



Home of the Tualatin River National Wildlife Refuge

PLANNING COMMISSION MEETING PACKET

FOR

Tuesday, January 8, 2013

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

7:00 pm Planning Commission Meeting

**Town Center Plan Steering Committee Meeting
(Following the Planning Commission Meeting)**



**City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
January 8, 2013 – 7PM**

AGENDA

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda:**
 - a. June 26, 2012 Planning Commission Minutes**
 - b. November 27, 2012 Planning Commission Minutes**
- 4. Council Liaison Announcements**
- 5. Staff Announcements**
- 6. Community Comments**
- 7. New Business**
 - a. Election of new Chair and Vice Chair** (per SZCDC 16.06.020)
 - b. Public Hearing**

PA 12-04 - VLDR PUD Text Amendment (Michelle Miller)

The applicant proposes to change the density standards in the Very Low Density Residential (VLDR) to four units per net acre, to reduce the minimum lot size to 8,000 square feet, and to allow lots a minimum of three acres in size to apply the planned unit development standards and process. Approval will forward a recommendation from the Planning Commission to City Council.
- 8. Adjourn to Town Center Plan Steering Committee Meeting**

Consent Agenda

City of Sherwood, Oregon
Draft - Planning Commission Minutes
June 26, 2012

Commission Members Present:

Chair Allen
Vice Chair Albert
Commissioner Clifford
Commissioner Walker
Commissioner Griffin

Staff:

Julia Hajduk, Planning Manager
Michelle Miller, Associate Planner
Brad Kilby, Senior Planner
Tom Pessemier, Community Development Director

Commission Members Absent:

Commissioner Cary

Council Liaison:

Councilor Clark

1. Call to Order/Roll Call

Chair Allen called the meeting to order. Planning Manager Julia Hajduk informed the Commission that Commissioner Copfer's name was not called as his term has expired and staff is in the process of re-appointing Mr. Copfer to the Planning Commission. She hopes to have the re-appointment done by the next Planning Commission meeting.

2. Agenda Review

The agenda consisted of the continued Public Hearing of Commercial, Industrial & Public Uses Code Update (PA 12-01) and a Public Hearing on Renaissance at Rychlick Farm (SUB 12-01/ PA 12-02).

3. Consent Agenda

Commissioner Griffin noted that in the February 28th minutes he is referred to as Commissioner Griffith in some portions of the minutes and asked that they be changed to Commissioner Griffin.

Commissioner Lisa Walker said there were some Scriveners errors that she would let pass.

Motion: From Commissioner Russell Griffin to approve the Consent Agenda. Seconded by Commissioner Lisa Walker. All present Planning Commissioners voted in favor. (Commissioner Michael Cary was absent).

4. City Council Comments

Councilor Krisanna Clark told the Commission that Council approved a resolution to update the Employee Manual and the Council has been working on an ordinance regarding landscaping and off street parking for the development code. Ms. Clark said the City Council requested that staff ask Metro to have an exclusion to have the garages counted as parking spaces and Metro has agreed.

Ms. Clark stated that the City had a wonderful grand opening for the Cannery Plaza and the City now has a wonderful wide open space with landscaping that doubles as seating. The Library Summer Reading Program has had a huge multi-generational turn out.

5. Staff Announcements

Julia Hajduk announced that Joe Gall, our new City Manager, started Monday and Tom Pessemier is back in the Community Development Department.

Julia informed the Commission that Washington County is spearheading the project of widening Tualatin Sherwood Road and they are hosting an open house on July 11th, 5pm- 7pm at the Police Facility.

Julia stated that there is a Southwest Corridor virtual open house online and they are examining transportation options and solutions for the area. The Southwest Corridor Plan would encompass Portland to Sherwood, including Tualatin, Lake Oswego and Beaverton and they are looking for public input. The website is www.swcorridorplan.org.

Julia commented that Michelle Miller was at the Songbird Festival talking about the Cedar Creek Trail and wanted to convey that the community continues to be excited about the trail. There will be an opportunity for public input and Michelle will give the Planning Commission an overview at the next Planning Commission meeting.

