



Oregon

Theodore R. Kubongski, 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



NOTICE OF ADOPTED AMENDMENT

3/5/2010

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Beaverton Plan Amendment
DLCD File Number 022-09

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: Thursday, March 18, 2010

This amendment was submitted to DLCD for review 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 Acknowledgment or 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. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Leigh Crabtree, City of Beaverton
Gloria Gardiner, DLCD Urban Planning Specialist
Jennifer Donnelly, DLCD Regional Representative
Angela Lazarean, DLCD Urban Planner

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

In person electronic mailed

DEPT OF

FEB 26 2010

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **City of Beaverton**

Local file number: **CPA2009-0016**

Date of Adoption: **February 23, 2010**

Date Mailed: **February 25, 2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **October 28, 2009**

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".

Amend Land Use Map designation for multiple (30) tax lots from Neighborhood Residential – Standard Density (NR-SD) to Neighborhood Residential – Medium Density (NR-MD). The properties are currently zoned Urban Medium Density 3,500 Square Feet Per Dwelling Unit (R3.5) and developed with an approximate average of 3,880 square feet per dwelling unit as duplexes, townhomes and condominiums. Amending the Land Use Map from NR-SD to NR-MD will align the Land Use designation and Zoning Map districts reflective of existing development of the properties.

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

Plan Map Changed from: **NR-SD**

to: **NR-MD**

Zone Map Changed from:

to:

Location: **SW Bel Aire Drive / Lane, North of Hall Blvd., South of Denney Rd.** Acres Involved: **approx 4.6**

Specify Density: Previous: **3,500 sf per dwelling unit** New: **3,500 sf per dwelling unit**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
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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. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Metro, Washington County, Tualatin Hills Park and Recreation District, Vose NAC

Local Contact: **Leigh M Crabtree**

Phone: **(503) 526-2458** Extension:

Address: **4755 SW Griffith Drive, PO Box 4755**

Fax Number: **503-526-3720**

City: **Beaverton, OR**

Zip: **97076-4755**

E-mail Address: **lcrabtree@ci.beaverton.or.us**

DLCD File No. 022-09 (17928) [16015]

ORDINANCE NO. 4529

AN ORDINANCE AMENDING ORDINANCE NO. 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP FOR PROPERTY LOCATED IN THE GENERAL VICINITY OF THE EAST SIDE OF SW BEL AIRE DRIVE/SW BEL AIRE LANE SOUTH OF FANNO STREET; CPA 2009-0016, BEL AIRE LAND USE MAP AMENDMENT

WHEREAS, the intent of the proposed amendment to the Comprehensive Plan Land Use Map is to correct the designation on properties for which the Comprehensive Plan designation was incorrectly applied; and

WHEREAS, on January 6, 2010, the Planning Commission held a public hearing on the City's request to reassign the Comprehensive Plan Land Use Map designation for properties that carry the wrong land use designation as depicted on the Comprehensive Plan Land Use Map. A mapping error occurred in the 1990's that incorrectly depicted the properties as within the Neighborhood Residential-Standard Density (NR-SD) designation. The historically legislated designation is Neighborhood Residential-Medium Density (NR-MD). The proposed amendment assigns the NR-MD designation and also provides consistency with the existing zoning district of Urban Medium Density Residential, 3,500 square feet per dwelling unit (R3.5). The Planning Commission voted to approve the request as submitted; and

WHEREAS, the Council incorporated by reference the Community Development Department staff report on CPA 2009-0016 by Associate Planner Leigh M. Crabtree, dated December 9, 2009; and now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 4187, the Comprehensive Plan Land Use Map, is amended to designate the subject properties located in the general vicinity of the east side of SW Bel Aire Drive/SW Bel Aire Lane, South of Fanno Street, Neighborhood Residential-Medium Density (NR-MD) on the Comprehensive Plan Land Use Map, as shown on Exhibit "A". The parcels are identified as Tax Lots 00191, 00192, 00193, 00194, 00195, 00196, 00197, 00198, 09018, 09022, 09100, 90000, 90001, 90002, 90003, 90004, 90005, 90006, 90007, 90008, 90009, 90010, 90011, 90012, 90013, 90014, 90015, 90016 on Washington County Tax Assessor's Map 1S122CD and Tax Lots 02307, 02308 on Washington County Tax Assessor's Map 1S122DB.

First reading this 8th day of February, 2010.

Passed by the Council this 22nd day of February, 2010.

Approved by the Mayor this 23rd day of February, 2010.

ATTEST


SUE NELSON, City Recorder

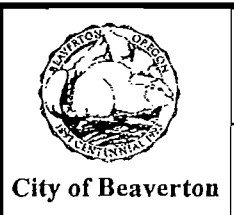
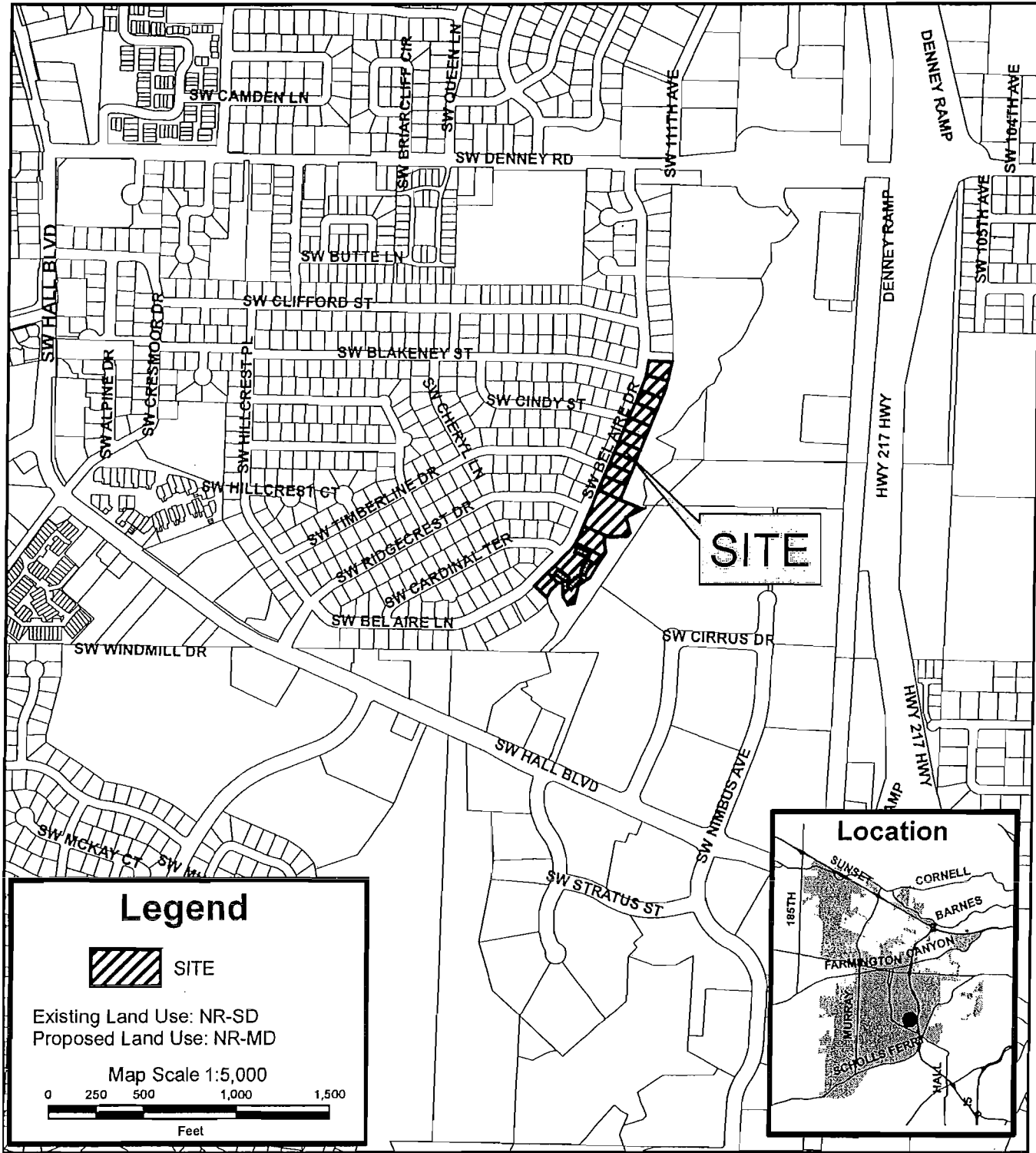
APPROVED:


DENNY DOYLE, Mayor

VICINITY MAP

BEAVERTON
MAPBOOK
PAGE 105

EXHIBIT "A"



BEL AIRE LAND USE MAP AMENDMENT

**COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division**

10/27/09 N
Tax Lot #'s
VARIOUS

Application #
CPA2009-0016

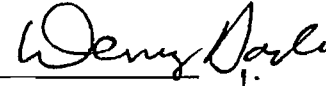
AGENDA BILL

**Beaverton City Council
Beaverton, Oregon**


SUBJECT: An Ordinance Amending Ordinance No. 4187, Figure III-1, the Comprehensive Plan Land Use Map for Property Located in the General Vicinity of the East Side of SW Bel Aire Drive / SW Bel Aire Lane South of Fanno Street; CPA 2009-0016, Bel Aire Land Use Map Amendment

FOR AGENDA OF: 02-08-2010 **BILL NO:** 10030

Mayor's Approval:



DEPARTMENT OF ORIGIN:

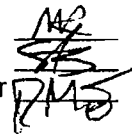
CDD 

DATE SUBMITTED:

01-26-2010

CLEARANCES:

City Attorney
Planning
Asst. to Mayor



PROCEEDING: ORDINANCE (First Reading)

EXHIBITS:

1. Ordinance
2. Land Use Order 2180
3. Draft Planning Commission Minutes 1-6-2010
4. Planning Commission Staff Report

BUDGET IMPACT

EXPENDITURE REQUIRED\$0	AMOUNT BUDGETED\$0	APPROPRIATION REQUIRED \$0
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RECOMMENDED ACTION:

First reading of ordinance.

HISTORICAL PERSPECTIVE:

On January 6, 2010, the Planning Commission conducted a public hearing to consider Comprehensive Plan Amendment 2009-0016, Bel Aire Land Use Map Amendment. The City of Beaverton initiated the Comprehensive Plan Land Use Map Amendment in order to change the land use designation of 30 tax lots from Neighborhood Residential – Standard Density (NR-SD) to Neighborhood Residential – Medium Density (NR-MD). All 30 of the properties are currently zoned Urban Medium Density 3,500 Square Feet per Dwelling Unit (R3.5). The properties were once designated on the land use map as NR-MD, and staff research did not discover an ordinance adopting the NR-SD land use designation. Staff's conclusion is that a mapping error occurred. The Planning Commission recommends approval of CPA 2009-0016 to the Beaverton City Council.

INFORMATION FOR CONSIDERATION:

The Planning Commission record is attached to this agenda bill for Council consideration.

