

ORDINANCE NO. 2019-02

ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO HIGH DENSITY RESIDENTIAL (HDR); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; FILE NUMBER 311-19-000001-PLNG

WHEREAS, Roberta Reynolds, Linda Eshraghi, and Shannon Polich filed for the proposed map amendments on January 14, 2019; and

WHEREAS, the application was deemed complete on February 12, 2019; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development (DLCD) on February 22, 2019. DLCD did not register any comments; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on March 11, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on March 27, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on April 1, 2019, and continued the hearing to April 15, 2019; and

WHEREAS, no objections to the amendment were registered at the Planning Commission hearing; and

WHEREAS, the Planning Commission recommended approval of the amendment as documented in Planning Commission Decision and Findings #2019-05; and

WHEREAS, notice of the City Council hearing was mailed to affected parties on May 1, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on May 8, 2019; and

WHEREAS, the City Council held Public Hearings concerning this amendment on May 13 and May 28, 2019, and made a determination on the basis of the findings contained in Section 1 below; and

WHEREAS, there is on file with the City Council a staff report which includes the criteria, facts, and conclusions which collectively are the findings supporting this request:

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1: The findings contained in the staff report for this proposal (File Number 311-19-000001-PLNG), the minutes of the Planning Commission meetings of

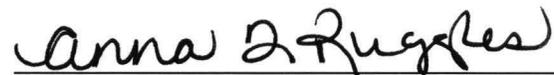
April 1 and April 15, 2019, and Planning Commission Findings and Decision Number 2019-05, are hereby adopted and incorporated by reference into this ordinance.

Section 2: The City Council hereby adopts the amendment to re-designate Washington County Tax Lots 1N331DA07500 and 1N332C000800 from General Industrial (GI) to High Density Residential (HDR) on the Comprehensive Plan Map as shown on Exhibit A.

Section 3: This ordinance is effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading the 13th day of May, 2019.

PASSED the second reading the 28th day of May, 2019.



Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of May, 2019.



Peter B. Truax, Mayor

EXHIBIT B

PLANNING COMMISSION DECISION #2019-05

Planning Commission Findings and Decision Number 2019-05
To Approve a Comprehensive Plan Map Amendment and Development Code
Zoning Map Amendment to Re-Designate Two Parcels From General
Industrial to Residential Multi-Family High Density
Washington County tax lots 1N331DA07500 and 1N332C000800
File Number: 311-19-000001-PLNG

WHEREAS, Roberta Reynolds, Linda Eshraghi, and Shannon Polich, owners of Washington County tax lots 1N331DA07500 and 1N332C000800, filed for the proposed map amendments on January 14, 2019; and

WHEREAS, the application was deemed complete on February 12, 2019; and

WHEREAS, because tax lot 1N331DA07400 would be bounded on three sides by a residential designation (if the application was approved for the other two parcels) it was also included in this review process; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development on February 22, 2019; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on March 11, 2019 as required by Development Code §17.1.610. Notice was also published in the *News Times* on March 27, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on April 1, 2019 and continued the hearing to April 15, 2019; and

WHEREAS, testimony was received that the owner of tax lot 1N331DA07400 is interested in developing the site with an industrial use and therefore wishes to retain the General Industrial designation on that parcel.

The City of Forest Grove Planning Commission does hereby recommend approval of the comprehensive plan map and zoning map amendments for Washington County tax lots 1N331DA07500 and 1N332C000800, making the following specific findings in support of this decision:

- 1) The Planning Commission adopts by reference the staff report including findings and recommendations dated April 1, 2019.
- 2) The following decision considerations apply to the proposed Comprehensive Plan Map amendment –
 - Applicable Oregon Statewide Land Use Planning Goals;
 - Applicable Comprehensive Plan policies;
 - Metro Regional Framework Plan; and
 - Metro Urban Growth Management Functional Plan.

The following criteria apply to the proposed Zoning Map amendment (DC §17.2.770) –

- A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed zone and its potential uses vary. The factors to be considered in determining suitability are parcel size and location.
- D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.
- E. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.
- F. The establishment of a zone district is not subject to the meeting of conditions.

The applicable decision considerations and approval criteria are described more fully below. Findings are also provided below.

Oregon Statewide Land Use Planning Goals

Goal 2 – Land Use: Goal 2 establishes guidelines for major revisions and minor changes to the Comprehensive Plan. Goal 2 stipulates that a minor change should be based on information that will serve as the factual basis to support the change. The public need and justification for the change should be established.

Finding for Goal 2: The proposed Comprehensive Plan amendment affects two parcels with a combined area of less than two acres. Re-designating the properties from General Industrial to High Density Residential will not have a significant effect beyond the immediate area of the change and is therefore considered to be a minor amendment. This determination is based on the aggregate area of the parcels and their limited individual areas:

- Tax lot 1N331DA07500 is 1.35 acres with no known constraints;
- Tax lot 1N332C000800 is 0.45 acres but has no frontage onto any public street.

The public benefit of the proposed Comprehensive Plan Map and Zoning Map amendment is to promote development on the property, thereby increasing the City's tax base. The properties have not developed with industrial uses and they are unlikely to become industrial given their adjacency to a residential neighborhood, lack of access to a Collector or Arterial street (access for the near term would only be via Local streets through a residential area), and small lot sizes. The conceptual 23rd/24th Avenue Collector extension between Hawthorne and Oak streets may not directly serve these properties, as it may need to be sited farther south in order to avoid a wetland.

Goal 10 - Housing: Goal 10 specifies that each city and county must plan for and accommodate needed housing types and to plan and zone enough buildable land to meet those needs.

Finding for Goal 10: The City's Economic Opportunity Analysis shows a need for 3,900 housing units over the next 20 years, based on the Baseline Growth Scenario of 2% per year. Re-designating the subject area from General Industrial to High Density Residential will provide opportunity to meet the identified housing need. If zoned for high density residential development the two parcels could

accommodate as few as about 29 units and as many as about 37 units, based on gross acreage. The actual number of units would be based on net acreage.

Designating the property as High Density Residential would also help the City achieve a minimum development residential density allocation for new construction of 8 units per acre that the City must meet overall under the Metropolitan Housing Rule (OAR 660-0007-0035).

Metro Regional Framework Plan

The Metro Regional Framework Plan establishes a land use concept for the Portland region. Under the Metro Charter and state law, cities and counties within Metro's boundaries are required to comply and be consistent with the Regional Framework Plan.

The plan contains policies for growth management and land use planning for matters of metropolitan concern. It establishes a hierarchy of mixed-use, pedestrian friendly centers that are well connected by high capacity transit and corridors. It establishes Regional Centers, Town Centers, Corridors, Transit Station Communities, neighborhoods, and Industrial and Employment areas.

Finding: The proposed Comprehensive Plan Map and Zoning Map amendments will result in the re-designation of 1.80 acres of land from General Industrial to High Density Residential/Residential Multi-Family High density. The subject area is bounded on the north side by lands designated as High Density Residential. The amendment supports the Metro Regional Framework Plan by promoting additional housing opportunities near the Town Center and Highway 8 (Pacific Avenue) corridor, and a nearby industrial area.

Metro Urban Growth Management Functional Plan

The Metro Urban Growth Management Functional Plan implements provisions of the Metro Regional Framework Plan including promoting a compact urban form. The following chapter of the Metro Urban Growth Management Functional Plan is applicable to this proposal, since the subject area is currently zoned for industrial uses:

Title 4: Industrial and Other Employment Areas - The subject properties are identified as within an Industrial Area on the Metro Employment and Industrial Area Map. Therefore, the provisions of Title 4 pertaining to map amendments apply. The subject properties are connected to the Industrial Areas located to the east and south.

Under Urban Growth Management Functional Plan §3.07.450(C), a city or county may amend its comprehensive plan or zoning map designation to allow uses in an Employment or Industrial area upon making a demonstration that:

- (1) The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two;

Finding: The subject properties are not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two. The subject properties are bounded on the north by land designated Residential Multi-Family High density on the Zoning Map. Therefore, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (2) The amendment will not reduce the employment capacity of the city or county.

Finding: The subject properties have been designated General Industrial since at least 1987 yet have not converted to industrial use. The amendment would have little impact on the employment capacity of the city or county because the subject site is less than two acres in size and has been partially developed with a single-family home that does not contribute to the employment of the area.

Given the minor impact to the city's or county's employment capacity, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (3) If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities.

Finding: The subject properties are not designated as a Regionally Significant Industrial Area. Since they are not designated as a Regionally Significant Industrial Area, this criterion does not apply.

- (4) The amendment would not allow uses that would reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to TRP standards within two years after approval of uses.

Finding: The subject properties are located on or near 25th Avenue and Kingwood Street. Neither street is designated as a Main Roadway Route or Roadway Connector on the Regional Freight Network Map in the RTP. Therefore, the amendment will not allow uses that would reduce off-peak performance on Main Roadway Routes or Roadway Connectors or impact volume-to-capacity standards in the RTP. Thus, the subject properties qualify for re-designation from General Industrial to Residential Multi-Family High density.

- (5) The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas.

Finding: The proposed amendment will allow for residential development. As such, it would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in the market area.

- (6) If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is ten acres or less; if designated Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 4 acres or less.

Finding: The site is not designated as a Regionally Significant Industrial Area or an Employment Area. It is designated as an Industrial Area. As the site totals 1.80 acres in area, it complies with the criterion that the area subject to the amendment is 20 acres or less.

Functional Plan §3.07.450(D)

A city or county may also amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:

- (1) The entire property is not buildable due to environmental constraints; or

Finding: The subject properties are buildable in their entirety.

- (2) The property borders land that is not designated on the map as Industrial Area or Regionally Significant Industrial Area; and

Finding: The site borders land designated as an Industrial area on the Metro - Title 4, Industrial and Other Employment Areas Map. Therefore, the subject area does not qualify for re-designation from General Industrial to High Density Residential/Residential Multifamily High under this criterion. As indicated elsewhere, the parcels do qualify for re-designation based on other Metro Functional Plan Title 4 criteria.

- (3) The assessed value of a building or buildings on the property, built prior to March 5, 2004 and historically occupied by uses not allowed by this title, exceeds the assessed value of land by a ratio of 1.5-to-1.

Finding: The home at 2355 Kingwood Street (tax lot 1N332C000800) was built in 1900. Based on Washington County Assessment and Taxation Department data, the estimated assessed value of the improvement is \$118,440. The estimated assessed value of the land is \$159,590. As the value of the use is less than the value of the land, it does not exceed the 1.5-to-1 ratio.

The property at tax lot 1N331DA07500 is unimproved. The estimated value of the land is \$179,950. As there are no buildings on this parcel, the improved value does not exceed the 1.5-to-1 ratio.

Forest Grove Comprehensive Plan Policies

The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states: "Evaluate requests for re-zoning from non-residential to residential development zones based on the following factors:

- (A) Identified housing needs contained in an adopted Goal 9 Analysis;
- (B) Ability to provide services in a cost-effective and efficient manner;
- (C) Potential of the site to support higher density development;
- (D) Site characteristics including topography; and
- (E) Land use location policies of the Comprehensive Plan."

Finding for Factor A: The City's Goal 9 Economic Opportunity Analysis shows a need for an additional 3,900 dwellings under the Baseline (2% annual growth rate) scenario and 4,737 dwellings under the Medium (2.3% annual growth rate) scenario. Re-designating these properties High Density Residential will help to meet this housing need.

Finding for Factor A: The City's 2019 Economic Opportunity Analysis shows an excess of industrial land over a 20-year planning period of 40 to about 197 acres. Thus, because these parcels total less than two acres in area, re-designating them to a non-industrial use would have minimal impact on the city's industrial land supply.

Finding for Factor B: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. Given the presence of utilities, there is the ability to provide services in a cost-effective and efficient manner.

Finding for Factor C: The properties meet the location factors for high density residential development as indicated below. However, the size of 2355 Kingwood Street (0.45 acres) is a limiting factor; because it is less than 0.50 acres in size, it is exempt from the minimum density requirement as per Development Code §17.3.130(D) *Exemptions from Minimum Density Requirements*.

Finding for Factor D: The subject properties are flat with a slope of less than 5%. Topography is not a limiting factor for development of this area. In addition, the parcels are not irregularly shaped and are configured to allow for further development.

Findings for Factor E: Land Use Location Factors – High Density Residential

FACTOR	FINDING
Slope is less than 10%.	The subject site is flat with a cross-slope of less than 5%.
Carrying capacity of the land given the presence of wetlands, soil characteristics And infrastructure capacity.	There are no known wetlands on the subject parcels. The site is served by the full array of City services including water, storm sewer, sanitary sewer and electricity. Sufficient infrastructure capacity exists and urban development is assumed in the City's Water, Waste Water, Storm Drainage and Transportation Systems plans.
Sites are located within ¼ mile of planned or existing transit service.	The parcels are located within ¼ mile of the GroveLink east loop, which has a route on Hawthorne Street and 22 nd Avenue.
Sites are adjacent to existing or planned parks or open space.	No existing or planned parks are adjacent, but Stites Park is approximately ¼ mile from the site. The site is adjacent to open spaces located at Casey West Tract A, 2922 25 th Avenue and 2930 26 th Avenue.
Sites are within ¼ mile of designated employment areas.	The site is not located within ¼ mile of a designated employment area.
Constructed with single-family residential development if approved through planned residential development process.	No development is proposed. Therefore, this factor is not applicable.
Creation of nodes to facilitate transit extension.	This location is not part of a node intended to support transit service. Therefore, this factor is not applicable.

Zoning Map Amendments Review Criteria (DC §17.2.770)

1. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

Finding: If the properties are re-designated to High Density Residential, the RMH Multi-Family High Residential zone would be appropriate.

2. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.

Finding: The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states "Evaluate requests for rezoning from non-residential to residential development zones based on the following factors:

- A. Identified housing needs contained in an adopted Goal 9 Analysis;
- B. Ability to provide services in a cost-effective and efficient manner;
- C. Potential of the site to support higher density development;
- D. Site characteristics including topography; and
- E. Land use location policies of the Comprehensive Plan."

Findings pertaining to consistency with the applicable Comprehensive Plan policies are provided above.

3. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

Finding: The zone change is consistent with the adopted Transportation System Plan since development allowed by the proposed Residential Multi-Family High density zone will not substantially impact the operation of 25th Avenue or Kingwood Street. Both roadways are Local streets serving residential uses. The areas to the north and west are currently zoned Residential Multi-Family High density. The addition of less than two acres of multi-family zoned land should not significantly increase traffic volumes assumed in the TSP for this area, especially when the street network is completed.

Finding: The applicant submitted a traffic assessment prepared by a professional transportation planning and engineering firm. This assessment was based on the two eastern parcels which total 2.0 acres in area. The assessment reviewed the traffic implications of developing the properties under the General Industrial designation and under the RMH designation. The assessment modeled the traffic that would be generated by the highest trip generation rates (a call center and manufacturing) and compared that with the traffic that would be generated if the properties were developed at the highest residential density possible (20.28 DUA). The assessment notes that "traffic impacts are typically measured during p.m. peak hours...."

- Industrial average daily trips (ADT) would range from 171 (manufacturing) to 255 (a call center).
- Residential ADT would be 293.
- Evening peak hour trips would be 29 for manufacturing and 30 for a call center.
- Residential evening peak hour trips would total 22.

The study concluded that:

- "The proposed change would result in a net decrease in p.m. peak hour trip generation and as such the requirements of the TPR are met."
 - With the change, "the level of travel and access would be consistent with that of the surrounding streets."
4. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.

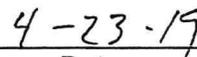
Finding: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. The proposed amendment would not be anticipated to create any greater demand for public facilities and other public services than that which would be demanded under the existing industrial designation.

5. The establishment of a zone district is not subject to the meeting of conditions.

Finding: No conditions of approval are proposed.



TOM BECK, Chair



Date

Date: MAY 28, 2019

Agenda Item: 6. A. & 6. B.

Subject: 6. A. SECOND READING OF ORDINANCE NO. 2019-02 AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO HIGH DENSITY RESIDENTIAL (HDR); AND 6. B. SECOND READING OF ORDINANCE NO. 2019-03 AMENDING ZONING MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (RMH); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; APPLICANTS: ROBERTA REYNOLDS, LINDA ESHRAGHI, AND SHANNON POLICH FILE NUMBER 311-19-000001-PLNG

CITY COUNCIL MEETING

Request to Testify at Public Hearing

Public Hearings – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign-in for the Public Hearing prior to the meeting. The Mayor or presiding officer will review the complete hearing instructions prior to testimony. The Mayor or presiding officer will call the individual or group by the name given on the sign-in form. When addressing the Mayor and Council, please move to the witness table (center front of the room). Each person should speak clearly into the microphone and must state their first and last name and provided a mailing address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the Mayor or presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.

Please sign-in below to testify:

PROPONENTS: (Please print legibly)

First & Last Name:
MARK VANDERZAN DEN

Address: City, State & Zip Code:
3265 SW FAIRMONT, PDX 97239

OPPONENTS: (Please print legibly)

First & Last Name:
JOHN CLIFFORD BREWER
CRAIG ENSBROM

Address: City, State & Zip Code:
1388 SE RIVER RD BAK 97267
5120 SW 198TH ALOHA GROVE 97007

OTHERS: (Please print legibly)

First & Last Name:

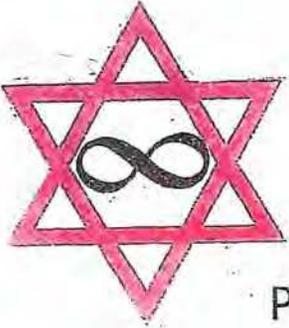
Address: City, State & Zip Code:

ADDITIONAL WRITTEN TESTIMONY RECEIVED CITY COUNCIL MEETING OF MAY 28, 2019

6. A. CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2019-02 AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO HIGH DENSITY RESIDENTIAL (HDR); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; APPLICANTS: ROBERTA REYNOLDS, LINDA ESHRAGHI, AND SHANNON POLICH; FILE NUMBER 311-19-000001-PLNG
6. B. CONTINUE PUBLIC HEARING AND SECOND READING OF ORDINANCE NO. 2019-03 AMENDING ZONING MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (RMH); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; APPLICANTS: ROBERTA REYNOLDS, LINDA ESHRAGHI, AND SHANNON POLICH FILE NUMBER 311-19-000001-PLNG
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1. Letter date-stamped May 28, 2019, submitted by Manifold Management Company, 5090 SW 198th Avenue, Aloha, OR 97078, representing Sellwood Enterprises, LLC

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"M.M.C."

Manifold Management Company

5090 SW 198th Avenue

Aloha, Oregon 97078

PH 503-649-6699 FAX 971-371-2918



"SERVICE KING
Family of
COMPANIES"

Regarding: Kingwood from Kaylee Apartments to Casey Meadows

5/28/2019

To Whom It May Concern:

The following is information derived from John Clifford Brewer.

Mr. Brewer is a retired lawyer from Virginia. His experience and expertise comes from doing research for various Tile Insurance Companies and other Law Firms.

These are a series of reports to me Craig Enstrom, Comptroller of Manifold Management Company that represents Sellwood Enterprises, LLC.. Sellwood Enterprises owns parcel # 7400 which is 3.08 acres located on Kingwood. Craig Enstrom is the Managing Member of Sellwood Enterprises, LLC.

This covers the road from Kaylee Apartments to Casey Meadows in Forest Grove, Oregon. It is the report for the easements on that stretch of Kingwood. The report does not include the crossing of the railroad tracks and the entrance through the parking lot of Kaylee Apartments.

This is being presented to the Council as well as the testimony of Mr. Brewer.

Craig A. Enstrom

Comptroller

Manifold Management Company

Representing: Sellwood Enterprises, LLC

CELLULAR #: 503-358-6562

EMAIL: serviceking11@gmail.com

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John Clifford Brewer

1388 Southeast River Forest Road
Oak Grove, Oregon 97267
503.939.3484
brewerjc60@gmail.com

March 14, 2018

RE: 2350 Kingwood, Forest Grove, Oregon, Tax Lot 1000
2352 Kingwood, Forest Grove, Oregon, Tax Lot 1003
Together with an easement to 25th Street

Mr. Craig Enstrom
5120 SW 198th
Aloha, Oregon 97007

Dear Craig:

You have asked me to examine the records in the Clerk's Office of the Circuit Court of Washington County regarding the above captioned properties. The report goes back to 1940 and comes forward to March 14, 2018. this report deals with what I have found recorded:

The properties were described in a letter to the Clerk of Circuit Court dated November 21, 1962. This letter conveyed nothing however did contain the description of the roadway in question. See copy attached. I believe this is what your title company and subsequent people have relied upon in order to reach the property. Prior to this letter the roadway was described in a number of ways:

The easement had been previously described in a deed dated July 25, 1941, recorded August 15, 1941 in Deed Book 201 at page 259 in favor of William B. McCue and Margaret Ellen McCue. The easement mentioned in this deed is "a right to use as a roadway: Beginning at the Southwest corner of the parcel above designated as "First Tract:" thence West 3.905 chains; thence North 30 feet, thence East 3.905 chains; thence South 30 feet to a point of Beginning". See copy attached.