6. Community Comments

Robert James Claus 22211 SW Pacific Hwy, Sherwood. Mr. Claus commented regarding amendments to the sign code and code litigation. Mr. Claus commented that sign codes should be time, place, manner and content neutral. Mr. Claus commented regarding first amendment and civil rights violations and violations being reported to the bar because the city attorney was involved. Mr. Claus commented regarding billboards within the City, the writing of the City sign code and law suits that include damages and attorney fees.

Chair Allen stated that he does not ordinarily respond to community comments and pointed out that anybody can come up and say anything. Chair Allen commented that this is not the proper forum to try to respond, but suggested that statements made be verified.

7. Old Business

a. Continued Public Hearing – Commercial, Industrial & Public Uses Code Update (PA 12-01)

Chair Allen reopened the public hearing on Commercial and Industrial Public Uses PA12-01 and read the public hearing statement

Senior Planner Brad Kilby stated that this amendment would consolidate all the commercial chapters into one commercial chapter and all the industrial chapters into one industrial chapter; that there would still be the respective zones, but under each zone would be categories. Currently in our code we have different code sections, and some uses might be listed in one section but differently in another. An example would be hospitals that might be listed in one of the commercial chapters, but listed as hospitals with emergency services in another chapter. Brad commented that someone might imply that you could not put a hospital with emergency services in the zone that lists only hospitals which was not the intent and the City recognizes that emergency services are ancillary uses to a hospital. Brad said that staff tried to consolidate and update uses consistent with the Metro code. Brad indicated that the public hearing was opened on May 22 and continued June 12th where a quorum was not present so it was continued to this evening.

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Brad informed the Commission that there had been public comment regarding concerns that uses were being removed and explained that staff did not remove any of the uses listed in the individual chapters. There were no public comments during the continuance with any specifics to the issue.

Brad stated that the Commission had some comments that were addressed in the Staff memo dated June 18, 2012 which included the differentiation between small scale vs. large scale power generation facilities and a definition for recreational vehicles parks. Brad commented that household pet and recreational vehicle parks are hard to define, but staff had provided some definitions for the Commission's review.

Brad added that the code does not speak specifically regarding a dance studio, yoga studio, or martial arts studio, that is not necessarily a health club and asked the Commission if it would consider them as a personal service or health club. Brad commented that there was discussion regarding the Office Commercial zone, and that perhaps these types of uses should be conditional health clubs less than 5,000 feet.

Commissioner Walker asked regarding the designation for Curves and if it was a personal service.

Brad commented that if it was a class type environment where patrons were coming at prescribed times then we know what the traffic impacts are at certain times of the day. There is a catch all in the code that if they generate more than 200 average daily trips the City Engineer can request a traffic study. Brad stated that he was more concerned about the impacts to surrounding uses and asked if the Commission wanted to have a health club at less than 5,000 square foot space within an office commercial or neighborhood commercial as an outright permitted use. Brad added that there would be other standards that would have to be met in the code and asked if they should be listed as conditional uses in order to give more scrutiny as to how it might impact adjacent properties.

Chair Allen opened the public testimony

Robert James Claus, 22211 SW Pacific Highway, Sherwood. Mr. Claus commented that this was part of an effort to exhaust administrative remedies and arrive at finality in order to be able to sue. Mr. Claus commented that this was not an Estoppel and Latch Estate and regarding the code creating a series of nonconforming uses and three levels of evidentiary scrutiny. Mr. Claus stated he would like to introduce some photos and commented that the development across from Home Depot was a nonconforming use. Mr. Claus commented regarding the site being changed to Retail Commercial because of money and illegal permits. Mr. Claus commented that besides making properties non-conforming, permits were issued illegally and gave the example of a local doctor who relocated her medical office in an industrial building illegally. Mr. Claus commented that nonconforming goes through three stages; non-conforming, legal, non-conforming illegal. Mr. Claus commented regarding a Title 42 suit and that some people were treated differently than others. Mr. Claus asked that his documents go into the file (see record, PA 12-01, Exhibit ____).

Jean Simpson, 22466 SW Nottingham Court, Sherwood. Ms. Simpson commented in response to the staff report about household pets. Ms. Simpson said that her opinion was that both definitions proposed by staff, incorporated together, would be the most protective to the citizens of Sherwood. Ms. Simpson said she thought the staff recommendation to include chickens and pigs would be beneficial for all, and she liked the code with all the information consolidated into one place.

