-of-Intersection where P.I. shall be located based upon a 90 degree angle of intersection between ultimate right-of-way lines.

- (1) Minimum right-of-way radius at intersections shall conform to the County Road Standards.
- (2) All minimum distances stated in the following sections shall be governed by sight distance requirements according to County Road Standards.
- (3) All minimum distances stated in the following sections shall be measured to the nearest easement line of the access or edge of travel lane of the access on both sides of the road.
- (4) All minimum distances between accesses shall be measured from existing or approved accesses on both sides of the road.
- (5) Minimum spacing between driveways shall be measured from Point "C" to Point "C" as shown below:



B. Roadway Access:

No use will be permitted to have direct access to a street or road except as specified below, or as provided in Section 501-8.5 E. (Interim Access). Access spacing shall be measured from existing or approved accesses on either side of a street or road.

(4) Arterials

Direct access to arterial roads shall be from collector or other arterial streets. Exceptions for local streets and private accesses may be allowed through a Type II process when collector access is found to be unavailable and impracticable by the Director. Access to arterials shall comply with the following standards:

(a) Arterials

Direct access to an arterial will be permitted provided that Point 'A' of such access is more than six hundred (600) feet from any intersection Point 'A' or other access to that minor arterial (Point 'C').

STAFF: The proposed access to SW Jenkins Road and SW Murray Blvd. do not meet the 600 foot access spacing requirement and do not meet the requirement that access to an arterial be only from a collector or arterial. Access to a collector is currently unavailable to this site so the desired access hierarchy can not be met.

C. Exception to Access Criteria

- (1) Alternate points of access may be allowed if an access management plan which maintains the classified function and integrity of the applicable facility is reviewed and approved by the Review Authority after considering the applicant's compliance with this Article.
- (2) An application for an Access Management Plan shall explain the need for the modification and demonstrate that the modification maintains the classified function and integrity of the facility. References to standards or publications used to prepare the Access Management Application shall be included with the application.
- (3) An access management plan shall address the safety and operational problems which would be encountered should a modification to the access spacing standards be granted. An access management plan shall be prepared and certified by a traffic or civil engineer registered in the State of Oregon. An access management plan shall at minimum contain the following:
 - (a) The minimum study area shall include the length of the site's frontage plus the distance of the applicable access spacing standard, as set forth in Section 501-8.5 B., measured from the property lines or access point(s), whichever is greater. For example, a property with 500 feet of

frontage on a minor arterial (required 600 foot access spacing standard) shall have a minimum study area which is 1,700 feet in length.

- (b) The access management plan shall address the potential safety and operational problems associated with the proposed access point. The access management plan shall review both existing and future access for all properties within the study area as defined above.
 - (c) The access management plan shall include a comparison of all alternatives examined. At a minimum, the access management plan shall evaluate the proposed modification to the access spacing standard and the impacts of a plan utilizing the County standard for access spacing. Specifically, the access management plan shall identify any impacts on the operations and/or safety of the various alternatives.
 - (d) The access management plan shall include a list of improvements and recommendations necessary to implement the proposed access modification, specifically addressing all safety and operational concerns identified.
- (4) Notice for a proposed access management plan shall include all property owners within the study area defined in 501-8.5 C. (3)(a).

STAFF: The Traffic Engineering Division has reviewed the applicant's proposed Access Management Plan. Traffic Engineering's review is included in this report as Attachment D. Their review concludes that the Access Management Plan will maintain the classified function and integrity of SW Jenkins Road and SW Murray Blvd. subject to the construction of certain transportation improvements as identified in the Traffic Engineer's Memorandum.

This request is for approval of an Access Management Plan for access to SW Murray Blvd. and SW Jenkins Road. A Plan Amendment for the proposed change in land use designation and Development Review of the proposed use of the subject site are required prior to development of the site, including the approved accesses.

F. Ordinance No. 524 - Uniform Road Improvement Standards:

STAFF: All required public improvements shall be designed and constructed in accordance with the approved road standards through the Facility Permit process. The findings and recommendations for transportation standards are found in the Transportation Report, and are incorporated as findings herein.

IV. SUMMARY & CONCLUSION:

The applicant has requested approval of an Access Management Plan for an access to SW Murray Blvd. and SW Jenkins Road. Traffic Engineering has reviewed the proposal and has found that the Access Management Plan will maintain the classified function and integrity of SW

Jenkins Road and SW Murray Blvd. subject to the improvements as outlined in the Traffic Engineering Division Memorandum. Based on the findings in this report and the materials in the casefile, staff concludes and recommends to the Hearings Officer that the request for an Access Management Plan be **APPROVED**, subject to the Conditions of Approval contained in Attachment B.