In a deed dated October 19, 1942 recorded October 21, 1942 in Deed Book 212, page 242 in favor of Alex Martin and Helena G. Martin the easement is referred to as a "30 foot strip for private roadway running from the Southeast corner West 3.905 chains". This description may be the issue with people confusing the roadway as "private". See copy attached

In a deed dated June 8, 1954 recorded September 2, 1954 in Deed Book 360, page 59 a "15 foot perpetual easement for a Transmission Line appears in favor of The United States of America, and its assigns". See copy attached

The title policy references a contract for deed dated October 12, 1964 recorded November 9, 1964 in Deed Book 529 page 622 in favor of Robert O. Patterson and Mary Ann Patterson. This contract has been assigned number of times and is finally assigned in Deed Book 642 page 719 in favor of Dale F. Burnham. This instrument cites the easement, however, the easement is for "roadway and utilities and reserves to the grantors, their heirs and assigns". As a contract for a deed to be delivered all this instrument does is convey a notice of intent. Nothing else is conveyed. A deed recorded in Deed Book 843 page 460 completes the contract and conveys the property to Dale F. Barnham and Linda A. Burnham. The Grantors in this deed cite "reserving to the GRANTORS hereunder, their heirs and assigns an easement for roadway and public utilities over and upon an area in the Southeast corner of the above described tract 50.0 feet long and 50.0 feet wide, when measured at right angles to the East and South lines of said tract, AND SUBJECT TO THE ROADWAY EASEMENT DESCRIBED IN DEED IN FAVOR OF F.C.MCCARTY, ET UX, AS RECORDED IN DEED BOOK 201, PAGE 259. The is the deed above (Deed Book 201, page 259) that appears to give a clear easement for used the roadway across the adjoining property to the east and north to 25th and 26th Avenues. One would believe this is a public right of way. See copy attached.

From this point the property has been conveyed a number of times and the easement back to 25th and 26th Avenues is never again mentioned. As the easement runs with the land even though it is not mentioned in each deed it still survives.

A deed conveyed in favor of Elmer E. Carter appears as instrument 79-21016 conveys Parcel 1. See copy attached.

A deed conveyed in favor of Elmer E. Carter appears as instrument 79-21017 conveys Parcel II. See copy attached.

A deed conveyed in favor of Joel E. Carter appears as instrument 86-41572 conveys Parcel II. See copy attached

A deed conveyed in favor of CarterCraft Corporation appears as instrument 89-35656 conveys Parcel 1. See copy attached.

A deed conveyed in favor of CarterCraft Corporation appears as instrument 89-37879 conveys Parcel II. See copy attached.

A deed conveyed in favor of MaeJon Corporation appears as instrument 93-76311 conveys Parcel I. See copy attached.

A deed conveyed in favor of MaeJon Corporation appears as instrument 93-76312 conveys Parcel II. See copy attached

A deed conveyed in favor of J E G Properties Inc. appears as instrument 98-42624 conveys Parcel II. See copy attached.

A deed conveyed in favor of J E G Properties Inc. appears as instrument 98-42a625 conveys Parcel 1, See copy attached.

A deed conveyed in favor of Sellwood Enterprises, LLC appears as instrument 2004-138295 conveys both parcel 1 and II together with "a non-exclusive easement for access to and from 26th Avenue as created by documents recorded: Book 201, page 259; Book 212, page 241; Book 529, page 622, Book 642, page 719 and Book 475, page 60." See all copies attached.

A Deed of Trust appears as instrument 2009-37267 in favor of Fidelity National Title Company, as Trustee, for the Beneficiary of Gerry McReynolds and Ilone McReynolds. See copy attached.

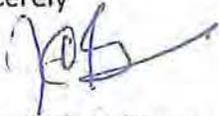
A deed conveyed in favor of Sellwood Enterprises, LLC appears as instrument 2010-024699. "This Deed is being recorded to create 2 tax lots into one. Resulting in one tax lot and to remedy a Land Use Violation" See copy attached.

The title policy cites a deed dated November 6, 1962 recorded November 7, 1962 (cited in the deed above) in Deed Book 475 page 60 in favor of Charles O. Davis and Virginia M. Davis. This appears to deal with a parcel North or the subject. See copy attached.

I am still missing a link in the chain of title. There needs to be a conveyance from Barnham in favor of Elmer E. Carter. I hope to be well this week to follow up on this missing piece and report my findings to you.

Additionally I will check on the property to the East of your property as well as the property located to the East of the 30 foot easement. I will include these owners addresses as well.

Sincerely

A handwritten signature in blue ink, appearing to read 'JCB', with a long horizontal stroke extending to the right.

John Clifford Brewer

Copies 38

John Clifford Brewer

1388 Southeast River Forest Road
Oak Grove, Oregon 97267
503.939.3484
brewerjc60@gmail.com

April 12, 2018

RE: 2350 Kingwood, Forest Grove, Oregon, Tax Lot 1000
2352 Kingwood, Forest Grove, Oregon, Tax Lot 1003
Together with an easement to 25th Street
And adjoining properties to the East

Mr. Craig Enstrom
5120 SW 198th
Aloha, Oregon

Dear Craig:

You have asked me to examine the records in the Clerk's Office of the Circuit Court of Washington County regarding the above captioned properties. The report goes back to 1940 and comes forward to April 12th, 2018. this report deals with what I have found recorded:

The properties were described in a letter to the Clerk of Circuit Court dated November 21, 1962. This letter conveyed nothing however did contain the description of the roadway in question. See copy attached. I believe this is what your title company and subsequent people have relied upon in order to reach the property. This letter is no longer available to be examined and only notes retained by the office of the clerk may be reviewed. Prior to this letter the roadway was described in a number of ways. The size or the Easement for the roadway has been described as 30 feet wide and 35 feet wide. Additional a 15 foot easement, adjoining the East side of the existing Easement (30 or 35 feet) does appear when the property, now owned by Donald M. Polich, and Daryl Shannon Polich is conveyed.

The easement had been previously described in a deed dated July 25, 1941, recorded August 15, 1941 in Deed Book 201 at page 259 in favor of William B. McCue and Margaret Ellen McCue. The easement mentioned in this deed is "a right to use as a roadway: Beginning at the Southwest corner of the parcel above designated as "First Tract:" thence West 3.905 chains; thence North 30 feet, thence East 3.905 chains; thence South 30 feet to a point of Beginning". See copy attached.

In a deed dated October 19, 1942 recorded October 21, 1942 in Deed Book 212, page 242 in favor of Alex Martin and Helena G. Martin the easement is referred to as a "30 foot strip for private roadway running from the Southeast corner West 3.905 chains". This description may be the issue with people confusing the roadway as "private". See copy attached

In a deed dated June 8, 1954 recorded September 2, 1954 in Deed Book 360, page 59 a "15 foot perpetual easement for a Transmission Line appears in favor of The United States of America, and its assigns". This easement appears to effect lands to the East of the existing lands. See map attached. See copies attached

The title policy references a contract for deed dated October 12, 1964 recorded November 9, 1964 in Deed Book 529 page 622 in favor of Robert O. Patterson and Mary Ann Patterson. This contract has been assigned number of times and is finally assigned in Deed Book 642 page 719 in favor of Dale F. Burnham. This instrument cites the easement, however, the easement is for "roadway and utilities and reserves to the grantors, their heirs and assigns". As a contract for a deed to be delivered all this instrument does is convey a notice of intent. Nothing else is conveyed. A deed recorded in Deed Book 843 page 460 completes the contract and conveys the property to Dale F. Barnham and Linda A. Burnham. The Grantors in this deed cite "reserving to the GRANTORS hereunder, their heirs and assigns an easement for roadway and public utilities over and upon an area in the Southeast corner of the above described tract 50.0 feet long and 50.0 feet wide, when measured at right angles to the East and South lines of said tract, AND SUBJECT TO THE ROADWAY EASEMENT DESCRIBED IN DEED IN FAVOR OF F.C.MCCARTY, ET UX, AS RECORDED IN DEED BOOK 201, PAGE 259. The is the deed above (Deed Book 201, page 259) that appears to give a clear easement for used the roadway across the adjoining property to the east and north to 25th and 26th Avenues. One would believe this is a public right of way. See copy attached.

From this point the property has been conveyed a number of times and the easement back to 25th and 26th Avenues is never again mentioned. As the easement runs with the land even though it is not mentioned in each deed it still survives.

A deed conveyed in favor of Elmer E. Carter appears as instrument 79-21016 conveys Parcel 1. See copy attached.

A deed conveyed in favor of Elmer E. Carter appears as instrument 79-21017 conveys Parcel II. See copy attached.

A deed conveyed by Elmer E. Carter in favor of Joel E. Carter appears as instrument 86-41572 conveys Parcel II. See copy attached

A deed conveyed by Joel E. Carter in favor of CarterCraft Corporation appears as instrument 89-35656 conveys Parcel 1. See copy attached.

A deed conveyed by Joel E. Carter in favor of CarterCraft Corporation appears as instrument 89-37879 conveys Parcel II. See copy attached.

A deed conveyed by CarterCraft Corporation in favor of MaeJon Corporation appears as instrument 93-76311 conveys Parcel I. See copy attached.

A deed conveyed by CarterCraft Corporation in favor of MaeJon Corporation appears as instrument 93-76312 conveys Parcel II. See copy attached

A deed conveyed by MaeJon Corporation in favor of J E G Properties Inc. appears as instrument 98-42624 conveys Parcel II. See copy attached.

A deed conveyed by MaeJon Corporation in favor of J E G Properties Inc. appears as instrument 98-42a625 conveys Parcel 1, See copy attached.

A deed conveyed by MaeJon Corporation in favor of Sellwood Enterprises, LLC appears as instrument 2004-138295 conveys both parcel 1 and II together with "a non-exclusive easement for access to and from 26th Avenue as created by documents recorded: Book 201, page 259; Book 212, page 241; Book 529, page 622, Book 642, page 719 and Book 475, page 60." See all copies attached.

A Deed of Trust executed by Sellwood Enterprises, LLC appears as instrument 2009-37267 in favor of Fidelity National Title Company, as Trustee, for the Beneficiary of Gerry McReynolds and Ilone McReynolds. See copy attached.

A deed conveyed by Sellwood Enterprises, LLC in favor of Sellwood Enterprises, LLC appears as instrument 2010-024699. "This Deed is being recorded to create two tax lots into one. Resulting in one tax lot and to remedy a Land Use Violation" See copy attached.

The title policy cites a deed dated November 6, 1962 recorded November 7, 1962 (cited in the deed above) in Deed Book 475 page 60 in favor of Charles O. Davis and Virginia M. Davis. This appears to deal with a parcel North of the subject. See copy attached.

The adjoining properties appear as follows:

Property to the East of the road easement is currently owned by Donald M. Polich and Daryl Shannon Polich. 2972 22 Avenue, Forest Grove, Or 97116. This property is 184 feet and 123 feet. A deed conveyed by Shirley A. Shook as Instrument Number 89-39638 appears of record. However, Shirley A. Shook received the property in Instrument Number 85-039537 with husband Norman R. Shook. No mention of the status of Norman R. Shook is made in the current conveyance. See copies attached

The property directly East of the Easement is owned by Woodfold-Marco Mfg., Inc. Post Office Box 346, Forest Grove, Or. 97116. This property has been conveyed by a deed executed by Roger G. Richey, Successor Trustee of the McCue Family Trust, in favor of Woodfold Marco Mfg., Inc. by Instrument Number 2001-002205. It conveys some 28+- acres. In a previous deed into the McCue's use of the Easement has been granted. See Copies attached.

The property adjoining the subject properties (2350 and 2352) has been conveyed by Lester T. Heisler and Erma J. Heisler by Instrument Number 97-15482 to Robert Hockersmith. In previous deeds use of the easement has been granted. See copies attached.

Let me know if you have any questions regarding these properties or anything contained in my searches.

Sincerely,

A handwritten signature in black ink, appearing to read 'JCB', with a long horizontal line extending to the right.

John Clifford Brewer

Copies 9

John Clifford Brewer

1388 Southeast River Forest Road
Oak Grove, Oregon 97267
503.939.3484
brewerjc60@gmail.com

5/9/2018

RE: Lands South of 2350 of 2352 Kingwood

Craig Enstrom
5120 SW 198th
Aloha, Oregon 97007

Dear Craig:

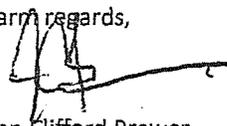
You have asked me to check for ownership of properties South of the above captioned properties. Here is what I have found:

1. The lands to the East of the 15-foot easement belong to Woodfold-Marco Mfg., Inc., an Oregon Corporation. Post Office Box 346, Forest Gove, Oregon. Deed recorded as Instrument Number 2001-2205. See copy attached. This deed also allows use of the 30-foot Easement leading to 25th Street as noted in my previous report. Tax ID 770043850-1200.
2. The lands West of the 15-foot easement and including said easement, belong to the Anne L. Matiaco Living Trust dated May 10th, 2005 as recorded in Instrument Number 2005-066569. Described as Parcel 3. See copy attached. The Trustee for the trust is Anne L. Matiaco, 2339 Hawthorne St., Forest Grove, Oregon 97116. Tax ID 770043850-1100.

There does appear a slight issue with the mentioned Rail Road "easement". The Rail Road does own THIS PROPERTY. In a Deed dated August 7th, 1908 and recorded June 26, 1909 in Deed Book 83, page 280 the property is conveyed to Oregon Electric Railway Company. See copy attached. Subsequently the lands are always referred to as "an easement". Caution should be taken when using the subject "easement".

Let me know should you need anything additional of this or any other issue.

Warm regards,


John Clifford Brewer

copies

John Clifford Brewer

1388 Southeast River Forest Road
Oak Grove, Oregon 97267
503-939-3484
brewerjc60@gmail.com

October 20, 2018

Craig Enstrom
5120 SW 198th
Aloha, Oregon 97007

RE: Land in Sections 31 and 32, Township 1 North, Range 3 West,
Willamette Meridian (Lands East of Sellwood Enterprises, LLC).

Dear Craig:

You have asked me to check on the current ownership of the above caption property located in Washington County, Oregon. As of October 15, 2018, the record owner is:

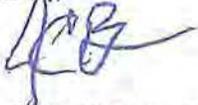
Roberta Reynolds and Linda Eshraghi
as nominees under a joint venture agreement,
as tenants in common
Instrument Number 2007-000505
Post Office 431
Banks, Oregon 97106

There appears in Instrument Number 2008-056893 a Dedication Deed in favor of and for the benefit of the public for a public way. See copy attached.

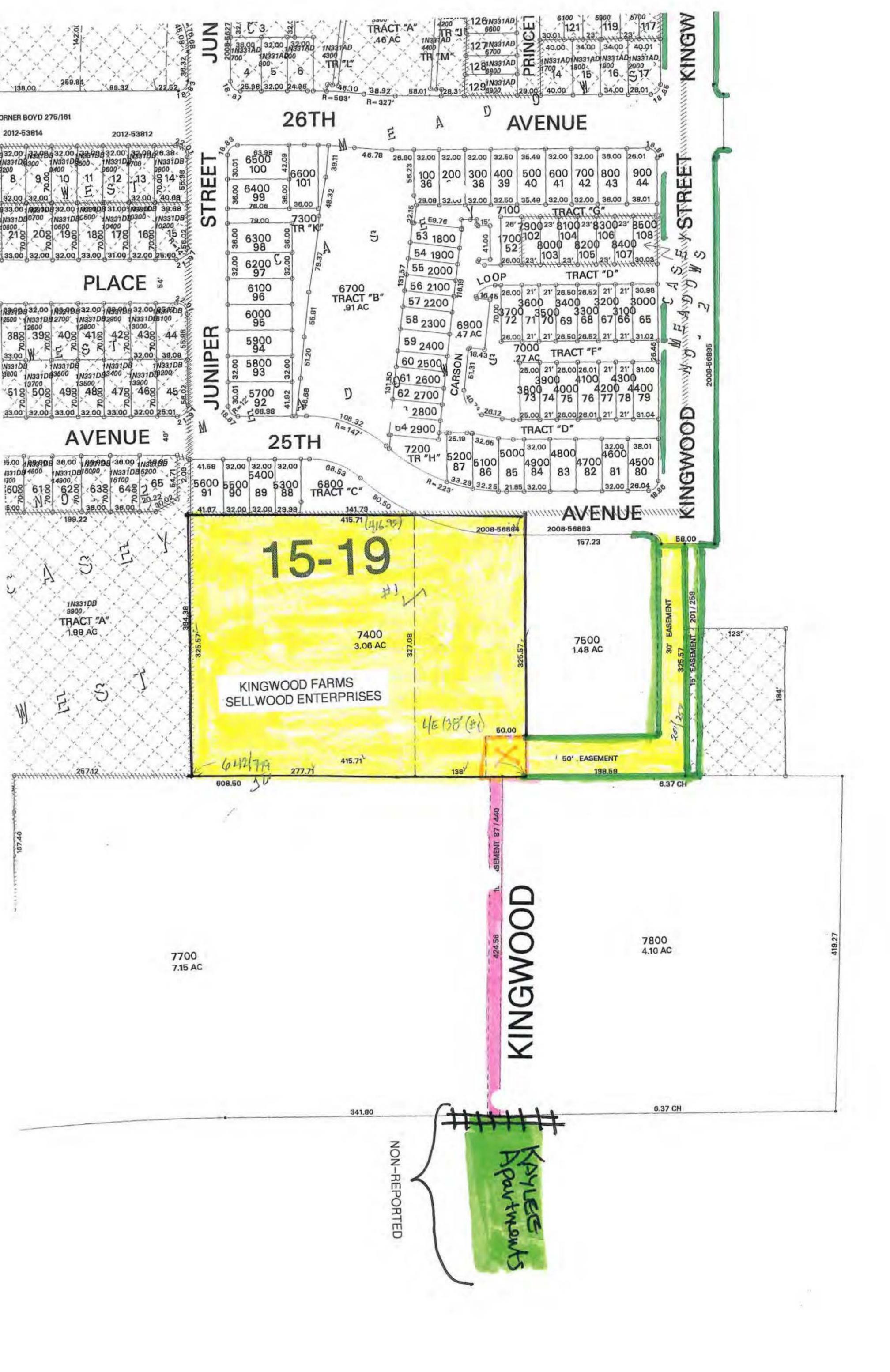
There appears in Instrument Number 2005-048992 a Covenant of Waiver of Rights and Remedies in and for the City of Forest Grove. If you would like I will follow up with the City of Forest Grove to find if they are still dealing with the possible results of this conveyance.

I have attached a copy of the tax assessments for the current year.

Sincerely,



John Clifford Brewer



JUN

26TH AVENUE

KINGWOOD STREET

JUNIPER STREET

KINGWOOD STREET

PLACE

AVENUE

25TH AVENUE

AVENUE

KINGWOOD

15-19

KINGWOOD FARMS
SELLWOOD ENTERPRISES

KAYLES
APARTMENTS

NON-REPORTED

TRACT "A"
46 AC

TRACT "B"
.91 AC

TRACT "C"

TRACT "D"

TRACT "E"

TRACT "F"

TRACT "G"

TRACT "H"

TRACT "I"

TRACT "J"

TRACT "K"

TRACT "L"

TRACT "M"

TRACT "N"

TRACT "O"

TRACT "P"

TRACT "Q"

TRACT "R"

CORNER BOYD 275/181
2012-53814 2012-53812

TRACT "A"
1.99 AC

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A place where families and businesses thrive.

<i>CITY RECORDER USE ONLY:</i>	
AGENDA ITEM #:	7. A. & 7. B.
MEETING DATE:	05/13/2019
FINAL ACTION:	First Readings: ORD 2019-02 ORD 2019-03

CITY COUNCIL STAFF REPORT

FIRST READINGS:

TO: *City Council*

FROM: *Jesse VanderZanden, City Manager*

MEETING DATE: *May 13, 2019*

PROJECT TEAM: *James Reitz, AICP, Senior Planner
Bryan Pohl, Community Development Director*

SUBJECT TITLE: *Public Hearing and First Ordinance Reading to Amend the Comprehensive Plan Map and First Ordinance Reading to Amend the Zoning Map*

ACTION REQUESTED:	<input checked="" type="checkbox"/> Ordinance	<input type="checkbox"/> Order	<input type="checkbox"/> Resolution	<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Informational
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X all that apply

ISSUE STATEMENT: The applicants are requesting a change on two parcels from a Comprehensive Plan designation of General Industrial (GI) to High Density Residential (HDR) and a change in the Zoning Map from General Industrial to Residential Multi-Family High Density (RMH). The two parcels total 1.93 acres in area.