Chair Allen closed the public testimony and moved to final staff comments.

Brad commented that he felt that staff did an adequate job looking at uses within a certain area; that staff did spot zone checks, but did not go out and look at every property in the City of Sherwood to see if it was conforming or non-conforming. Brad said that staff believes that this code continues to be in line with the existing code and Mr. Claus's testimony did not raise any questions that he needed to respond to.

Chair Allen commented regarding the doctor's office in an industrial zone and stated his quick read was that a professional office is allowed in an industrial zone as a permitted use.

Julia Hajduk reminded the Planning Commission that there was an update to the Industrial standards approximately a year ago to reflect updated Metro requirements to Title 4 and staff tried to be specific so that uses that were already in industrial zones could remain, and not be nonconforming, but new uses could not be added.

Brad commented that the Planning Commission had a goal to rezone that Light Industrial area across from Home Depot to be more in line with what is out there. Brad read several passages from the code that showed businesses and professional offices that cater to daily customers are allowed in the zone and stated these same qualifications are in the proposed code.

Chair Allen commented that this was under code cleanup and not substantive changes to code. The purpose was to take a bunch of pieces from different places in the code and get them into the same place while weeding out contradictions and confusing language.

Chair Allen moved on to deliberation and questioned if a yoga club or studio was a kind of health club asking staff what activities or health club related uses are already called out in the code.

Brad answered that the list includes Health Clubs less than 5000 square feet, Health Clubs greater than 5000 square feet, and Personal Services catering to daily customers where patrons pay for or receive a service rather than goods or materials including, but not limited to, financial, beauty, dance or music classes, pet grooming or similar services. Brad commented that staff has some latitude to make a judgment call based on the impacts, but currently *Health Clubs* is a specific use called out on the tables in the code. Brad commented that a health club would have exercise equipment or a pool and a class environment would fall under studio and not necessarily a health club.

Chair Allen commented on dance studios being specifically named in the code and their similarity to a yoga studio or martial arts studio. Chair Allen suggested the reference to *studio* be taken out of the personal services category. Discussion followed. Chair Allen commented that the issue was the number of people coming and at what intervals. It was determined that the word *studios* would be moved out of Professional Services and put into Health Clubs *and Studios* over or under 5,000 square feet. This gives staff guidance in the determination of use as it comes up.

Chair Allen asked Commissioner Griffin if he was going to have a conflict of interest. Commissioner Griffin acknowledged that he owned a dance studio and he had not weighed in. Mr. Griffin declared that there was a potential conflict and stated it would not affect his decision. There were no stated objections regarding Mr. Griffin continuing to participate.

Brad asked if the Commission was going to incorporate any of the recommendations from the staff memo.

Commissioner Griffin commented on the definitions for large and small power producing facilities and he would not like to be too specific regarding household pets.

Motion: From Commissioner John Clifford to recommend the Commercial, Industrial and Public Uses Code Update (PA 12-01) to City Council for approval based on the adoption of the staff report findings of fact, public testimony, staff recommendations, agency comments, applicant comments, and conditions as revised on August 7, 2012. Seconded by Vice Chair Brad Albert. All present Planning Commissioners voted in favor. (Commissioner Michael Cary was absent).

8. New Business

a. Public Hearing – Renaissance at Rychlick farm (SUB 12-01/ PA 12-02)

Chair Allen opened the public hearing on Renaissance at Rychlick Farms, read the public hearing statement, and asked the Commission members for any ex parte contact, bias, or conflict of interest.

Vice Chair Albert declared that he lived across street from the site on Edy Road and in his profession has contracted AKS to do engineering and surveying work, but it would not preclude him from making an unbiased decision.

Commissioner Griffin declared that he had visited the site many times, but did not talk to anyone and his decision would not be biased.

Senior Planner Brad Kilby gave a presentation (see record, Exhibit 1) for Renaissance at Rychlick Farms Development and stated it was for a plan amendment (PA 12-02) and a subdivision (SUB 12-01). The Rychlick property is a 6.57 acre piece of property directly south of Edy Road and west of Bedstraw, in Area 59, north of the two new schools. The proposal will go to the Council as a recommendation from the Planning Commission as it includes a map amendment to the Comprehensive Plan. The proposal is 1.) to rezone a portion of the property, that was set aside for the schools and zoned Institutional and Public (IP), to Medium Density Residential Low (MDRL) and 2.) to divide the 6.57 acres site into 26 single family home lots with four tracts; water quality, corridor preservation and common open space.

