

STAFF REPORT

CITY OF LAKE OSWEGO

PLANNING DIVISION

APPLICANT / PROPERTY OWNERS:

TL 4300: Emerald Pacific Builders, INC.,
(DBA American Heritage Homes)
TL's 4400 & 4500: RB Pamplin Corporation.

FILE NO:

LU 08-0059

APPLICANTS' REPRESENTATIVES:

Jerry Offer, (OTAK)
Andrea Marek, RB Pamplin Corporation

STAFF:

Paul Espe, Associate Planner

TAX LOT REFERENCE:

Tax Lots 4300, 4400, and 4500,
Map 21E07DD

DATE OF REPORT:

February 10, 2009

LOCATION:

4855 and 4905 Upper Drive
16710 Boones Ferry Road

DATE OF HEARING:

February 23, 2009

COMP. PLAN DESIGNATION:

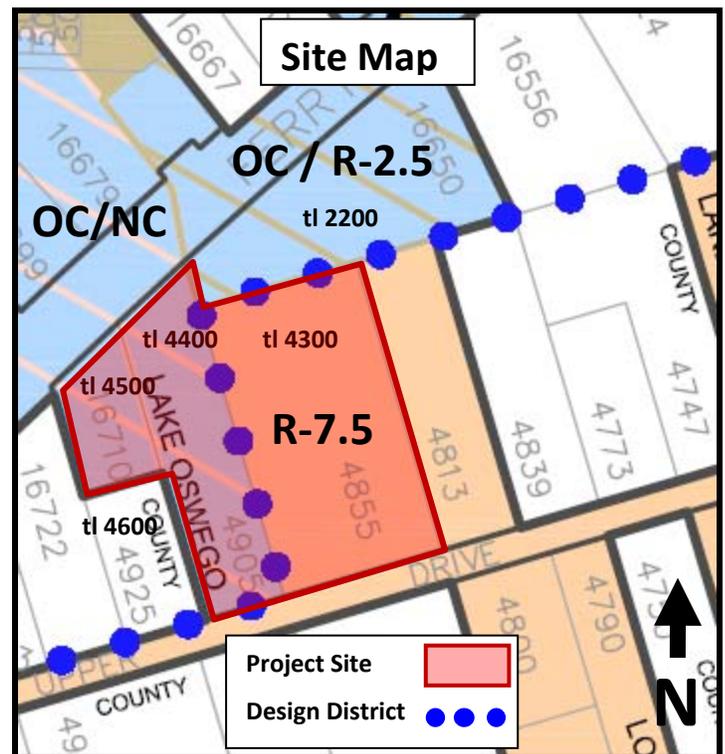
R-7.5

ZONING DESIGNATION:

R-7.5

NEIGHBORHOOD ASSOCIATION:

Lake Grove



I. APPLICANT'S REQUEST

The applicant is requesting:

- Expansion of the West Lake Grove Design District boundary by including Tax Lot 4300 Map 21E07DD (a 1.43 acre parcel).
- Comprehensive Plan and Zoning Map amendment to change the Low Density Residential Designation (R-7.5) to Office Commercial/Neighborhood Commercial (OC/NC) on Tax Lot 4300.
- Zoning Map Amendment to the parking reserves and building areas on Tax Lots 4400 and 4500.
- Community Development Code text amendments for LOC Appendices 50.67 (Figure 1, 2a, 2b, 2c, 4, 5, 6, and 7), for Tax Lots 4300, 4400, and 4500.

II. APPLICABLE REGULATIONS

A. City of Lake Oswego Comprehensive Plan:

Goal 1: Citizen Involvement	Policies 1, 2, and 5
Goal 2: Land Use Planning (Section 1 Land Use Policies and Regulations)	Policies 1, 3, 5(a)(b)i, ii (A, B, C, D, E, F, G, H), 11, 14, 22, 23, and 24,
Goal 2: Land Use Planning (Section 2 Community Design and Aesthetics)	Policy 4
Goal 5: Open Spaces Historic and Natural Areas (Section 2, Vegetation)	Policies 6, 7, 8, and 9
Goal 6: Air, Water and Land Resource Quality (Section 1, Air Resources Quality)	Policy 4
Goal 6: Air, Water and Land Resource Quality (Section 2, Water Resource Quality)	Policies 1 and 5
Goal 6: Air, Water and Land Resource Quality (Section 3, Land Resource Quality)	Policy 7
Goal 6: Air, Water and Land Resource Quality (Section 4, Sound Quality)	Policies 4 and 5
Goal 9: Economic Development	Policies 1, 2, 4, 6, 7, 11 and 13
Goal 10: Housing	Policies 10 and 13
Goal 12: Transportation	Subgoal 1, Major Street System, Policies 1,