BACKGROUND: The subject properties have been designated General Industrial since at least 1987 yet have not converted to industrial use. According to the City 2019 Economic Opportunity Analysis, there will be an excess of industrial land over a 20-year planning period of 40 to about 197 acres, and a need for an additional 3,900 dwellings under the Baseline (2% annual growth rate) scenario and 4,737 dwellings under the Medium (2.3% annual growth rate) scenario. Re-designating these properties High Density Residential will help to meet this housing need.

A third parcel (Washington County tax lot 1N331DA07400) was included in the review process because it would be bounded on three sides by a residential designation, if this application is approved for only the other two parcels. This property has an area of 3.06 acres. That property owner testified in opposition to the rezoning of his property, and the Planning Commission voted to remove it from their recommendation.

In Other testimony, two nearby residents commented on traffic circulation, pedestrian safety, and potential wetland impacts. In Rebuttal, it was noted that residential traffic generation is less than industrial traffic generation, and that pedestrian safety and wetland impacts would be considered concurrent with an actual development proposal.

No other testimony in opposition to the proposal was received, and the Planning Commission voted unanimously to recommend approval to rezone the two parcels requested by the applicants.

FISCAL IMPACT: Adoption of the Ordinances will have no fiscal impact on the City.

STAFF RECOMMENDATION: Staff recommends adoption of the Ordinances to amend the Comprehensive Plan Map and Zoning Map as recommended by the Planning Commission.

The City Council has the option to include tax lot 1N331DA07400, should the Council find that it would be appropriate to do so. To include this additional parcel, a motion would be required.

ATTACHMENTS:

- PowerPoint Presentation
- Ordinance to Amend Forest Grove Comprehensive Plan Map
- Ordinance to Amend Forest Grove Zoning Map
- Planning Commission Decision #2019-05
- Planning Commission Minutes of April 1 (approved) and April 15 (draft), 2019
- Planning Commission Staff Report dated April 1, 2019



A place where families and businesses thrive.

NOTICE OF PUBLIC HEARING FOREST GROVE CITY COUNCIL FILE NO. 311-19-00001-PLNG

NOTICE IS HEREBY GIVEN that the Forest Grove City Council will hold a Public Hearing on Monday, May 13, 2019, at 7:00 p.m. or thereafter, in the Community Auditorium, 1915 Main Street, Forest Grove, to review the following:

Proposal: Comprehensive Plan Map Amendment and Development Code Zoning Map Amendment to re-designate three parcels from General Industrial to Residential Multi-Family High Density
Location: 2352 and 2355 Kingwood Street and one unaddressed parcel Washington County tax lots 1N331DA07400, 1N331DA07500 and 1N332C000800
Applicants: Roberta Reynolds, Linda Eshraghi, Shannon Polich
File Number: 311-19-00001-PLNG
Criteria: The City Council will consider the proposal and make a decision based on the following considerations, standards and criteria:

Comprehensive Plan Map Amendment:

Consistency with the applicable Comprehensive Plan policies; Metro Regional Framework Plan, Metro Urban Growth Management Functional Plan; and Oregon Statewide Land Use Planning Goals.

Development Code Zoning Map Amendment Criteria:

- A. The zone change is consistent with the Comprehensive Plan Map.
- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan.
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity.
- D. The zone change is consistent with the adopted Transportation System Plan.
- E. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone.
- F. The establishment of a zone district is not subject to the meeting of conditions.

At this time and place, all persons will be given reasonable opportunity to give testimony about the proposal. If an issue is not raised in the hearing (by person or by letter) or if the issue is not explained in sufficient detail to allow the City Council to respond to the issue, then that issue cannot be used for an appeal to the Land Use Board of Appeals. Information pertaining to this request may be obtained from Senior Planner James Reitz at (503) 992-3233 or e-mail jreitz@forestgrove-or.gov. A copy of the **staff report is available seven days prior to the hearing at the City Recorder's Office** or by visiting the City's website at www.forestgrove-or.gov. Written comments or testimony may be submitted at the hearing or sent prior to the hearing to the attention of the City Recorder's Office, P. O. Box 326, 1924 Council Street, Forest Grove, OR 97116, aruggles@forestgrove-or.gov.

Anna D. Ruggles, CMC, City Recorder
City of Forest Grove
Published Wednesday May 8, 2019
FG NewsTimes



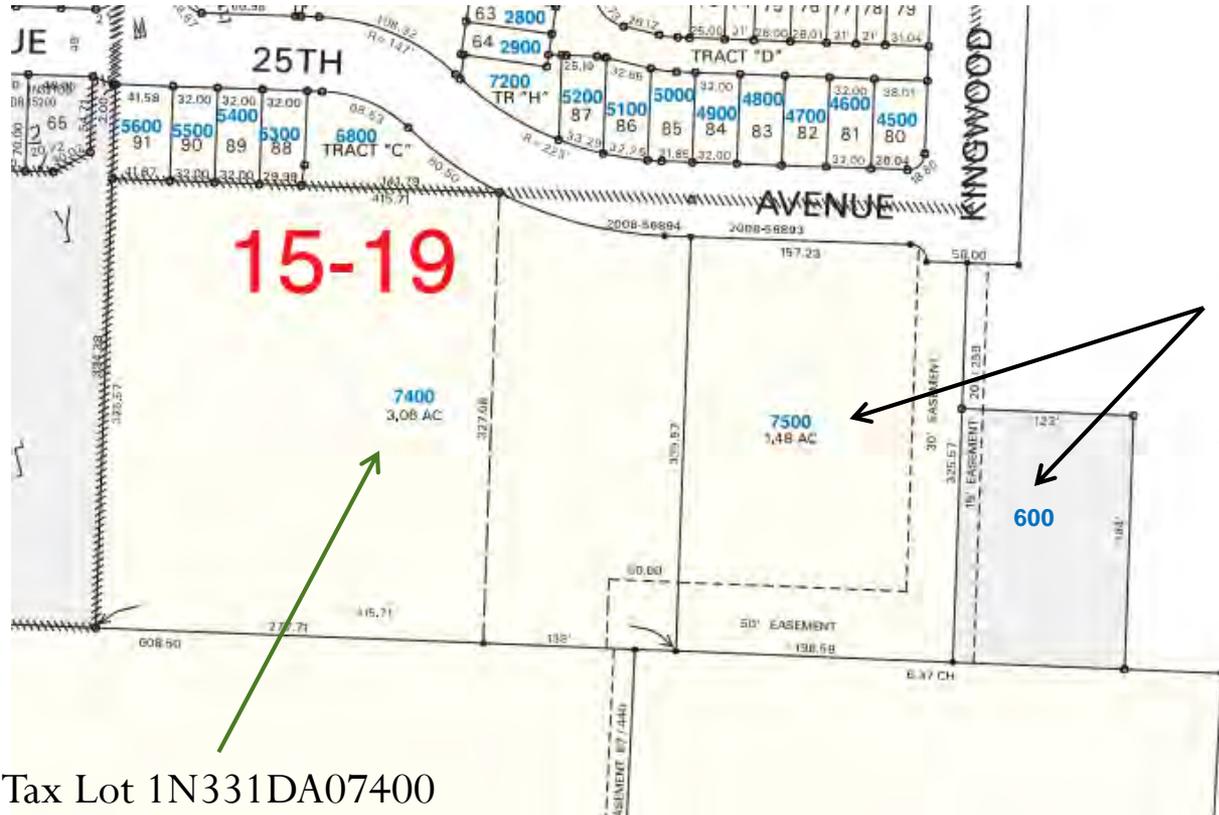
City Council Meeting May 13, 2019

KINGWOOD STREET AREA COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENTS

James Reitz (AICP), Senior Planner

Washington County Tax Map

Tax Lots 1N331DA07500 and 1N332C000800



Subject
Parcels
1.48 and
0.45 Acres

Tax Lot 1N331DA07400
3.06 Acres

Oblique View



Proposed Map Amendments

Comprehensive Plan Map Amendment - General Industrial to High Density Residential
 Zoning Map Amendment - General Industrial to Residential Multi-Family High Density

HDR/RMH

GI/GI



Tax Lot
 1N331DA07400
 Would Remain
 GI; bounded on 3
 sides by RMH

Subject
 Parcels

Comprehensive Plan Designations: HDR = High Density Residential
 Zoning Designations: RMH = Residential Multi-Family High Density

GI = General Industrial
 GI = General Industrial

Summary and Recommendation

- The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria.
- The Planning Commission recommends approval of the application to re-designate and re-zone the subject parcels totaling 1.93 acres in area from General Industrial to High Density Residential.
- The City Council may include tax lot 1N331DA07400 (a 3.06-acre parcel) if the Council finds that it too complies with the review criteria.

ORDINANCE NO. 2019-02

ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO HIGH DENSITY RESIDENTIAL (HDR); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; FILE NUMBER 311-19-000001-PLNG

WHEREAS, Roberta Reynolds, Linda Eshraghi, and Shannon Polich filed for the proposed map amendments on January 14, 2019; and

WHEREAS, the application was deemed complete on February 12, 2019; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development (DLCD) on February 22, 2019. DLCD did not register any comments; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on March 11, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on March 27, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on April 1, 2019, and continued the hearing to April 15, 2019; and

WHEREAS, no objections to the amendment were registered at the Planning Commission hearing; and

WHEREAS, the Planning Commission recommended approval of the amendment as documented in Planning Commission Decision and Findings #2019-05; and

WHEREAS, notice of the City Council hearing was mailed to affected parties on May 1, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on May 8, 2019; and

WHEREAS, the City Council held Public Hearings concerning this amendment on May 13 and May 28, 2019, and made a determination on the basis of the findings contained in Section 1 below; and

WHEREAS, there is on file with the City Council a staff report which includes the criteria, facts, and conclusions which collectively are the findings supporting this request:

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1: The findings contained in the staff report for this proposal (File Number 311-19-000001-PLNG), the minutes of the Planning Commission meetings of April 1 and April 15, 2019, and Planning Commission Findings and Decision Number 2019-05, are hereby adopted and incorporated by reference into this ordinance.

Section 2: The City Council hereby adopts the amendment to re-designate Washington County Tax Lots 1N331DA07500 and 1N332C000800 from General Industrial (GI) to High Density Residential (HDR) on the Comprehensive Plan Map as shown on Exhibit A.

Section 3: This ordinance is effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading the 13th day of May, 2019.

PASSED the second reading the 28th day of May, 2019.

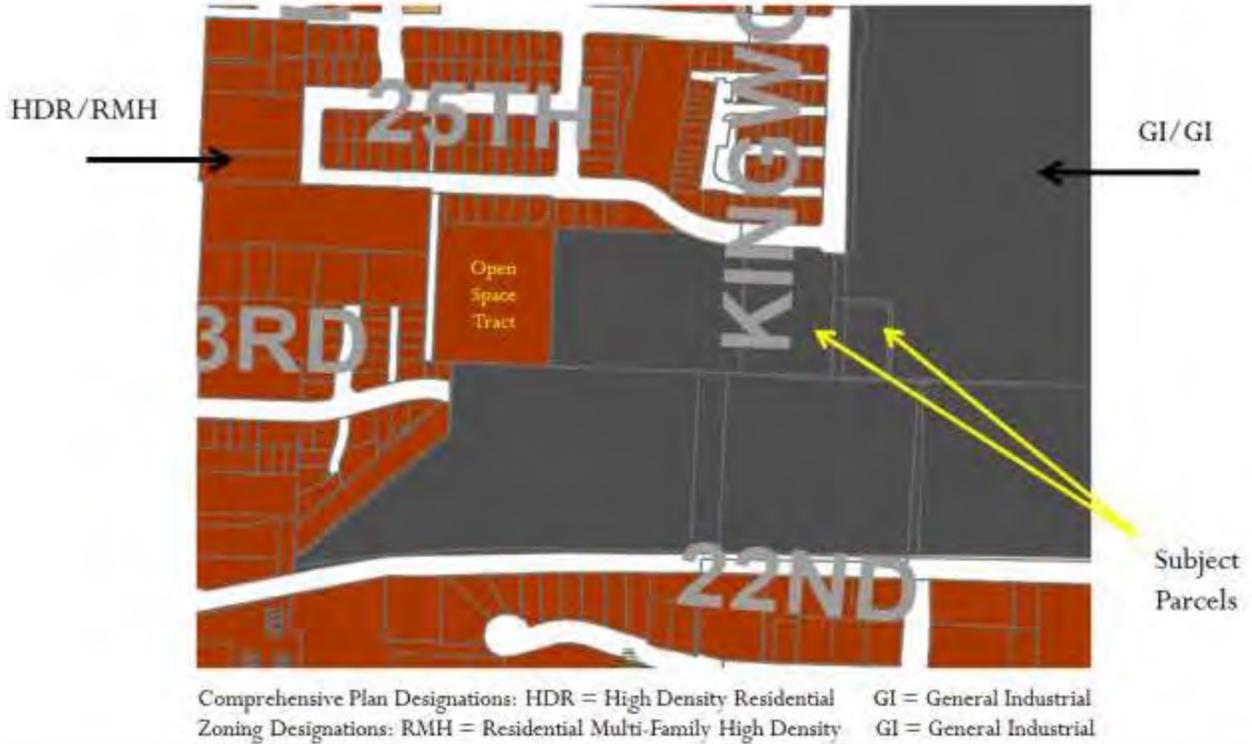
Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of May, 2019.

Peter B. Truax, Mayor

EXHIBIT A

Comprehensive Plan Map Amendment General Industrial to High Density Residential Washington County Tax Lots 1N331DA07500 and 1N332C000800



ORDINANCE NO. 2019-03

ORDINANCE AMENDING THE ZONING MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (RMH); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; FILE NUMBER 311-19-000001-PLNG

WHEREAS, Roberta Reynolds, Linda Eshraghi, and Shannon Polich filed for the proposed map amendments on January 14, 2019; and

WHEREAS, the application was deemed complete on February 12, 2019; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development (DLCD) on February 22, 2019. DLCD did not register any comments; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on March 11, 2019, as required by Development Code §17.1.610. Notice was also published in the *News Times* on March 27, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on April 1, 2019, and continued the hearing to April 15, 2019; and

WHEREAS, no objections to the amendment were registered at the Planning Commission hearing; and

WHEREAS, the Planning Commission recommended approval of the amendment as documented in Planning Commission Decision and Findings #2019-05; and

WHEREAS, notice of the City Council hearing was mailed to affected parties on May 1, 2019 as required by Development Code §17.1.610. Notice was also published in the *News Times* on May 8, 2019; and

WHEREAS, the City Council held Public Hearings concerning this amendment on May 13 and May 28, 2019, and made a determination on the basis of the findings contained in Section 1 below; and

WHEREAS, there is on file with the City Council a staff report which includes the criteria, facts, and conclusions which collectively are the findings supporting this request:

NOW, THEREFORE, THE CITY OF FOREST GROVE ORDAINS AS FOLLOWS:

Section 1: The findings contained in the staff report for this proposal (File Number 311-19-000001-PLNG), the minutes of the Planning Commission meetings of April 1 and April 15, 2019, and Planning Commission Findings and Decision Number 2019-05, are hereby adopted and incorporated by reference into this ordinance.

Section 2: The City Council hereby adopts the amendment to re-zone Washington County Tax Lots 1N331DA07500 and 1N332C000800 from General Industrial (GI) to Residential Multi-Family High Density (RMH) on the Zoning Map as shown on Exhibit A.

Section 3: This ordinance is effective 30 days following its enactment by the City Council.

PRESENTED AND PASSED the first reading the 13^h day of May, 2019.

PASSED the second reading the 28th day of May, 2019.

Anna D. Ruggles, City Recorder

APPROVED by the Mayor this 28th day of May, 2019.

Peter B. Truax, Mayor

EXHIBIT A

Zoning Map Amendment General Industrial to Residential Multi-Family High Density Washington County Tax Lots 1N331DA07500 and 1N332C000800

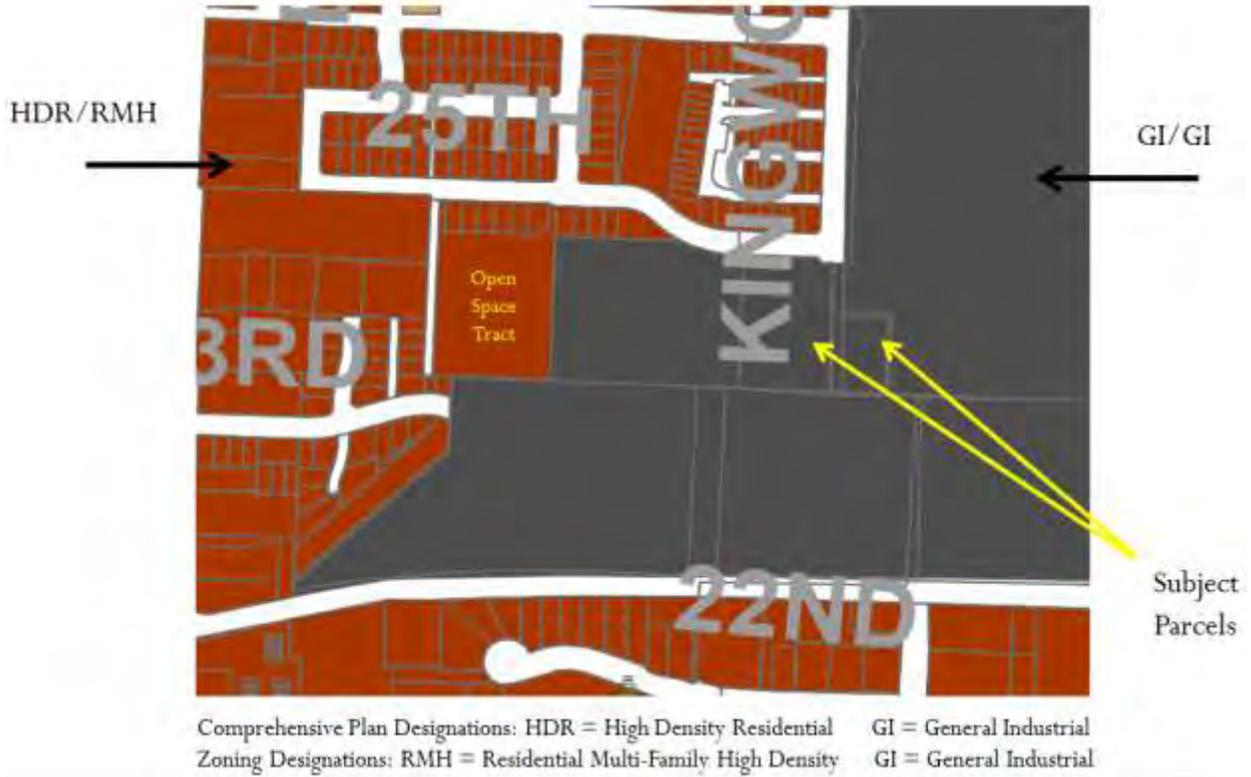


EXHIBIT B

PLANNING COMMISSION DECISION #2019-05

Planning Commission Findings and Decision Number 2019-05
To Approve a Comprehensive Plan Map Amendment and Development Code
Zoning Map Amendment to Re-Designate Two Parcels From General
Industrial to Residential Multi-Family High Density
Washington County tax lots 1N331DA07500 and 1N332C000800
File Number: 311-19-000001-PLNG

WHEREAS, Roberta Reynolds, Linda Eshraghi, and Shannon Polich, owners of Washington County tax lots 1N331DA07500 and 1N332C000800, filed for the proposed map amendments on January 14, 2019; and

WHEREAS, the application was deemed complete on February 12, 2019; and

WHEREAS, because tax lot 1N331DA07400 would be bounded on three sides by a residential designation (if the application was approved for the other two parcels) it was also included in this review process; and

WHEREAS, notice of this application was provided to the Department of Land Conservation and Development on February 22, 2019; and

WHEREAS, notice of this request was mailed to property owners and residents within 300 feet of the subject site on March 11, 2019 as required by Development Code §17.1.610. Notice was also published in the *News Times* on March 27, 2019; and

WHEREAS, the Planning Commission held the duly-noticed public hearing on the proposal on April 1, 2019 and continued the hearing to April 15, 2019; and

WHEREAS, testimony was received that the owner of tax lot 1N331DA07400 is interested in developing the site with an industrial use and therefore wishes to retain the General Industrial designation on that parcel.