Brad commented that while there is an open space designation on the comprehensive plan map, the City of Sherwood does not have an open space designation in our code and staff interprets this to mean that the applicant intends protect the resources on site by setting this area aside within a tract consistent with Clean Water Services (CWS) standards for repairing areas and buffers.

Brad explained that the second part of the application is to develop the site into 26 lots as MDRL with most of the lots being above the minimum standard of 5000 square feet; the smallest lot being 5,000 square feet and the largest being 12,013 square feet. Brad stated that the setbacks would be 20 feet to the front, 20 feet to the rear, 5 feet for the side, and 15 feet for corner side lots.

Brad submitted a letter from Erica Van Ess who lives adjacent to Lot 1 (see record, Exhibit 2), who has concerns regarding privacy, loss of habitat, increased traffic and loss of shade. Brad said the site slopes steeply up from Edy Road onto the site and at the back of the site it becomes flat which will require grading in the front portion of the site to bring the road up to standard.

Brad commented that quite a few trees will be removed, preserving as many trees on the east side of the property as possible and many trees on the west half of the site. The site meets the canopy cover requirement, and exceeds the street tree requirement.

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Brad said the subject property is zoned Medium Density Residential Low and the City's Transportation System Plan (TSP) anticipates a certain amount of traffic impact which was figured into the road designation. The County has requested that frontage improvements be made to SW Edy Road which has been conditioned in the recommendation of approval. The applicant proposes to extend SW Nursery Way to align with the road in front of the school for future development of the adjacent property.

Brad noted that Ms. Van Ess has a sister who is ill and uses her back yard quite frequently. Ms. Van Ess asked that the applicant install a 10 foot vegetative buffer. Brad commented that the applicant is doing their best to preserve as many trees as possible given the topographical constraints and necessary grading. Brad commented that there is a 20 foot rear yard setback and the applicant or future homeowners can work with Ms. Van Ess to insure that there are some types of trees planted to help with shading, but it was not in the City's purview to require that as a condition of approval.

Brad stated that Staff recommends approval with conditions. The applicant has proposed water access and storm services to each one of the lots, have adequate access with the proposed frontage improvements along Edy Road, and are proposing a pedestrian connection to the school site. With the imposed conditions the applicant meets and satisfies all other agency concerns.

Brad commented regarding an open space discrepancy discussed in the Staff Report and an email submitted by the applicant's representative, Chris Goodell, clarifying the issue (see record, SUB 12-01/PA 12-02, Exhibit ____). Brad stated that the applicant meets the open space requirement.

With no questions for staff, Chair Allen asked for testimony from the applicant.

Chris Goodell, AKS Engineering, representing the applicant, Renaissance Development, 13910 SW Galbreath Drive, Suite 100, Sherwood. Mr. Goodell gave a presentation (see record, Exhibit 3) and said the application was a subdivision for 26 new single family detached homes. The lots serve an existing community need as there are only 22 existing buildable lots in the city of Sherwood. Mr. Goodell commented regarding screening on the East property line and stated the largest lots are on the east side in order to save trees. The applicant is above the tree canopy requirement, but is proposing to add trees for the privacy of the neighbors. There are large open space areas in two tracks; one is open space required by the City code and the other is open space required to preserve a vegetative corridor for Clean Water Services making about an acre of open space overall.

Mr. Goodell commented that the plan preserves over 119 existing trees and plants over 400 new trees exceeding the City requirement by over 16%. The natural resource area will be enhanced to Clean Water Services standards by stripping out the invasive species and planting with native species. Mr. Goodell added that the site was designed by a registered professional landscape architect and will be inspected by a certified arborist.

Mr. Goodell said that SW Nursery Way is proposed to connect to Edy Way as it was envisioned by the Concept Plan and was designed by a licensed professional engineer. It meets City and County site distance requirements and access spacing standards which was confirmed by a traffic analysis performed by a professional traffic engineer. Mr. Goodell commented that the applicant would be widening Edy Road and providing a sidewalk along the entire frontage of the property. There will be sidewalks along all the interior streets, as well as a dedicated pedestrian pathway to the school. Mr. Goodell commented that the City has worked with Renaissance Development on a number of projects. They have been

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successful, well received projects and the homes are a quality product. Mr. Goodell asked for the Commission's recommendation of approval to the City Council.