Agenda Bill No: 10030

ORDINANCE NO. 4529

AN ORDINANCE AMENDING ORDINANCE NO. 4187, FIGURE III-1, THE COMPREHENSIVE PLAN LAND USE MAP FOR PROPERTY LOCATED IN THE GENERAL VICINITY OF THE EAST SIDE OF SW BEL AIRE DRIVE/SW BEL AIRE LANE SOUTH OF FANNO STREET; CPA 2009-0016, BEL AIRE LAND USE MAP AMENDMENT

WHEREAS, the intent of the proposed amendment to the Comprehensive Plan Land Use Map is to correct the designation on properties for which the Comprehensive Plan designation was incorrectly applied; and

WHEREAS, on January 6, 2010, the Planning Commission held a public hearing on the City's request to reassign the Comprehensive Plan Land Use Map designation for properties that carry the wrong land use designation as depicted on the Comprehensive Plan Land Use Map. A mapping error occurred in the 1990's that incorrectly depicted the properties as within the Neighborhood Residential-Standard Density (NR-SD) designation. The historically legislated designation is Neighborhood Residential-Medium Density (NR-MD). The proposed amendment assigns the NR-MD designation and also provides consistency with the existing zoning district of Urban Medium Density Residential, 3,500 square feet per dwelling unit (R3.5). The Planning Commission voted to approve the request as submitted; and

WHEREAS, the Council incorporated by reference the Community Development Department staff report on CPA 2009-0016 by Associate Planner Leigh M. Crabtree, dated December 9, 2009; and now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 4187, the Comprehensive Plan Land Use Map, is amended to designate the subject properties located in the general vicinity of the east side of SW Bel Aire Drive/SW Bel Aire Lane, South of Fanno Street, Neighborhood Residential-Medium Density (NR-MD) on the Comprehensive Plan Land Use Map, as shown on Exhibit "A". The parcels are identified as Tax Lots 00191, 00192, 00193, 00194, 00195, 00196, 00197, 00198, 09018, 09022, 09100, 90000, 90001, 90002, 90003, 90004, 90005, 90006, 90007, 90008, 90009, 90010, 90011, 90012, 90013, 90014, 90015, 90016 on Washington County Tax Assessor's Map 1S122CD and Tax Lots 02307, 02308 on Washington County Tax Assessor's Map 1S122DB.

First reading this _____ day of _____, 2010.

Passed by the Council this _____ day of _____, 2010.

Approved by the Mayor this _____ day of _____, 2010.

ATTEST:

APPROVED:

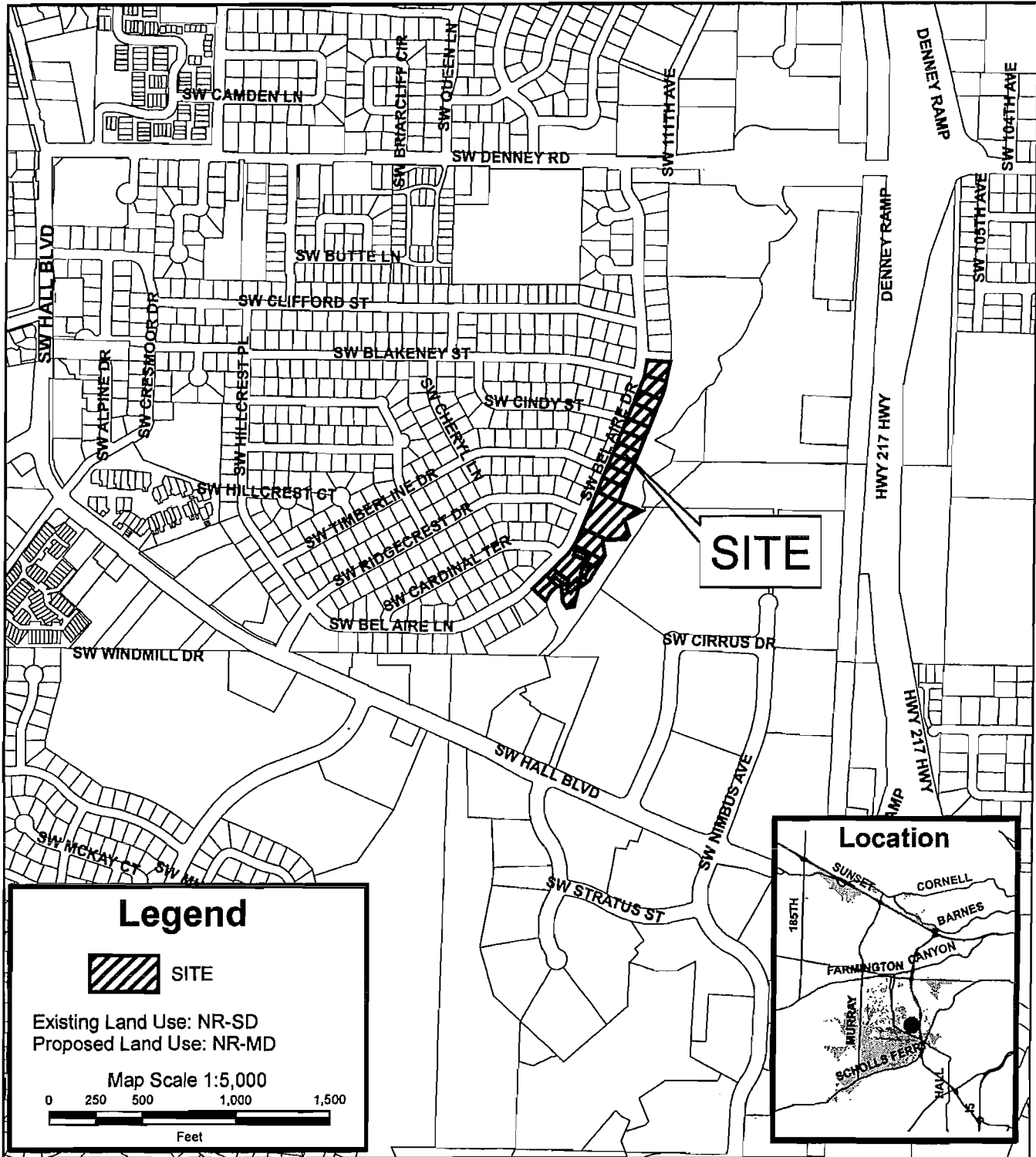
SUE NELSON, City Recorder

DENNY DOYLE, Mayor

VICINITY MAP

BEAVERTON
MAPBOOK
PAGE 105

EXHIBIT "A"



City of Beaverton

BEL AIRE LAND USE MAP AMENDMENT

COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division

10/27/09

Tax Lot #'s
VARIOUS

Application #

CPA2009-0016

N



**BEFORE THE PLANNING COMMISSION FOR
THE CITY OF BEAVERTON, OREGON**

IN THE MATTER OF CPA2009-0016, A) ORDER NO. 2180
REQUEST TO AMEND THE) APPROVING REQUEST
COMPREHENSIVE PLAN APPLICABLE TO)
PROPERTIES LOCATED ON THE EAST SIDE)
OF SW BEL AIRE DRIVE/SW BEL AIRE)
LANE, SOUTH OF FANNO STREET (BEL)
AIRE LAND USE MAP AMENDMENT). CITY)
OF BEAVERTON, APPLICANT.)

The matter came before the Planning Commission on December 16, 2009, and continued to January 6, 2010, on the City's request for an amendment to the City's Comprehensive Land Use Map to change multiple (30) tax lots from Neighborhood Residential – Standard Density (NR-SD) to Neighborhood Residential – Medium Density (NR-MD). The properties are currently zoned Urban Medium Density 3,500 Square Feet per Dwelling Unit (R3.5) and developed with an approximate average of 3,880 square feet per dwelling unit with single-family dwellings, duplexes, townhomes, and condominiums. Amending the Land Use Map from NR-SD to NR-MD will align the Land Use Map designation with the Zoning Map district to reflect the existing development of the properties and historical land use designations. No new development on the property is proposed as a part of this application. The proposal provides for these changes applicable to properties located along the east side of SW Bel Aire Drive/SW Bel Aire Lane, South of Fanno Street 7420, 7450, 7460/7470, 7520/7530, 7550/7560,

ORDER NO. 2180 Page 1 of 3

7570/7580, 7590/7600, 7620/7630, 7650/7660, 7670/7680, 7720 (1-12), 7750 (1-4) SW Bel Aire Drive and 11180, 11184, 11188, 11182, 11200, 11204, 11208, 11212, 11224, 11228, 11232, 11240, 11244, 11248, 11252, 11290/11294 SW Bel Aire Lane. The affected Washington County Map and Tax Lot's are attached as Exhibit A.

Pursuant to Ordinance 4187 (Comprehensive Plan), Section 1.5.1, the Planning Commission conducted a public hearing and considered testimony and exhibits.

During the hearing staff noted an error in the Staff Report dated December 9, 2009; namely an inconsistent reference of the zoning district for the subject properties as R2 rather than R3.5 in various locations within the document. Staff further clarified that public notice for the application cited the R3.5 zoning of the subject properties:

The Planning Commission adopts the Staff Report dated December 9, 2009, as amended, correcting the error noted above, as to the applicable criteria contained in Section 1.5.1 of the Comprehensive Plan and findings thereon; now, therefore:

IT IS HEREBY ORDERED that CPA2009-0016 is **APPROVED** based on the facts and findings of the Planning Commission on January 6, 2010.

Motion **CARRIED** by the following vote:

AYES: Maks, Stephens, Bobadilla, Johansen, Overhage,
and Winter.
NAYS: None.
ABSTAIN: None.
ABSENT: None.

Dated this 14th day of January, 2010.


To appeal the decision of the Planning Commission, as articulated in
Land Use Order No. 2180, an appeal must be filed on an Appeal form
provided by the Director at the City of Beaverton Community Development
Department's office by no later than 5:00 p.m. on
Monday, January 25, 2010.


PLANNING COMMISSION
FOR BEAVERTON, OREGON

ATTEST:


LEIGH CRABTREE
Associate Planner

APPROVED:


SCOTT WINTER
Chairman


STEVEN SPARKS/AICP
Planning Division Manager

CPA2009-0016 Bel Aire Land Use Map Amendment
Washington County Assessor's Map & Tax Lot Numbers

Assessor Map: 1S122CD

Tax Lots: 00191, 00192, 00193, 00194, 00195, 00196, 00197, 00198, 09018, 09022, 09100, 90000,
90001, 90002, 90003, 90004, 90005, 90006, 90007, 90008, 90009, 90010, 90011, 90012,
90013, 90014, 90015, 90016

Assessor Map: 1S122DB

Tax Lots: 02307, 02308

DRAFT

EXHIBIT 3

PLANNING COMMISSION MINUTES

January 6, 2010

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CALL TO ORDER: Chairman Scott Winter called the meeting to order at 6:30 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman Scott Winter; Planning Commissioners Melissa Bobadilla, Eric Johansen, Dan Maks, Kim Overhage, and Ric Stephens.

Community Development Director Don Mazziotti, Principal Planner Steven Sparks, AICP, Senior Planner John Osterberg, Senior Planner Scott Whyte, Associate Planner Leigh Crabtree, Associate Planner Laura Kelly, Assistant City Attorney Bill Scheiderich, and Recording Secretary Sheila Martin represented staff.

The meeting was called to order by Chairman Winter, who presented the format for the meeting.

VISITORS:

Chairman Winter asked if there were any visitors in the audience wishing to address the Commission on any non-agenda issue or item. There were none.

STAFF COMMUNICATION:

Staff indicated that there were no communications at this time.

OLD BUSINESS:

Chairman Winter opened the Public Hearing and read the format for Public Hearings. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items, to participate in the hearing or requested that the hearing be postponed to a later date.

1 He asked if there were any ex parte contact, conflict of interest or
2 disqualifications in any of the hearings on the agenda. There was no
3 response.

4
5 Chairman Winter announced that both CPA 2009-0015 – Hillcrest
6 Land Use Map Amendment and CPA 2009-0016 -- Bel Aire Land Use
7 Map Amendment will be heard at the same time.