The City of Forest Grove Planning Commission does hereby recommend approval of the comprehensive plan map and zoning map amendments for Washington County tax lots 1N331DA07500 and 1N332C000800, making the following specific findings in support of this decision:

- 1) The Planning Commission adopts by reference the staff report including findings and recommendations dated April 1, 2019.
- 2) The following decision considerations apply to the proposed Comprehensive Plan Map amendment –
 - Applicable Oregon Statewide Land Use Planning Goals;
 - Applicable Comprehensive Plan policies;
 - Metro Regional Framework Plan; and
 - Metro Urban Growth Management Functional Plan.

The following criteria apply to the proposed Zoning Map amendment (DC §17.2.770) –

- A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed zone and its potential uses vary. The factors to be considered in determining suitability are parcel size and location.
- D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.
- E. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.
- F. The establishment of a zone district is not subject to the meeting of conditions.

The applicable decision considerations and approval criteria are described more fully below. Findings are also provided below.

Oregon Statewide Land Use Planning Goals

Goal 2 – Land Use: Goal 2 establishes guidelines for major revisions and minor changes to the Comprehensive Plan. Goal 2 stipulates that a minor change should be based on information that will serve as the factual basis to support the change. The public need and justification for the change should be established.

Finding for Goal 2: The proposed Comprehensive Plan amendment affects two parcels with a combined area of less than two acres. Re-designating the properties from General Industrial to High Density Residential will not have a significant effect beyond the immediate area of the change and is therefore considered to be a minor amendment. This determination is based on the aggregate area of the parcels and their limited individual areas:

- Tax lot 1N331DA07500 is 1.35 acres with no known constraints;
- Tax lot 1N332C000800 is 0.45 acres but has no frontage onto any public street.

The public benefit of the proposed Comprehensive Plan Map and Zoning Map amendment is to promote development on the property, thereby increasing the City's tax base. The properties have not developed with industrial uses and they are unlikely to become industrial given their adjacency to a residential neighborhood, lack of access to a Collector or Arterial street (access for the near term would only be via Local streets through a residential area), and small lot sizes. The conceptual 23rd/24th Avenue Collector extension between Hawthorne and Oak streets may not directly serve these properties, as it may need to be sited farther south in order to avoid a wetland.

Goal 10 – Housing: Goal 10 specifies that each city and county must plan for and accommodate needed housing types and to plan and zone enough buildable land to meet those needs.

Finding for Goal 10: The City's Economic Opportunity Analysis shows a need for 3,900 housing units over the next 20 years, based on the Baseline Growth Scenario of 2% per year. Re-designating the subject area from General Industrial to High Density Residential will provide opportunity to meet the identified housing need. If zoned for high density residential development the two parcels could

accommodate as few as about 29 units and as many as about 37 units, based on gross acreage. The actual number of units would be based on net acreage.

Designating the property as High Density Residential would also help the City achieve a minimum development residential density allocation for new construction of 8 units per acre that the City must meet overall under the Metropolitan Housing Rule (OAR 660-0007-0035).

Metro Regional Framework Plan

The Metro Regional Framework Plan establishes a land use concept for the Portland region. Under the Metro Charter and state law, cities and counties within Metro's boundaries are required to comply and be consistent with the Regional Framework Plan.

The plan contains policies for growth management and land use planning for matters of metropolitan concern. It establishes a hierarchy of mixed-use, pedestrian friendly centers that are well connected by high capacity transit and corridors. It establishes Regional Centers, Town Centers, Corridors, Transit Station Communities, neighborhoods, and Industrial and Employment areas.

Finding: The proposed Comprehensive Plan Map and Zoning Map amendments will result in the re-designation of 1.80 acres of land from General Industrial to High Density Residential/Residential Multi-Family High density. The subject area is bounded on the north side by lands designated as High Density Residential. The amendment supports the Metro Regional Framework Plan by promoting additional housing opportunities near the Town Center and Highway 8 (Pacific Avenue) corridor, and a nearby industrial area.

Metro Urban Growth Management Functional Plan

The Metro Urban Growth Management Functional Plan implements provisions of the Metro Regional Framework Plan including promoting a compact urban form. The following chapter of the Metro Urban Growth Management Functional Plan is applicable to this proposal, since the subject area is currently zoned for industrial uses:

Title 4: Industrial and Other Employment Areas - The subject properties are identified as within an Industrial Area on the Metro Employment and Industrial Area Map. Therefore, the provisions of Title 4 pertaining to map amendments apply. The subject properties are connected to the Industrial Areas located to the east and south.

Under Urban Growth Management Functional Plan §3.07.450(C), a city or county may amend its comprehensive plan or zoning map designation to allow uses in an Employment or Industrial area upon making a demonstration that:

- (1) The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two;

Finding: The subject properties are not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two. The subject properties are bounded on the north by land designated Residential Multi-Family High density on the Zoning Map. Therefore, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (2) The amendment will not reduce the employment capacity of the city or county.

Finding: The subject properties have been designated General Industrial since at least 1987 yet have not converted to industrial use. The amendment would have little impact on the employment capacity of the city or county because the subject site is less than two acres in size and has been partially developed with a single-family home that does not contribute to the employment of the area.

Given the minor impact to the city's or county's employment capacity, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (3) If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities.

Finding: The subject properties are not designated as a Regionally Significant Industrial Area. Since they are not designated as a Regionally Significant Industrial Area, this criterion does not apply.

- (4) The amendment would not allow uses that would reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to TRP standards within two years after approval of uses.

Finding: The subject properties are located on or near 25th Avenue and Kingwood Street. Neither street is designated as a Main Roadway Route or Roadway Connector on the Regional Freight Network Map in the RTP. Therefore, the amendment will not allow uses that would reduce off-peak performance on Main Roadway Routes or Roadway Connectors or impact volume-to-capacity standards in the RTP. Thus, the subject properties qualify for re-designation from General Industrial to Residential Multi-Family High density.

- (5) The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas.

Finding: The proposed amendment will allow for residential development. As such, it would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in the market area.

- (6) If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is ten acres or less; if designated Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 4 acres or less.

Finding: The site is not designated as a Regionally Significant Industrial Area or an Employment Area. It is designated as an Industrial Area. As the site totals 1.80 acres in area, it complies with the criterion that the area subject to the amendment is 20 acres or less.

Functional Plan §3.07.450(D)

A city or county may also amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:

- (1) The entire property is not buildable due to environmental constraints; or

Finding: The subject properties are buildable in their entirety.

- (2) The property borders land that is not designated on the map as Industrial Area or Regionally Significant Industrial Area; and

Finding: The site borders land designated as an Industrial area on the Metro - Title 4, Industrial and Other Employment Areas Map. Therefore, the subject area does not qualify for re-designation from General Industrial to High Density Residential/Residential Multifamily High under this criterion. As indicated elsewhere, the parcels do qualify for re-designation based on other Metro Functional Plan Title 4 criteria.

- (3) The assessed value of a building or buildings on the property, built prior to March 5, 2004 and historically occupied by uses not allowed by this title, exceeds the assessed value of land by a ratio of 1.5-to-1.

Finding: The home at 2355 Kingwood Street (tax lot 1N332C000800) was built in 1900. Based on Washington County Assessment and Taxation Department data, the estimated assessed value of the improvement is \$118,440. The estimated assessed value of the land is \$159,590. As the value of the use is less than the value of the land, it does not exceed the 1.5-to-1 ratio.

The property at tax lot 1N331DA07500 is unimproved. The estimated value of the land is \$179,950. As there are no buildings on this parcel, the improved value does not exceed the 1.5-to-1 ratio.

Forest Grove Comprehensive Plan Policies

The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states: "Evaluate requests for re-zoning from non-residential to residential development zones based on the following factors:

- (A) Identified housing needs contained in an adopted Goal 9 Analysis;
- (B) Ability to provide services in a cost-effective and efficient manner;
- (C) Potential of the site to support higher density development;
- (D) Site characteristics including topography; and
- (E) Land use location policies of the Comprehensive Plan."

Finding for Factor A: The City's Goal 9 Economic Opportunity Analysis shows a need for an additional 3,900 dwellings under the Baseline (2% annual growth rate) scenario and 4,737 dwellings under the Medium (2.3% annual growth rate) scenario. Re-designating these properties High Density Residential will help to meet this housing need.

Finding for Factor A: The City's 2019 Economic Opportunity Analysis shows an excess of industrial land over a 20-year planning period of 40 to about 197 acres. Thus, because these parcels total less than two acres in area, re-designating them to a non-industrial use would have minimal impact on the city's industrial land supply.

Finding for Factor B: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. Given the presence of utilities, there is the ability to provide services in a cost-effective and efficient manner.

Finding for Factor C: The properties meet the location factors for high density residential development as indicated below. However, the size of 2355 Kingwood Street (0.45 acres) is a limiting factor; because it is less than 0.50 acres in size, it is exempt from the minimum density requirement as per Development Code §17.3.130(D) *Exemptions from Minimum Density Requirements*.

Finding for Factor D: The subject properties are flat with a slope of less than 5%. Topography is not a limiting factor for development of this area. In addition, the parcels are not irregularly shaped and are configured to allow for further development.

Findings for Factor E: Land Use Location Factors – High Density Residential

FACTOR	FINDING
Slope is less than 10%.	The subject site is flat with a cross-slope of less than 5%.
Carrying capacity of the land given the presence of wetlands, soil characteristics And infrastructure capacity.	There are no known wetlands on the subject parcels. The site is served by the full array of City services including water, storm sewer, sanitary sewer and electricity. Sufficient infrastructure capacity exists and urban development is assumed in the City's Water, Waste Water, Storm Drainage and Transportation Systems plans.
Sites are located within ¼ mile of planned or existing transit service.	The parcels are located within ¼ mile of the GroveLink east loop, which has a route on Hawthorne Street and 22 nd Avenue.
Sites are adjacent to existing or planned parks or open space.	No existing or planned parks are adjacent, but Stites Park is approximately ¼ mile from the site. The site is adjacent to open spaces located at Casey West Tract A, 2922 25 th Avenue and 2930 26 th Avenue.
Sites are within ¼ mile of designated employment areas.	The site is not located within ¼ mile of a designated employment area.
Constructed with single-family residential development if approved through planned residential development process.	No development is proposed. Therefore, this factor is not applicable.
Creation of nodes to facilitate transit extension.	This location is not part of a node intended to support transit service. Therefore, this factor is not applicable.

Zoning Map Amendments Review Criteria (DC §17.2.770)

1. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

Finding: If the properties are re-designated to High Density Residential, the RMH Multi-Family High Residential zone would be appropriate.

2. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.

Finding: The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states "Evaluate requests for rezoning from non-residential to residential development zones based on the following factors:

- A. Identified housing needs contained in an adopted Goal 9 Analysis;
- B. Ability to provide services in a cost-effective and efficient manner;
- C. Potential of the site to support higher density development;
- D. Site characteristics including topography; and
- E. Land use location policies of the Comprehensive Plan."

Findings pertaining to consistency with the applicable Comprehensive Plan policies are provided above.

3. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

Finding: The zone change is consistent with the adopted Transportation System Plan since development allowed by the proposed Residential Multi-Family High density zone will not substantially impact the operation of 25th Avenue or Kingwood Street. Both roadways are Local streets serving residential uses. The areas to the north and west are currently zoned Residential Multi-Family High density. The addition of less than two acres of multi-family zoned land should not significantly increase traffic volumes assumed in the TSP for this area, especially when the street network is completed.

Finding: The applicant submitted a traffic assessment prepared by a professional transportation planning and engineering firm. This assessment was based on the two eastern parcels which total 2.0 acres in area. The assessment reviewed the traffic implications of developing the properties under the General Industrial designation and under the RMH designation. The assessment modeled the traffic that would be generated by the highest trip generation rates (a call center and manufacturing) and compared that with the traffic that would be generated if the properties were developed at the highest residential density possible (20.28 DUA). The assessment notes that "traffic impacts are typically measured during p.m. peak hours...."

- Industrial average daily trips (ADT) would range from 171 (manufacturing) to 255 (a call center).
- Residential ADT would be 293.
- Evening peak hour trips would be 29 for manufacturing and 30 for a call center.
- Residential evening peak hour trips would total 22.

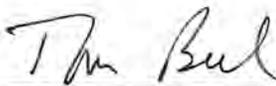
The study concluded that:

- "The proposed change would result in a net decrease in p.m. peak hour trip generation and as such the requirements of the TPR are met."
 - With the change, "the level of travel and access would be consistent with that of the surrounding streets."
4. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.

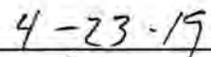
Finding: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. The proposed amendment would not be anticipated to create any greater demand for public facilities and other public services than that which would be demanded under the existing industrial designation.

5. The establishment of a zone district is not subject to the meeting of conditions.

Finding: No conditions of approval are proposed.



TOM BECK, Chair



Date

EXHIBIT C

PLANNING COMMISSION MINUTES OF APRIL 1
(APPROVED) AND APRIL 15 (DRAFT), 2019

APPROVED



A place where families and businesses thrive.

Planning Commission
Community Auditorium
1915 Main Street, Forest Grove, OR
Monday, April 1st, 2019, 7:00 pm

1. CALL TO ORDER:

Chair Tom Beck called the meeting to order at 7:00 p.m. Roll Call:

Planning Commission Present: Tom Beck, Chair; Phil Ruder, Vice Chair; Commissioners Sebastian Bannister Lawler, Lisa Nakajima, Ginny Sanderson and Hugo Rojas.

Planning Commission Excused: Commissioner Dale Smith.

Staff Present: Bryan Pohl, Community Development Director; James Reitz, Senior Planner; Cassi Bergstrom, Planning Commission Coordinator.

2. PUBLIC MEETING:

A. PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:

None.

B. PUBLIC HEARING:

(1.) File No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from General Industrial to High Density Residential

Chair Beck opened the quasi-judicial public hearing at 7:02 p.m., reading the hearing procedures, criteria, and asked for disclosure of any conflicts of interest, ex-parte contacts, bias, or abstentions. There were none, and no challenges from the public. Chair Beck called for the staff report.

James Reitz, Senior Planner, gave the presentation showing the aerial view of the properties as well as the established property lines, wetland map nearby, and easements. The three lots are located near Casey Meadows and Casey West subdivisions. An area street plan was shown for future potential improvements, drainage way, and also shows the railroad isolating the currently zone Industrial parcels.

Chair Beck inquired about the access to these properties, and Mr. Reitz gave some insight as to the future access as well as the current.

Commissioner Nakajima inquired if the railroad has been recently utilized, and Mr. Reitz responded that it has not and could be vacated at some point in the future.

Chair Beck reminded Commissioners that the railroad easement was discussed to be a future Max Lightrail line, and gave the Planning Commission meeting history on the industrial area along Oak Street.

Mr. Reitz stated that the third parcel was included in the review as to not create spot zoning. Chair Beck asked what has been heard from the owner of that third parcel located at 2352 Kingwood Street, and Mr. Reitz responded that the property owner never contacted the city. Notifications were sent to property owners and parcels located within 300 feet of the project site, as per protocol.

Mr. Reitz stated the application complies with the review criteria, and staff recommends forwarding a positive recommendation of approval to City Council.

CORRESPONDENCE:

None.

APPLICANT:

Mark Vanderzanden, Applicant's Representative, 3265 SW Fairmount Blvd, Portland, OR 97239:

Mr. Mark Vanderzanden stated that he has been working on this application for about five years, and the parcel is owned by an estate. The parcel is hard to sell as industrial because of the development issues and cost associated with development. With the residential homes nearby, the parcel would be more viable zoned as such.

Mr. Vanderzanden decided to wait awhile after talking with staff until after the Economic Opportunities Analysis and Affordable Housing Analysis were completed and could confirm that there was a need for residential housing with Forest Grove. The applicant went through the pre-application review to figure out the infrastructure that would need to be completed to accommodate the development, and the utilities are set up from the previous subdivisions to extend to these parcels. A traffic report was also done. The demand for industrial is low, and the demand for housing is going up making the applicant's parcel more profitable.

Roberta Reynolds, Applicant, PO Box 431, Banks, OR 97106:

Ms. Roberta Reynolds gave the history on how she acquired the property, as it is part of the estate left by her father in 2005. Ms. Reynolds and her sister are trying to sell the property, but have not had interest in the property zoned as industrial. They gave a five foot easement to the Casey Woods [sic] development when it was being constructed. The hope is to change the property to residential in order to put the property to good use.

Chair Beck asked the applicant if she has made contact with the owner of the property to the west, and Ms. Reynolds responded that she has not contacted them for a few years. She did ask the owner if they were interested in buying their property a few years ago but that did not happen.

PROPOSERS:

None.

OPPONENTS:

None.

OTHER:

Jane Falcone, 2525 Juniper Street, Forest Grove, OR 97116:

Ms. Jane Falcone came forward and expressed her concerns with the limited access into Casey West, along with the traffic issues within the neighborhood. An extension of 23rd Street to Martin Road/Highway 47 was part of the Comprehensive Transportation Plan, but has not happened. It would create much more direct access to the homes. The intersection of Hawthorne St/26th Avenue is very dangerous with poor visibility and no sidewalks within that area. The only other way out is down Juniper Street. There is a lot more traffic going through the neighborhood, and a collector route from 23rd to Highway 47 will alleviate some of the issues.

Doug Fowler, 2844 25th Avenue, Forest Grove, OR 97116:

Mr. Doug Fowler came forward and expressed his concerns regarding the wetlands area, but the Senior Planner addressed some of his concerns within his staff report. Mr. Fowler is concerned specifically about what to do with the water in the wetlands.

REBUTTAL:

Mr. Mark Vanderzanden came forward and addressed the concerns, stating a traffic report was done and there are less trips for residential uses than industrial uses. Currently the trips calculated fall into satisfactory levels.

Regarding the wetlands, Mr. Vanderzanden stated they will be well protected by the Clean Water Services regulations that will be mandated.

Chair Beck closed the public hearing at 7:40 p.m.

COMMISSIONER DISCUSSION:

Chair Beck has concerns about traffic, and a broader picture is needed that just the three parcels listed on the application. An extension of Maple Street and 23rd Avenue is needed. Another concern is that the largest piece of property's owner has not responded to the City, and may not be aware this re-zoning could occur. Commissioner Lawler agreed that not hearing from the property owner is concerning.

Commissioner Sanderson stated that the issue before Commissioners tonight is in regards to the zoning, not the theoretical traffic problems. If something comes before the Commission regarding the properties in the future, then the traffic can be addressed.

Bryan Pohl, Community Development Director, reminded the Commissioners that this is a quasi-judicial hearing so a decision needs to be made based on a timeline set by Oregon State Law. Part of the City Council goals is setting a Master Plan for the Oak Street industrial, working with a consultant. The area could look like a mixed-use concept in the future. The Economic Opportunities Analysis showed that there is not a need for industrial land with Forest Grove for the next 20 years.

Chair Beck suggested a two week continuance of this public hearing so a registered letter with response could be sent to the property owner that is not aware of the re-zoning. Commissioners discussed this option and agreed.

Commissioner Lawler moved a motion to continue this public hearing to April 15th, 2019. Commissioner Nakajima seconded the motion. All in favor.

C. ACTION ITEMS:

None.

D. WORK SESSION ITEMS:

None.

3. BUSINESS MEETING:

A. APPROVAL OF MINUTES:

Vice Chair Ruder moved a motion to approve the minutes of the March 4, 2019 meeting. Commissioner Nakajima seconded. Motion passed 6-0.

B. REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:

None.

C. DIRECTOR'S REPORT:

Mr. Bryan Pohl gave the update, stating that the City Council unanimously overturned staff's decision regarding the Rose Grove appeal.

There will be some draft development code edits coming to the Commissioners in May.

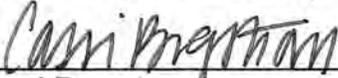
D. ANNOUNCEMENT OF NEXT MEETING:

The next meeting is April 15th, 2019.

E. **ADJOURNMENT:**

The meeting was adjourned at 8:06 p.m.

Respectfully submitted by:



Cassi Bergstrom
Planning Commission Coordinator

DRAFT



A place where families and businesses thrive.

Planning Commission
Community Auditorium
1915 Main Street, Forest Grove, OR
Monday, April 15th, 2019, 7:00 pm

1. **CALL TO ORDER:**

Chair Tom Beck called the meeting to order at 7:05 p.m. Roll Call:

Planning Commission Present: Tom Beck, Chair; Phil Ruder, Vice Chair; Commissioners Lisa Nakajima, Ginny Sanderson and Dale Smith.

Planning Commission Excused: Commissioners Sebastian Bannister Lawler and Hugo Rojas.

Staff Present: Bryan Pohl, Community Development Director; James Reitz, Senior Planner; Shannon Reynolds, Administrative Specialist.

2. **PUBLIC MEETING:**

A. **PUBLIC COMMENT PERIOD FOR NON-AGENDA ITEMS:**

None.