WASHINGTON COUNTY, OREGON

Department of Land Use and Transportation, Engineering/Surveying Division
1400 SW Walnut St., MS 17A, Hillsboro, Oregon 97123
(503) 846-7900 FAX: (503) 846-7910

DATE: May 24, 2007
TO: Gregg Leion, Senior Planner
FROM: Jinde Zhu, P.E., Traffic Engineer *JZ*
Stacy Shetler, P.E., Traffic Analyst *SS*
CC: Traffic Analysis File #1393, C/File
RE: **TPR STAFF REPORT
MURRAY VILLAGE
WASHINGTON COUNTY**

This report examines the submitted Access Management Plan conducted for the proposed Murray Village development. The development consists of a mix of retail and residential uses. The proposed retail portion totals 59,600 square feet of space. The residential portion totals 300 units and is a mix of single family housing, townhouses, and condominiums. The development is located at the northeast corner of the Murray Boulevard and Jenkins Road intersection in Washington County, Oregon.

The Transportation Planning Rule Compliance analysis is contained in the memorandum, "Updated Transportation Planning Rule Compliance Evaluation"; Kittelson & Associates, Inc.; March 2, 2007. The findings and recommendations given below are based, in part, on information provided in the memorandum and the Access Management Plan and Signal Progression Analysis dated December 13, 2006.

FINDINGS:

1. Year 2020 operations under the proposed mitigation package for the intersection of Murray Boulevard and Jenkins Road exceeds V/C ratio of 1.0. The engineer recommended the following improvements to the intersection that would improve 2020 V/C to 0.89.
 - Increase the number of southbound left-turn lanes from 1 to 2.
 - Increase the number of eastbound through lanes from 1 to 2,
 - Provide separate northbound and south bound right-turn lanes.

RECOMMENDATIONS:

1. As part of the future configuration at the Murray Boulevard and Jenkins Road intersection, the applicant should dedicate at least 12 feet of additional right-of-way along Murray Boulevard to the county to accommodate the future construction of a second southbound left-turn lane.

SS:jw-b



WASHINGTON COUNTY
Department of Land Use and Transportation
PLANNING DIVISION, SUITE #350-14
155 NORTH FIRST AVENUE
HILLSBORO, OREGON 97124-3072
tel (503) 846-3519 fax (503) 846-4412

STAFF REPORT ADDENDUM

PROCEDURE TYPE: III
COMPREHENSIVE PLAN ELEMENT:
Cedar Hills – Cedar Mill Community Plan
CPO: 1

SITE SIZE: Approximately 26 acres
LOCATION: Northeast corner of the intersection of
SW Murray Boulevard and SW Jenkins Road

EXISTING LAND USE DISTRICT: R-9 Residential

CASEFILE NO.: 07-049-PA

APPLICANT:
Sawara Property Group, LLC
PO Box 5727
Aloha, OR 97006

APPLICANT'S REPRESENTATIVE:
WRG Design, Inc.
5415 SW Westgate Drive, Suite 100
Portland OR 97221

OWNER:
Murray-Jenkins, LLC
1800 NW 167th Place, Suite 150
Beaverton, OR 97006
MAP & TAX LOT NO.: 1S109BB01500

OWNER:
Morley Group, LLC
118 Kovenish Court
Palm Desert, CA 92260
MAP & TAX LOT NOS.: 1S10901000 and
1S109BB01400

REQUEST: Remove the R-9 plan designation from a portion of the site and designate a portion (approximately 13.3 acres) Transit Oriented Residential 18 – 24 Units Per Acre (TO:R18-24), and another portion (approximately 7.7 acres) Transit Oriented Retail Commercial (TO:RC). Under this proposal, approximately 4.84 acres of R-9 Residential would be retained.

Casefile No. 07-049-PA Staff Report for the September 19, 2007 Planning Commission Hearing

I. APPLICABILITY

This staff report addendum is prepared for the Planning Commission regarding the subject plan amendment. The information presented here is provided in response to the July 18, 2007 Planning Commission hearing. The recommendation, findings and applicable criteria addressed in the July 13, 2007 staff report and Attachment A (including Exhibits 1 and 2) continue to apply. The findings presented in this addendum replace the findings for Policies 1, 35, 36 and 40 as shown in the July 13, 2007 staff report. Where a conflict exists between the findings in this addendum staff report and the July 13, 2007 staff report, these findings shall control.

At their July 18, 2007 public hearing, the Planning Commission voted 8 to 1 to tentatively approve the plan amendment request and asked staff to assist the applicant in completing the findings and for staff to recommend appropriate conditions of approval to attach to the findings. The findings and conditions of approval were scheduled for review at the September 19, 2007 Planning Commission meeting.

II. FINDINGS

A. Comprehensive Framework Plan for the Urban Area

1. Policy 1, The Planning Process, states:

It is the policy of Washington County to establish an ongoing Planning Program which is a responsive legal framework for comprehensive planning and community development and accommodates changes and growth in the physical, economic and social environment, in response to the needs of the County's citizens.