8
9 **CONTINUANCES:**

10
11 **I. CPA 2009-0015 – HILLCREST LAND USE MAP AMENDMENT**
12 *(Continued from December 16, 2009)*

13 The City of Beaverton is proposing to change the Comprehensive
14 Plan Land Use Map designation for multiple (seven) tax lots from
15 Neighborhood Residential – Standard Density (NR-SD) to
16 Neighborhood Residential – Medium Density (NR-MD). The
17 properties are currently zoned Urban Medium Density 2,000 Square
18 Feet Per Dwelling Unit (R2) and developed with an approximate
19 average of 4480 square feet per dwelling unit as duplexes.
20 Amending the Land Use Map from NR-SD to NR-MD will align the
21 Land Use Map designation and Zoning Map district reflective of the
22 existing development pattern of the properties. No new develop-
23 ment on the property is proposed as a part of this application.

24
25 **II. CPA 2009-0016 – BEL AIRE LAND USE MAP AMENDMENT**
26 *(Continued from December 16, 2009)*

27 The City of Beaverton is proposing to change the Comprehensive
28 Plan Land Use Map designation for multiple (30) tax lots from
29 Neighborhood Residential – Standard Density (NR-SD) to
30 Neighborhood Residential – Medium Density (NR-MD). The
31 properties are currently zoned Urban Medium Density 3,500 Square
32 Feet Per Dwelling Unit (R3.5) and developed with an approximate
33 average of 3,880 square feet per dwelling unit as duplexes,
34 townhomes and condominiums. Amending the Land Use Map from
35 NR-SD to NR-MD will align the Land Use Map designation and
36 Zoning Map district reflective of existing development of the
37 properties. No new development on the property is proposed as a
38 part of this application.

39
40 Chairman Winter provided a brief description of the applicable
41 approval criteria and hearing process for both applications.

42
43 Associate Planner Leigh Crabtree presented the Staff Reports on both
44 proposal and explained that both are located within the Vose

1 Neighborhood and involve a change from Neighborhood Residential
2 Standard Density to Neighborhood Residential Medium Density.
3 Concluding, she offered to respond to questions.

4
5 Observing that he realizes that staff is making corrections to mapping
6 errors, Commissioner Maks pointed out that R-2 does not reflect the
7 existing development pattern of these properties. He questioned why
8 staff had not instead considered a Comprehensive Plan Amendment to
9 a Medium Density Residential along with a zone of R-4.

10
11 Ms. Crabtree responded that this is based partially on legislative
12 history and correcting that history, adding that it will be possible to
13 move forward and make necessary changes in the future. She
14 explained how staff had determined how to make these changes.

15
16 Commissioner Maks noted that he understands staff's rationale,
17 adding that it is also necessary to consider the current development
18 pattern, which matches Residential Medium Density but not R-2.

19
20 On question, Ms. Crabtree informed Chairman Winter that several
21 more of these types of corrections are coming forward.

22
23 Commissioner Bobadilla questioned what prompted staff to want to
24 make these revisions.

25
26 Ms. Crabtree explained how a conflict is created when a
27 Comprehensive Plan designation and a Zoning District don't match
28 and a development is brought forward.

29
30 Commissioner Stephens expressed his opinion that we will be dealing
31 with attempting to increase the city's overall density by 20% over the
32 next 40 to 50 years.

33
34 **PUBLIC TESTIMONY:**

35
36 Observing that she has resided in the Vose Neighborhood for nearly 12
37 years, **RUTH HOMAN** stated that some of her questions have been
38 addressed. Noting that the R-4 zone involves multiple dwellings and
39 increasing population and traffic, she pointed out that she is also
40 concerned with the four-legged residents of the Fanno Creek area.

41
42 **ANITA BROOKS** explained that she has serious concerns with
43 increasing the density of this neighborhood. She pointed out that not
44 only has the density already been increased in one area, there are also

1 plans to do the same directly across from her home. Observing that
2 she and others in the neighborhood are single, she expressed her
3 opinion that higher densities present more of a risk. She mentioned a
4 petition opposing this action, noting that she believes there are 190
5 signatures on this document. Emphasizing that the neighborhood is
6 also very concerned with traffic issues, she noted that there is already
7 a great deal of cut-through traffic in this neighborhood and that it is
8 necessary to provide a safe environment for the children and elderly
9 living there. She discussed the "choke point" at the corner of Nimbus
10 and Hall, adding that some of the elderly residents have actually quit
11 driving because of this intersection. She mentioned her concerns with
12 the possible adverse effect this action could have on the value of her
13 own property and others in the area. Observing that any change from
14 single dwellings to apartments also creates an increase in crime, she
15 pointed out that the neighborhood would be dealing with a different
16 population. She emphasized that she does not see any reason to
17 change what has been there all these years.

18
19 Chairman Winter advised Ms. Brooks that there is no zone change
20 planned and this proposal is merely changing a number on a map.

21
22 Ms. Brooks mentioned that she had been advised that the color on the
23 map had been changed to reflect the concerns of the neighborhood at
24 that time, adding that these concerns involved higher density housing
25 next to the single-owner homes. She pointed out that nothing has
26 changed and the neighbors are still concerned with this issue.

27
28 Observing that he could understand this concern if something was
29 going to change, Chairman Winter reiterated that the underlying
30 zoning would remain the same. He explained that in the early 1980's,
31 someone had changed the color and the number on a map and the
32 Commission is merely attempting to correct this.

33
34 Commissioner Maks clarified that this actually involves a color and
35 that multiple numbers are allowed in every color, noting that the
36 current color allows two different densities, R-7 and R-5, and the
37 change would allow three different densities, R-4, R-3.5, and R-2. He
38 emphasized that although the colors had been changed erroneously
39 sometime between 1983 and 1991, the zone has not changed.

40
41 Ms. Brooks expressed her opinion that this change is not necessary at
42 this time as long as nothing is proposed or planned.

43

1 Commissioner Johansen explained that the Commission would like to
2 make the changes so that the maps are accurate and correctly reflect
3 the underlying zoning.

4
5 Ms. Brooks emphasized that the neighborhood does not want increased
6 density and will oppose any action or development that will add to the
7 traffic problems that already exist in this area.

8
9 Observing that this neighborhood is already zoned at the highest
10 possible density, Chairman Winter assured Ms. Brooks that there will
11 be no development that will increase the traffic.

12
13 Commissioner Maks advised Ms. Brooks that although this property
14 developed at a lower density, it is currently zoned R-2, the highest
15 density, and that apartments are permitted in this neighborhood. He
16 emphasized that there is a difference between what is currently
17 developed and what can be developed.

18
19 Commissioner Bobadilla clarified that even if no action is taken today
20 this neighborhood is already zoned at the highest density and can be
21 developed as such.

22
23 Chairman Winter pointed out that Ms. Brooks has the right to try to
24 have the current zoning changed to a lower density and that he has no
25 information with regard to potential development in the neighborhood.

26
27 Noting that she is no expert with regard to land use or zoning,
28 **CHRISTINA ERICKSON** expressed appreciation for the information
29 she had received. She explained that she had moved into this
30 neighborhood because it appeared to be a pleasant and safe
31 neighborhood, adding that in the six years she has lived here she has
32 noticed a significant increase in the traffic on her dead-end street.

33
34 Commissioner Maks explained that a property owner has the right to
35 develop their property and how this development contributes to the
36 growth of a City.

37
38 Observing that she had purchased her property because of the existing
39 environment, Ms. Erickson pointed out that if she wanted to live in
40 downtown Portland she would have moved there.

41
42 Commissioner Bobadilla encouraged Ms. Erickson to continue to pay
43 attention to the notices she receives and be actively involved.

44

1 Observing that the Commission meets every Wednesday, Chairman
2 Winter noted that they make decisions on a wide array of topics
3 although they rarely receive much input from the public.
4

5 The public portion of the Public Hearing was closed.
6

7 Ms. Crabtree reiterated that there are no zoning changes or
8 developments proposed. She pointed out an error in the Bel Aire Staff
9 Report which references the zoning properties as R2 rather than R3.5
10 in several areas of the document, and clarified that the notice for the
11 proposal cited the R3.5 zoning of the properties.
12

13 Emphasizing that there has been a great deal of angst with regard to
14 these applications that basically involve an administrative action to
15 bring two maps into alignment, Commissioner Johansen pointed out
16 that there is no change to the underlying density of the properties in
17 the neighborhood and that these changes would provide clarification
18 and consistency to the City's mapping and zoning system. Concluding,
19 he expressed his support of both applications.
20

21 Commissioners Stephens, Bobadilla and Overhage concurred with the
22 comments of Commissioner Johansen and expressed support of both
23 proposals.
24

25 Commissioner Maks discussed issues with vehicles speeding through
26 neighborhoods, adding that it is always a good idea to attend and
27 participate in the Neighborhood Association Committee meetings and
28 that he supports both applications.
29

30 Chairman Winter echoed the comments of his fellow Commissioners,
31 adding that he also supports both applications.
32

33 Commissioner Stephens **MOVED** and Commissioner Maks
34 **SECONDED** a motion to **APPROVE** CPA 2009-0015 Hillcrest Land
35 Use Map Amendment, based on the facts and findings presented in the
36 Staff Report dated December 9, 2009.
37

38 Motion **CARRIED** 6:0.
39

40 **AYES:** Stephens, Maks, Bobadilla, Johansen, Overhage, and
41 Winter.
42 **NAYS:** None.
43 **ABSTAIN:** None.
44 **ABSENT:** None.

1 Commissioner Maks **MOVED** and Commissioner Stephens
2 **SECONDED** a motion to **APPROVE** CPA 2009-0016 Bel Aire Land
3 Use Map Amendment, based on the facts and findings presented in the
4 Staff Report dated December 9, 2009, as amended.

5
6 Motion **CARRIED** 6:0.

7
8 **AYES:** Maks, Stephens, Bobadilla, Johansen, Overhage, and
9 Winter.

10 **NAYS:** None.

11 **ABSTAIN:** None.

12 **ABSENT:** None.

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CITY of BEAVERTON

4755 S.W. Griffith Drive, P.O. Box 4755, Beaverton, OR 97076 General Information (503) 526-2222 V/TDD

STAFF REPORT

HEARING DATE: December 16, 2009

TO: Planning Commission

STAFF: Leigh M Crabtree, Associate Planner *wmc*

PROPOSAL: **CPA2009-0016 (Bel Aire Land Use Map Amendment)**

LOCATION: East side of Bel Aire Lane and Bel Aire Drive
From approximately Cardinal Terrace to Fanno Street
Washington County Assessor's Map 1S122CD;
Tax Lots 00191, 00192, 00193, 00194, 00195, 00196, 00197, 00198,
09018, 09022, 09100, 90000, 90001, 90002, 90003, 90004, 90005, 90006,
90007, 90008, 90009, 90010, 90011, 90012, 90013, 90014, 90015, 90016
Washington County Assessor's Map 1S122DB,
Tax Lots 02307, 02308

SUMMARY: The City of Beaverton is proposing to change the Comprehensive Plan Land Use Map designation for multiple (30) tax lots from Neighborhood Residential – Standard Density (NR-SD) to Neighborhood Residential – Medium Density (NR-MD). The properties are currently zoned Urban Medium Density 2,000 Square Feet Per Dwelling Unit (R2) and developed with an approximate average of 3,880 square feet per dwelling unit as single-family, duplexes, townhomes and condominiums. Amending the Land Use Map from NR-SD to NR-MD will align the Land Use Map designation and Zoning Map district reflective of the existing development pattern of the properties. No new development upon these properties is proposed as a part of this application.