2, 4(a) (b) (c)
 Subgoal 3, Neighborhood Collectors and Local Residential Streets, Policy 9
 Subgoal 4, Land Use and Transportation Relationships, Policy 4
 Subgoal 6, Walking, Policy 2
 Subgoal 7, Bicycling Policy 1

Goal 13: Energy Conservation Policy 4

Lake Grove Neighborhood Plan Goals 1 & 2, Citizen involvement, Policies 1, 2, and 3
 Goal 5, Open Spaces and Natural Areas Policies 1, 2, 3, 4, 5, 12
 Goal 9, Economic Development, Policies 1, 2, 3, 4, 5, 6, 7, 8, 9, 11
 Goal 10, Housing, Policies 5, 6 and 11
 Goal 12, Transportation Policies 5, 6 and 8

B. Metro Urban Growth Functional Plan

Title 1 – Accommodation of Growth
 Title 2 – Regional Parking Policy
 Title 12 – Protection of Residential Neighborhoods

C. Transportation Planning Rule
 OAR 660-12-060(1) and (2)

D. Statewide Planning Goals

Goal 1 – Citizen Involvement
 Goal 2 – Land Use Planning
 Goal 5 – Open Spaces, Scenic and Historic, and Natural Resources
 Goal 6 – Air, Water and Land Resources
 Goal 8 – Recreation
 Goal 9 – Economic Development
 Goal 10 – Housing
 Goal 11 – Public Facilities and Services
 Goal 12 – Transportation
 Goal 13 – Energy Conservation
 Goal 14 – Urbanization

E. City of Lake Oswego Community Development Code:

LOC 50.01.010	Purpose
LOC 50.75.005	Legislative Decision Defined (Quasi-judicial Plan and Zone Map Amendments to be processed via Major Developments Procedures)
LOC 50.75.010	Criteria for Legislative Decision
LOC 50.10.005-50.010.025	West lake Grove Design District Zones
LOC 50.67	West lake Grove Design District Standards

III. PROJECT SUMMARY AND RECOMMENDATION

The applicant wishes to expand the West Lake Grove Design District with additional OC/NC zoned property in order to provide the needed depth and width to the commercial area and assist in the development of the two adjacent OC/NC zoned parcels already owned by the RB Pamplin Corporation. In the past, development has been constrained in this area by the relatively small parcel sizes and configurations that restrict redevelopment opportunities in the area.

The only reason the City would approve this application is to accomplish the goals of the West Lake Grove Design District which includes cohesive development, connectivity with adjacent parcels and future roadway construction. The applicant's proposal does not achieve these goals; and, consequently, staff is recommending denial of this request.

IV. OVERVIEW OF APPLICATION / FACTS

1. Overview of Application

The applicants are seeking to develop Tax Lot 4300 (owned by Emerald Pacific Builders), with abutting Tax Lots 4400 and 4500 (owned by the RB Pamplin Corporation) to the west. To accomplish this consolidated development, the applicants are requesting:

- expansion of the West Lake Grove Design District to include Tax Lot 4300 (Tax Lots 4400 and 4500 are currently within the West Lake Grove Design District);
- rezone Tax Lot 4300 to OC/NC (so it is the same zoning as Tax Lots 4400 and 4500);
- amend the designation of the parking reserves and building areas on Tax Lots 4400 and 4500 (so that they would be consistent with the applicants' proposed development plan); and
- amend the applicable Parking and Circulation diagrams for Tax Lots 4400 and 4500.

The applicants' requests are intended to allow for a more cohesive development that will meet the West Lake Grove Design District Standards [LOC 50.67.020(2)]. It will also partially allow for the development of the necessary half-street, driveway and intersection improvements to connect West Sunset Drive with Boones Ferry Road and Upper Drive.

2. Basic Facts

- a. The site (Tax Lots 4300, 4400, and 4500) is located on the north side of Upper Drive, 32 feet south of Boones Ferry Road and 130 feet east of the future alignment of West Sunset Drive.
- b. The site has a southeasterly facing slope and is slightly below the elevation of the Boones Ferry right-of-way. The site is currently vacant, with a stand of mature fir trees to the north and scattered deciduous trees.

- c. Tax Lot 4300 was annexed in 2007 (AN 07-0002) and the City’s Low Density Residential Designation of R-7.5 was applied to the property. Tax lot 4400 was annexed in 2007 (AN 07-0008) and the zoning designation of OC/NC was assigned to this parcel. Tax Lot 4500 was annexed in 1989 and was originally zoned R-7.5 but the zone was later changed to OC/NC when the West Lake Grove Design District was adopted in March, 1999.