It is the policy of Washington County to provide the opportunity for a landowner or his/her agent to initiate quasi-judicial amendments to the Comprehensive Plan on a semi-annual basis. In addition, the Board of Commissioners, the Planning Director or the Planning Commission may initiate the consideration of quasi-judicial map amendments at any time deemed necessary.

- f. Approve a quasi-judicial plan amendment to the Primary Districts on the Community Plan Maps and/or the Future Development Areas Map, including the implementing tax maps, only if the Review Authority determines that the proponent has demonstrated that the proposed designation conforms to the locational criteria of the Comprehensive Framework Plan, and when applicable, the provisions of Policies 40 and 41; the Community Plan Overview and sub-area description and design elements; complies with the applicable policies, strategies and systems maps of the Transportation Plan; complies with the applicable regional functional planning requirements established by Metro; and demonstrates that the potential service impacts of the designation will not impact the built or planned service delivery system in the community. This is a generalized analysis that in no way precludes full application of the Growth Management Policies to development permits as provided in the Code.

Quasi-judicial and legislative plan amendments for property added to the Regional Urban Growth Boundary through an approved Locational or Minor Adjustment, to any plan designation other than the FD-10 or FD-20 Districts, shall include documentation that the land was annexed into the Urban Road Maintenance District, the Enhanced Sheriff Patrol District and, where applicable, the Tualatin Hills Park and Recreation District. Annexation into these districts shall be completed prior to the County's determination that a quasi-judicial plan amendment application is complete and prior to the County's adoption of a legislative plan amendment.

In addition, the proponent shall demonstrate one of the following:

1. A mistake in the current designation such that it probably would not have been placed on the property had the error been brought to the attention of the Board during the adoption process;
2. A lack of appropriately designated suitable alternative sites within the vicinity for a proposed use. Factors in determining the suitability of the alternative sites are limited to one of the following:
 - a) Size: suitability of the size of the alternative sites to accommodate the proposed use; or
 - b) Location: suitability of the location of the alternative sites to permit the proposed use.

Response: When analyzing a request under this plan policy it is necessary to describe the proposed use, determine the locational characteristics (e.g., market area of use or influence), identify the site characteristics needed to accommodate the use, and finally review vacant and underdeveloped land inventories to determine whether or not alternative sites exist. These factors are discussed below.

Description of Proposed Use: The applicant proposes to develop a commercial center and multi-family and townhouses on the subject property. The R-9 designation would be retained on 4.84 acres of the property to serve as a buffer between future development and existing single family neighborhoods to the north and east of the site. Additional residential units would be provided through increased density on 13.3 acres of the property if designated through this plan amendment as TO:R18-24. The TO:R18-24 designation would result in between 239 and 319 new units on the subject property. A 7.77-acre portion of land at the corner of SW Murray Boulevard and SW Jenkins Road would be designated as TO:RC. The applicant proposes to construct approximately 60,000 square feet of retail space on the TO:RC portion of the property. No residential units are proposed in the commercial area.

Locational Characteristics (e.g., market area of use or influence): The purpose of identifying the market area is to identify the area in which alternative sites are to be inventoried. Applicants typically have a market study prepared that defines the market area boundaries as the limits of the "primary trade area" (or "area of influence") for the subject site. Johnson Gardner, a consultant firm that specializes in real estate development and land use economics prepared the market study for the applicant and identified a primary market area for the proposed mixed residential and commercial development. The market study area prescribed by Johnson Gardner was based upon a 15-minute drive time radius around the subject property. The market area is generally bounded by 185th Avenue (to the west), just north of Highway 26 (to the north), just east of Highway 217 (to the east), and roughly to Sexton Mountain Road (to the south). The identified market area appears reasonable.

Necessary Site Characteristics: Under the current R-9 designation, a minimum of 182 dwelling units would be required and maximum of 234 units would be allowed on the approximately 26-acre subject property. The applicant has indicated an interest in creating a "village" concept on the subject property by mixing both residential and commercial uses. A portion of the current R-9 designation would be retained along the northern and eastern boundary of the subject property, while approximately 22 acres would be designated as transit oriented residential and commercial.

Staff analyzed county land use districts and zoning districts in the city of Beaverton to determine the districts or zones that could accommodate the applicant's proposed uses. The table below illustrates the county districts and city zones that would allow the type of retail commercial and residential development that the applicant has proposed. For this reason, the market study analyzed only lands with the designations shown below.