APPLICANT: City of Beaverton
Attn: Planning Director
4755 SW Griffith Drive
Beaverton, OR 97076

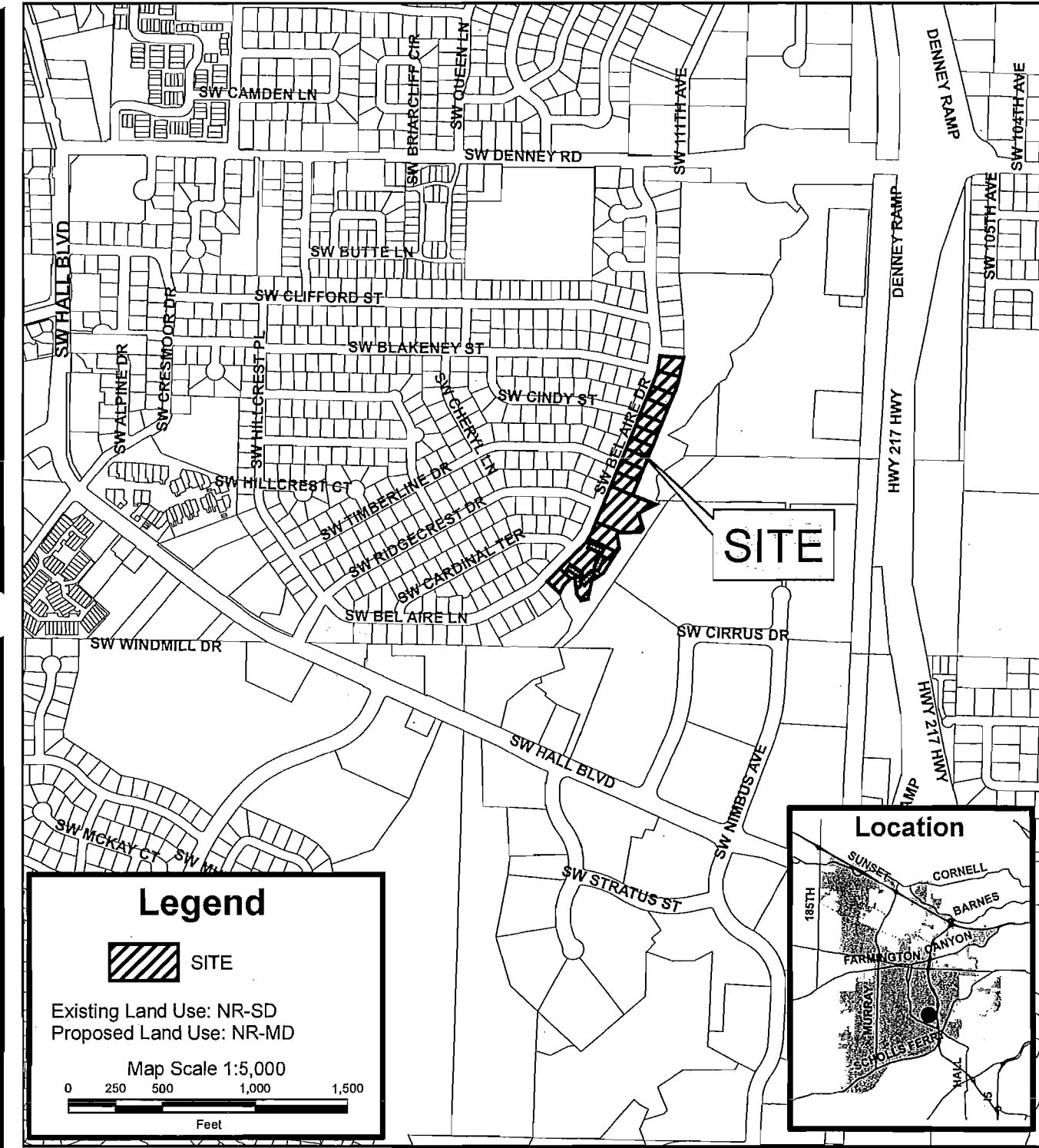
DECISION CRITERIA: Criteria for Comprehensive Plan Map Amendments are listed in Section 1.5.1 of the Comprehensive Plan.

RECOMMENDATION: **Approval of CPA2009-0016 (Bel Aire Land Use Map Amendment), with no associated conditions of approval.**


VICINITY MAP

BEAVERTON
MAPBOOK
PAGE 105

EXHIBIT " 1 "



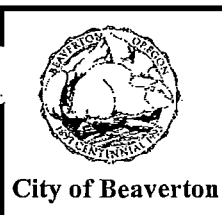
Legend

 SITE

Existing Land Use: NR-SD
Proposed Land Use: NR-MD

Map Scale 1:5,000

0 250 500 1,000 1,500
Feet



BEL AIRE LAND USE MAP AMENDMENT

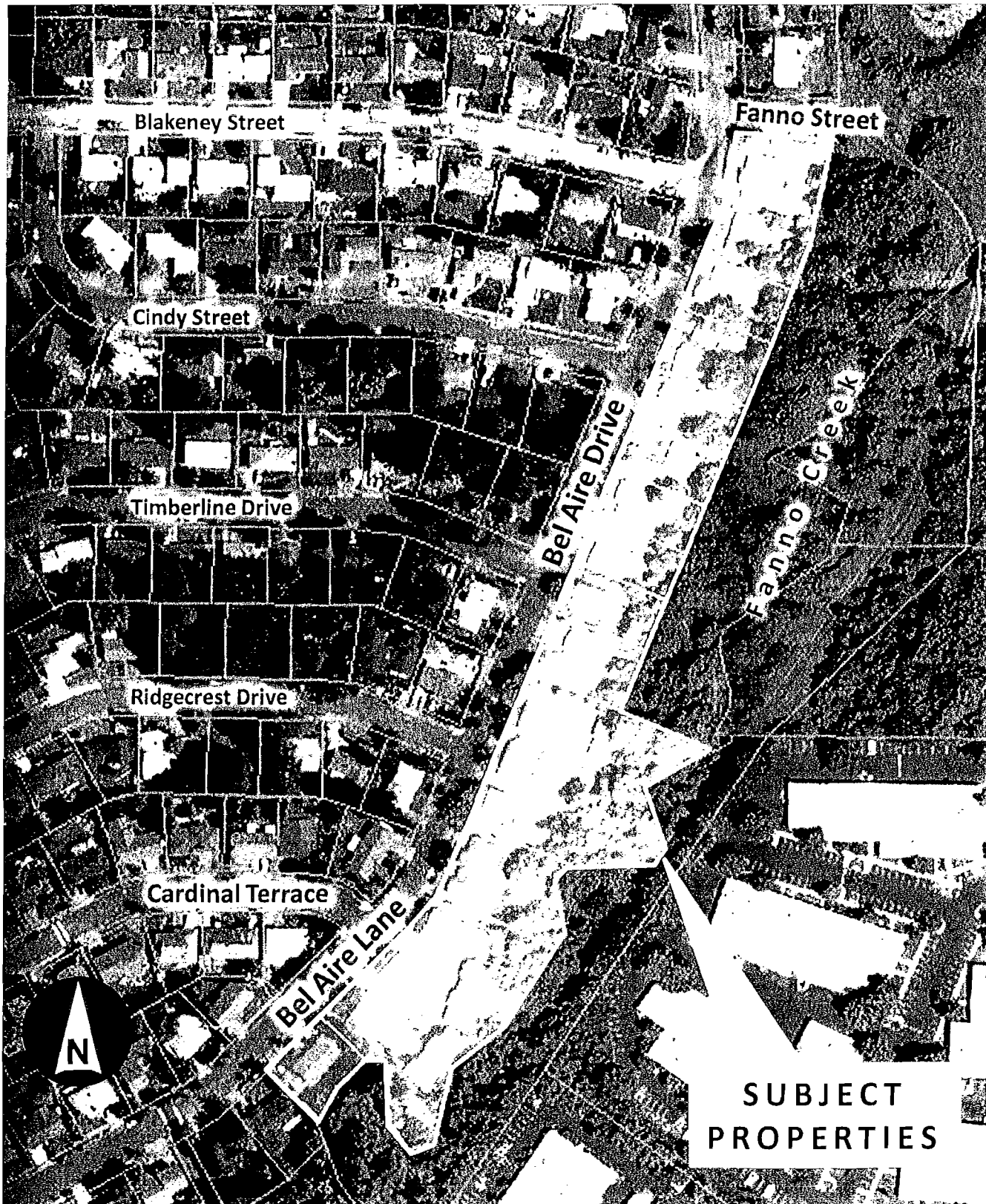
**COMMUNITY DEVELOPMENT DEPARTMENT
Planning Division**

10/27/09
Tax Lot #'s
VARIOUS

Application #
CPA2009-0016



AERIAL PHOTO



CPA2009-0016 Bel Aire Land Use Map Amendment

Existing Conditions

Zoning	Urban Medium Density (R-2)	
Current Development	52 dwelling units, including single-family, duplex, townhome, and condominium units.	
Site Size	total for the 30 lots is 4.64 acres or 202,118.40 square feet	
NAC	Vose Neighborhood Association Committee	
Comprehensive Plan	<p>Land Use: Neighborhood Residential-Standard Density</p> <p>Street Functional Classification Plan: SW Bel Aire Lane and SW Bel Aire Drive are classified as Neighborhood Routes.</p> <p>Street Improvement Master Plan: The Transportation System Plan Street Improvement Master Plan does not identify improvements to SW Bel Aire Lane or SW Bel Aire Drive.</p> <p>Pedestrian & Bicycle Master Plan and Action Plans: The Pedestrian & Bicycle Action Plans do not identify existing or proposed facilities along SW Bel Aire Lane or SW Bel Aire Drive, except where and existing facility connects with SW Bel Aire Lane.</p>	
Surrounding Uses		Land Use & Zoning: (City of Beaverton)
	North:	Standard Density Residential R-7 (7,000 sf/du)
	South:	Standard Density Residential R-7 (7,000 sf/du)
	East:	Standard Density Residential R-7 (7,000 sf/du)
	West:	Standard Density Residential R-7 (7,000 sf/du)
		Uses:
		Single Family Residences
		Fanno Creek Trail & Industrial
		Fanno Creek Trail & Industrial
		Single Family Residences

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Analysis and Findings	CPA1-CPA20
Summary	CPA21
Conclusion	CPA21
Recommendation	CPA21
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1 Vicinity Map (page 2 of report)	SR-2
2 Aerial Photo (page 3 of report)	SR-3
3 Public Comments Received	SR 6-SR 10
a 11355 SW Bel Aire Lane	SR 6
b 7755 SW Bel Aire Drive	SR 7
c 7450 SW Bel Aire Drive	SR 8
d 7420 SW Bel Aire Drive	SR 9-SR 10

**ANALYSIS AND FINDINGS
FOR LEGISLATIVE COMPREHENSIVE PLAN AMENDMENTS**

1.5 Criteria for Amending the Comprehensive Plan

The adoption by the City Council of any amendment to the Plan shall be supported by findings of fact, based on the record, that demonstrate the criteria of this Section have been met. The City Council and Planning Commission may incorporate by reference facts, findings, reasons, and conclusions proposed by the City staff or others into their decision.

1.5.1. Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments:

A. The proposed amendment is consistent and compatible with relevant Statewide Planning Goals and related Oregon Administrative Rules;

The subject properties were developed between 1967 and 1975. Most of the construction was completed prior to the State's adoption of the statewide planning program. Of the 19 Statewide Planning Goals, staff find Goals 1, 2, 10, 11, and 12 are applicable to the proposed map amendment.

Goal 1: Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

The proposed Land Use Map amendment is subject to the public notice requirements of the Comprehensive Plan as follows:

Section 1.4.1. of the Comprehensive Plan prescribes the notice requirements for Legislative Amendments to the Comprehensive Plan. Sections 1.4.1.A.1. and 2. require that at least 45 days prior to the initial hearing notice must be mailed to the State Department of Land Conservation and Development (DLCD), Metro, Washington County, the Chair of any City-recognized Neighborhood Association Committee (NAC) or County-recognized Citizen Participation Organization whose boundaries include the property for which the change is contemplated, and the Chair of the Committee for Citizen Involvement (CCI). Sections 1.4.1.A.3. and 4. require that between 20 and 40 days prior to the hearing, notice must be mailed to the subject property owners and surrounding property owners within 500 feet, published in a local newspaper, and posted in City Hall, the City Library, and on the City's Web site.