3. Background West Lake Grove Design District:

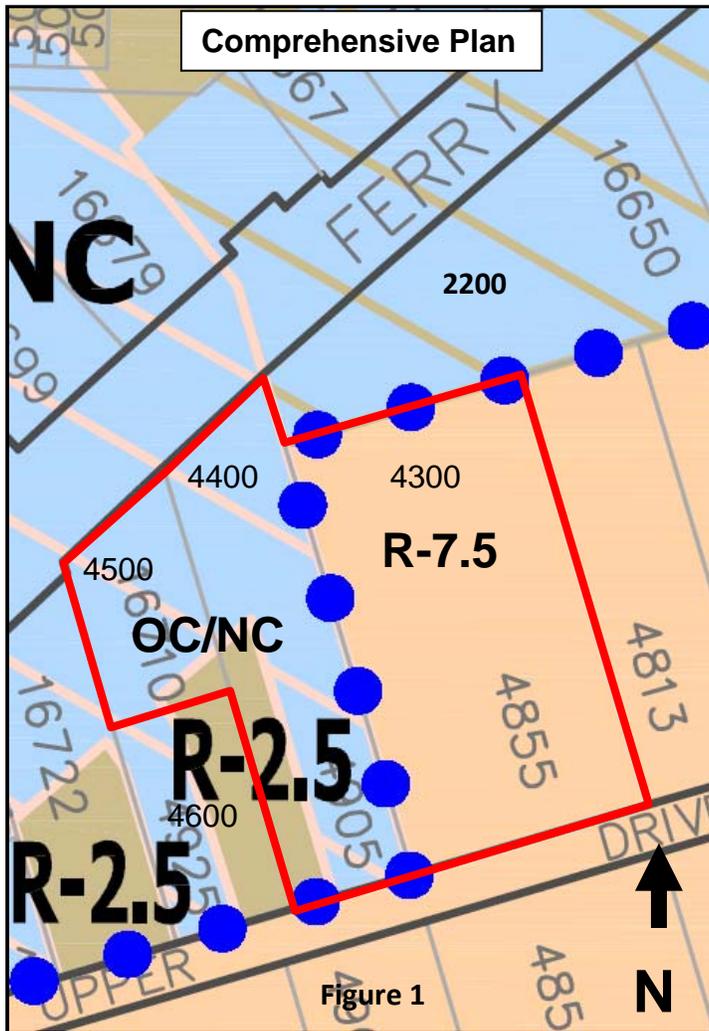
Comprehensive Plan and Zoning Map

On March 11, 1999, the City Council adopted the West Lake Grove Design District, an amendment to the Community Development Code text and to the Comprehensive Plan and Zoning Maps that changed the comprehensive plan map and zoning map designations of approximately 14.7 acres along both sides of Boones Ferry Road between Madrona Street and the railroad tracks. These zone changes were from Low Density Residential (R-7.5) to a mix of Office Commercial/High Density Residential (OC/R-2.5), Office Commercial/Neighborhood Residential (OC/NC), and Town Home Residential (R-2.5).

West Lake Grove Design District Standards [LOC Article 50.67]:

The West Lake Grove Design District includes provisions in general development standards and zone-specific development standards to assure internal circulation of traffic within the District, through shared access and parking circulation.

LOC 50.67.005(2) states a District purpose of “Development of specific transportation improvements necessary to ... ensure cohesive internal circulation and cross easements between all properties at full development.” This purpose of the District is implemented by LOC 50.67.020(2)[Standards Applicable to the Entire District]: “through shared access and driveways, and parking and pedestrian systems, development shall occur in a manner to ensure the phased construction of the planned circulation and access system and in no circumstance shall prevent the development of a cohesive



access and circulation system.” “The number of access points on Boones Ferry Road shall be minimized through the use of consolidated driveways sufficiently wide enough to allow for simultaneous ingress and egress.”

The District’s standards for shared access and driveways, and for parking and pedestrian systems are also contained in an appendix of traffic and circulation patterns, parking, pedestrian pathways, street sections, building design and massing and required street lighting. These diagrams illustrate specific code standards that guide future auto access and circulation, parking, pedestrian facilities and pathways. [LOC Appendix 50.67-A, Figures 2(a), “Auto Transportation and Circulation”, 2(b) “Internal Parking and Circulation”, and 2(c), “Street Pedestrian Facilities and pathways”].

Previous Traffic Impact Findings:

In conjunction with adoption of the West Lake Grove Overlay District, the Transportation Element of the Public Facility Plan was amended, through the inclusion of public street improvements and a circulation plan. LOC 50.67.020(2) and LOC Appendices 50.67-A, Figures 3(a), 3(b), and 3(d) provide a future design for the West Sunset Drive extension, West Sunset Drive intersection with Boones Ferry Road, and West Sunset Drive’s connection to Upper Drive along with other traffic management measures. The traffic study submitted when considering formation of the West Lake Grove Design District discusses closing the west intersection of Upper Drive and Boones Ferry Road once the West Sunset Drive connection to Upper Drive is completed. The LOC Appendices 50.67-A, Figures 3(a), 3(b), and 3(d) depict a realignment of the intersection.

