

AN ORDINANCE OF THE CITY OF MILWAUKIE, OREGON, AMENDING ORDINANCE NUMBERS 1437 AND 1438, BY REDESIGNATING CERTAIN PROPERTY FROM MEDIUM DENSITY RESIDENTIAL COMPREHENSIVE PLAN DESIGNATION TO HIGH DENSITY RESIDENTIAL COMPREHENSIVE PLAN DESIGNATION AND RE-ZONING THE PROPERTY FROM R-3 to R-2.5 (CPA-86-03, ZC-86-06, S. BLUESTONE REALTY).

WHEREAS, a Comprehensive Plan Map Amendment and Zone Map Amendment for this property were considered at public hearings before the Planning Commission on July 22, 1986, and City Council on August 19, 1986.

WHEREAS, the City Council finds that the applications should be approved based on the findings listed below,

NOW, THEREFORE, THE CITY OF MILWAUKIE DOES ORDAIN AS FOLLOWS:

Section 1. Findings. The following findings of fact and conclusions are adopted:

FINDINGS:

1. The Applicant requests a Comprehensive Plan Amendment from Medium Density to High Density and a Zone Change from R-3 to R-2.5.
2. Objective #2 of the Residential Element of the Comprehensive Plan indicates that higher density residential uses be located so that the concentration of people will help support public transportation services and major commercial areas and will have close proximity to major streets.
3. The proposed site is 1 to 2 blocks from King Road, a Minor Arterial with a bus route linking the Milwaukie Transit Center, downtown Portland and Clackamas Town Center.
4. The site is approximately 150 feet from a commercial area to the west, which the Comprehensive Plan designates as one of two District Shopping Centers in Milwaukie.
5. Objective #2, Policy 5, outlines three policies which are to be used to site High Density Residential developments. These are, first, that the predominant type of housing will be townhouse and multi-family; second, that High Density projects will not cause traffic to move through adjacent lower density areas; and third, that High Density projects will be located within convenient walking distance of the downtown district/office center, or major public transit stations or transfer areas.
6. Neighborhood Conservation, Objective #4 of the Residential Element, indicates that higher density housing should be located near major commercial centers, near arterials and in support of public transit.

7. The Applicant proposes single-family attached units.
8. This proposal will result in locating a parcel with a High Density Plan Designation, which will be surrounded by an area designated Medium Density in the Comprehensive Plan, which contains some actual surrounding development which is currently at densities allowed by the High Density Comprehensive Plan designation.
9. This proposal will be located approximately 1.3 miles from the downtown office center and the Milwaukie Transit Center, but is located within 150 feet from a District Shopping Center and within 1½ blocks of a transit route.
10. The site is a vacant lot with development to the north, south, east and west.
11. A Comprehensive Plan Amendment request must indicate public need for the change.
12. The Applicant indicates that public need is met because this development will offer lower rents than currently found in the area (without providing actual comparisons), utilizing smaller lots and hence conserving land and increasing the attractiveness of the neighborhood (the lots are currently vacant and contain debris).
13. Public need must be shown to be best satisfied by this particular proposal.
14. The Applicant has not indicated whether there are other vacant parcels located in the area which would better meet the criteria.
15. It must be shown that this request will not adversely affect the health, safety and welfare of the community.
16. Storm drainage detention is unavailable in the area and would be required.
17. Additional dwellings could not be served with water unless a six-inch water main was constructed from 44th Avenue to the site.
18. Harrison and Llewellyn Streets are currently below City improvement standards.
19. The Zoning Ordinance requires upzoning proposals to be to the maximum Comprehensive Plan Map designation unless it can be proven that development at full intensity is not possible due to certain physical conditions.
20. The highest density zone which implements the High Density Comprehensive Plan designation would be R-1.

21. The R-1 Zone would allow up to a 14-unit apartment complex on this site.
22. Development at R-2.5 would allow up to 8 units on the site (single-family attached).
23. The surrounding zoning is R-3 which would allow 6 units on this site (multi-family apartments).
24. This Zone Change proposal is in compliance with the Zoning Ordinance in that adequate public facilities are provided or can be made available upon development.

CONCLUSIONS:

1. This proposal for a Comprehensive Plan Amendment from Medium Density to High Density is in compliance with the Comprehensive Plan in that public services are available or can be provided to the site, it is near a District Shopping Center and within 1½ blocks of a transit route.
2. This proposal is in compliance with the goals and policies of the Comprehensive Plan, and with public need as expressed in the Comprehensive Plan, in that it would result in an insignificant amount of traffic which would move through adjacent lower density areas and although it is not within convenient walking distance of Downtown or a major transit station, it is within walking distance of a transit route which serves the Milwaukie Transit Center, and a District Shopping Center.
3. It is not proven that public need is best satisfied by this particular request, however, it is in compliance with the Comprehensive Plan in that affordable, innovative housing will be provided.
4. The health, safety and welfare of the community should not be adversely affected by this proposal if all City ordinances and building codes are complied with and all public facilities provided to the site.
5. This proposal meets the requirements of the Zoning Ordinance in that, due to surrounding R-3 densities, it is appropriate to zone the subject property not to R-1 (the maximum Plan designation required), but to R-2.5 as proposed, subject to a Comprehensive Plan Amendment from Medium Density Residential to High Density Residential.
6. This proposal complies with the requirements of the Zoning Ordinance in that public services and facilities are available or can be made available to the site.

ORDINANCE NO. 1604

Section 2. Plan Map Amendment. Figure 6 of Ordinance Number 1437 is amended by changing the Land Use Plan Map designation from Medium Density Residential to High Density Residential for the property described in Exhibit "A" attached.

Section 3. Zoning Map Amendment. The Zoning Map of Ordinance Number 1438 is amended by rezoning the property described in Exhibit "A" attached from R-3 to R-2.5.

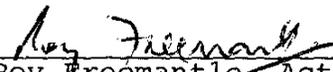
Read the first time on August 19, 1986, and moved to second reading by majority vote of the City Council.

Read the second time and adopted by the City Council on September 2, 1986.

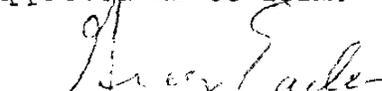
Signed by the Mayor on 2 Sept, 1986.

  
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Mayor

ATTEST:

  
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Roy Freemantle, Acting Finance Director

Approved as to form:

  
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Greg Eades, City Attorney

ORDINANCE NO. 1604

EXHIBIT "A"

Lots 17, 18, 19, 20, 29, 30, 31 and 32 of Block 18, Minthorn  
Addition to the City of Portland, County of Clackamas