B. **PUBLIC HEARING:**

(1.) Continuance of the Public Hearing held on April 1st, 2019 for File No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from General Industrial to High Density Residential

Chair Beck opened the continuation of the quasi-judicial public hearing at 7:07 p.m., and called for the staff report.

James Reitz, Senior Planner, gave a summary of the application. The third property owner had not been notified previously due to an incorrect zip code pulled from the Washington County tax roll records. The property owner was mailed a second notice via certified mail, which was then received.

Mr. Reitz reviewed the slideshow presentation with the three properties proposed to be rezoned from General Industrial to High Density Residential. Staff recommends an approval of the request to rezone the three properties.

CORRESPONDENCE:

None.

APPLICANT:

Mark Vanderzanden, Applicant's Representative, 3265 SW Fairmount Blvd, Portland, OR 97239:

Mr. Mark Vanderzanden stated that they applied for the two lots on their initial application, and the City added a third lot to the re-designation and rezoning. Long term trends show more housing for Forest Grove is needed, and it seems sensible to rezone the two lots that are already close to current high density housing areas. Future light rail may become available with the current railroad lines close by. A map was pulled up by Mr. Vanderzanden, showing how the designation of the two lots could help aid in several ways including better roads, improved connection points, etc.

Mr. Vanderzanden stated that he feels there is still plenty of land left over for other uses, two of the three tax lots for re-zoning have current non-conforming uses happening, and this change would only increase the property value of the current tax lots.

Dick Reynolds, Applicant, PO Box 431, Banks, OR 97106:

Mr. Dick Reynolds came forward, stating he is the husband of applicant Roberta Reynolds. As the land is currently zoned as General Industrial, they have hit road blocks with marketing. Over the years they have contacted surrounding property owners for potential purchase interest, and have not received any. Industrial developers and storage companies have also been contacted within surrounding jurisdictions for possible development, and all resulted in zero interest for a sale.

Mr. Reynolds stated an industrial realtor was hired, and the conclusion was that the best option was to rezone the property for high density residential and city staff agreed as it conformed to the surrounding zoning.

Chair Beck inquired about the private road, and Mr. Reynolds stated that he believes there was an easement created for utilities and access and discussed who maintains the easement.

PROPOSERS:

None.

OPPONENTS:

Craig Enstrom, PO Box 6825, Aloha, OR 97007

Mr. Craig Enstrom came to the front, explaining that he is the owner of the third parcel to the west and explained his frustrations of not being notified initially. Mr. Enstrom is not looking to cause problems, however he does not want his parcel to be rezoned. The easement has been there as long as he has owned the property, and Casey Meadows inherited the easement rights. Currently he is having issues with vagrants, and enjoys his farm with small animals. Mr. Enstrom does not wish to join the high density residential area, and was totally unaware of the hearing.

Chair Beck stated that is why the Commission delayed the process.

Mr. Enstrom went on to give them plans he has for his property, with one being a towing facility for impounding cars as well as currently raising goats/sheep. The 30 foot wide buffer that would be required between industrial and residential zones is a concern to him as well.

Chair Beck stated that regardless of the outcome of the re-zoning, Mr. Enstrom can continue to do what he wants with his property.

Commissioner Sanderson inquired if Mr. Enstrom currently lives on the property, and he stated he does not. Commissioner Sanderson asked Mr. Enstrom if he has given any thought to what the re-zoning would do to his property value, and he doesn't feel the value would be great considering the cost to develop it and does not want houses all around him.

Chair Beck and Mr. Enstrom discussed the access to his property off of 25th Avenue.

OTHER:
None.

REBUTTAL:
Mr. Reynolds came forward and explained how the proposal is compatible and complimentary with the abutting property, and makes both lots more conforming to the area.

Chair Beck closed the public hearing at 7:45 p.m.

COMMISSIONER DISCUSSION:
Vice Chair Ruder wanted some clarification on the 30 foot buffer Mr. Enstrom brought up, and Mr. Reitz explained Article 8 in the Development Code requires buffers to be set between zoning districts, and General Industrial has a large buffer. This area has to be used for landscaping only, thus providing a visual buffer/separation between the two zoning districts.

Commissioner Sanderson inquired if a new industrial use could be introduced when it is rezoned as RMH, and Mr. Reitz said no.

Commissioners discussed whether they should rezone all three properties, or only rezone the two properties as applied for by the applicant.

Commissioner Sanderson moved a motion to make a recommendation to City Council to approve file No. 311-19-000001-PLNG –Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from

General Industrial to High Density Residential. Vice Chair Phil Ruder seconded the motion.

Commissioner Nakajima moved to exclude tax lot 1N331DA07400. Commissioner Smith seconded the motion.

Roll Call Vote on Amendment: AYES: Vice Chair Ruder; Commissioners Nakajima and Smith. NOES: Chair Beck; Commissioner Sanderson. ABSENT: Commissioners Bannister Lawler and Rojas. MOTION CARRIED 3-2.

Chair Beck called the question as amended to make a recommendation to City Council.

Roll Call Vote on Main Motion as Amended: AYES: Chair Beck; Vice Chair Ruder; Commissioners Nakajima, Sanderson, and Smith. NOES: None. ABSENT: None. MOTION CARRIED 5-0.

C. **ACTION ITEMS:**

None.

D. **WORK SESSION ITEMS:**

None.

3. **BUSINESS MEETING:**

A. **APPROVAL OF MINUTES:**

Commissioner Smith moved to approve the minutes of the April 1st, 2019 meeting. Motion passed 5-0.

B. **REPORTS FROM COMMISSIONERS/SUBCOMMITTEES:**

None.

C. **DIRECTOR'S REPORT:**

Mr. Bryan Pohl gave the update, stating that there will be some draft development code edits coming to the Commissioners in May.

D. **ANNOUNCEMENT OF NEXT MEETING:**

The next meeting is May 6th, 2019.

E. ADJOURNMENT:

The meeting was adjourned at 7:56 p.m.

Respectfully submitted by:

Cassi Bergstrom
Planning Commission Coordinator

EXHIBIT D

PLANNING COMMISSION STAFF REPORT DATED APRIL 1, 2019



Comprehensive Plan Map and Zoning Map Amendments Staff Report and Recommendation

Community Development Department, Planning Division

Report Date	March 22, 2019
Hearing Date	April 1, 2019
Land Use Request	Comprehensive Plan Map and Zoning Map Amendments to re-designate and rezone three parcels from General Industrial to High Density Residential
File Number	311-19-000001-PLNG
Property Location	2352 and 2355 Kingwood Street, and one unaddressed parcel
Legal Description	Washington County tax lots 1N331DA07400, 1N331DA07500 and 1N332C000800
Owners/Applicants	Roberta Reynolds, PO Box 431, Banks, Oregon 97106 Donald and Daryl Polich, PO Box 44, Forest Grove, Oregon 97116
Comprehensive Plan Designation	GI General Industrial
Zoning Map Designation	GI General Industrial
Historic District	Not applicable
Applicable Decision Considerations, Standards and Criteria	<u>Comprehensive Plan Amendment</u> <ul style="list-style-type: none">▪ Oregon Statewide Land Use Planning Goals▪ Forest Grove Comprehensive Plan Policies▪ Metro Regional Framework Plan▪ Metro Urban Growth Management Functional Plan <u>Zoning Map Amendment</u> <ul style="list-style-type: none">▪ Development Code §10.2.770 <i>Map Amendment Criteria</i>
Reviewing Staff	James Reitz (AICP), Senior Planner
Recommendation	The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria. Staff recommends that the Planning Commission forward the application to the City Council with a positive recommendation.

I. LAND USE HISTORY

The subject properties have been designated General Industrial since at least 1987. The adjoining properties to the west and north (west of an unnamed Council Creek tributary) were re-designated from General Industrial to Residential Multi-Family High Density in 1990. Much of that area has since been developed with residential subdivisions, including Casey West, Casey Meadows and Hawthorne Meadows.

The three parcels making up this application historically took their access from Kingwood Street via a private railroad crossing to the south. With the completion of the Casey Meadows neighborhood, two of the parcels now have frontage onto 25th Avenue; the remaining parcel has access to 25th Avenue via an easement.

II. DESCRIPTION OF PROPOSAL

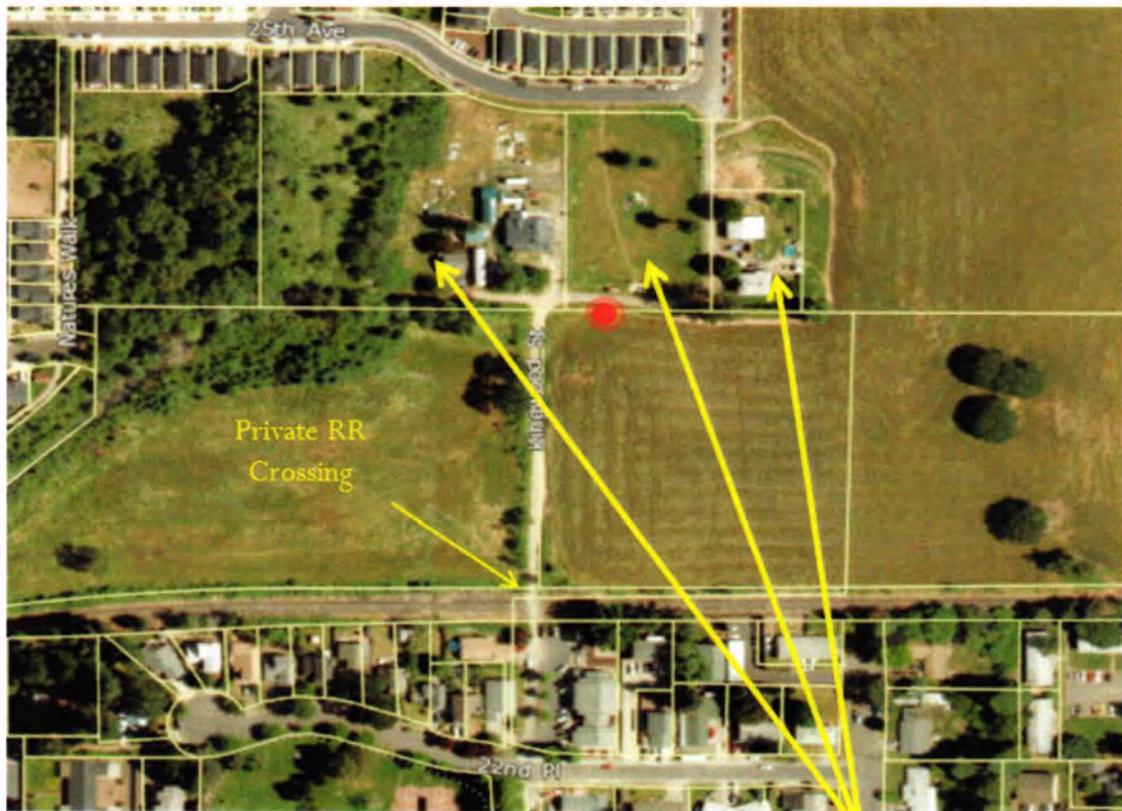
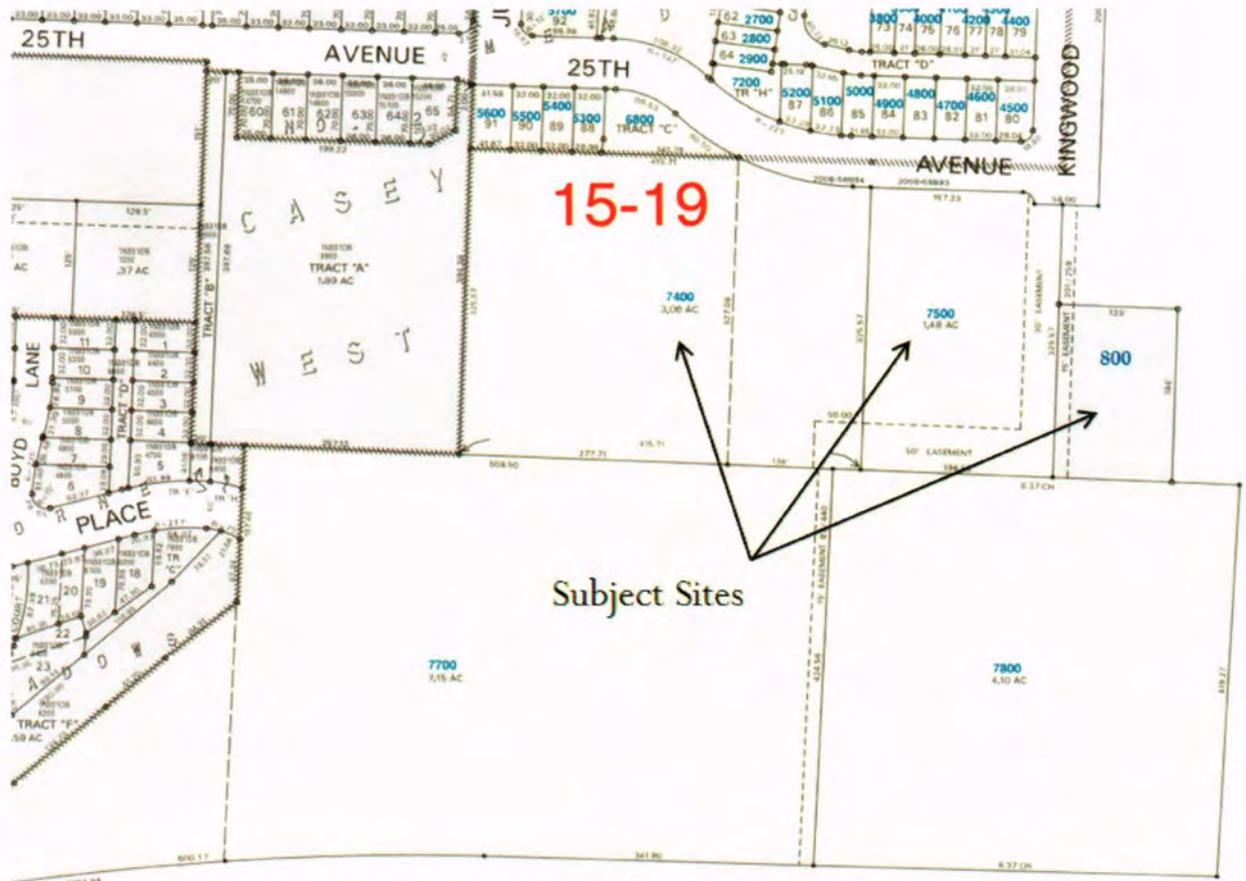
The proposal is an amendment to the Comprehensive Plan Map to re-designate three parcels from General Industrial (GI) to High Density Residential (HDR), and an amendment to the Zoning Map to re-designate those same parcels from General Industrial (GI) to Residential Multi-Family High Density (RMH).

III. SITE EXAMINATION

The subject area totals 4.86 acres. Washington County tax lot 1N331DA07400 is developed with a single-family home and outbuildings; it is also bisected by a tributary to Council Creek (see Wetland Map in Section V below). Tax lot 1N331DA07500 is vacant. Tax lot 1N332C000800 is developed with a single-family home. The area is flat and landscaped with field grass and a scattering of trees and shrubs. The 25th Avenue street frontage is partially improved, lacking only sidewalks and parkway landscaping.

Existing Comprehensive Plan Designation and Zoning of Site and Area

LOCATION	COMPREHENSIVE PLAN DESIGNATION	ZONING DISTRICT	LAND USE
Tax Lot 800	General Industrial (GI)	General Industrial (GI)	Single-Family Home
Tax Lot 7400	General Industrial (GI)	General Industrial (GI)	Single-Family Home
Tax Lot 7500	General Industrial (GI)	General Industrial (GI)	Vacant
North	High Density Residential (HDR)	Residential Multi-Family High Density (RMH)	Casey Meadows Subdivision
South	General Industrial (GI)	General Industrial (GI)	Vacant
East	General Industrial (GI)	General Industrial (GI)	Vacant
West	High Density Residential (HDR)	Residential Multi-Family High Density (RMH)	Casey West Subdivision - Open Space & Wetland Tract



Subject Parcels

IV. PROCEDURAL REQUIREMENTS

Comprehensive Plan Map Amendment Process: "Plan amendments may be initiated by the following parties: property owner of record or authorized agent of the property owner of record; contract purchaser, City Council, Planning Commission, City Manager, or Community Development Director." (Forest Grove Comprehensive Plan - Volume 1 p. 27)

This application was initiated by the owners of the two eastern-most properties. Because tax lot 1N331DA07400 to the west would otherwise be bounded on three sides by a residential designation (if this application is approved for the other two parcels) staff has included it in this review process.

The Planning Commission will consider the merits of the proposal and prepare a recommendation to the City Council.

Zoning Map Amendment Process: Development Code §10.2.760 *Procedure* authorizes the Planning Commission to make a recommendation to the City Council after reviewing the application pursuant to a Type 3 procedure.

Comprehensive Plan Amendment and Zoning Map Amendment approval criteria follow in Section V below.

DLCD and Metro Notification and Review: Notice of the proposed comprehensive plan and zoning map amendments was provided to the Department of Land Conservation and Development (DLCD) and Metro on February 22, 2019 pursuant to ORS 197.610, OAR Chapter 660 – Division 18, and Metro Code §3.07.820 (Functional Plan Title 8). Neither agency has registered any comments.

Public Notice: Public notice for this application was mailed to property owners and residents within 300 feet of the site on March 11, 2019; and published in the *News Times* on March 27, 2019, as required by Development Code §10.1.610.

As of the writing of this report, no written comments have been received from the public.

V. REQUIRED APPROVALS AND FINDINGS

The following decision considerations apply to the proposed Comprehensive Plan Map amendment –

- Applicable Oregon Statewide Land Use Planning Goals;
- Applicable Comprehensive Plan policies;
- Metro Regional Framework Plan; and
- Metro Urban Growth Management Functional Plan.

The following criteria apply to the proposed Zoning Map amendment (DC §10.2.770) –

- A. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

- B. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.
- C. The site is suitable for the proposed zone and there is a lack of appropriately designated alternative sites within the vicinity. The size of the vicinity will be determined on a case-by-case basis since the impacts of a proposed zone and its potential uses vary. The factors to be considered in determining suitability are parcel size and location.
- D. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.
- E. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.
- F. The establishment of a zone district is not subject to the meeting of conditions.

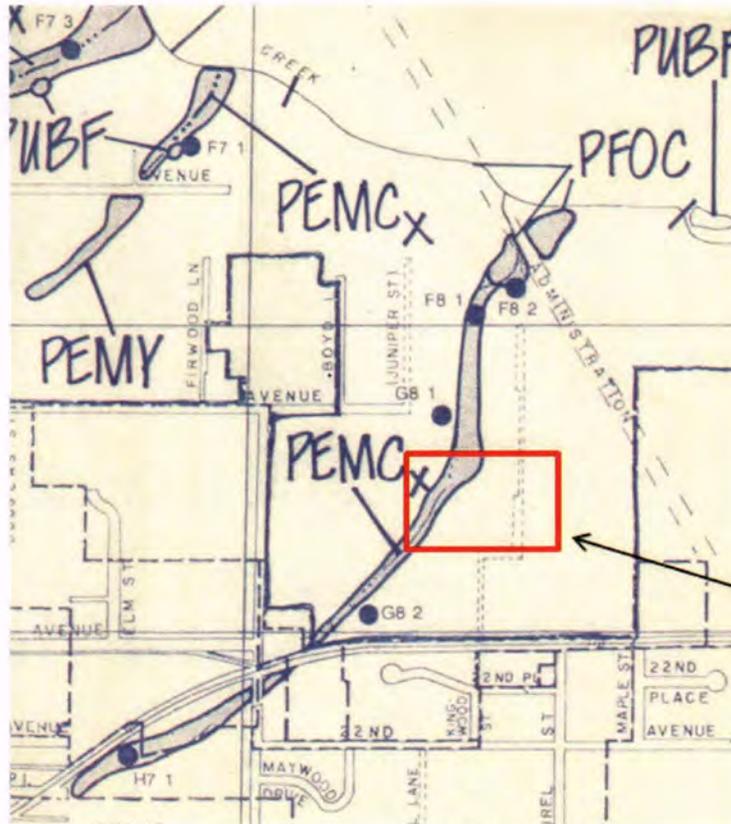
The applicable decision considerations and approval criteria are described more fully below. Findings are also provided below.

Oregon Statewide Land Use Planning Goals

Goal 2 – Land Use: Goal 2 establishes guidelines for major revisions and minor changes to the Comprehensive Plan. Goal 2 stipulates that a minor change should be based on information that will serve as the factual basis to support the change. The public need and justification for the change should be established.