The City Council found that the traffic study accompanying the original proposal for the District established that traffic generated at full build-out based on the planned uses/density would not cause any of the local roadways or intersections to drop below minimum performance standards except for the central intersection of Boones Ferry Road and West Sunset Drive. The installation of traffic lights at the intersection of Boones Ferry Road and West Sunset Drive would resolve this issue. The Council also found that the level of service and capacity of intervening street segments was adequate, based on the planned uses/density, and concluded that the projected traffic would meet the Goal 12 requirements.

V. FINIDINGS

A. Criteria for Approval:

1. Classification.

The applicants are requesting and amendment of the Comprehensive Plan Map and Zoning Map, expansion of the West Lake Grove Design District, and amendments to the West Lake Grove Design District Appendices. These amendments are not “legislative decisions” under LOC 50.75.005(1)¹ because the map changes, boundary expansion, and the appendix changes do not include simultaneous development of the parcels and only a “a small number

¹“A ‘Legislative Decision’ is an amendment to the policies, procedures, standards, criteria or Map designations of the Comprehensive Plan, and this Community Development Code, unless such amendment applies to a small number of identified properties only or is required to effect a particular development permit application.” LOC 50.75.005(1).

of identified properties” are being considered LOC 50.75.005(2)². Zone change applications are only considered major developments by the code if they are coupled with a development application. Therefore, while the request is being processed *as* a major development, it is not considered a “major development.” Procedures of a major development would be followed for this application, e.g., notice, hearing procedure because code does not provide specific procedures for a quasi judicial zone change.

2. Identification of Criteria

a. “Major Development” Standards Not Applicable.

Although this request is processed as a major development under LOC Article 50.75.010(2), the “major development” criteria³ are not applicable to this rezoning, expansion of District boundary, and LOC Article 50.67 appendix amendment request.

b. “Legislative Decision” Criteria Not Applicable

As discussed above, amendments of comprehensive plan and zoning maps and expansion of the District boundary for a single parcel, and amendment of the appendix relating to 2-3 parcels, are not “legislative decisions” LOC 50.75.005(1). Therefore the “Legislative Decision Criteria” under LOC 50.75.010 are not directly applicable.

c. Goals and Policies (Lake Oswego, METRO, and LCDC) Applicable

Any amendment of the Comprehensive Plan Map and Zoning Maps, expansion of the District boundary, and amendment of portions of LOC 50.67 must comply with the goals and policies in the Lake Oswego Comprehensive Plan, and applicable METRO and statewide planning goals. ORS 197.015(5), (11); ORS 197.175(2); ORS 197.835(6), (7)⁴; *Sunnyside Neighborhood v. Clackamas Co. Comm.*, 280 Or. 3, 569

²“An amendment to the policies, procedures, standards, criteria or Map designations of the Comprehensive Plan, or this Community Development Code which is not a ‘legislative decision’ as defined in subsection (1) of this section shall be considered “quasi-judicial” and shall be processed as a major development.” LOC 50.75.005(2).

³ **Section 50.79.035 Review Criteria for Major Developments.**

A major development shall comply with:

1. Any applicable regulatory policies of the Lake Oswego Comprehensive Plan;
2. The requirements of the zone in which it is located;
3. The Development Standards applicable to major developments;
4. Any additional statutory or Lake Oswego Code provisions which may be applicable to the specific Major development application, such as the variance provisions, the Streets and Sidewalks Ordinance (LOC Chapter 42), the Tree Cutting Ordinance (LOC Chapter 55), the Solar Access Ordinance (LOC Chapter 57), and the Historic Ordinance (LOC Chapter 58); and
5. Any conditions of approval imposed as part of an approved ODPS or prior development permit affecting the subject property..

⁴ **197.835 [LUBA] Scope of review; rules.**

....

(6) The board shall reverse or remand an amendment to a comprehensive plan if the amendment is not in compliance with the goals.

(7) The board shall reverse or remand an amendment to a land use regulation or the adoption of a new land use regulation if:

- (a) The regulation is not in compliance with the comprehensive plan; or

P.2d 1063 (1977); *Colwell v. Washington County*, 79 Or.App. 82, 718 P.2d 747 (1986).

The applicant's submittal addresses the City's comprehensive plan policies, Lake Grove Neighborhood Plan policies, Metro Urban Growth Functional Plan, and LCDC Goals and Transportation Planning Rule. See Exhibit F-1, pages 19-87. The submittal includes a description of the proposal (including a conceptual diagram of the proposed development (Figure 5).

d. Council Discretion Applicable

Even if the proposed changes are found to meet the goals and policies of the Lake Oswego Comprehensive Plan, METRO, and the LCDC, the City Council is not *required* to make the requested amendments. Whether to amend the comprehensive plan and zoning maps, expand the District boundaries, and make amendments to the LOC 50.67 Appendices are policy decisions up to the discretion of the City Council. For example, the City Council may exercise its policymaking discretion in determining whether this is an appropriate time to entertain expansion of the District. See *Rutigliano v. Jackson County*, 42 Or LUBA 565 (2004)(an application to change a unified comprehensive plan and zoning map does not in itself require a "discretionary approval of a proposed development of land" and is therefore not an application for a "permit" within the meaning of ORS 215.402(4)[or similar, ORS 227.160 et seq.]).

In considering the expansion of a design district, if not expressly required by a goal or policy, the Council may also determine whether the proposed expansion would be consistent with the purposes of the design district, and whether, if approved, could be developed in accordance with the District standards. Amendments should not be made to a design district which would result in the design district not being developed as intended, either regarding the proposed additional property or for property currently within the design district.

e. Overview and Recommendation

For purposes of determining whether the requested amendments and expansion of the District boundary would meet the applicable goals and policies, and the purposes of the West Lake Grove Design District, staff will review the consolidated site as proposed by the applicants, (Tax Lots 4300, 4400 and 4500).

In addressing the applicable City comprehensive plan goals and policies for a request that includes a Design District expansion for one parcel, the applicable neighborhood plan goals and policies which are the underpinning of the Design District are examined first, before looking at the broader Comprehensive Plan goals and policies, METRO's requirements, and LCDC Goals and Guidelines. If the goals and policies that formed the District are found to be met for a one-parcel expansion, it is likely that the broader goals and policies will also be met.

(b) The comprehensive plan does not contain specific policies or other provisions which provide the basis for the regulation, and the regulation is not in compliance with the statewide planning goals.

Staff finds the applicant's request does not meet key Lake Grove Neighborhood Plan policies for the West Lake Grove Design District. It has not been demonstrated that the site and other affected parcels can be developed in accordance with the Design District Standards because the request would: 1) Not include internal connection points between their development site and adjacent parcels, and; 2) Isolate Tax Lot 4600 so that it cannot be developed cohesively with the rest of the West Lake Grove Design District. Therefore, staff recommends that the requested amendments to the Comprehensive Plan Map and Zoning Maps, expansion of the District boundary, and amendments to the LOC 50.67 appendices not be recommended for adoption. (Staff reserves judgment on whether additional criteria have or have not been met, and whether the City Council should exercise its policymaking discretion to approve the request, even if all criteria were met.)

3. Lake Grove Neighborhood Plan Goals and Policies

Goal 10 Housing, Policies 5(a), (b):

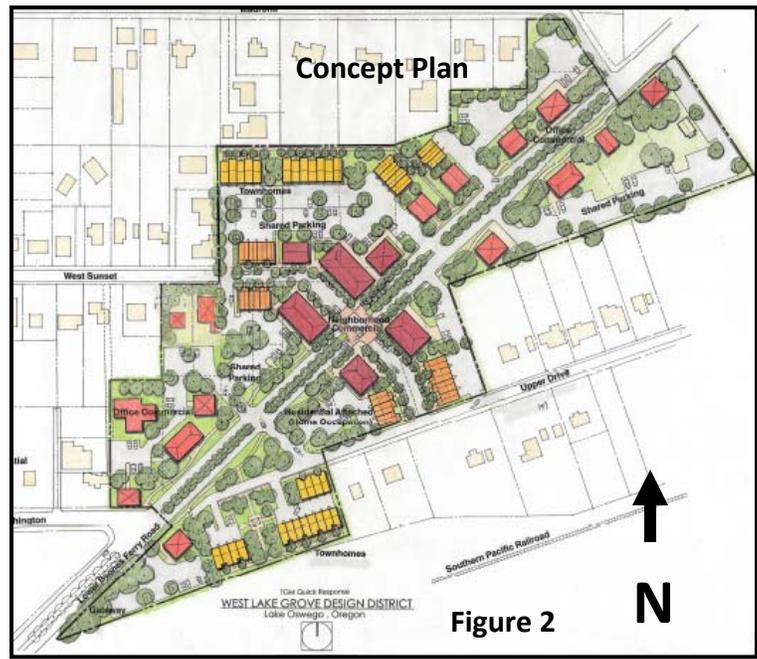
“Allow development of an appropriate mix of high-density housing and office commercial uses on lands within the West Lake Grove Design District subject to an adopted land use plan for the area, which ensures that:

- a. The area proposed for rezoning is comprised of assemblages of property that are large enough to be developed under unified development plans*; allow efficient transportation access and internal circulation and provide for buffering and screening from adjacent residential neighborhoods;
- b. The size and configuration of the area to be rezoned not compromise the cohesiveness* of adjacent residential neighborhoods.”