Julia informed the Commission that the applicant had about 25 minutes remaining.

With no questions for the applicant, Chair Allen moved to public testimony.

Brandon Smith, 21155 SW Bedstraw Terrace, Sherwood. Mr. Smith said he was not opposed to the development of the property, but to the way it was proposed because it did not match the information he received regarding Area 59. Mr. Smith stated that when he bought his home he backed up to the urban growth boundary and the Area 59 proposal that was originally sent out showed a new school and only one row of houses but the proposal shows a second row of houses which pushes the whole neighborhood back. Mr. Smith commented regarding the reason for the change from the institutional zone and said the neighbors were afforded green space with the concept plan. Mr. Smith noted that the whole area is track homes with a minimum rear setback of 20 feet and this would impact the value of their homes.

Note: The audio and video recordings of this meeting stop at this point and resume after public testimony during applicant rebuttal regarding a drainage concern raised in previous testimony by persons unknown.

Monty Hurley, AKS Engineering, 13910 SW Galbreath Drive, Suite 100, Sherwood. Mr. Hurley explained that the site does not drain all the same direction and the majority of the water drains towards the drainage area in the central portion of the site. The southeast portion of the property drains easterly into the existing development. The applicant will be improving this area and collecting the storm water and conveying it to the drain to the west so there shouldn't be any concerns about ponding. Every lot within the development will have an individual storm lateral to collect all roof and foundation drain water into the storm system and the storm water facility.

Chair Allen asked questions regarding the slope and grading of the site. Mr. Hurley explained that the slope will not significantly change on the east side, but as much water as possible will be diverted away from the existing homes to drain to the west. Mr. Hurley explained that there is an 8-12 foot bank at the north end of the property along Edy Road and the only significant grading will be lowering the grade to access Edy Road from the site.

Chair Allen asked regarding the depth of lots 1-7 on the east side of the site and the building footprint size for lots 1-3. Mr. Hurley answered that lot 1 was 80 feet deep and the lot depth increases up to 151 feet traveling south. Mr. Hurley responded that there would likely be a 20 foot front setback, 40 foot footprint, and a 20 foot rear setback for lots that are 80 foot deep. Chair Allen asked regarding flexibility in the footprint that allows for a deeper rear setback on these lots. Mr. Hurley answered that there was little flexibility because of the geometry of the lots and the first three are constrained because of the vegetative corridor. Chair Allen stated he was sensitive to the green space indicated on the Concept Plan and asked regarding options. Discussion followed.

Commissioner Russell Griffin asked regarding augmenting the site with trees. Chris Goodell answered that the locations for proposed trees to be planted was flexible. A number of trees are hazardous and have to be removed. The trees that remain are the ones that can be preserved and the bare patches have proposed plantings.

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Mr. Griffin asked regarding the grading of lot one. Mr. Hurley answered that the lot will slope up towards the back of the lot, but there would be significant grading in order to have a driveway. Mr. Griffin asked regarding the height difference between the existing home lots and the proposed. Mr. Goodell answered that the backyards of the existing properties would be about six feet above the proposed houses. The proposed lots are proposed as sloping to the back of each lot, but the builder may decide to put in a retaining wall.

Chair Allen commented regarding an earlier proposal that included a flag lot. Mr. Goodell answered that there was a flag lot near the east property line, between lots 5 and 10, proposed at the time of the neighborhood meeting, but the flag lot was removed to allow for larger lots and increase the buffer between neighboring properties. Chair Allen asked regarding reestablishing the flag lot and leaving lot one as green space which would be closer to the original concept plan. Discussion followed.

With no other questions from the Commission, Chair Allen closed the testimony portion of the hearing a called for a recess.

Chair Allen reconvened the hearing and asked for any discussions held during the recess regarding the application for the record.

Commissioner Griffin acknowledged that he had discussed the Area 59 Concept Plan with Commissioner John Clifford regarding the IP zoning and slope issues.

Commissioner Lisa Walker said the Vice Chair Brad Albert had instructed her how to read the finished grade contours on the grading plan on page 6 of the reduced plan set.