Finding for Goal 2: The proposed Comprehensive Plan amendment affects three parcels with a combined area of 4.86 acres. Re-designating the properties from General Industrial to High Density Residential will not have a significant effect beyond the immediate area of the change and is therefore considered to be a minor amendment. This determination is based on the aggregate area of the parcels and their limited individual areas:

- Tax lot 1N331DA07400 is 3.06 acres. It's development potential is constrained because it is bisected by a creek, and CWS standards require a minimum 50-foot-wide buffer on either side (see Wetland Map, below);
- Tax lot 1N331DA07500 is 1.35 acres with no known constraints;
- Tax lot 1N332C000800 is 0.45 acres but has no frontage onto any public street.



Wetland Map

Site
 Location
 (approx)

The public benefit of the proposed Comprehensive Plan Map and Zoning Map amendment is to promote development on the property, thereby increasing the City's tax base. The properties have not developed with industrial uses and they are unlikely to become industrial given their adjacency to a residential neighborhood, lack of access to a Collector or Arterial street (access for the near term would only be via Local streets through a residential area), small lot sizes, and, in the case of tax lot 1N331DA07400, the wetland and required buffer area. The conceptual 23rd/24th Avenue Collector extension between Hawthorne and Oak streets shown below may not actually serve these properties, as it may need to be sited farther south in order to avoid the wetland.



Goal 10 - Housing: Goal 10 specifies that each city and county must plan for and accommodate needed housing types and to plan and zone enough buildable land to meet those needs.

Finding for Goal 10: The City's Economic Opportunity Analysis shows a need for 3,900 housing units over the next 20 years, based on the Baseline Growth Scenario of 2% per year. Re-designating the subject area from General Industrial to High Density Residential will provide opportunity to meet the identified housing need. If zoned for high density residential development the three parcels could accommodate as few as about 80 units and as many as about 100 units, based on gross acreage. The actual number of units would be based on net acreage, i.e., the area remaining that is not environmentally-constrained and following any rights-of-way and/or open space dedications.

Designating the property as High Density Residential would also help the City achieve a minimum development residential density allocation for new construction of 8 units per acre that the City must meet overall under the Metropolitan Housing Rule (OAR 660-0007-0035).

Metro Regional Framework Plan

The Metro Regional Framework Plan establishes a land use concept for the Portland region. Under the Metro Charter and state law, cities and counties within Metro's boundaries are required to comply and be consistent with the Regional Framework Plan.

The plan contains policies for growth management and land use planning for matters of metropolitan concern. It establishes a hierarchy of mixed-use, pedestrian friendly centers that are well connected by high capacity transit and corridors. It establishes Regional Centers, Town Centers, Corridors, Transit Station Communities, neighborhoods, and Industrial and Employment areas.

Finding: If approved, the proposed Comprehensive Plan Map and Zoning Map amendments will result in the re-designation of 4.86 acres of land from General Industrial to High Density Residential/Residential Multi-Family High density. The subject area is bounded on two sides (north and west) by lands designated as High Density Residential. The amendment supports the Metro Regional Framework Plan by promoting additional housing opportunities near the Town Center and Highway 8 (Pacific Avenue) corridor, and a nearby industrial area.

Metro Urban Growth Management Functional Plan

The Metro Urban Growth Management Functional Plan implements provisions of the Metro Regional Framework Plan including promoting a compact urban form. The following chapter of the Metro Urban Growth Management Functional Plan is applicable to this proposal, since the subject area is currently zoned for industrial uses:

Title 4: Industrial and Other Employment Areas - The subject properties are identified as within an Industrial Area on the Metro Employment and Industrial Area Map as shown below. Therefore, the provisions of Title 4 pertaining to map amendments apply.

For context, the blue areas on the map are designated Industrial areas and the green areas are Employment lands. The subject properties are connected to the Industrial Areas located to the east and south.



Under Urban Growth Management Functional Plan §3.07.450(C), a city or county may amend its comprehensive plan or zoning map designation to allow uses in an Employment or Industrial area upon making a demonstration that:

- (1) The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two;

Finding: The subject properties are not surrounded by land by land designated on the map as Industrial Area, Regionally Significant Industrial Area, or a combination of the two. The subject properties are bounded on the north and west by land designated Residential Multi-Family High density on the Zoning Map. Therefore, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (2) The amendment will not reduce the employment capacity of the city or county.

Finding: The subject properties have been designated General Industrial since at least 1987 yet have not converted to industrial use. The amendment would have little impact on the employment capacity of the city or county because the subject site is less than 5 acres in size and has been partially developed with two single-family homes that do not contribute to the employment of the area. Furthermore, the largest parcel is bisected by a creek and wetland thus further limiting the potential developable area. Given the minor impact to the city's or county's employment capacity, the subject properties qualify for a potential re-designation from an industrial to a non-industrial zone such as Residential Multi-Family High density.

- (3) If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans-shipment facilities.

Finding: The subject properties are not designated as a Regionally Significant Industrial Area. Since they are not designated as a Regionally Significant Industrial Area, this criterion does not apply.

- (4) The amendment would not allow uses that would reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on the Regional Freight Network Map in the RTP below volume-to-capacity standards in the plan, unless mitigating action is taken that will restore performance to TRP standards within two years after approval of uses.

Finding: The subject properties are located on or near 25th Avenue and Kingwood Street. Neither street is designated as a Main Roadway Route or Roadway Connector on the Regional Freight Network Map in the RTP. Therefore, the amendment will not allow uses that would reduce off-peak performance on Main Roadway Routes or Roadway Connectors or impact volume-to-capacity standards in the RTP. Thus, the subject properties qualify for re-designation from General Industrial to Residential Multi-Family High density.

- (5) The amendment would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in their market areas.

Finding: The proposed amendment will allow for residential development. As such, it would not diminish the intended function of the Central City or Regional or Town Centers as the principal locations of retail, cultural and civic services in the market area.

- (6) If the map designates the property as Regionally Significant Industrial Area, the property subject to the amendment is ten acres or less; if designated Industrial Area, the property subject to the amendment is 20 acres or less; if designated Employment Area, the property subject to the amendment is 4 acres or less.

Finding: The site is not designated as a Regionally Significant Industrial Area or an Employment Area. It is designated as an Industrial Area. As the site totals 4.86 acres in area, it complies with the criterion that the area subject to the amendment is 20 acres or less.

Functional Plan §3.07.450(D)

A city or county may also amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:

- (1) The entire property is not buildable due to environmental constraints; or

Finding: Two of the subject properties are buildable in their entirety. The property at 2352 Kingwood Street (tax lot 1N331DA07400) is bisected by an unnamed tributary of Council Creek, as documented in the 1993 Local Wetland Inventory. The creek and its associated wetland and buffer area are not buildable.

- (2) The property borders land that is not designated on the map as Industrial Area or Regionally Significant Industrial Area; and

Finding: The site borders land designated as an Industrial area on the Metro - Title 4, Industrial and Other Employment Areas Map. Therefore, the subject area does not qualify for re-designation from General Industrial to High Density Residential/Residential

Multifamily High under this criterion. As indicated elsewhere, the parcels do qualify for re-designation based on other Metro Functional Plan Title 4 criteria.

- (3) The assessed value of a building or buildings on the property, built prior to March 5, 2004 and historically occupied by uses not allowed by this title, exceeds the assessed value of land by a ratio of 1.5-to-1.

Finding: The home at 2352 Kingwood Street (tax lot 1N331DA07400) was built in 1920. Based on Washington County Assessment and Taxation Department data, the estimated assessed value of the improvement is \$2,000. The estimated assessed value of the land is \$343,480. As the value of the use is less than the value of the land, it does not exceed the 1.5-to-1 ratio.

The home at 2355 Kingwood Street (tax lot 1N332C000800) was built in 1900. Based on Washington County Assessment and Taxation Department data, the estimated assessed value of the improvement is \$118,440. The estimated assessed value of the land is \$159,590. As the value of the use is less than the value of the land, it does not exceed the 1.5-to-1 ratio.

The property at tax lot 1N331DA07500 is unimproved. The estimated value of the land is \$179,950. As there are no buildings on this parcel, the improved value does not exceed the 1.5-to-1 ratio.

Forest Grove Comprehensive Plan Policies

The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states: "Evaluate requests for re-zoning from non-residential to residential development zones based on the following factors:

- (A) Identified housing needs contained in an adopted Goal 9 Analysis;
- (B) Ability to provide services in a cost-effective and efficient manner;
- (C) Potential of the site to support higher density development;
- (D) Site characteristics including topography; and
- (E) Land use location policies of the Comprehensive Plan."

Finding for Factor A: The City's Goal 9 Economic Opportunity Analysis shows a need for an additional 3,900 dwellings under the Baseline (2% annual growth rate) scenario and 4,737 dwellings under the Medium (2.3% annual growth rate) scenario. Re-designating these properties High Density Residential will help to meet this housing need.

Finding for Factor A: The City's 2019 Economic Opportunity Analysis shows an excess of industrial land over a 20-year planning period of 40 to about 197 acres (see Exhibit C). Thus, because these parcels total less than 5 acres in area, re-designating them to a non-industrial use would have minimal impact on the city's industrial land supply.

Finding for Factor B: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. Given the presence of utilities, there is the ability to provide services in a cost-effective and efficient manner.

Finding for Factor C: The properties meet the location factors for high density residential development as indicated below. However, the size of 2355 Kingwood Street (0.45 acres) is a limiting factor, if it is developed independently of the others. Because it is less than 0.50 acres in size, it is exempt from the minimum density requirement as per Development Code §10.3.130(D) *Exemptions from Minimum Density Requirements*.

Finding for Factor D: The subject properties are flat with a slope of less than 5%. Topography is not a limiting factor for development of this area. In addition, the parcels are not irregularly shaped and are configured to allow for further development.

Findings for Factor E: Land Use Location Factors – High Density Residential

FACTOR	FINDING
Slope is less than 10%.	The subject site is flat with a cross-slope of less than 5%.
Carrying capacity of the land given the presence of wetlands, soil characteristics And infrastructure capacity.	The City's 1992 Wetland Inventory has documented a wetland on tax lot 1N331DA07400 (2352 Kingwood Street). There are no known wetlands on the other 2 parcels. The site is served by the full array of City services including water, storm sewer, sanitary sewer and electricity. Sufficient infrastructure capacity exists and urban development is assumed in the City's Water, Waste Water, Storm Drainage and Transportation Systems plans.
Sites are located within ¼ mile of planned or existing transit service.	The parcels are located within ¼ mile of the GroveLink east loop, which has a route on Hawthorne Street and 22 nd Avenue.
Sites are adjacent to existing or planned parks or open space.	No existing or planned parks are adjacent, but Stites Park is approximately ¼ mile from the site. The site is adjacent to open spaces located at Casey West Tract A, 2922 25 th Avenue and 2930 26 th Avenue.
Sites are within ¼ mile of designated employment areas.	The site is not located within ¼ mile of a designated employment area.
Constructed with single-family residential development if approved through planned residential development process.	No development is proposed. Therefore, this factor is not applicable.
Creation of nodes to facilitate transit extension.	This location is not part of a node intended to support transit service. Therefore, this factor is not applicable.

Zoning Map Amendments Review Criteria (DC §10.2.770)

1. The zone change is consistent with the Comprehensive Plan Map. When the Comprehensive Plan has more than one implementing zone as shown on the Correspondence Table in Article 3, it must be shown that the proposed zone is the most appropriate, taking into consideration the purposes of each zone and the zoning pattern of surrounding land.

Finding: If the properties are re-designated to High Density Residential, the RMH Multi-Family High Residential zone would be appropriate.

2. The zone change is consistent with relevant goals and policies of the Comprehensive Plan, as identified by the Director.

Finding: The proposed amendment is consistent with Forest Grove Comprehensive Plan Housing Policy 1.2 which states "Evaluate requests for rezoning from non-residential to residential development zones based on the following factors:

- A. Identified housing needs contained in an adopted Goal 9 Analysis;
- B. Ability to provide services in a cost-effective and efficient manner;
- C. Potential of the site to support higher density development;

- D. Site characteristics including topography; and
- E. Land use location policies of the Comprehensive Plan.”

Findings pertaining to consistency with the applicable Comprehensive Plan policies are provided above.

3. The zone change is consistent with the adopted Transportation System Plan. Development allowed by the zone change will not substantially impact the functional classification or operation of transportation facilities, or reduce the level of service of transportation facilities below the minimum acceptable level identified in the Transportation System Plan. To ensure proper review and mitigation, a traffic impact study may be required for the proposed zone change if it may impact transportation facilities.

Finding: The zone change is consistent with the adopted Transportation System Plan since development allowed by the proposed Residential Multi-Family High density zone will not substantially impact the operation of 25th Avenue or Kingwood Street. Both roadways are Local streets serving residential uses. The areas to the north and west are currently zoned Residential Multi-Family High density. The addition of 5 acres of multi-family zoned land should not significantly increase traffic volumes assumed in the TSP for this area, especially when the street network is completed.

Finding: The applicant submitted a traffic assessment prepared by a professional transportation planning and engineering firm. This assessment was based on the two eastern parcels which total 2.0 acres in area. The assessment reviewed the traffic implications of developing the properties under the General Industrial designation and under the RMH designation. The assessment modeled the traffic that would be generated by the highest trip generation rates (a call center and manufacturing) and compared that with the traffic that would be generated if the properties were developed at the highest residential density possible (20.28 DUA). The assessment notes that “traffic impacts are typically measured during p.m. peak hours....”

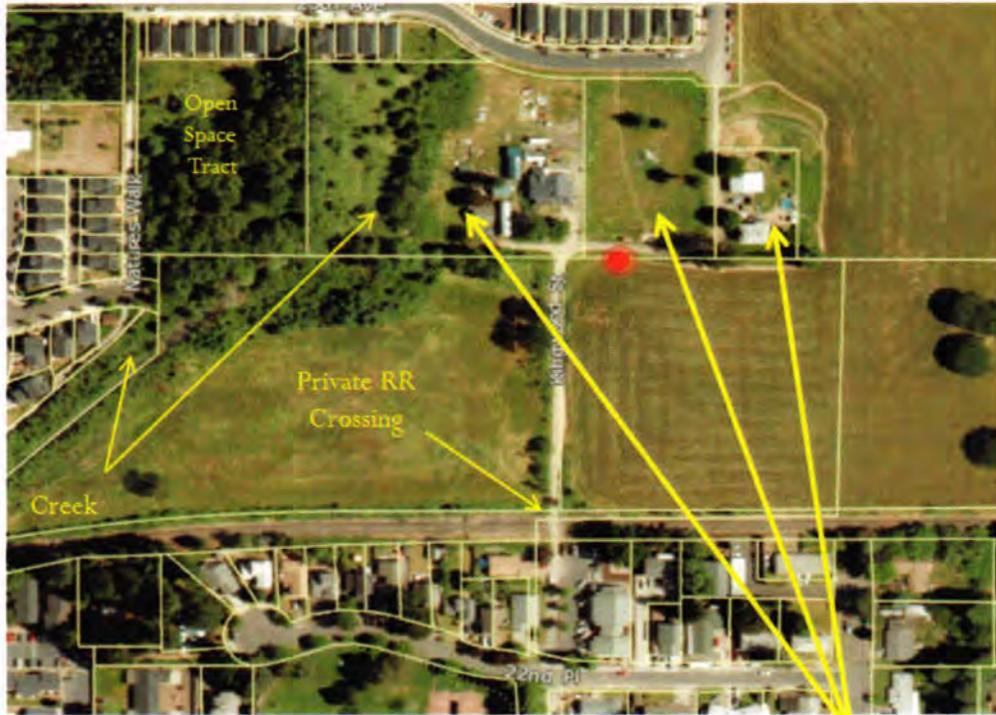
- Industrial average daily trips (ADT) would range from 171 (manufacturing) to 255 (a call center).
- Residential ADT would be 293.
- Evening peak hour trips would be 29 for manufacturing and 30 for a call center.
- Residential evening peak hour trips would total 22.

The study concluded that:

- “The proposed change would result in a net decrease in p.m. peak hour trip generation and as such the requirements of the TPR are met.”
- With the change, “the level of travel and access would be consistent with that of the surrounding streets.”

Finding: The parcels included in the traffic assessment total 2.0 acres in area. A third parcel - tax lot 1N331DA07400 – is also under consideration. It has a gross area of 3.06 acres. It is bisected nearly down the middle by a tributary of Council Creek. The tributary and 100-foot-wide buffer (50 feet on either side of the tributary) would be required to remain in a natural state, regardless of how the lot might develop. The parcel west of the tributary is also contiguous to a wetland and open space tract.

Because tax lot 1N331DA07400 is so bisected, development of its western portion would be problematic at best. For this reason, extrapolating anticipated traffic generation is based on the assumption that only half of the parcel (1.50 acres) could be developed.



Subject Parcels

At 1.5 acres, the area of this parcel is 75% of the 2.0-acre area included in the traffic assessment. Extrapolating from the forecasted numbers cited above, the anticipated traffic that could be generated from this parcel would be as follows -

- Industrial ADT would range from 128 (75% of the 171 ADT forecast for manufacturing) to 191 (75% of the ADT forecast for a call center).
- Residential ADT would be 220 (75% of the 293 ADT forecast for the adjacent sites).
- Evening peak hour trips would be 22 for manufacturing and 23 for a call center.
- Residential evening peak hour trips would total 17.

Combined with the other two parcels, the totals would be -

- Industrial ADT would range from 299 (for manufacturing) to 446 (for a call center).
- Residential ADT would be 513.
- Evening peak hour trips would be 51 for manufacturing and 53 for a call center.
- Residential evening peak hour trips would total 39.

Development of tax lot 1N331DA07400 for high density residential use would still result in a net decrease in p.m. peak hour trip generation (39 trips versus 51-53 trips for industrial uses). As such, including tax lot 1N331DA07400 would still comply with the requirements of the TPR and the level of travel and access would remain consistent with that of the surrounding streets.

4. Public facilities and services for water supply, sanitary waste disposal, storm water disposal, and police and fire protection are capable of supporting the uses allowed by the zone. Adequacy of services is based on the projected service demands of the site and the ability of the public services to accommodate those demands.

Finding: The subject properties are located within a developed area of the city and are served by the full array of City services. An 8-inch sanitary sewer line, 21-inch storm sewer line, and 8-inch water line are all present in 25th Avenue at Kingwood Street. The proposed amendment would not be anticipated to create any greater demand for public facilities and other public services than that which would be demanded under the existing industrial designation.

5. The establishment of a zone district is not subject to the meeting of conditions.

Finding: No conditions of approval are proposed.

VI. ALTERNATIVES

The Planning Commission has the following alternatives:

1. Recommend approval of the Comprehensive Plan Map and Zoning Map amendments as proposed; or
2. Recommend approval with modifications; or
3. Recommend denial; or
4. Continue deliberations to a date certain.

VII. SUMMARY AND RECOMMENDATION

The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria as described above. Therefore, staff recommends that the Planning Commission forward the application to the City Council with a positive recommendation.

VIII. LIST OF EXHIBITS

The following attachments are part of the staff report and entered into the record as evidence for this application at the time this staff report was written. Exhibits received after the date of this report will be marked beginning with the next consecutive letter and will be entered into the record at the time the public hearing is opened, prior to oral testimony.