Notice has been provided, as follows:

1. The required inter-agency DLCD notice was mailed to DLCD, Metro, Washington County, and Tualatin Hills Park and Recreation District on October 28, 2009 - at least forty-five (45) calendar days prior to the initial hearing;

2. The required inter-agency DLCD notice was also mailed to the chair of the Vose Neighborhood Association Committee (NAC) whose boundaries include the properties for which the change is contemplated, and the Chair of the Committee for Citizen Involvement on October 28, 2009, at least forty-five (45) calendar days prior to the initial hearing;
3. Legal notice was published in the Beaverton Valley Times on November 26, 2009.
4. Notice was mailed to property owners included in the proposed change area, and to the owners of property within 500 feet of the subject property for which the change is proposed on November 23, 2009.
5. Notice was posted in City Hall, in the City Library, and on the City's website on November 23, 2009.

The City Council has not directed staff to provide additional notice for this amendment beyond the notices described above. Therefore, staff finds the notice requirements for this CPA have been met.

At the hearing, the Planning Commission considers written comments and oral testimony before they make a decision. The procedures outlined in Comprehensive Plan Section 1.4.1. allow for proper notice and public comment opportunities on the proposed Legislative Comprehensive Plan amendment as required by Statewide Planning Goal 1.

As noted above, the procedures of Comprehensive Plan Section 1.4.1. have been followed.

Goal 2: Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

The City of Beaverton adopted its Comprehensive Plan, which includes text and maps in a three-part report (Ordinance 1800), in 1972. The City adopted a new Comprehensive Plan (Ordinance 4187) in January of 2002 that was prepared pursuant to a periodic review work program approved by the State Department of Land Conservation and Development (DLCD). The proposed Plan, including a new Land Use Map, was the subject of numerous public hearings and considerable analysis before adoption. The adopted Plan and findings supporting adoption was deemed acknowledged pursuant to a series of Approval Orders from the Department of Land Conservation and Development, the last of which was issued on December 31, 2003.

The subject properties were developed in the late 1960's and early 1970's. At that time, the properties were assigned the Duplex Residential (R-2) Zoning Map district. Staff has identified the properties with the Residential Urban Medium (2,000-6,000 square feet per unit) General Plan designation, which is the equivalent of today's Neighborhood Residential-Medium Density (NR-MD) Land Use Map designation upon the 1982 General Plan Map and Land Use Map. Some time between 1991 and 2001, a mapping error

occurred resulting in the Land Use Map depicting the subject properties with the Neighborhood Residential-Standard Density (NR-SD) Land Use designation. Additionally, a mapping error on the Zoning Map occurred in 1981 depicting zoning for the properties as R-7; this error was corrected by a subsequent mapping change in 1983 reverting the zoning to the prior R-2 zoning district.

CPA2009-0016 (Bel Aire Land Use Map Amendment) MAP HISTORY																																							
Year	1970'S									1980'S									1990'S									2000'S											
	1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8	9	0	1	2	3	4	5	6	7	8	9
General Plan Map	all																																						
Land Use Map	Urban Medium																																						
	Urban Standard																																						
Zoning Map	R-2																																						
	R-3.5 (3,500 sf/du)																																						
	R-7 (7,000 sf/du)																																						
Notes	<p>1 Staff has been unable to locate an Ordinance that changed the Land Use Map designation from Urban Medium Density to Urban Standard Density</p> <p>2 Ordinance 1627: Duplex Residential (R-2), Tax Lot 1S122CD 09018</p> <p>3 Staff has been unable to locate an Ordinance that changed the Zoning Map district from R-3.5 to R-7</p> <p>4 Staff has been unable to locate an Ordinance that changed the Zoning Map district from R-7 to R-3.5</p> <p>5 Zoning Map effective November 30, 1997 (zp113097.apr)</p>																																						

The R-2 zoning district is not an implementing zone of the NR-SD land use designation. The NR-SD designation appears to have been a mapping error, as the property owners were not provided notice identifying that a rezone would be required in order to bring the property into conformance with the new land use designation. Furthermore, no findings were made nor ordinance approved by the City Council in support of the NR-SD designation on the subject properties.

COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX	
Comprehensive Plan Designation	Zoning District
Regional Center	RC-E, RC-OT, RC-TO
Station Community	SC-HDR, SC-MU, SA-MDR, SA-MU
Town Center	TC-HDR, TC-MU, TC-MDR
Main Street	Office Commercial, Neighborhood Service, Convenience Service Center, R-1, R-2
Corridor	General Commercial, Convenience Service Center, Office Commercial, Community Service, Neighborhood Service, Corridor-Multiple Use, R-1, R-2, R-3.5, R-4
Employment Areas	Campus Industrial
Industrial	Industrial Park, Light Industrial, Campus Industrial
Neighborhood Residential (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R-10[1]
Standard Density	R-7, R-5[2]
Medium Density	R-4, R-3.5, R-2
High Density	R-1
Any of the plan designations cited above	Institutional
[1] Existing pockets of low density residential may continue, but expansion of low density neighborhood residential areas shall not occur.	
[2] Existing properties with commercial zoning as shown on Figures III-2 through III-5 and listed by tax lot on said maps shall be allowed to continue in perpetuity. Expansion of the district is not allowed, but any use permitted within said district will be allowed subject to City approval through the procedures specified by the Development Code.	

Based on the need to correct the mapping error, staff assessed the appropriate choice of City Comprehensive Plan Land Use Map designations for the subject property. This assessment was guided by provisions in Section 3.14 (the Comprehensive Plan and Zoning District Matrix) of the City's Comprehensive Plan, above. The Comprehensive Plan has undergone state scrutiny and been acknowledged by the State of Oregon to comply with Goal 2. Since the intent of the proposal is to correct a mapping error, placing the plan designation in compliance with Section 3.14 of the Comprehensive Plan as acknowledged by the State, staff has applied policy framework to the proposal to assure that the decision is consistent with the intent of Goal 2.

Goal 10: Housing

To provide for housing needs of citizens of the state.

Goal 10 requires that local jurisdictions inventory the supply of buildable lands and develop plans "...in a manner that insures the provision of appropriate types and amounts of land within urban growth boundaries. Such land should be necessary and suitable for housing that meets the housing needs of households of all income levels".

In January of 2002, pursuant to a periodic review work program approved by the State Department of Land Conservation and Development (DLCD) the City adopted a Housing Element into its Comprehensive Plan (Ordinance 4187). Part of that process involved development of a buildable lands inventory, a housing type needs analysis, and a housing density assessment. Compliance with Title 1 of Metro's UGMFP standards was cited as a compliance element in satisfying the requirements of Goal 10. Based upon the findings of those studies, the City adopted policies to encourage a broad mix of housing types at density levels designed to maximize development potential. The City's policies that derived from this process was henceforth acknowledged to comply with Goal 10.

The proposal involves the application of a City plan designation equivalent to one that had previously been applied to the subject properties but was inadvertently altered as a result of a mapping error. The permitted density allotted to the properties resulting from that process was used to comply with Metro's UGMFP provisions – which were themselves subject to compliance with the Statewide Planning Goals. This proposal is to restore the plan designation back to what it was before the mapping error. Because adoption of this designation is proposed to return to the plan designation equivalent to the original plan designation, it is found to comply with the Goal.

Staff finds that the proposed amendment continues to allow for a variety of housing types and densities commensurate with a variety of income levels as prescribed in Goal 10. This amendment complies with Goal 10 of the Statewide Goals.

Goal 11: Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

The City of Beaverton is located within the Urban Growth Boundary (UGB) for the Portland metropolitan region. Metro is the regional governing body that determines the regional need for UGB expansions and in doing so, works with local governments to determine the highest and best use of lands within the UGB in order to reduce the need for UGB expansion into rural lands.

Each of the subject properties is developed with a residential duplex structure with associated yards, parking areas and garages. Availability of public facilities and services to serve the property had been addressed at the time they were developed. Public facilities and service continue to be provided to the properties. If the subject properties are proposed for redevelopment in the future it is at that time that site specific issues related to public facilities and services will be addressed as part of development review process.

Staff finds that applying the City's NR-MD Land Use designation to the subject properties does not effect provision of public facilities and services to the subject properties. Therefore, the proposal satisfies the provisions expressed in Goal 11.

Goal 12: Transportation

To provide and encourage a safe, convenient and economic transportation system.

Oregon Administrative Rules (OAR) 660-012-000 through 660-012-0070, referred to as the Transportation Planning Rule (TPR), provide guidance on compliance with Statewide Planning Goal 12. A Transportation System Plan (TSP), adopted pursuant to OAR Division 12, fulfills the requirements for public facilities planning required under Oregon Revised Statutes (ORS 197.712(2)(e)), Goal 11 and OAR Chapter 660, Division 12 as they relate to transportation facilities. Volume 4 of the Comprehensive Plan contains the City's adopted TSP, effective June 6, 2003. OAR 660-012-0060 requires local governments to review Comprehensive Plan and land use regulation amendments with regard to the effect of the amendment on existing or planned transportation facilities. This section is cited as follows:

"A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);
- (b) Change standards implementing a functional classification system; or

(c) As measured at the end of the planning period identified in the adopted transportation system plan:

- (A) 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;
- (B) Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP or comprehensive plan; or
- (C) 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.”

The City’s Comprehensive Plan designations are descriptive tools assigned to individual properties. These designations are in turn implemented through the specific zones. While the role of the plan designation is perceived as qualitative, zoning provisions apply specific criteria applicable to new development. As specified in CP Section 3.14 (the City’s Comprehensive Plan and Zoning District Matrix), specific zones correlate with specific plan designations. However, zoning ultimately controls the use and residential density allowance for a development. This density in turn influences the scale of traffic generation that will affect local transportation facilities.

The intent of the proposed amendment is to restore the plan designation assigned to the subject property prior to the mapping error. Staff proposes to reinstate the Neighborhood Residential – Medium Density (NR-MD) Land Use Map designation in order to correct a mapping error. It should be noted that the R-2 zoning district assigned to the properties preceded the mapping error and has remained in effect. Because the property’s zoning is the principle instrument used to control the level of traffic generation derived from a development, and because the assigned zoning district will not be affected by the proposed amendment, staff contends that the proposed amendment will not significantly affect the local transportation facilities as defined by OAR 660-012-0060 cited above.

Staff finds that applying the City’s NR-MD Designation to the subject property satisfies the provisions expressed in Oregon’s Goal 12 and OAR 660-012-000 through 660-012-0070.

Remaining Goals

Goal 3: Agricultural Lands

Goal 4: Forest Lands

These goals apply to rural unincorporated areas. The City of Beaverton is an urban incorporated area; therefore, the goals are not applicable.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources
Goal 6: Air, Water and Land Resources Quality
Goal 7: Areas Subject To Natural Disasters and Hazards

There are natural resources located upon or along the East boundaries of the subject properties that are determined to be of special significance. However, the properties were developed approximately 40 years ago. Therefore, the proposal does not affect compliance with any one of these goals.

Goal 8: Recreational Needs

The proposal does not involve the siting of necessary recreational facilities which include destination resorts or opportunities to satisfy the recreational needs to visitors and the citizens of the state. Therefore, this goal is not applicable.