	Washington County Plan Designations	Beaverton Zoning Districts
Commercial	<ul style="list-style-type: none"> ▪ Transit Oriented – Retail Commercial (TO:RC) ▪ General Commercial (GC) ▪ Neighborhood Commercial (NC) ▪ Office Commercial (OC) 	<ul style="list-style-type: none"> ▪ Station Area – Multiple Use (SA-MU) ▪ Station Community – Multiple Use (SC-MU) ▪ Community Service (CS) ▪ Convenience Service (CV) ▪ General Commercial (GC) ▪ Neighborhood Service Center (NS)
Residential	<ul style="list-style-type: none"> ▪ Transit Oriented Residential District, 18-24 units per acre (TO:R18-24) ▪ Residential 24 units per acre District (R-24) 	<ul style="list-style-type: none"> ▪ Station Area – Medium Density Residential (SA-MDR) ▪ Urban High Density (R1) ▪ Urban Medium Density (R2)

Availability of Alternative Sites: The market study identified both vacant properties and existing available retail locations featuring the appropriate commercial or residential designations. The primary trade area established the location criteria for the proposed use, and the study described the size needed for each type of use. The applicant desires to construct an approximately 60,000 square foot retail center comprised of multiple structures, parking areas and open space. According to the applicant, the acreage needed to accommodate its proposed retail center is 7.77 acres. Smaller or larger commercial properties could also accommodate approximately 60,000 square feet of retail space using a different building and site design. After subtracting the 4.84 acres from the subject property that would remain R-9, 13.3 acres would be designated TO:R18-24 if the plan amendment were approved. The 13.3 acres could accommodate between 239 and 319 dwelling units under the TO:R18-24 designation. Staff finds that the acreage requirements described by the applicant are reasonable. After taking into account size and location criteria, a total of 5 sites were found to be alternative sites to the subject property. Of the five sites, one site was deemed an appropriate alternative for the residential component of Murray Village; four sites could potentially function as alternatives for the commercial element of the proposal.

Residential Alternatives The applicant analyzed parcels within the market area that had the following designations – TO:R18-24 and R-24 (county land use districts) and SA-MDR, R1 and R2 (Beaverton city zoning). Taking into account the 13.3 acre size of the proposed TO:R18-24 area on the site, the applicant's initial submittal found one appropriately designated site large enough to be considered as an alternative site. This site is known as the Panzer Nursery site. Since its initial submittal, the applicant has provided a letter from the property owner of the Panzer Nursery site stating the site is not available for development. Staff therefore concludes there are **no** available alternative residential sites.

Commercial Alternatives The applicant's market study identified four potential alternatives for the retail commercial element of the plan amendment request.

Triangle at Baseline and 170th Avenue: This vacant site is comprised of six parcels totaling 8.33 acres. The properties were recently annexed to the city of Beaverton and are currently designated "Interim Washington County Zoning". Prior to annexation, the properties were designated TO:RC. The applicant provided a letter

from the owner of two parcels within this site (totaling 6.1 acres) indicating that the properties were not available for purchase or development by third parties. Staff finds that without those two properties, the site does not meet the size requirements and is therefore not considered an available alternative site.

Nike (southwest corner of Murray Boulevard and Jenkins Road): This vacant 74-acre site is designated Station Community – Multiple Use and is within the city limits of Beaverton. The applicant provided a letter from Nike indicating that the company intends to use the land for future expansion and does not intend to sell the property in the foreseeable future. Therefore, staff finds that this site is not an available alternative site.

Town Square Too, LLC (Peterkort property): This vacant 9.3-acre property was recently annexed to Beaverton and is located north of Highway 26, on the southwest corner of the intersection of Cedar Hills Boulevard and Barnes Road. Prior to annexation, the property was designated TO:RC. Beaverton zoning has not yet been applied to the property. The applicant submitted a letter from the property's owner stating that the owner does not intend to sell the parcel now or in the foreseeable future. Therefore, staff finds that this site is not an available alternative site.

DeCal Oregon, Inc. (southwest corner of Murray Boulevard and Jenkins Road): This vacant site is 9.3 acres and zoned Station Community – Multiple Use. It is located in Beaverton. The applicant provided evidence that certain restrictions exist on the site to limit the amount of developable land available. Namely, the site is part of a grove of trees that designated as Class A Wildlife Habitat by Metro and the city of Beaverton. In addition, developable land on the site would be decreased further by wetland mitigation, right of way dedication for a future three-lane collector and restrictive covenants on the land requiring a 10-foot buffer between the parcel and adjacent properties. The applicant states that the developable acreage after accounting for mitigation of the items listed above would be 6.21 acres, which is less than the 7.77 acres requested by the applicant on the subject property.

Staff assessed the uses and intensity of development allowed within the TO:RC district as well as within Beaverton's SC-MU zone. Both TO:RC and SC-MU allow multi-story development that would allow the applicant to meet square footage targets for commercial development within a smaller footprint. The plan amendment process does not adopt site plans for development, and staff is therefore unable to distinguish between single-story commercial development surrounded by surface parking from multi-story buildings with first floor retail and underground parking.