Exhibit A Map of the proposed Comprehensive Plan and Zoning Amendments

Exhibit B Applicant's Submittal

Exhibit C Excerpt from the 2019 Economic Opportunities Analysis

Exhibit D PowerPoint Slides

EXHIBIT A

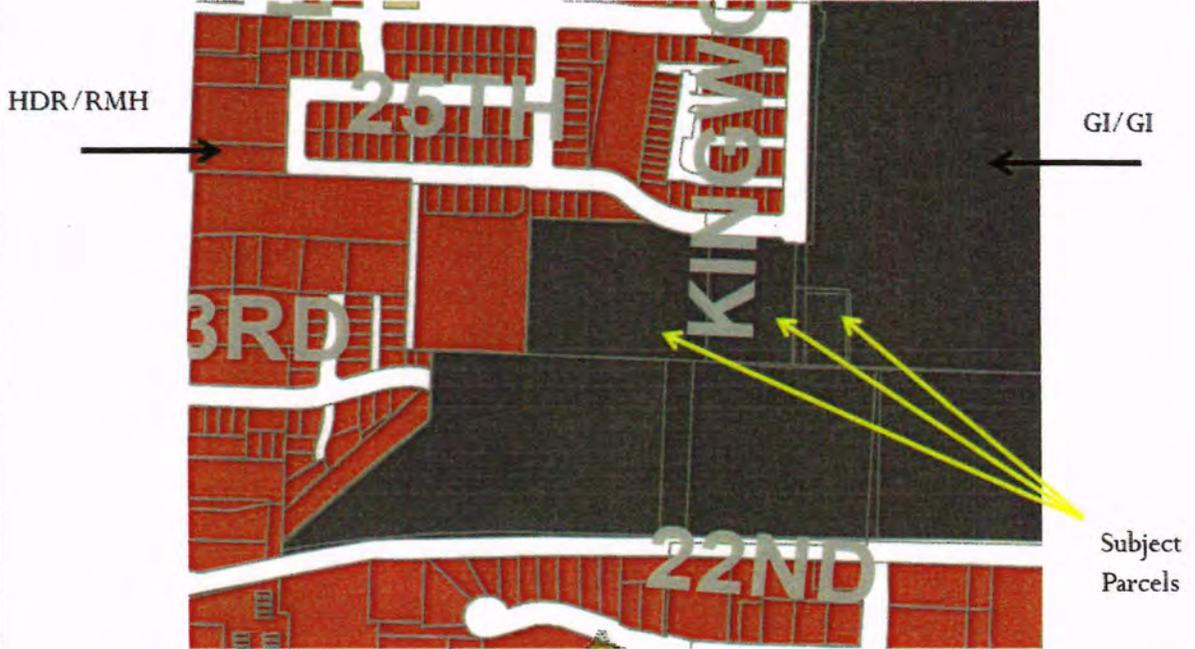
Proposed Comprehensive Plan Map

And

Zoning Map Amendments

Proposed Map Amendments

Comprehensive Plan Map Amendment - General Industrial to High Density Residential
Zoning Map Amendment - General Industrial to Residential Multi-Family High Density



Comprehensive Plan Designations: HDR = High Density Residential GI = General Industrial
Zoning Designations: RMH = Residential Multi-Family High Density GI = General Industrial

EXHIBIT B

Applicant's Submittal



January 13, 2019

Comprehensive Plan Map and Zoning Map amendment application narrative for parcels 1N332C000800 and 1N331DA07500

1. Application overview

- a. Applying parties- see attached application forms
- b. Tax lots- see attached tax lot maps.
- c. General overview
- d. attachments

This proposal seeks to amend the Comprehensive Plan and Zoning maps, to revise the land use designation from Industrial use, to High Density Residential (RMH). These parcels are more suitable and meets the city criteria and requirements for infill residential and much less suitable for Industrial uses. The factors involved:

Residential use:

- Has adequate road, utilities and infrastructure adjacent, and able to serve it.
- Has a significant demand beyond the supply.
- Has a small size suitable for infill residential development.
- Would likely facilitate further construction of connecting roads through dedications, and frontage improvements.
- Is more compatible with the existing high density residential use to the north.
- Add much more revenue to the city property tax base.

Industrial use:

- Requires significant new roads and infrastructure.
- Is too small for most modern industrial uses.
- Is incompatible and creates conflicts with the existing high density use to the north.
- The economics of Industrial use land value make development unlikely, given the costs to build on such a small lot.

Recently the City of Forest Grove analyzed both the need for affordable housing (Affordable Housing Strategy) and separately, and the land inventory for employment

for employment uses. The City of Forest Grove has provided adequate analysis of demands and land supply to make these changes.

- ii. Transportation- This proposal will meet the requirements of Metro transportation goals, as a incremental addition to the systems already in place. The uses proposed are readily served by existing roads and systems. Conversely, the existing zoning uses would have inadequate roads to support industrial development.
- c. Consistency with Metro Urban Growth Management Functional plan
 - i. Title 1 housing capacity-no reductions in housing capacity are proposed.
 - ii. Title 4 industrial and employment areas- This metro title allows for the changes of use providing certain criteria are met, as noted within the functional plan:

3.07.450 Employment an Industrial Area

(c) A city or county may amend its comprehensive plan or zoning regulations to change its designation of land on the Employment and Industrial Areas Map in order to allow uses not allowed by this title upon a demonstration that:

- d. (1) The property is not surrounded by land designated on the map as Industrial Area, Regionally Significant Industrial Area or a combination of the two;

-These combined parcels are not surrounded by Industrial land and they abut complementary and compatible high density residential development to the north.

- e. (2) The amendment will not reduce the employment capacity of the city or county;

- We believe that the City has performed adequate analysis with the recent Economic Opportunities Analysis Update, to meet the Metro criteria for comprehensive plan change; specifically, that there is a surplus of land zoned for employment, and that this small amendment wouldn't reduce the immediate or long- term employment capacity of the City of Forest Grove.

- f. (3) If the map designates the property as Regionally Significant Industrial Area, the subject property does not have access to specialized services, such as redundant electrical power or industrial gases, and is not proximate to freight loading and unloading facilities, such as trans- shipment facilities;

-The parcels are not Regionally significant Industrial Area (Metro Title 4, Industrial and Other Employment Area Map).

- g. (4) The amendment would not allow uses that would reduce off-peak performance on Main Roadway Routes and Roadway Connectors shown on

III. GOAL 10 HOUSING- This proposal would provide much needed housing land inventory, consistent with Goal 10. The City has analyzed and noted a deficit of suitable housing land, as noted by the Forest Grove Affordable Housing Strategic Plan. The 2015 Metro Regional Inventory found a need for 14,000 affordable housing units in Washington County. Of that need 1,400 exist in the City of Forest Grove.

IV. Goal 11 PUBLIC FACILITIES AND SERVICES- This proposal does not alter the City's planning for public facilities and or services. The City has adequate planning in place to allow these plan map amendments.

V. Goal 12 TRANSPORTATION- This proposal includes a Transportation Analysis Letter, (TAL), that shows the proposal addresses and complies with the City Transportation Plan, which addresses State Goal 12.

The other State Goals are not relevant to this proposal.

3. Zoning map change approval criteria

- a. Consistency with Comprehensive plan. The proposal includes an amendment to the Comprehensive plan, and if approved, the zone change would be consistent.
- b. Consistency with the goals and policies of the comprehensive plan. See above section 2, as the comprehensive plan would be amended.
- c. Suitability:
 - i. The site is suitable for the proposed zone and use. The proposed land use designation is the same as the adjacent development "Casey Meadows". Roads and utilities are in place up to the site, adequate for immediate development.
 - ii. There is a lack of appropriate alternatives for housing of this type. As stated in the City of Forest Grove Affordable Housing Strategic Plan, which notes a lack of suitable sites.
 - iii. The site is less suitable for the current zoned use, due to a lack of roads, infrastructure, and economic impetus.
- d. The site is consistent with the transportation system plan. As demonstrated in the attached transportation analysis letter.
- e. Public facilities and services are currently capable of serving the proposed uses. The proposers met with City staff and was informed that all utilities are in place to the site. The City Storm water system was designed to accommodate these parcels when the "Casey Meadows" development occurred on the adjacent parcel. The first responders stated they would endorse this proposal.
- f. The establishment of a zone district is not subject to the meeting of the conditions.

Conclusion: In conclusion our proposed map amendment creating approximately 2.5 acres of High Density Residential land would provide for short term construction jobs and long term increased tax revenue for the City. As demonstrated by the City's Economic Opportunities Analysis there is a large surplus of Industrial Lands in Forest Grove. The loss



December 13, 2018
#01578

Mark VanderZanden
Surround Architecture
503-224-6484 office
503-789-7388 mobile

re: Transportation Planning Rule – Traffic Assessment Letter for an 2.0 Acre Zone Change – Forest Grove, OR

INTRODUCTION & SUMMARY

As requested, we have prepared this traffic-assessment letter a for a proposed rezone/comprehensive-plan map amendment for a 2.0 acre site in Forest Grove, Oregon. The site is located as shown in Figure 1. The purpose of this letter is to present the analysis of the proposed change under Oregon's Transportation Planning Rule (TPR). It was found that the proposed change would result in a net decrease in p.m. peak hour trip generation and as such the requirements of the TPR are met. This report details how this conclusion was reached.

DESCRIPTION OF PROJECT

The land-use application is for a change in the zoning and the comprehensive-plan map designation. The proposed zone change is from GI, General Industrial to RMH, Residential Multifamily High (which is called High Density Residential in on the comprehensive plan map).

The site consists of two parcels. The smaller 0.45 acre parcel (Tax map 1N332C000800) is currently occupied by a single family home. The larger 1.48 square foot lot (Tax Map 1N331DA07500) is currently vacant. The parcel sizes shown in the tax maps (as shown above) are slightly smaller than what is calculated using the dimensions shown on the tax map. To be conservative, it was assumed that the total size would be 2.0 acres.

This application is not being submitted concurrently with site plan application. As such, no preliminary site plans have been developed. Assumed densities and land uses discussed below.

TABLE 1 – TRIP GENERATION FORECAST – WITH PROPOSED CHANGE

ITE LAND USE*	TRIP ENDS RATE (trips per tsf)			IN/OUT SPLIT (percent)	SIZE (units)	PM PEAK HOUR TRIP ENDS				
	DAILY	PM PEAK HOUR	TOTAL			DAILY	IN	OUT	TOTAL	DAILY
220	7.32	0.56	63/37	40	14	8	22	293		

Notes: *Source: *Trip Generation* (ITE, 10th Edition, 2017), land use code 220, Multifamily Housing (Low Rise).

TRIP GENERATION – EXISTING ZONING/MAP DESIGNATION

The ITE Land Use Categories listed above and their respective p.m. peak hour trip rates are:

- Light Industrial – 0.63 trips per thousand square feet;
- Manufacturing – 0.67 trips per thousand square feet;
- Research and Development – 0.49 trips per thousand square feet;
- Call Center (office) – 1.15 trips per thousand square feet;

While a call center has the highest trip rate, the parking needs of a call center are typically higher than other uses allowed in the zone, as they tend to have more employees per square foot than uses such as manufacturing or industrial. This would result in a lower floor-area-ratio, which would push the total trip generation of the site down. For this reason, the use with the second highest trip generation rate, Manufacturing, was also selected for evaluation.

As shown in Table 2, the outright permitted land use with the highest trip generation potential would be a call center. As such, the site has the potential to generate a 30 p.m. peak hour trips and 255 daily trips under the existing zoning/map designation.

TABLE 2 – TRIP GENERATION FORECAST – EXISTING ZONING/MAP DESIGNATION

ITE LAND USE*	TRIP ENDS RATE (trips per tsf)			IN/OUT SPLIT (percent)	SIZE (t.s.f.)	PM PEAK HOUR TRIP ENDS				
	DAILY	PM PEAK HOUR	TOTAL			DAILY	IN	OUT	TOTAL	DAILY
140	3.93	0.56	63/37	43.56	9	20	29	171		
710	9.74	1.15	16/84	26.14	5	25	30	255		

Notes: *Source: *Trip Generation* (ITE, 10th Edition, 2017), land use code 220, Multifamily Housing (Low Rise).

NET IMPACT – CHANGE IN TRIP GENERATION

The horizon year for a TPR evaluation is typically the planning horizon used in the Transportation System Plan (TSP), but is generally accepted that it must be at least 15 years from the current year. The net change in trip generation during this time period, as shown below in Table 3, would be a net reduction

SUMMARY AND CONCLUSIONS

1. As shown in Table 3, there would be a net decrease p.m. peak hour trips to the site with the proposed changes.
2. It was concluded that the proposed change from GI to RMH would not have a significant effect on the transportation system as per TPR criteria and as such, the requirements of the TPR are met.
3. At such time that the applicant moves forward with a site plan, a traffic stound would not be required since the site would generate less than 30 p.m. peak hour trips.

* * * * *

It is trusted that the above analysis adequately addresses the question of trip generation and assessment of the impacts under the Oregon Transportation Planning Rule for the proposed change in zoning and change the map designation found in the Forest Grove comprehensive plan. Please feel free to call at your convenience if you would like to discuss any elements of this letter-report.

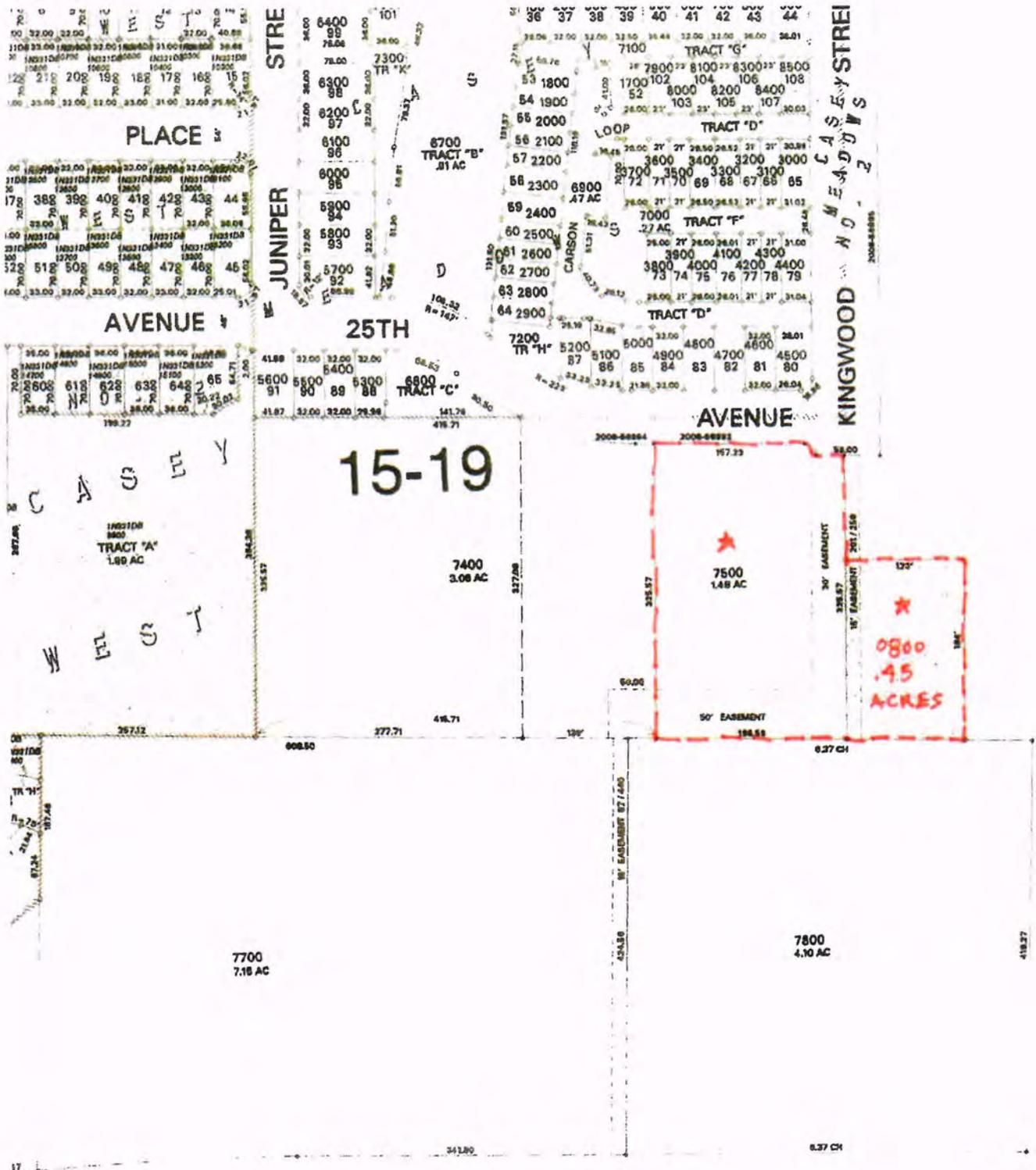
Very truly yours,
FERGUSON & ASSOCIATES, INC.

Scott Ferguson, PE

Attachment: Figure 1



EXPIRATION DATE: 12/31/19



project	KINGWOOD STREET	
issue date	09.21.2018	
ref. dwg.	ZONE CHANGE	
	A3	
surround architecture, inc. - portland, or - 503.226.6484 © 2015 surround architecture, inc.		

EXHIBIT C

Excerpt

From The

2019 Economic Opportunities Analysis

VII. RECONCILIATION OF LAND NEED AND SUPPLY

Figure 7.1 presents the reconciliation of the findings of 20-year employment land need (Section V) with the estimated supply of buildable lands (Section VI).

Figure 7.1: Reconciliation of 20-Year Demand and Supply

SAFE HARBOR FORECAST

LAND USE	DEMAND		SUPPLY	Surplus or Deficit	
	Safe Harbor Forecast		Buildable	5-year 20-year	
	5-year	20-year	Acres	5-year	20-year
Industrial Land	9	40	237.1	228	196.75
Mixed-Use Land	33	146	55.0	22	(91.15)
TOTAL:	42	186	292.1	250	105.60

METRO 2040 (TAZ) FORECAST

LAND USE	DEMAND		SUPPLY	Surplus or Deficit	
	Metro 2040 Forecast		Buildable	5-year 20-year	
	5-year	20-year	Acres	5-year	20-year
Industrial Land	11	48	237.1	226	189.16
Mixed-Use Land	37	170	55.0	18	(114.55)
TOTAL:	48	217	292.1	244	74.60

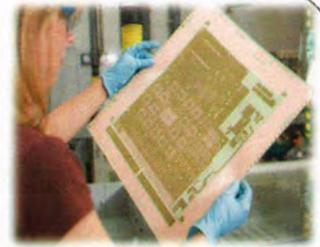
Source: Metro, City of Forest Grove, Johnson Economics

Major Findings

- Current buildable land supply is estimated to be sufficient to meet short term needs, but not long term needs.
- Over the 20-year period, the buildable supply does exceed the long term demand. However, this analysis finds that the classification of available land (mostly industrial) is a poorly matched to future employment needs.
- The demand for Mixed Use lands to accommodate commercial uses will exceed the supply of these land categories over the planning period.
- Many of the same types of uses (office and retail) can be suitable to either Commercial or Mixed Use land, so the balance between these two zoning types are somewhat fungible. In other words, some of the estimated demand for new land could be accommodated by new commercial or mixed use land, or a mix.
- This analysis indicates that there may be a significant oversupply of designated industrial land in Forest Grove, and that some of this might be repurposed for other employment uses.

EXHIBIT D

PowerPoint Slides



Planning Commission Meeting April 1, 2019

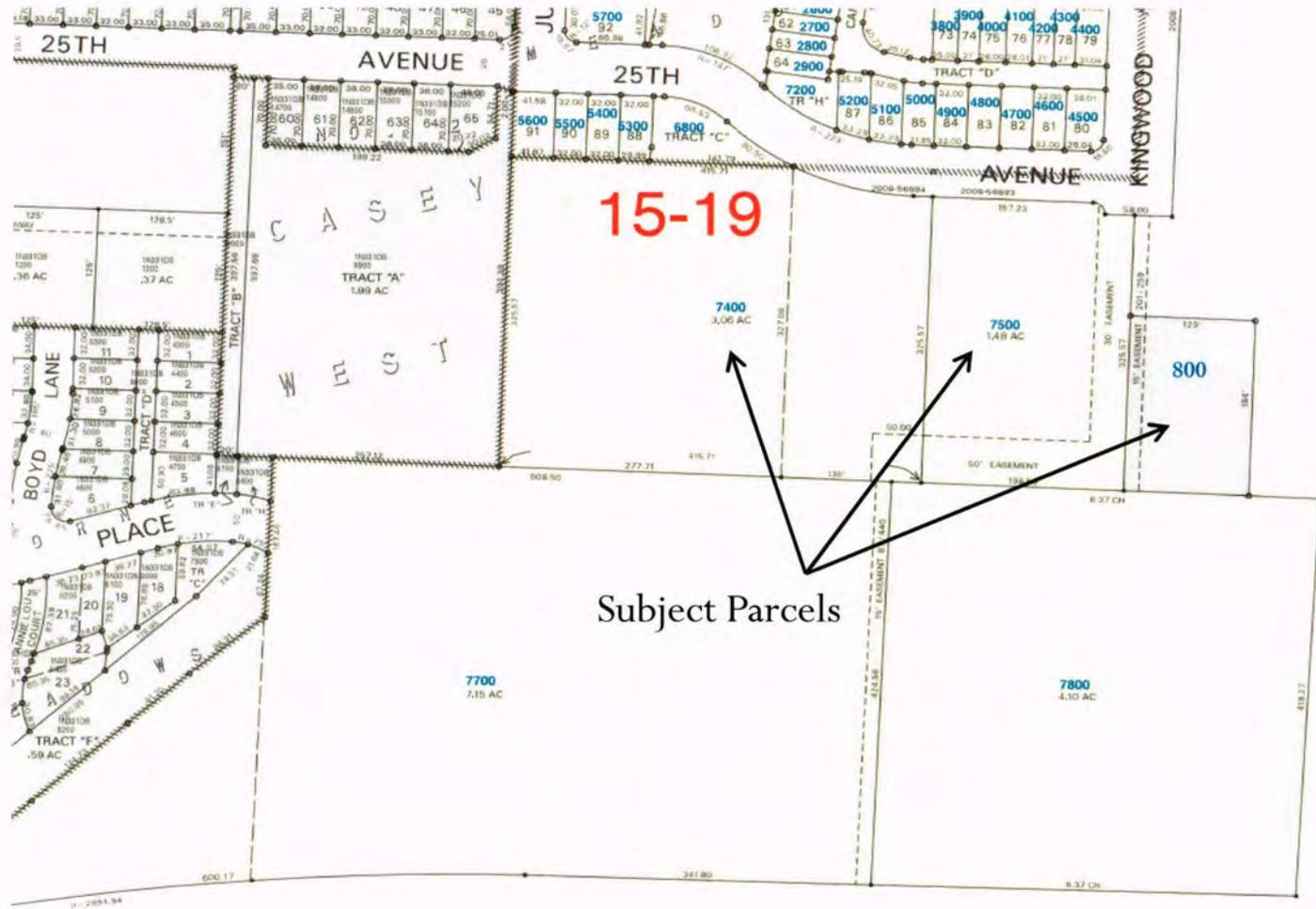
KINGWOOD STREET AREA COMPREHENSIVE PLAN MAP AND ZONING MAP AMENDMENTS

James Reitz (AICP), Senior Planner

A place where families and businesses thrive.