Goal 9: Economic Development

The subject properties are now and have been residentially zoned and developed since the late 1960's and early 1970's. This proposal does not change the allowed uses of the subject properties. The currently allowed uses within the R-2 zoning district are residentially, not commercially, based. Therefore, this goal is not applicable.

Goal 13: Energy Conservation

In so far as redevelopment of the subject properties under the R-2 zoning district allows for additional residential density upon the subject properties, this proposal carries on the opportunity for energy conservation. However, the proposal does not alter the opportunity for increased residential density upon the subject properties. Therefore, this goal is not applicable.

Goal 14: Urbanization

The proposal does not include a request to establish or change the Urban Growth Boundary. Therefore, this goal is not applicable.

Goal 15: Willamette Greenway

This goal applies to lands along the Willamette River. The Willamette River is not within, or adjacent to, the City of Beaverton, thus this goal is not applicable to the proposal.

*Goal 16: Estuarine Resources,
Goal 17: Coastal Shorelands,
Goal 18: Beaches And Dunes,
Goal 19: Ocean Resources*

These goals apply to oceanic or coastal resources. The City of Beaverton is more than 80 miles from oceanic or coastal resources; therefore, these goals do not apply to the City of Beaverton.

Summary Finding: Staff finds that, for the reasons identified above, the proposed amendment complies with Goals 1, 2, 10, 11, and 12 and finds that Goals 3 through 9, and 13 through 19 are not applicable. Criterion 1.5.1.A is met.

B. The proposed amendment is consistent and compatible with the applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan;

The applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan are addressed below.

Title 1: Requirements for Housing and Employment Accommodation

Section 3.07.830 of the UGMFP requires that any Comprehensive Plan change must be consistent with the requirements of the Functional Plan. Section 3.07.130 of the UGMFP states:

For each of the following 2040 Growth Concept design types, city and county comprehensive plans shall be amended to include the boundaries of each area, determined by the city or county consistent with the general locations shown on the 2040 Growth Concept Map..."

The 2040 Growth Concept Plan map designates the property included in this proposal under the Inner & Outer Neighborhood design type subject to local interpretation of the Growth Concept Map. Section 3.07.130 of the UGMFP describes Outer Neighborhoods as follows:

Residential neighborhoods farther away from large employment centers with larger lot sizes and lower densities.

The properties are near two major streets with commercial businesses, and near transit lines, the properties are developed under the current medium density zoning. Because of these features, staff suggests that the appropriate 2040 Growth Concept Plan designation is Inner Neighborhood. Section 3.07.130 of the UGMFP describes Inner Neighborhoods as follows:

Residential areas accessible to jobs and neighborhood businesses with smaller lot sizes are inner neighborhoods.

The City's Neighborhood Residential – Medium Density plan designation corresponds to Metro's Inner Neighborhood design type. Further, the proposed amendment does not involve alteration of the Zoning Map district assigned to the properties. The RTP which was adopted in August 2000 relied upon the existing zoning to derive projected traffic capacity estimates, therefore, the amendment will not directly alter the traffic counts and capacity estimates used to assess development impacts. Finally, due to the fact that the proposed amendment does not involve actual development of the subject properties, this amendment does not pose a conflict of any regional significance to the modeling or policies that are the basis for the Regional Transportation Plan.

Title 2: Regional Parking Policy

The City has an established minimum and maximum parking ratio related to zones A and B. The subject properties are within Parking Zone A. Consequently, the Maximum Permitted Parking Spaces per Zone A applies to the subject property.

Title 3: Water Quality and Flood Management and Fish and Wildlife Conservation

In concert with other local governments in Washington County, the City partnered with Clean Water Services to enact legislation acknowledged to comply with Title 3.

Title 4: Industrial and Other Employment Areas

The City and Metro established long-term Industrial and Employment Areas, which are depicted on the Title 4 Industrial and Employment Land Map. This subject properties are not depicted as Employment Land, Industrial Land or a Regionally Significant Industrial Area on the Metro Title 4 Industrial and Employment Land Map.

Title 5: Neighbor Cities and Rural Reserves

Title 5 directs Metro to work with its neighbor cities of Canby, Sandy and North Plains. The proposed Comprehensive Plan Map Amendment is within Metro's Urban Growth Boundary inside the City of Beaverton; therefore, this Title does not apply.

Title 6: Central City, Regional Centers, Town Centers and Station Communities

Title 6 predominantly focuses on local government strategies to improve implementation of development within Centers. The subject properties are not within the Beaverton designations of Regional Center, Town Center or Station Community. Therefore; this Title is not applicable to the proposed amendment.

Title 7: Affordable Housing

The intent of Title 7 is to enact a “fair share” housing strategy for each jurisdiction which includes a diverse range of housing types, specific goals for low- and moderate-income housing, housing densities consistent with the regional transportation system, and a balance of jobs and housing. The City adopted Comprehensive Plan Chapter Four to comply with this Metro Title. The sections of the Comprehensive Plan that are applicable to this Comprehensive Plan Land Use Map Amendment are addressed below to show consistency with Title 7.

Comprehensive Plan Goal 4.2.1.1 states “Maximize use of buildable residential land in the City.” Action items applied to implement this goal have been implemented. Goal 4.2.2.1 states “Provide an adequate variety of quality housing types to serve Beaverton’s citizenry.” The City is working in partnership with the Washington County Housing Authority to preserve the Housing Authority’s portfolio of federally assisted housing at rent levels affordable to extremely and very low-income households. Comprehensive Goal 4.2.3.1 states “Promote the retention of existing affordable housing stock in the City.” The existing zoning of the subject properties, R-2, is not proposed for change with this proposal. This proposal does not reduce the potential of the site to provide affordable housing.

Additionally, the City continues to support affordable housing programs through the Community Development Block Grant and HOME programs, the Citywide Housing Rehabilitation Loan Program, and partnership with local non-profit service providers. Goal 4.2.3.2 states “Promote the production of new affordable housing units in the City.” Participation in local non-profit efforts to develop affordable housing, providing an ombudsman to assist in the development review process, developing revolving loan funding, exploring land banking and employer sponsored affordable housing, supporting alternative funding for affordable housing, and continuing to explore tools and strategies to encourage affordable housing development are actions to implement Goal 4.2.3.2. These goals and actions comply with Title 7.

Title 8: Compliance Procedures

Information about the proposal was sent to the Chief Operating Officer on October 28, 2009, more than 45 days prior to the first evidentiary hearing as required by Metro Code Section 3.07.820.

Title 9: Performance Measures

Title 9 directs Metro to measure the progress of the region in implementing the Urban Growth Management Functional Plan (UGMFP). This title is not relevant to this proposal.

Title 10: Functional Plan Definitions

Title 10 provides definitions for use in Metro's administration of the UGMFP and is, therefore, is not related to compliance of this proposal to the UGMFP.

Title 11: Planning for New Urban Areas

Title 11 concerns planning for new urban areas. This proposal is within the Urban Growth Boundary and is within the corporate limits of the City of Beaverton. This Title does not apply to the amendment.

Title 12: Protection of Residential Neighborhoods

Protection of residential neighborhoods is a key to success of the 2040 Growth Concept. Existing development near the subject properties is a mix of standard density and medium density residential. Through this amendment, any redevelopment to occur upon the subject properties will continue to be subject to the regulations of the R-2 zoning district. The density, uses, and other development regulations for the subject properties will not change with approval of this proposal. Therefore, there is no change in the impacts to the residential neighborhoods.

Title 13: Nature In Neighborhoods

The City, as a member of the Tualatin Basin Natural Resources Coordinating Committee (TBNRCC), has implemented a program that complies with Title 13. The City has also enacted Comprehensive Plan and Development Code regulations that comply with Title 13 as part of the TBNRCC program.

Regional Transportation Plan (RTP)

Section 6.4.4. Transportation Systems Analysis Required for Local Plan Amendments; portion as follows:

This section applies to city and county comprehensive plan amendments or to any local studies that would recommend or require an amendment to the Regional Transportation Plan to add significant single occupancy vehicle (SOV) capacity to the regional motor

vehicle system, as defined by Figure 1.12. This section does not apply to projects in local TSPs that are included in the 2000 RTP. For the purpose of this section, significant SOV capacity is defined as any increase in general vehicle capacity designed to serve 700 or more additional vehicle trips in one direction in one hour over a length of more than one mile. This section does not apply to plans that incorporate the policies and projects contained in the RTP.

This amendment does not propose a change that will increase single occupancy vehicle rates. Additionally, the City's Transportation System Plan (TSP) has been adopted for consistency with, and implementation of, the 2000 RTP. Therefore, the density proposed in this amendment has already been accounted for in the RTP and the RTP does not apply to the proposed Comprehensive Plan Land Use Map Amendment.

Summary Finding: Staff finds that, for the reasons identified above, the proposed amendment complies with applicable Titles of the Metro Urban Growth Management Functional Plan and the Regional Transportation Plan.

C. The proposed amendment is consistent and compatible with the Comprehensive Plan and other applicable local plans;

The following Comprehensive Plan Chapters are addressed below: 1, 2, 3, 4, 5, 6, 7, 8, and 9. Staff finds that no other local plans are applicable to this proposal.

Chapter 1 Comprehensive Plan Amendment Procedures Element

1.1.1 City-Initiated Amendments

The proposal is a City-initiated amendment to the Land Use Map, originally initiated by the Community Development Director.

1.2 Periodic Review

The proposed amendment is not part of a periodic review procedure.

*1.3 Amendment Procedural Categories
Legislative Amendments*

This Land Use Map Amendment is being processed as a legislative amendment based upon the number of properties included in the proposal.

1.4.1 Legislative Amendments.

Section 1.4.1. of the Comprehensive Plan prescribes the notice requirements for Legislative Amendments to the Comprehensive Plan. Sections 1.4.1.A.1. and 2. require that at least 45 days prior to the initial hearing notice must be mailed to the State Department of Land Conservation and Development (DLCD), Metro, Washington County, the Chair of any City-recognized Neighborhood Association Committee (NAC) or County-recognized Citizen Participation Organization whose boundaries include the property for which the change is contemplated, and the Chair of the Committee for Citizen Involvement (CCI). Sections 1.4.1.A.3. and 4. require that between 20 and 40 days prior to the hearing, notice must be mailed to the subject property owners and surrounding property owners within 500 feet, published in a local newspaper, and posted in City Hall, the City Library, and on the City's Web site.

Notice has been provided, as follows:

1. The required inter-agency DLCD notice was mailed to DLCD, Metro, Washington County, and Tualatin Hills Park and Recreation District on October 28, 2009 - at least forty-five (45) calendar days prior to the initial hearing;
2. The required inter-agency DLCD notice was also mailed to the chair of the Vose Neighborhood Association Committee (NAC) whose boundaries include the properties for which the change is contemplated, and the Chair of the Committee for Citizen Involvement on October 28, 2009, at least forty-five (45) calendar days prior to the initial hearing;
3. Legal notice was published in the Beaverton Valley Times on November 26, 2009.
4. Notice was mailed to property owners included in the proposed change area, and to the owners of property within 500 feet of the subject property for which the change is proposed on November 23, 2009.
5. Notice was posted in City Hall, in the City Library, and on the City's website on November 23, 2009.

The City Council has not directed staff to provide additional notice for this amendment beyond the notices described above. Therefore, staff finds the notice requirements for this CPA have been met.

1.5.1 Criteria for Legislative and Quasi-judicial Comprehensive Plan Amendments

This staff report is addressing section 1.5.1, reflective of the determination to review this application through the legislative process.

1.6 Hearings Procedures

The Planning Commission will hold an initial hearing where public testimony and evidence will be entered into the record and used for the Planning Commission's deliberations.