Finding: The expansion of the District boundary to include Tax Lot 4300, and its combination with Tax Lots 4400 and 4500 into a single development site without internal access, traffic circulation, and parking with Tax Lot 4600 would isolate Tax Lot 4600 (4925 Upper Drive), a 10,500 square foot (140' X 75) parcel zoned R-2.5 south of the site. The applicant must demonstrate how Tax Lot 4600 could be developed cohesively with the rest of the West Lake Grove Design District, in accordance with the purposes and standards of the West Lake Grove Design District. The applicant illustrated (Exhibit F-1) a duplex development for Tax Lot 4600 on the conceptual plan, but did not illustrate how a duplex development would be cohesive with adjacent parcels. The West Lake Grove Design District Concept Plan anticipated four town house units.

The Lake Grove Neighborhood Plan (Goal 10, Policy 5(a)) requires properties that are large enough to be developed according to the Design District Standards themselves, or where they are smaller in size, several parcels may be assembled into a single development site large enough to be developed under a unified development plan.

The applicant provided justification for the expansion of the district to alleviate the constraints on their site brought on by the relatively small parcel sizes and restricted existing parcel configurations in the West Lake Grove Design District, however, the proposed expansion and consolidated development exacerbates this problem and creates future development constraints on Tax Lot 4600 and the parcel to the north (Tax Lot 2200).



The R-2.5 zone [LOC Article 50.10] allows for attached “for sale” residential townhomes with a minimum allowed density of 2,500 square feet of lot area per unit, a minimum lot width of 17 feet and maximum lot coverage of 60 percent. Under these standards, the size of Tax Lot 4600 would accommodate four units, consistent with the West Lake Grove Design District Conceptual Plan shown in Figure 2. While Tax Lot 4600 appears to be large enough to accommodate the zoning requirements for these town home units, the western half of Tax Lot 4600 has been conceptually planned for the future construction of West Sunset Drive (connecting Boones Ferry Road to Upper Drive). The eastern portion of this roadway is conceptually planned to be constructed on the western half of Tax Lot 4600. This would only allow construction on the rear (or eastern) half of Tax Lot 4600, placing the future town homes partially on Tax Lot 4600 and partially on Tax Lot 4400 to the east. With these constraints, Tax Lot 4600 is too small to develop on its own and the future development would depend on reciprocal access and parking.

The applicants address the impacts of the conceptual roadway developments on Tax Lot 4600 by showing how Tax Lot 4600 under a duplex development would arguably be possible. Staff finds that the demonstration of development of Tax Lot 4600 with a residential duplex, instead of the possible four units envisioned under the design district, would likely result in lesser development within the district and have harmful consequences to the eventual successful district development: 1) The development of four units would be subject to greater design review (LOC Article 50.45); 2) the degree of roadway and frontage improvements for the District will be more than what can be supported and paid for by a duplex project. The West Sunset roadway extension is a key element of the West Lake Grove Design District traffic circulation. Without the construction of the four units in this location, the West Sunset Drive roadway extension would likely not be constructed (or at least the applicants have not shown how it will be).

Staff need not address the additional goals and policies in the Lake Grove Neighborhood Plan, absent a finding that the key identified local neighborhood plan policies and the Design District purpose and standards could be met. Staff reserves analysis whether the proposed amendments to the Comprehensive Plan Map, Zoning Map, expansion of District boundary, and amendment of the LOC Appendices 50.67, Figures 1, 2a, 2b, 2c, 4, 5, 6, and 7, comply with additional applicable Lake Grove Neighborhood Plan goals and policies.

c. West Lake Grove Design District Purposes [LOC 50.67.005]

LOC 50.67.005(2)(c): Development of specific transportation improvements necessary to: ... (c.) Ensure cohesive internal circulation and cross easements between all properties at full development.

Finding: Inclusion of Tax Lot 4300 provides the opportunity for circulation with the parcels to the north and northeast within the district (Tax Lot 2200). However, the proposal does not include plans for any vehicular circulation to other parcels or shared parking with other development sites. See further discussion regarding LOC 50.67.020(2) below. This purpose of the design district is not met.