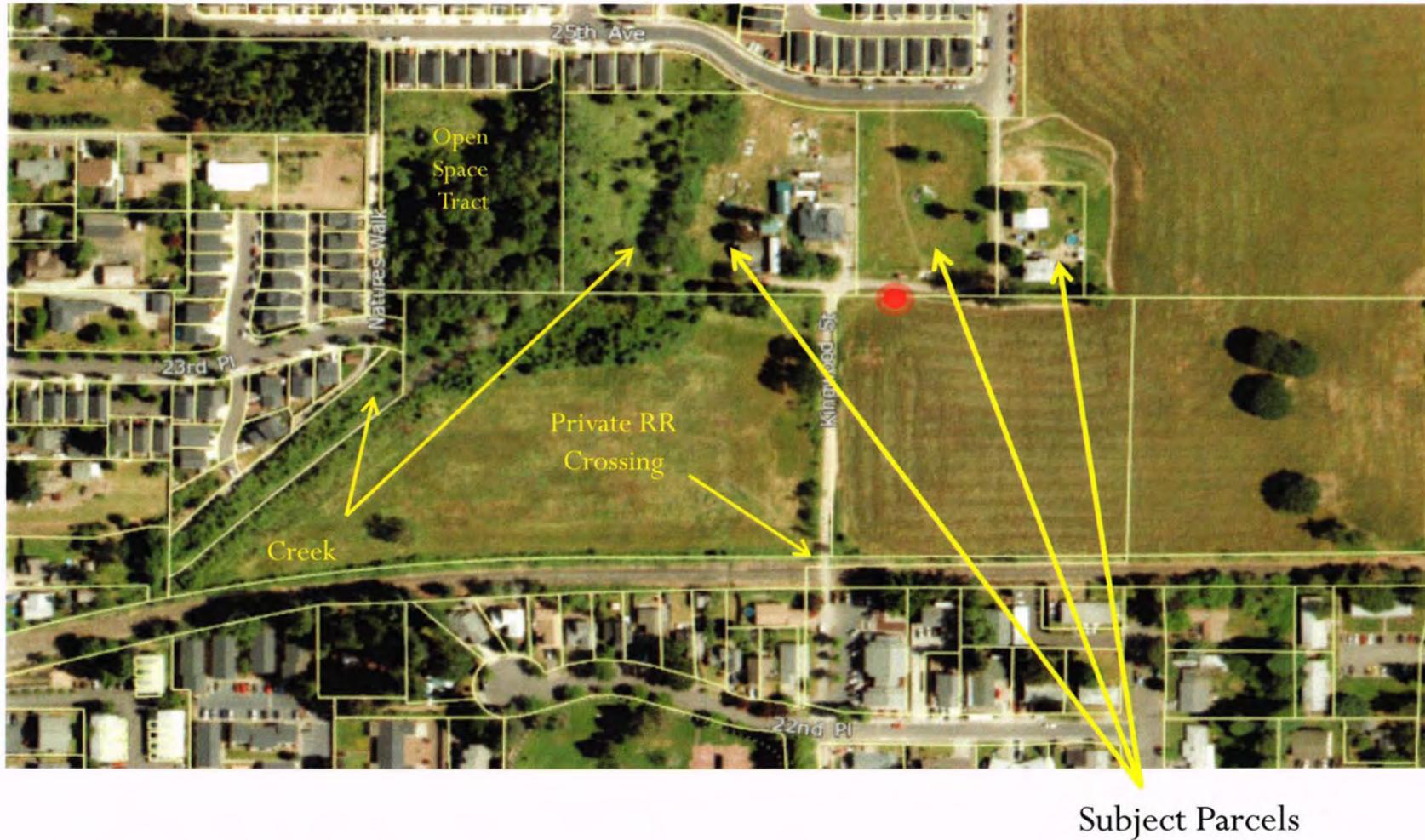
Washington County Tax Lot Map



Subject Parcels

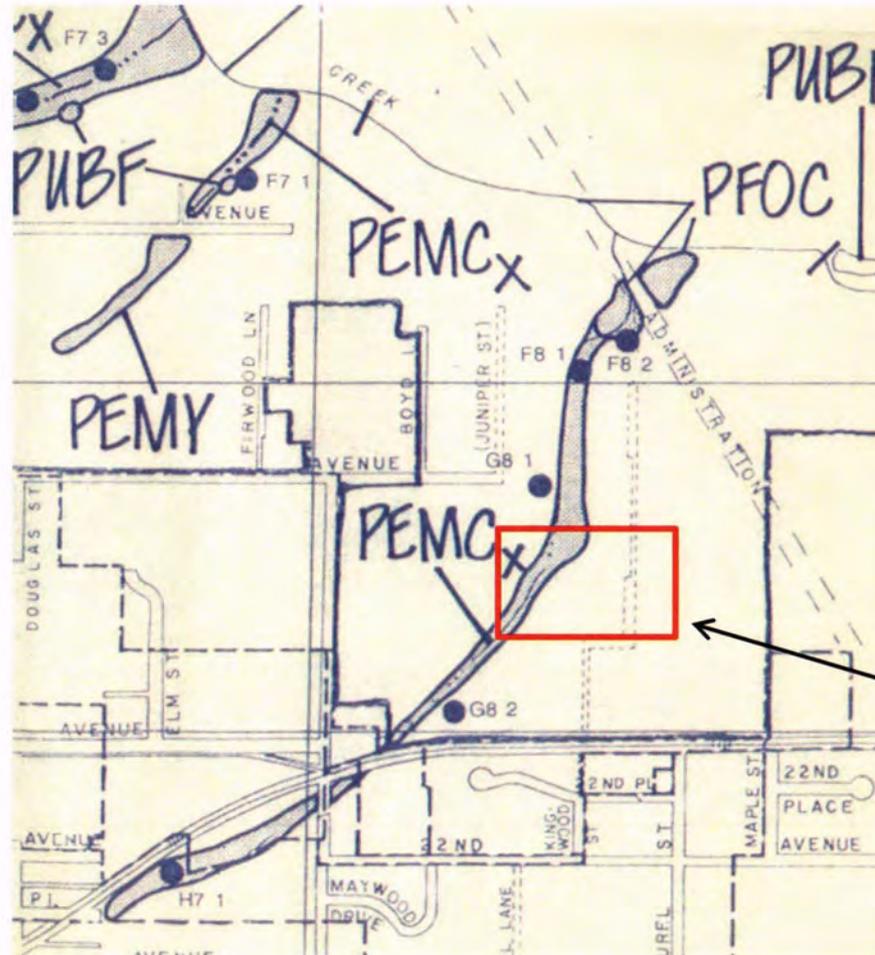
A place where families and businesses thrive.

Aerial View – Site & Neighborhood



A place where families and businesses thrive.

Wetland Map



Site
Location
(approx)

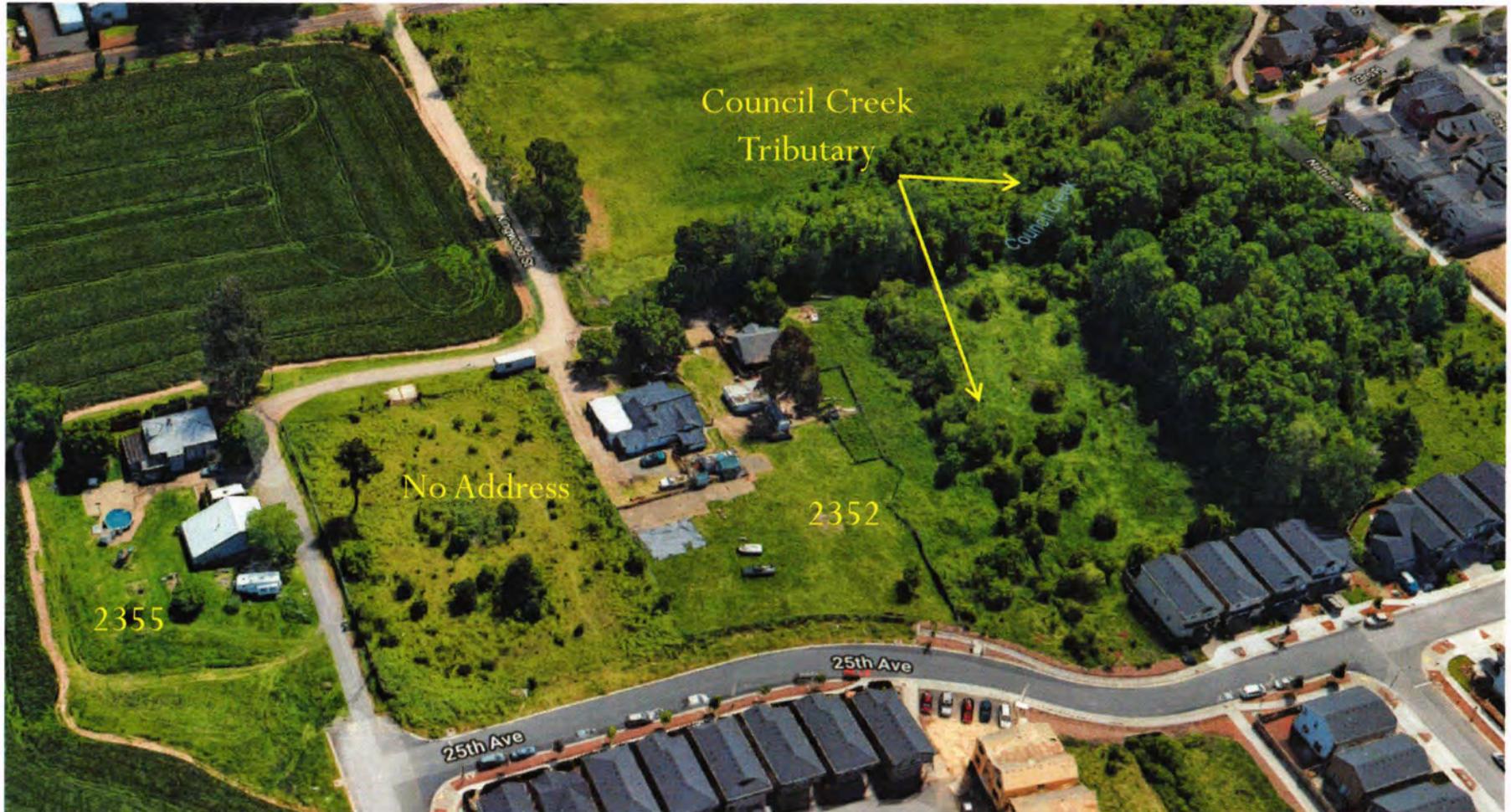
A place where families and businesses thrive.

Area Street Plan



A place where families and businesses thrive.

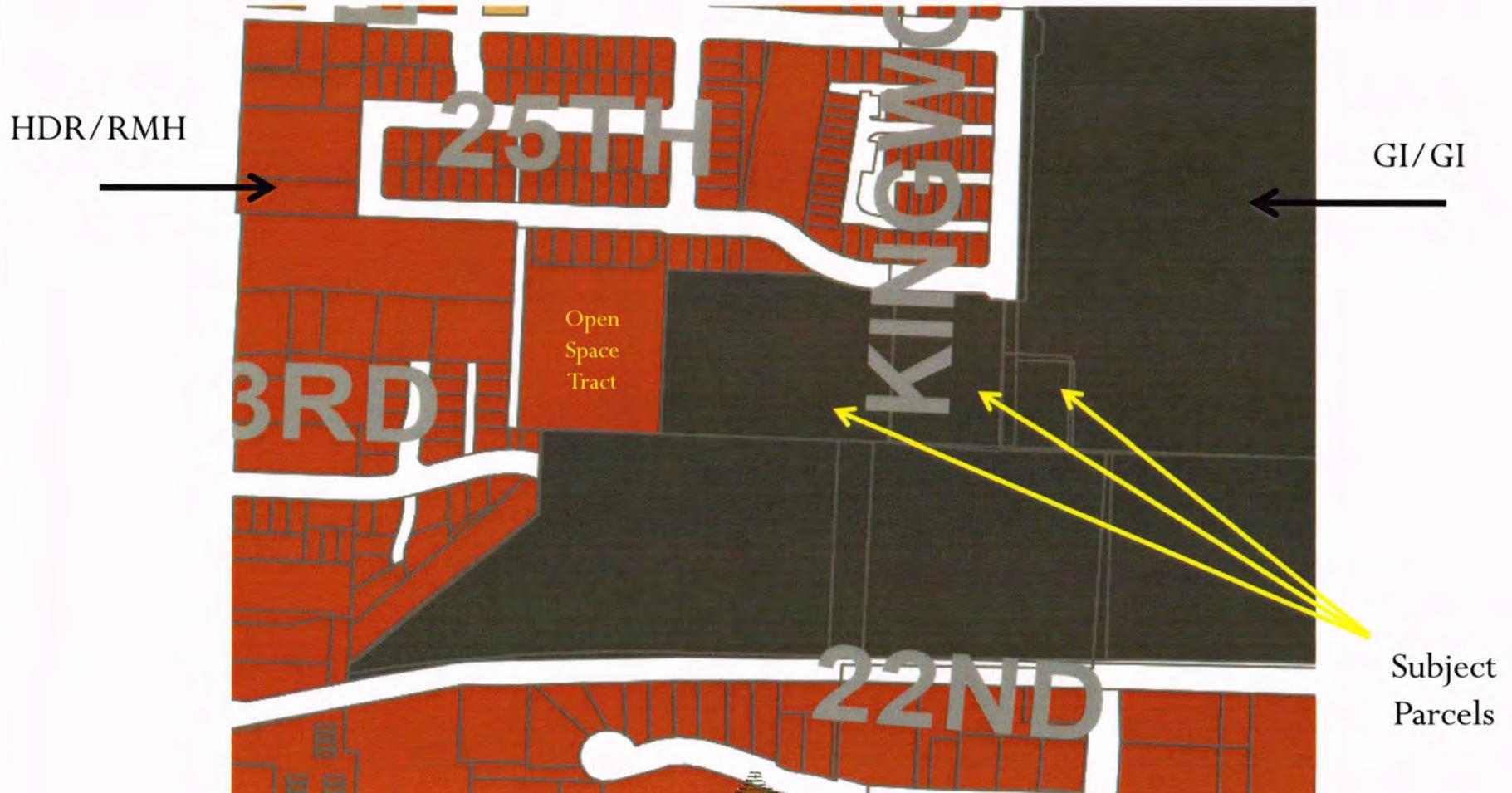
Oblique View



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Proposed Map Amendments

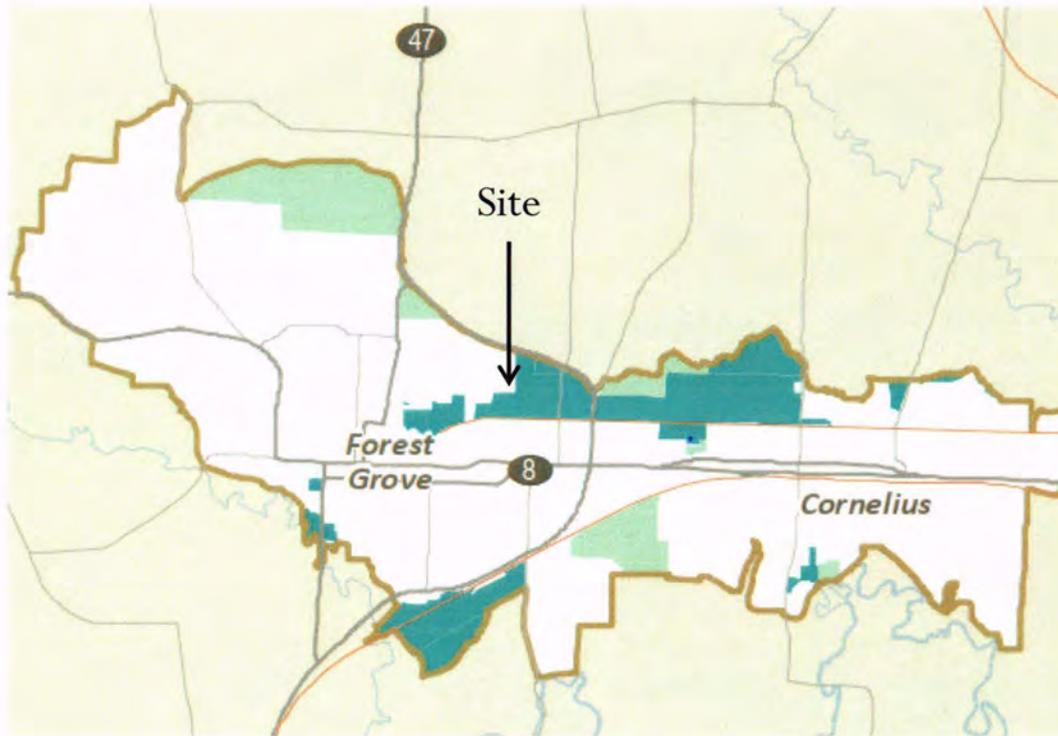
Comprehensive Plan Map Amendment - General Industrial to High Density Residential
Zoning Map Amendment - General Industrial to Residential Multi-Family High Density



Comprehensive Plan Designations: HDR = High Density Residential GI = General Industrial
Zoning Designations: RMH = Residential Multi-Family High Density GI = General Industrial

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Metro Title 4 - Industrial & Other Employment Areas



-  Employment areas
-  Industrial areas
-  Regionally significant industrial areas

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Summary and Recommendation

- The proposed Comprehensive Plan Map and Zoning Map amendments meet the requirements of the applicable decision considerations, standards and criteria.
- Therefore, staff recommends that the Planning Commission forward the application to the City Council with a positive recommendation.

Date: MAY 13, 2019

Agenda Item: 7. A. & 7. B.

Subject: 7. A. FIRST READING OF ORDINANCE NO. 2019-02 AMENDING THE COMPREHENSIVE PLAN MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO HIGH DENSITY RESIDENTIAL (HDR); AND
7. B. FIRST READING OF ORDINANCE NO. 2019-03 AMENDING ZONING MAP TO RE-DESIGNATE TWO PARCELS FROM GENERAL INDUSTRIAL (GI) TO RESIDENTIAL MULTI-FAMILY HIGH DENSITY (RMH); WASHINGTON COUNTY TAX LOTS 1N331DA07500 AND 1N332C000800; APPLICANTS: ROBERTA REYNOLDS, LINDA ESHRAGHI, AND SHANNON POLICH FILE NUMBER 311-19-000001-PLNG

CITY COUNCIL MEETING

Request to Testify at Public Hearing

Public Hearings – Public hearings are held on each matter required by state law or City policy. Anyone wishing to testify should sign-in for the Public Hearing prior to the meeting. The Mayor or presiding officer will review the complete hearing instructions prior to testimony. The Mayor or presiding officer will call the individual or group by the name given on the sign-in form. When addressing the Mayor and Council, please move to the witness table (center front of the room). Each person should speak clearly into the microphone and must state their first and last name and provided a mailing address for the record. All testimony is electronically recorded. In the interest of time, Public Hearing testimony is limited to three minutes unless the Mayor or presiding officer grants an extension. Written or oral testimony is heard prior to any Council action.

Please sign-in below to testify:

PROPONENTS: (Please print legibly)

First & Last Name:

Mark VanderZanden

Address:

3265 SW Fairmont Blvd.

City, State & Zip Code:

OPPONENTS: (Please print legibly)

First & Last Name:

Address:

City, State & Zip Code:

OTHERS: (Please print legibly)

First & Last Name:

Address:

City, State & Zip Code: