



Memorandum

TO: Chris Jordan, City Manager

FROM: Peter Spir, Associate Planner

DATE: September 29, 2008

SUBJECT: Zone change and Comprehensive Plan Map change from R-10 to R-4.5.
(ZC-08-01)

Purpose

The applicants wish to rezone three properties at the northeast corner of Willamette Drive and Shady Hollow Way from R-10 to R-4.5. This also requires a Comprehensive Plan Map Amendment to redesignate the same parcels on the Comprehensive Plan Map from low to medium density residential.

It is important to remember that no development is proposed at this time, only the rezoning and Plan Map redesignation. If the applicant is successful in obtaining the zone and plan map change then he is expected to proceed with the submittal of a separate development application for design review and possibly a Planned Unit Development. There will be a full public hearing before the Planning Commission to consider that application if or when it is submitted.

Discussion

The three properties in this application are currently zoned R-10. The property to the north of the site is zoned R-10 and occupied by single family homes on large lots. The property to the east is zoned R-10 and occupied by single family homes. Across Shady Hollow Way, also to the east, the two properties are zoned R-10 and R-4.5.

The property to the south is zoned R-10 and General Commercial. A single family house occupies the R-10 zoned parcel and Burgerville restaurant occupies the General Commercial parcel. On the opposite side of Willamette Drive the zoning is R-10 (single family residential 10,000 square foot lot size). Single family homes occupy these lots.

Looking at this property within the larger context of Willamette Drive, it represents the northern residential "edge" to a three-quarter mile long stretch of commercially zoned properties. Planning theory often encourages medium or higher density housing as way to transition between commercial zones and lower density residential zones. This is most often seen when the transition takes place on a major arterial such as Willamette Drive. Alternately, the need for a transition could be considered already satisfied by the width of Shady Hollow Way which separates the residential and commercial uses.

Site analysis reveals that the properties are surrounded by tall dense hedges and bushes which limit visual access to the site. Robinwood Creek represents the northern edge of the site. The creek is classified as a riparian corridor with a minimum 100 foot transition area on both sides of the creek. The applicant's arborist states in the submittal that one tree that may be significant.

Options

Deny the proposed zone change and plan map amendment on specific findings relative to the approval criteria. Possible basis for denial would be that there has not been "proof of change in the neighborhood" to warrant a zone change as required per CDC 105.050(B)(1). Or that, per CDC 105.050(C)(2) it has not been demonstrated that the proposal is in the interest of the present and future community since the plan and zone change could be a precursor to subsequent zone and plan change applications for adjacent property which might threaten the character and value of their neighborhood north towards Arbor Drive. This can be expressed as the "domino effect".

Approve the proposed zone change and plan map amendment on specific findings relative to the approval criteria. These findings are located in the staff report and the applicant's submittal. The findings included:

- Consistency with the Comprehensive Plan and the Robinwood Neighborhood Plan.
- Consistency with the locational criteria of the R-4.5 and medium density map designation.
- Meets the approval criteria of CDC Chapter 105.
- Higher density on Willamette Drive supports the Transportation Planning Rule and may reduce reliance upon the private automobile which would reduce fossil fuel consumption.
- Higher density can also yield efficiencies in urban infrastructure and improved ridership on transit.

Recommendation

The Planning Commission, at their September 17, 2008 hearing, made findings that the proposed rezone and plan map amendment does meet the approval criteria and unanimously recommended approval of this application. The Planning Commission also recommended conditions which appear in their decision notice.