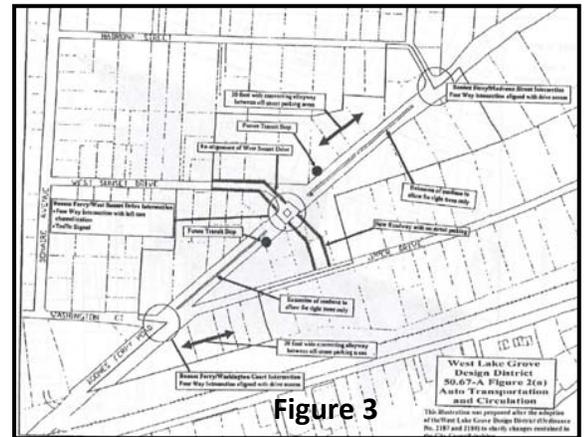


Figure 3

d. West Lake Grove Design District Standards

LOC 50.67.020(2): “Streets and Circulation: Access to Boones Ferry Road, new streets, internal vehicular driveways, parking, pedestrian and bike facilities shall be provided and developed in accordance with the Streets and Circulation Element of the West Lake Grove Design District [appendix 50.67-A, Figures 2(a), “Auto Transportation and Circulation”, 2(b), “Internal Parking and Circulation” and 2(c), “Street Pedestrian Facilities and Pathways”].”

These circulation diagrams are shown on the right. The applicant submitted a concept site plan for a 10,000 square foot office and retail building on Tax Lots 4400 and 4500 (Figure 4) that illustrates how parking and landscape buffer areas could be provided. The applicant indicated that they also wish to construct a 10,000 square foot office building on Tax Lot 4300. Inclusion of Tax Lot 4300 provides the opportunity for circulation with the northerly parcels within the district. They did not include plans for any vehicular circulation to other parcels or shared parking with other development sites.

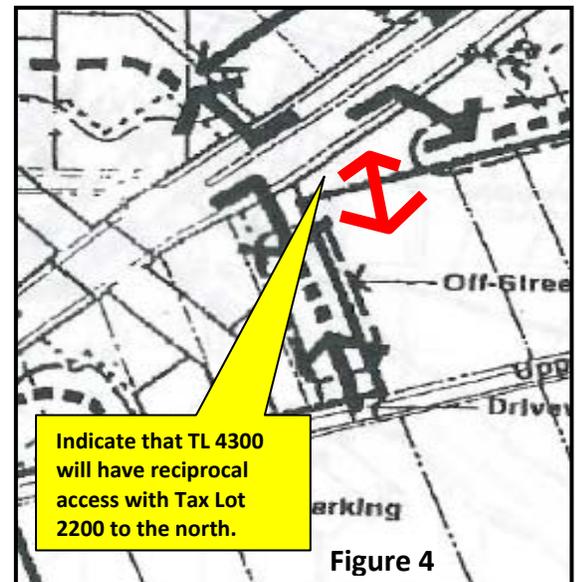


Figure 4

Finding: The West Lake Grove Design District Internal Parking and Circulation Plan (Appendix 50.67-A, Figure 2b), illustrates the circulation patterns for the West Lake Grove Design District. The circulation patterns extend across the boundaries of all of the parcels within the district in order to ensure internal circulation between properties at full development. This design district intends for smaller parcels to be combined with larger parcels so that they can develop in a cohesive group with shared parking and access, secured through reciprocal access easements. The applicant has not shown how this standard could be met for Tax Lot 4300.