The July 13, 2007 staff report concluded that the applicant had failed to adequately demonstrate that there was a lack of available appropriately-designated sites within the identified market study area for the proposed commercial use. Staff determined that the vacant 9.3-acre DeCal property located on the southwestern corner of Murray Boulevard and Jenkins Road was appropriately zoned and could accommodate a comparable intensity of development to the county's TO:RC District.

Based on written and verbal testimony submitted at the hearing, the Planning Commission determined that the DeCal site was constrained by a variety of factors and therefore could not be developed in the same manner as the requested 7.77-acre TO:RC designation for the subject property. Specifically, the DeCal site would be subject to right-of-way dedications and tree protection standards that would reduce the developable land area below what would be considered comparable to the 7.77-acre TO:RC request on the subject property. For this reason, the Planning Commission finds that the application has satisfied Policy 1.

B. Policy 35, Residential Conservation, states:

It is the policy of Washington County to encourage a reduction in residential energy consumption and increase opportunities for production of energy from alternative sources.

Response: The July 13, 2007 staff report stated that the provision of second-story residential units in only two of the six proposed retail commercial buildings did not satisfy Policy 35. At the hearing, the applicant provided a memorandum from Greg Mitchell of LRS Architects Inc. dated July 18, 2007. The memo stated that vertical mixed-use buildings in the Murray Village development would provide for energy efficiency through the use of common walls/ceilings and shared building systems.

The memo further stated that the remaining single use buildings would meet or exceed 2007 International Building Code (IBC) state-mandated standards for energy efficiency. Though providing a "central plant" for a project of the size described in this plan amendment application is not economically feasible, the applicant will review options for efficient "day lighting" techniques, energy efficient building environment climate controls and enhanced building envelope performance.

For these reasons, the Planning Commission finds that the application has satisfied Policy 35.

C. Policy 36, Commercial Conservation, states:

It is the policy of Washington County to encourage energy-saving building practices in existing and future commercial structures.

Response: The July 13, 2007 staff report recommended denial because staff found that the applicant needed to provide additional evidence demonstrating the detached building designs were at least as energy efficient as attached buildings. For the same reasons listed in the discussion for Policy 35, above, the Planning Commission finds that the application has satisfied Policy 36.

D. Policy 40, Regional Planning Implementation, states:

It is the policy of Washington County to help formulate and locally implement Metro's regional growth management requirements in a manner that best serves existing and future residents and businesses.

Response: The Planning Commission reviewed staff's findings in the July 13, 2007 staff report and disagreed with staff's findings regarding the request's compliance with Metro's growth management plan. The Commission found that the proposed plan amendment met the criteria for Metro's Transit Corridor design type because Metro's criteria calls for a mix of complementary land uses, including rowhouses, duplexes, apartments, office and retail buildings.

The Commission determined that the Murray Boulevard corridor does not feature a preponderance of retail commercial development, but rather a mix of retail and employment uses. The Commission did not believe that the addition of retail commercial land on the subject property would result in strip retail commercial along Murray Boulevard or to cause the Murray/Jenkins intersection to be dominated with retail and office uses. There is no additional commercial development along Murray Boulevard in the vicinity and the only commercial development is far to the north (at SW Walker and beyond) and a mile to the

south (K-Mart at Tualatin Valley Highway). For these reasons, the Planning Commission finds that the application has satisfied Policy 40.

III. SUMMARY AND CONCLUSIONS

1. Based on the location criteria of Policy 18 and other policies of the Comprehensive Framework Plan for the Urban Area, the Planning Commission concludes that the TO:RC and TO:R18 – 14 Districts are the most appropriate designations for the subject property.
2. The change in plan designation to TO:RC and TO:R18 – 24 will not “significantly affect” the surrounding planned transportation system and is therefore consistent with the 2020 Transportation Plan and Oregon Administrative Rule 660-012-0060.
3. Local service providers currently can provide an adequate level of public facilities and services to the site. The lone exception is the Beaverton School District, which indicates that development under the proposed designation would “moderately impact” the District’s ability to serve the subject property. The District noted, however, that development under the R-9 designation would result in a greater number of students than the proposed designations of TO:RC and TO:R18 – 24 due to the higher number of multifamily units allowed within those transit oriented districts.
4. The plan amendment to TO:RC and TO:R18 – 24 is consistent with the provisions of the Metro Urban Growth Management Functional Plan.
5. Approval of the plan amendment to TO:RC and TO:R18 – 24 will not significantly affect the county’s compliance with the LCDC Metropolitan Housing Rule and related CFP policies and implementing strategies.
6. The plan amendment is consistent with the provisions of the Cedar Hills – Cedar Mill Community Plan.

IV. RECOMMENDATION

Based on the evidence and findings in the applicant’s submittal, the findings in this addendum staff report, the July 13, 2007 staff report and Attachment A (including Exhibits 1 and 2), the summary and conclusions above, staff recommends approval of the request to change the designation of the subject property from R-9 Residential to TO:RC (7.77 acres) and TO:R18 - 24 (13.3 acres) with the following conditions:

1. Any additional amount over and above the fee deposit submitted with this application which is determined to be owed to the county shall be paid upon receipt of a statement of balance due, consistent with the agreement for payment of fees for quasi-judicial plan amendment application processing previously signed by the owner.
 2. Within 90 days of approval of the plan amendment request, the applicant must provide legal descriptions for the 7.77-acre TO:RC, 13.3-acre TO:R18 – 24 and 4.84-acre R-9 portions of the subject property.
 3. The applicant shall comply with all conditions of Casefile 07-046-AMP.
 4. As part of future development review approval, the applicant shall dedicate 12 feet of additional right-of-way (i.e. to provide 61 feet from centerline) along the subject site’s entire SW Murray Boulevard frontage.
-

Application Materials

- **Murray Village Plan Amendment Application Package Materials** dated June 22, 2006
- **Murray Village Plan Amendment (Revised Application)** dated June 8, 2007
- **Transportation Review Memo** from Marc Butorac & Alek Pochowski, Kittelson & Associates to Gregg Leion & Jinde Zhu, Washington County, dated June 4, 2007
- **Updated Transportation Planning Rule Compliance Evaluation** from Marc Butorac & Alek Pochowski, Kittelson & Associates to Gregg Leion & Phil Healy, Washington County, dated May 10, 2007
- **Access Management Plan Addendum** from Marc Butorac & Alek Pochowski, Kittelson & Associates to Phil Healy & Jinde Zhu, Washington County, dated March 21, 2007
- **Updated Transportation Planning Rule Compliance Evaluation** from Marc Butorac & Alek Pochowski, Kittelson & Associates to Phil Healy & Jinde Zhu, Washington County, dated March 2, 2007
- **SW Bardeen Drive – Site-Access/SW Jenkins Road Unsignalized Operations Memo** from Marc Butorac & Alek Pochowski, Kittelson & Associates to Jinde Zhu, Washington County, dated March 2, 2007
- **Threshold Year Comparison Analysis** from Marc Butorac & Alek Pochowski, Kittelson & Associates to Gregg Leion, Washington County, dated January 23, 2007
- **Access Management Plan and Signal Progression Analysis** from Marc Butorac, Elizabeth Wemple & Alek Pochowski, Kittelson & Associates to Jinde Zhu, Washington County, dated December 13, 2006
- **Murray Village Mixed Use Development: Notice of Incomplete Application Response** from Kittelson & Associates to Gregg Leion, Washington County, dated December 11, 2006
- **Murray Village Mixed Use Development: Notice of Incomplete Application Response** from Elizabeth Wemple & Alek Pochowski, Kittelson & Associates to Gregg Leion, Washington County, dated November 2, 2006
- **Murray Village Transportation Impact Analysis** from Kittelson & Associates, Inc., prepared for WRG Design, dated September 2006



July 18, 2007

Washington County Planning Commissioners
Washington County
155 North First Ave., Room 350
Hillsboro, OR 97124

**RE: Murray Village Plan Amendment
Response to July 18 Staff Report, Policies 1, 36, and 40**

Dear Commissioners,

Washington County staff members have recommended denial of the Murray Village plan amendment based on policies 1, 36 and 40 of the Comprehensive Framework Plan. This letter provides additional information and demonstrates compliance with each policy.

Policy 1.f.2: In the Staff Report for July 18, staff identified one potential alternative site that could accommodate the proposed Murray Village project. This site is located at the southwest corner of Murray Boulevard and Jenkins Road (referred to as the DeCal site).

The staff report notes on Page 23 that this policy requires the applicant to demonstrate that "there are no other available alternative commercial sites." The Policy does not actually use the word "available." It is irrelevant under the policy's language whether sites are available or not. Per this Policy, the DeCal site is not a suitable alternative because it is not suitably designated and is not a suitable size. The DeCal site therefore does not meet the criterion stated in Policy 1 Implementation Strategy f.2.

At just over 6 acres of buildable area, the DeCal site is not of a suitable size to allow for the 25-acre mixed-use, redevelopment project envisioned for the Murray Village site. It is designated with a Beaverton zoning designation (SCMU), which requires higher intensity development than the TO-RC while simultaneously restricting the size of single uses, such as the small grocer/delicatessen proposed for the Murray Village project. Due to its location and configuration, the DeCal site will not be allowed direct access to Murray Boulevard or Jenkins Road. The site does not have visibility from adjacent streets due to tree protection measures that must be undertaken to prevent impacts to a Significant Tree Grove designation. Development of the DeCal site at the minimum required intensity (FAR) would necessitate substantial negative impacts to Class A Wildlife Habitat, a jurisdictional wetland, and would require removal of over 1,000 trees in a Significant Tree Grove. The DeCal site lacks the essential components necessary for the Murray Village mixed-use redevelopment project; size, access, and visibility. Without these components, the DeCal site cannot accommodate the cohesive, mixed-use community envisioned in the Murray Village proposal. It is not a suitable alternative site.

Conversely, the proposed Murray Village site is large enough to accommodate all the components necessary for a successful mixed-use, pedestrian/transit-oriented community (7.77 commercial acres and 13.3 residential acres). The Murray Village site is a recently vacated manufactured home park, and an infill site on which new development will not impact any significant habitat, trees, or wetlands. Washington County staff has recently approved direct vehicle access to the Murray Village site via a signal on Jenkins Road and a right-in/right-out access on Murray Boulevard and thus the site possesses critical access points (AMP-070016). The Murray Village site allows for a residential and commercial mixed-use community that fulfills Washington County policies seeking to decrease sprawl, decrease travel needs, support transit, provide housing and employment, and encourage infill and revitalization of older areas.



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Policy 36: The July 18 Staff Report recommends denial of the plan amendment, citing compliance with Policy 36, which "*encourages cluster development of mixed uses, with a variety of commercial, office, residential uses, to promote energy conservation and allow more efficient centralized energy systems.*" Staff states that the applicant "needs to provide information that demonstrates the designs of the detached building are at least as energy efficient as attached buildings." It is worth noting that Policy 36 also states: "*Additionally, significant energy savings could be achieved through a reduction of vehicle miles traveled for commercial purposes.*"

Although the Applicant has demonstrated that the proposed plan amendment exemplifies clustered development of mixed uses, specific building design is not typically addressed as part of a plan amendment. Rather the Washington County Development Code implements regulations pertaining to specific building design through the Development Review process.

Nonetheless, the Applicant intends to employ techniques to address further energy savings. The attached memo from LRS Architects addresses the possible design techniques. Two of the six commercial buildings are planned to be mixed use vertically, providing energy efficiency with common walls/ceilings and shared building systems. The four buildings to be exclusively for commercial uses will meet or exceed 2007 IBC state mandated standards for energy efficiency. The applicant will review options for efficient "daylighting" techniques, energy efficient building environment controls, and enhanced building envelope performance.

An infill redevelopment proposal that situates neighborhood commercial uses along two transit corridors, and within close walking distance to two major employers and thousands of neighbors not only achieves significant energy savings, but also maximizes public investment in transportation infrastructure and essential facilities, such as water, sewer and stormwater.

Policy 40: The July 18 Staff report recommends denial of the plan amendment, citing compliance with Policy 40, which is to "*locally implement Metro's regional growth management requirements in a manner that best serves existing and future residents and businesses.*" The Staff report Cites the 2040 Growth Concept Design Types, stating that the site is designated as a Neighborhood Design Type and Murray Boulevard is a Transit Corridor.

The 2040 Metro Growth Concept Map identifies both Murray and Jenkins as "Corridor" design type. Further, the Washington County Comprehensive Framework Plan asserts that the Corridor design type extends 360 feet from the centerline of the road. The Murray Village mixed-use commercial and residential area falls mostly within this 360-foot boundary. Thus, the Murray Village proposal fulfills the Corridor design type, as it includes "*a mix of complementary land uses, including...mixed commercial and residential uses,*" a stated goal of the policy. Policy 40 further states: "*Mixed-use development will enhance the vitality of businesses since they can provide services for employees during the day and goods and services to area residents during the evening.*" The Murray Village proposal implements the 2040 Metro Growth Concept, and thus Policy 40 by proposing a mixed-use neighborhood node at the corner of Murray and Jenkins, which contains a mix of neighborhood commercial and residential uses within walking distance of thousands of employees and residents in the vicinity.

Based on the information provided in this letter demonstrating compliance with Policies 1, 36 and 40, the Applicant respectfully requests that the Planning Commission approve the Murray Village plan amendment to allow for a pedestrian-friendly, mixed-use infill project to move forward.

Sincerely,
WRG Design, Inc.

Susan Davis
Senior Planner

cc: File (KLP5061.DD3)