1.7. Final Adoption and Appeals

The Planning Commission will make a recommendation to City Council, who will follow appropriate procedures for adopting an ordinance implementing the Planning Commission's recommendation and incorporating their findings, unless an appeal of the Planning Commission decision is filed, in which case the Council will conduct a hearing on the appeal.

1.8 Application Fees

Policy Number 470.001 of the City's Administrative Policies and Procedures manual states that fees for a City initiated application are not required where the application fee would be paid from the City's General Fund. The Community Development Department, which is a General Fund program, initiated the application. Therefore, the payment of an application fee is not required.

Finding: Staff finds that the proposal is a legislative amendment. Staff finds that the appropriate procedures in Chapter 1 of the Comprehensive Plan have been met. Thus, this proposal is in compliance with Chapter 1.

Chapter 2 Public Involvement Element

Chapter 2 of the Comprehensive Plan reiterates criteria from Chapter 1 and goes further to discuss public involvement programs for the City in compliance with Statewide Planning Goal 1, the City Council's Goal for citizen involvement and participation, and the Comprehensive Plan Public Involvement Goal. This application satisfies Chapter 2 by satisfying the applicable procedures within Chapter 1 of the Comprehensive Plan.

Finding: Staff finds that the appropriate procedures in Chapter 2 of the Comprehensive Plan have been met. Thus, this proposal is in compliance with Chapter 2.

Chapter 3 Land Use Element

Section 3.13 Residential Neighborhood Development

Sections 3.13.1 and 3.13.4 contain policies that govern Neighborhood Residential – Medium Density (NR-MD) development. The 1991 and prior equivalent land use designation that was applied to the subject properties was assessed and deemed applicable prior to the mapping error that occurred between 1991 and 2001. Staff address the policies in Sections 3.13.1 and 3.13.4, below, in order to determine the appropriateness of the designation to the subject properties today.

3.13.1 Goal: Provide for the establishment and maintenance of safe, convenient, attractive and healthful places to live.

- a) Regulate residential development to provide for diverse housing needs by creating opportunities for single and multi-family development of various sizes, types and configurations.*

Existing development of the subject properties consists of single-family, duplex, townhome and condominium residential dwellings. The mix of detached and attached dwellings are allowed within the underlying R-2 zoning district.

- b) Encourage a variety of housing types in residential areas, by permitting or conditionally permitting any housing type (one, two or more, family dwellings) within any zoning district so long as the underlying residential density of the zoning district is met. Accessory dwelling units shall not be considered in the calculation of the underlying housing density.*

As presented above, a variety of housing types is allowed within the R-2 zoning district.

- c) Require Planned Unit Development application procedures for projects proposing two or more families within the Low Density and Standard Density land use designations. Planned Unit Developments encourage flexibility in standards and provide a mechanism for staff to make adequate findings with respect to compatibility in size, scale, and dimension. Exceptions to this requirement are dwellings designed as primary units with an accessory dwelling unit, as specified in the Development Code.*
- d) Apply Residential Neighborhood designations (Low Density, Standard Density, Medium Density and High Density) consistent with the Metro 2040 Growth Concept Map and the City's housing target implementing strategy.*

<i>Residential Neighborhood Designations</i>	<i>Net Square Feet per Dwelling Unit</i>
<i>Low Density</i>	<i>10,000 – 12,500</i>
<i>Standard Density</i>	<i>5,000 – 8,750</i>
<i>Medium Density</i>	<i>2,000 – 4,999</i>
<i>High Density</i>	<i>1,000 – 1,250</i>

The average dwelling unit densities for the subject properties are within the Medium Density range at approximately 3,887 square feet per dwelling unit.

- e) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix.*

The existing dwelling units were constructed upon the subject properties from 1967 through 1975. City map records show that as late as 1991 the subject properties carried

both the R-2 Zoning Map district and the Residential Urban Medium (2,000-6,000 square feet per unit) Land Use Map designation.

Then, sometime between 1991 and 2001, depiction of the land use designation for the subject properties changed upon the Land Use Map. Staff has been unable to locate an ordinance declaring a change to the land use designation for the subject properties. Therefore, the conclusion among staff is that, without a legislative process resulting in adoption of an ordinance, the change in the map must have been the result of an error in the mapping process. The mapping error resulted in depiction of the subject properties carrying the Neighborhood Residential-Standard Density (NR-SD) land use designation. Correction of the error has not been attempted since the error occurred.

Some time between 1978 and 1981 another map error occurred to the Zoning Map. This error changed the depiction of the properties from R-2 to R-7. However, by 1983, the error was reversed. Similar to the Land Use Map error, there is no legislative history ordaining a zone change from R-2 to R-7 then back to R-2.

The primary intent in proposing this amendment is to restore the correlation between the Plan designation and the zoning district, as shown on subsection 3.14 *Comprehensive Plan and Zoning District Matrix*, in order to correct a mapping error. The existing R-2 zoning district is within the family of the proposed Neighborhood Residential-Medium Density (NR-MD) land use designation.

COMPREHENSIVE PLAN AND ZONING DISTRICT MATRIX	
Comprehensive Plan Designation	Zoning District
Regional Center	RC-E, RC-OT, RC-TO
Station Community	SC-HDR, SC-MU, SA-MDR, SA-MU
Town Center	TC-HDR, TC-MU, TC-MDR
Main Street	Office Commercial, Neighborhood Service, Convenience Service Center, R-1, R-2
Corridor	General Commercial, Convenience Service Center, Office Commercial, Community Service, Neighborhood Service, Corridor-Multiple Use, R-1, R-2, R-3.5, R-4
Employment Areas	Campus Industrial
Industrial	Industrial Park, Light Industrial, Campus Industrial
Neighborhood Residential (equivalent to Metro's Inner and Outer Neighborhood Design Types)	
Low Density	R-10[1]
Standard Density	R-7, R-5[2]
Medium Density	R-4, R-3.5, R-2
High Density	R-1
Any of the plan designations cited above	Institutional
[1] Existing pockets of low density residential may continue, but expansion of low density neighborhood residential areas shall not occur	
[2] Existing properties with commercial zoning as shown on Figures III-2 through III-5 and listed by tax lot on said maps shall be allowed to continue in perpetuity. Expansion of the district is not allowed, but any use permitted within said district will be allowed subject to City approval through the procedures specified by the Development Code	

- f) *New Commercial zoning districts are not allowed within Residential Neighborhood Standard and Low Density land use designations. Existing properties with commercial zoning as shown on Figures III-2 through III-5 and listed by tax lot on said maps shall be allowed to continue in perpetuity. Expansion of the district is not allowed, but any use permitted within said district will be allowed subject to City approval through the procedures specified in the Development Code.*

This application does not proposed commercial zoning.

- g) Enhance the City's landscape through design measures considering the natural setting of the land and the character of existing residential neighborhoods.*

This application does not include modifications to the design measures set forth by the City. However, the subject properties are currently developed and their landscapes have matured in kind with the character of the neighborhood.

- h) Foster innovation and variety in design to enhance the visual character of the City's landscape. Innovation in design can include designing infill structures to integrate into existing neighborhoods through compatible scale, similar design features, and similar setbacks.*

The subject properties are part of a neighborhood that includes a variety of housing types. The NR-MD designation, which supports the R-2 zone, will permit infill structures that are to be designed in a way that is compatible in scale and setbacks to the existing nearby structures.

- i) Residential development, in compliance with regional mandates, shall achieve at least 80% of the maximum density allowed in the respective zoning districts as applied through 3.14 Comprehensive Plan and Zoning District Matrix.*

Review of proposed residential densities respective of the zoning district occurs at the time of Development Review. This application is not proposing physical development of the subject properties or a change in zoning.

3.13.4. Medium Density Residential Development

- a) Apply zoning districts as shown in subsection 3.14 Comprehensive Plan and Zoning District Matrix*

The existing R-2 zoning district is within the family of the proposed Medium Density Comprehensive Plan Designation.

- b) Medium Density Residential zoning is located generally in areas with good access to arterial streets, good transit service, commercial services, and public open space, or should be designed in a coordinated manner to provide such amenities in the immediate vicinity.*

The subject properties are located with good access to SW Hall Boulevard, an arterial street with transit and commercial services. Additionally, the subject properties abut Fanno Creek to the East, containing the Fanno Creek Trail.

Staff concludes that approval of the amendment is needed to meet Policies 3.13.4.a and 3.14.

Finding: *Staff finds that, for the reasons specified above, the policies found in Chapter 3 are met.*

Chapter 4 Housing Element.

Discussion under Goal 10 assists in the understanding of the applicability of the Housing Element to this amendment.

The City adopted a Housing Element into its Comprehensive Plan (Ordinance 4187) in January of 2002 pursuant to a periodic review work program approved by the State Department of Land Conservation and Development (DLCD). Part of that process involved development of a buildable lands inventory, a housing type needs analysis, and a housing density assessment. Based upon the findings of those studies, the City adopted policies to encourage a broad mix of housing types at density levels designed to maximize development potential. Policies that are particularly relevant to this proposal include the following:

Section 4.2.1.1.a) Allow development of a wide variety of housing types in the City.

Section 4.2.2.1.a) Increase residential capacity in the City to substantially comply with requirements of Title 1 of the Metro Urban Growth Management Functional Plan.

Staff addressed the relevance of these policies in the section of this report that addressed Goal 10 compliance. Pursuant to the reasoning contained in that section as it relates to the policies above, staff believes that the proposal fulfills these policies.

Finding: *Staff finds that relevant policies found in Chapter 4 are met.*

Chapter 5 Public Facilities and Services Element.

As noted in the Goal 11 discussion, above, the proposal does not physically affect the landscape, corporate boundaries, or the City's public facility plans. The permitted uses on the subject properties are dictated by the R-2 zoning district currently in place and that is not proposed for change. The proposal will not affect the City's ability to implement the Public Facilities Plans, Capital Improvement Plan, Urban Planning Area Agreement (UPAA), Urban Service Area, Storm Water and Drainage System, Potable Water System, Sanitary Sewer System, Parks and Recreation, or Police and Fire and Emergency Medical Services. Additionally, because the maximum permitted unit density assigned to the property is not proposed to change, school facilities should not be significantly affected.

Thus, the policies, plans and actions found in this chapter are not applicable to the proposed amendment.

Finding: *Staff finds that the policies found in Chapter 5 are not applicable to the proposed amendment.*

Chapter 6 Transportation Element.

Comprehensive Plan Section 6.2.4.c is relevant to the proposed amendment. It states as follows:

Maintain levels of service consistent with Metro's Regional Transportation Plan and the Oregon Transportation Plan. Applications for Comprehensive Plan Amendments shall comply with the requirements of OAR 660-012-0060 and as appropriate include a transportation Impact Analysis that shows that the proposal will not degrade system performance below the acceptable two-hour peak demand-to-capacity ratio of 0.98...

Discussion addressing the amendment's compliance with OAR 660-012-0060 was provided under the section addressing Goal 12 compliance, above. As pointed out in that section, the proposal seeks to amend the land use designation assigned to the subject property from Neighborhood Residential-Standard Density (NR-SD) to Neighborhood Residential-Medium Density (NR-MD). Because the property's zoning is the principal instrument used to control the level of traffic generation derived from a development, and because the status of the property's zoning will not be affected by the proposed amendment, staff concludes that the proposed amendment will not significantly affect the degree of traffic generation on local transportation facilities.

It should also be noted that any redevelopment of the subject property will require that the traffic impacts be assessed by the applicant to demonstrate that traffic generation deriving from the development will not impose excess constraints upon the system. If the impacts of development are forecast to degrade the system beyond the 0.98 demand to capacity ratio, mitigation measures to alleviate the impact may be required. The analysis of the impact of development would be triggered at the time when development of the property is proposed rather than with the amendment being proposed here.

Finding: *Staff finds that for the reasons specified above, the proposal is consistent with the policies found in Chapter 6 of the City's Comprehensive Plan.*

Chapter 7 Natural, Cultural, Historic, Scenic, Energy and Groundwater Resources Element.

Staff reviewed the provisions contained in the Chapter 7 of the City's Comprehensive Plan and concluded that because the proposal does not involve or affect any significant *Natural*,

Cultural, Historic, Scenic, Energy and Groundwater Resources, the proposed amendment does not affect the City's ability to implement the provisions in this chapter.

Finding: *Staff finds that the proposed amendment does not affect the City's ability to implement this Chapter.*

Chapter 8 Environmental Quality and Safety Element.

Staff reviewed the provisions contained in the Chapter 8 of the City's Comprehensive Plan and concluded that this proposed amendment does not affect Sections 8.2 Water Quality, 8.3 Air Quality, 8.4 Noise, 8.5 Seismic Hazards, 8.6 Geologic Hazards, 8.7 Flood Hazards, or 8.8 Solid and Hazardous Wastes.

Finding: *Staff finds that the policies found in Chapter 8 are not applicable to the proposed amendment.*

Chapter 9 Economy Element.

Staff reviewed the provisions contained in the Chapter 9 of the City's Comprehensive Plan and concluded that economic development, proposed industrial facilities, and employment centers would not be negatively affected by the proposed amendment.

Finding: *Staff finds that the policies found in Chapter 9 are not applicable to the proposed amendment.*

Summary Finding: *Staff finds that the proposed Comprehensive Plan amendment is generally consistent and compatible with the Comprehensive Plan. Thus, the requirements of Criterion 1.5.1.C are met.*

D. If the proposed amendment is to the Land Use Map, there is a demonstrated public need, which cannot be satisfied by other property that now have the same designation as proposed by the amendment;

The proposed amendment involves assignment of the Neighborhood Residential-Medium Density (NR-MD) plan designation to the subject properties in an effort to correct a mapping error. The mapping error placed the properties within the Neighborhood Residential-Standard Density (NR-SD) plan designation, which is in conflict with the R-2 zoning district upon the properties. This amendment will not change any specific use or development provisions assigned to the property but will restore the correlation between the plan and zone designations specified in Section 3.14 of the Comprehensive Plan.

Finding: *Staff finds that criterion 1.5.1.D is met for the proposed amendment.*

SUMMARY

For the reasons identified above, staff finds that the Comprehensive Plan Map Amendment satisfies the approval criteria for a legislative Comprehensive Plan Amendment pursuant to Section 1.5.1 of the Comprehensive Plan.

CONCLUSION

Based on the facts and findings presented, staff concludes that proposal, **CPA2009-0016 (Bel Aire Land Use Map Amendment)** meets the criteria for approval.

RECOMMENDATION

Based on the facts and findings presented, staff recommends **APPROVAL** of **CPA2009-0016 (Bel Aire Land Use Map Amendment)** with no recommended conditions of approval.

11355 SW Bel Aire Lane

Steven & Gabriela Atlee
11355 SW Bel-Aire Lane
Beaverton, OR 97008
503.641.1721

ATTN: City of Beaverton
Planning Division
PO box 4755
Beaverton, OR 97076
Beaverton, OR 97076

RECEIVED
DEC 07 2009
City of Beaverton
Community Development Dept.

December 6, 2009

Dear Members of the Beaverton Planning Commission:

We are opposed to the Land Use Map Amendment CPA 2009-0016 for Bel-Aire Drive and Bel-Aire Lane.

Changing the designation to a medium density will create increased traffic congestion and related problems connected to high density housing.

Bel-Aire Drive and Bel-Aire Lane are already a bypass for motorists bound to Highway 217 and Denney Road from Hall. Allowing dwellings to expand on this corridor will add to traffic accident risks, carbon pollution and a higher crime rate possibility.

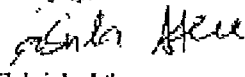
The Runo Creek area is already a sensitive wetland, which is home to many diverse creatures that will undoubtedly be displaced and suffer from a higher amount of residence not accustomed to their needs. Also, during heavy rains the full length of the creek floods and creates erosion on its banks. This will work its way towards any new construction in a negative way.

Also, higher density housing will decrease the property value of our homes since single homes are valued less than similar homes in strictly residential neighborhoods.

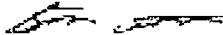
As 20-year taxpaying residents in this neighborhood we would prefer if the Commission would consider our needs and that of the many homeowners, instead of that of contractors looking to make a buck.

We feel compelled to disagree with the major changes to the Vase Neighborhood that your proposals may permit.

Sincerely,


Gabriela Atlee

Steven Atlee



7755 SW Bel Aire Drive

RECEIVED
DEC 07 2009
City of Beaverton
Community Development Dept.

Carl & Ruth Homan
7755 SW Bel-Aire Dr.
Beaverton, OR 97008
503-643-4538

ATTN: Planning Division
City of Beaverton
P.O. Box 4755
Beaverton, OR 97076

December 6, 2009

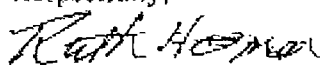
Dear Members of the Beaverton Planning Commission:

We are opposed to the Land Use Map Amendment **CPA 2009-0016 for Bel-Aire Dr. & Bel-Aire Lane**. Changing the designation to medium density will open the door to increased traffic congestion and related problems connected to high density housing.

Bel-Aire Drive and Bel-Aire Lane are already a through way for motorists entering and exiting the Vose Neighborhood. Allowing dwellings to expand on this corridor will add to traffic accident risks, carbon pollution and a higher crime rate possibility. Statistics show that non-owner occupied homes and apartment homes have higher crime rates than lower density residential neighborhoods.

Higher density housing will decrease the property value of our homes since single family homes are valued less than similar homes in strictly residential neighborhoods.

It is imperative that Denney Road remain a free flowing access for the residents as well. As Beaverton home owners, we feel compelled to disagree with the major changes to the Vose Neighborhood that your proposals may permit.

Respectfully,

Ruth Homan


Carl Homan

7450 SW Bel Aire Drive

Attn: Staff of Board of Planning Commission

PLANNING DIVISION

PO Box 470

Beaverton, OR 97008

For case file numbers CPA 2009-0016, Bel Aire Dr. Land Use Amendment

December 1, 2009

To Members of the planning commission:

In relation to the zoning change I would like to oppose the change being made to the related problem listed below.

RECEIVED
DEC 08 2009
City of Beaverton
Community Development Dept.

1) Increased traffic flow has already met its maximum for this neighborhood during morning and afternoon commuting hours. With the additional traffic flowing from the Greenway Neighborhood across Hall Blvd to the south and additional neighborhoods from Murrayhill and onward. It is a known fact that the access to the neighborhood a less safer location to reside do to non traffic neighborhood flow itself. Adding additional increased zoning changes this location for the area and the neighborhood quality of living and safety. At this time it is a known fact also that the neighborhood has already had speed bumps placed in strategic locations throughout the neighborhood to help with the slowing of vehicles do to its additional flow and speed of traffic. This change of density will create what has already been done by the city and of the neighborhood and the city itself. Please note that the speeding still excessively occur regularly on this road. Before these changes are to move forward if at all there be a traffic study.

2) Also to be noted to add to the density would bring additional non owner occupied tenants to a location of mostly residential homes. It is a proven fact that the percentage for regard for these locations of living isn't the same as it would be for a homeowner. There has been more theft and abuse of driving habits to non owner tenants on our block. This has also already created location with neighbors with the existing apartment condo locations. Also it being a known fact that the increase in theft is also a factor. Along with the change in our section of the (Map Amendment) which would be an on our planning maps it is also known that there will also be a change made to the (MAP) on Millerway to amend the same zoning. This also negates what this neighborhood is about. It is also the concern that there would be an additional change in the zoning precluding a potential change that it would also change the zoning from the Belcrest change to the Bel Aire change to a higher density on this section of road. This is truly not the direction of positive change for the residents in our location.

3) An additional concern is also the density that it brings to these elementary school. How does this affect the quality of the children that are already having these proficiency levels than the rest of the school district as noted in the Public Report Card. Possible has there been any study's as to the increase in children and the quality of learning.

George W. Kendall
7450 SW Bel Aire Dr.
Beaverton, OR 97008

12/8/2009 9:17 AM

1 of 1

7420 SW Bel Aire Drive

RECEIVED

DEC 08 2009
City of Beaverton
Development Services

Attn: City of Beaverton Planning commission
Planning Division
PO Box 4755
Beaverton, Or 97076
Re: case file number: CPA 2009-0016, Bel Aire Dr, land use Amendment

December 7, 2009

To Members of the planning commission:

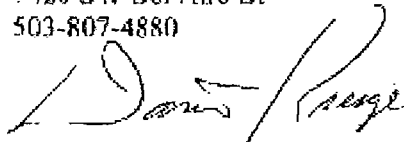
In reference to the zoning changes I have concluded that I oppose the change in zoning do to the related problems listed below.


- 1) Increased traffic flow has already met its maximum for this neighborhood during morning and afternoon commuting hours. With the additional traffic flowing over from the Greenway Neighborhood across hall Blvd to the South and additional neighborhoods from Murrayhill and onward. It is a known fact that the access to get to and from Highway 217s access do to inadequate traffic planning has made this neighborhood a less safer location to reside do to non traffic neighborhood flow in itself. Adding additional increased zoning changes this location for the worse and its neighborhood quality of living and safety. At this time it is a known fact also that the neighborhood has already had speed bumps placed in strategic locations throughout the neighborhood to help with the slowing of vehicles do to its additional flow and speed of traffic. This change of density would negate what has already been done by the citizens of the neighborhood and the city itself. Please note that the speeding still excessively occurs regularly on this road.
- 2) Also to be noted to add to the density would bring additional non owner occupied tenants to a location of mostly residential homes. It is a proven fact that the percentage for regard for there location of living isn't the same as it would be for a homeowner. There has been more theft and abuse of driving habits to non owner citizens on our block. This has also already created tension with neighbors with the existing apartment condo locations do to intoxicated non owner residences. Also it being a known fact that the increase in theft is also a factor.

Along with the change in our section of the (Map Amendment) undisclosed to us on our planning maps it is also known that there will also be a change made to the (MAP) on Hillcrest to amend the same zoning. This also negates what this Neighborhood is about. It is also the concern that there would be an additional change in the zoning precluding a potential change that it would also change the zoning from the Hillcrest change to the Bel Aire change to a higher density on this section of road. This is truly not the direction of positive change for the Residents in our location. It will knowingly reduce the value in the existing homes surrounding the neighborhood along with the safety of its residences.

- 3) An additional concern is also the Density that it brings to Vose Elementary School. How does this affect the quality of the Children that are already having lower proficiency levels than the rest of the school district as noted in the States (Report Card) Records? Has there been any study's as to the increase in children and the quality of learning. As noted in the Mayors message located in the city magazine (PGI), it states that we in Beaverton have the best city in Oregon to raise Children. Let's try and maintain what this article states and work first on Vose schools report card before throwing higher density issues at it along also with the safety of the kids that walk these streets to the school. Trying to meet state and local standards for increased density does not fit in this neighborhood.

Sincerely
Darin Kresge
7420 SW Bel Aire Dr
503-807-4880



 CITY OF BEAVERTON
DEVELOPMENT SERVICES
PO BOX 4755
BEAVERTON OR 97076-4755

7009 2820 0001 7052 8779


PLAN AMENDMENT SPECIALIST
OREGON DEPARTMENT OF LAND CON
635 CAPITOL STREET NE SUITE 150
SALEM OR 97301-2540

FIRST CLASS

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