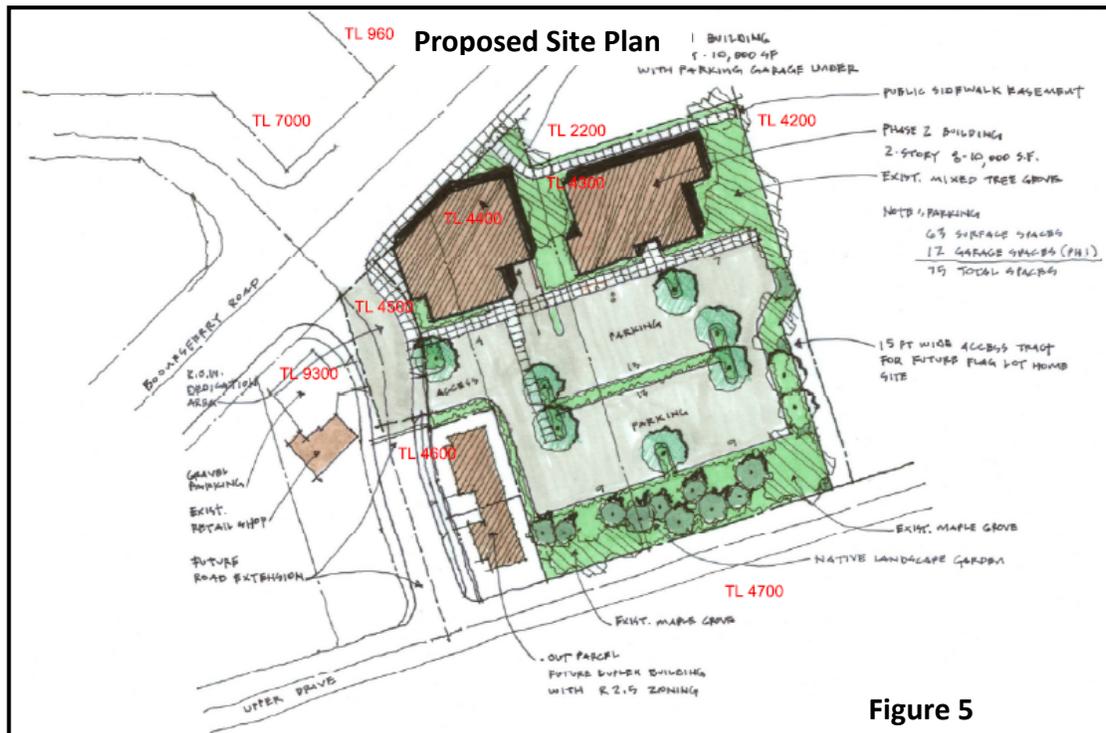


Figure 5

The Design District’s requirement for internal circulation is to minimize access points to Boones Ferry Road. In order to comply with this standard, the applicants need to demonstrate that a project design could be applied to the site which would show driveways and circulation patterns accessing adjacent parcels to the north (TL 2200). If a successful design can be demonstrated, then the transportation and circulation appendices (figures 2a and 2b, Appendix 50.67-A) would be amended to reflect the change in driveways and circulation patterns.

The applicant indicated to staff on several occasions that they did not intend to modify their proposal to provide circulation to adjacent parcels.

By connecting with adjacent parcels, this proposal would allow the parcel to the north (Tax Lot 2200) to minimize access points to Boones Ferry Road thus meeting a primary goal of the West Lake Grove Design District. Staff finds that the development proposal does not allow for internal circulation that connects with these parcels and the Design District requirement to minimize access points to Boones Ferry Road would not be met.

Conclusion: Staff finds that the applicants have failed to demonstrate that any project design could provide for cohesive internal circulation between adjacent properties as envisioned by LOC 50.67.020(2) Streets and Circulation, which would result in minimization of access to Boones Ferry Road.

Staff reserves analysis on whether the proposed amendments to the Comprehensive Plan Map, Zoning Map, expansion of District boundary, and amendment of the LOC Appendices 50.67, Figures 1, 2a, 2b, 2c, 4, 5, 6, and 7, comply with additional applicable West Lake Grove Design District Standards. If the Planning Commission decides that the proposed amendments and expansion of the District boundary comply with the Lake Grove Neighborhood Plan, Design District purpose and standards discussed, before determining whether to make a recommendation to the City Council, then Staff will prepare the additional analysis relating to compliance with the additional applicable West Lake Grove Design District Standards.

- e. Lake Oswego Comprehensive Plan Goal and Policies
METRO Functional Plan
LCDC Goals and Guidelines

As discussed above, Staff need not address the additional goals and policies, absent a finding that the local neighborhood plan and Design District purpose and standards could be met. Staff reserves analysis whether the proposed amendments to the Comprehensive Plan Map, Zoning Map, expansion of District boundary, and amendment of the LOC Appendices 50.67, Figures 1, 2a, 2b, 2c, 4, 5, 6, and 7, comply with the additional applicable Lake Oswego Comprehensive Plan Goal and Policies, the METRO Functional Plan, and the LCDC Goals and Guidelines. If the Planning Commission decides that the proposed amendments and expansion of the District boundary comply with the Lake Grove Neighborhood Plan, Design District purpose and standards, before determining whether to make a recommendation to the City Council, then Staff will prepare the additional analysis relating to compliance with the additional Comprehensive Plan Goal and Policies, the METRO Functional Plan, and the LCDC Goals and Guidelines

VI. CONCLUSION

The proposed amendments are not in compliance with identified key Lake Grove Neighborhood Plan policies regarding West Lake Grove Design District, and the purpose of the West Lake Grove Design District. The applicant has not demonstrated how the site would result in the development of Tax Lot 4600 that is consistent with the West Lake Grove Design District standards.

VII. RECOMMENDATION

Staff recommends that the applicants' requests for amendment of the Comprehensive Plan Map, Zoning Map, expansion of the West Lake Grove Design District boundary, and amendment of LOC Article 50.67 Appendices be denied.

VIII. EXHIBITS:

- A. Ordinances (No current exhibits)
- B. Findings, Conclusions and Order (No current exhibits; reserved for hearing use)
- C. Minutes (No current exhibits; reserved for hearing use)
- D. Staff Reports (No current exhibits; reserved for hearing use)
- E. Graphics/Plans (None)
- F. Written Materials
F-1 Applicant's Submittal Dated October 28, 2008: *Copies of this submittal can be found on the City's website: <http://www.ci.oswego.or.us/plan/casef.htm>. Select the link to LU 08-0059.*
- G. Letters (none)