DeCal site		Murray Village Site
Size	6.21* acres	25.9 acres (7.77 commercial)
Designation:	SCMU	TO:RC
Jurisdiction:	City of Beaverton	Washington County
Status	Vacant Greenfield	Vacant infill site (vacated manufactured home park)
Natural Resources	<p>The site is listed as Class A Wildlife Habitat by Metro and the City of Beaverton.</p> <p>The site is designated as a Significant Tree Grove #42, also known as Tech Woods Area 4. The site was inventoried and assessed by the City of Beaverton in the 1990 Arboricultural Report for Tech Woods</p> <p>Area 4 contains a "dense and large" Grand Fir grove, identified in the Arboricultural Report as "the most extensive stand of Grand Fir that I have seen in my investigations of natural resource areas in the Beaverton area." The site contains Douglas Fir, Ponderosa Pine, Oregon White Oak, and a significant Oak/Ash grove.</p> <p>Trees at the corner of Jenkins Road and Murray Boulevard must be protected, per Beaverton Code Section 20.20.90.B.1.A Natural Resource Protection Enhancement for the Beaverton Creek Station Area District, "Protect clusters of grand fir and douglas-fir in the north central area near Jenkins and near the Jenkins and Murray intersection."</p> <p>There is a jurisdictional wetland located in the southern portion of the site</p> <p>Per the Covenants (attached), there is a 10-foot buffer required between the site and all adjacent properties</p> <p>The City of Beaverton Transportation System Plan identifies a future 3-lane collector along the southern edge of the site (minimum of 74-foot right-of-way, which could be wider to accommodate additional turn lanes)</p> <p>Vehicle access is not allowed directly from Jenkins or Murray, per Washington County staff responses to previous proposals on the site.</p>	No identified Natural Resources
Right-of-way dedication		Washington County right-of-way dedications totaling 0.48 acre have been removed from the site's buildable area.
Vehicle Access		Two critical access locations were approved by Washington County (Case # 07-0016); one full-motion access on Jenkins Road and one right-in/right-out access on Murray Boulevard.

*Represents net acreage after removing area set aside for tree preservation and right-of-way dedication. Gross acreage is 9.6 acres.

M E M O R A N D U M

To: Susan Davis - Planner WRG Design
5415 SW Westgate Dr - Suite 100 Portland, Oregon

From: Greg Mitchell

Project: Murray Mixed Use Project Project number: 206227

Date: Wednesday, July 18, 2007

Re: Response to Development Standards

In regard to the Washington County's policy encouraging cluster development of mixed uses, and promotion of energy conservation and to allow more efficient centralized energy systems" we offer the following:

1. The Murray Village includes commercial and residential uses that are spatially arranged in a clustered fashion on one site,"a village. "
 - a. This close arrangement of commercial and residential uses will help to discourage the use of vehicular trips from the Village medium and low density residential uses to commercial uses off-site.
 - b. Murray Village has also been designed to provide vehicular and pedestrian access to existing single family residential uses north and west of the project, thus providing those residents easy pedestrian access to neighborhood commercial services.
2. Two of the six commercial building are planned to be mixed use vertically, with housing over retail space providing energy efficiency with common walls/ceilings and shared building systems.
3. The remaining single-use commercial buildings are not excessive in massing, height and length. This was done to provide commercial buildings along the Murray and Jenkins frontages that will be in scale with the medium and single family dwelling structures at the interior of the project and adjoining the site. We understand any buildings at the corner of Murray and Jenkins should be prominent architecturally and we have achieved this by horizontally interrupting the view of building walls from each of the streets and their sidewalks. In addition, arrangement of buildings proposed, create outdoor courtyard spaces for an enhanced pedestrian experience and opportunity for active uses.
4. These single use buildings will meet or exceed 2007 IBC state mandated standards for energy efficiency. The applicant will review options for efficient "day lighting" techniques, energy efficient building environment climate controls, and enhanced building envelope performance. Providing a "central plant" for a project of this size is not currently economically viable.

Copies to: File No.206227

SUMMARY OF DECISION

Sawara Property Group, LLC applied to Washington County for a plan amendment to change the plan designation for three parcels totaling approximately 26 acres from R-9 Residential to a mix of TO:RC - Transit Oriented Retail Commercial (7.7 acres), TO:R18-24 – Transit Oriented Residential, 18-24 units per acre (13.3 acres), and R-9 Residential (4.84 acres). The properties are more specifically described as tax lot 1500 of tax map 1S109BB and tax lots 1000 and 1400 of tax map 1S109BB.

At its hearing on July 18, 2007, the Washington County Planning Commission voted 8-1 to tentatively approve the plan amendment application and directed the applicant to work with staff to develop additional findings and appropriate conditions of approval. On September 19, 2007, the Planning Commission approved the plan amendment request, subject to the following conditions:

1. Any additional amount over and above the fee deposit submitted with this application which is determined to be owed to the county shall be paid upon receipt of a statement of balance due, consistent with the agreement for payment of fees for quasi-judicial plan amendment application processing previously signed by the owner.
2. Within 90 days of approval of the plan amendment request, the applicant must provide legal descriptions for the 7.77-acre TO:RC, 13.3-acre TO:R18 – 24 and 4.84-acre R-9 portions of the subject property.
3. The applicant shall comply with all conditions of Casefile 07-046-AMP.
4. As part of future development review approval, the applicant shall dedicate 12 feet of additional right-of-way (i.e. to provide 61 feet from centerline) along the subject site's entire SW Murray Boulevard frontage.