Chair Allen reopened the public testimony in order to receive written testimony given to staff during the recess. Chair Allen read each of the letters into the record.

Phillip and Heather Riggs, 21219 SW Ladyfern Drive, Sherwood. The Riggs's commented regarding the proposed rezoning of the property as is was directly behind their property and expressed concerns regarding loss of home values and loss of green space. The Riggs's conveyed concerns regarding traffic and visibility on Edy Road and adding another street in close proximity making the problem worse (see record, Exhibit 4).

Mike and Kim Fletcher, 21235 SW Ladyfern Drive, Sherwood. The Fletchers expressed concerns regarding the proposed zoning change and subdivision, stating it would add congestion to the area during pick up and drop off times at the nearby school. The Fletchers commented on the further loss of green space and home values and said the green space was one of the reasons why they purchased their home in Sherwood. The Fletchers pointed out that the land could be developed for purposes other than homes and suggested a park, recreational area, or school expansion. (see record, Exhibit 5).

Chair Allen asked for an additional public testimony.

Angela Smith, 21155 SW Bedstraw Terrace, Sherwood. Ms. Smith wanted to add that she appreciated that the applicant wanted to preserve trees and asked if the property line could be moved in front of the tree line to allow a buffer of green space as illustrated on the concept plan. Ms. Smith commented that if you leave the trees on personal property it is within the property owner's right to cut them down.

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Chair Allen asked for testimony from Randy Sebastian, owner of Renaissance Homes. Julia Hajduk asked how much time Mr. Sebastian should be given. It was determined he would be allowed five minutes.

Randy Sebastian, 16771 Boones Ferry Road, Lake Oswego. Mr. Sebastian stated he has built over two hundred homes in Sherwood on sites Renaissance Homes has developed. Mr. Sebastian acknowledged that the concerns were regarding trees, privacy and traffic and commented regarding the current owner of the property being able to develop the property. Mr. Sebastian commented that the concept plan was a broad brushed overview which included the creek in the wrong location on the upper portion of the property and said Renaissance Homes hired Mirth Walker Environmental Consultants to map the sensitive lands in the northwest corner of the site. Mr. Sebastian said they have been working on the site for over a year, there have been many different plot plans, and this plan maximizes large lots while preserving the creek in the northwest corner. Mr. Sebastian commented that, after grading, lot 1 will be buildable and stated it was a bad housing economy and they did not want to get stuck with bad lots.

Mr. Sebastian commented regarding a reduced front setback stating that from the back of the sidewalk to the garage 20 feet is the determining factor. There have been some jurisdictions where the front setback was set 18 feet, which could possibly work on lots 1 and 2, with a 22 foot back yard. Mr. Sebastian said there had been a flag lot, but it was too crowded and was removed; trading lots was not a good idea. Mr. Sebastian commented that a buffer was difficult to maintain and it was better to be in private ownership. Mr. Sebastian added that the new homes would be average around \$500 thousand and there were people waiting for the homes to be built so they could move to Sherwood. Mr. Sebastian commented that they were placing fewer homes than they could have and are preserving more open space than is required.

Chair Allen asked if an 18 foot front setback could be added as a modified condition to the application. Mr. Sebastian confirmed he would be comfortable with that.

Julia Hajduk explained that a change in setback would have to be a variance or an adjustment which has not been publicly noticed. Chair Allen asked if it could be part of the recommendation to Council. Julia said the Commission could recommend it and Staff could research it and have a response prior to the Council meeting as to whether Council can or should take the recommendation into consideration.

Mr. Sebastian said that Renaissance Homes would be placing a cedar fence on their side of the property line the entire length of the property between all of the sites and typically trees will be planted for the privacy of their clients as well as the neighbors.

Chair Allen closed the public testimony again and asked for any new staff comments.

Brad Kilby said the application meets the standards of the Code. Brad commented on expectations regarding concept plans, Mr. Sebastian's explanation regarding the green space on this Concept Plan and the broad brush approach used on concept plans. Brad remarked that home values are dynamic and suggested that newer homes increase value.

Brad stated that staff and the Commission do not have the latitude to ask the applicant to request a variance or adjustment and if the applicant proposes a reduced setback they would have to follow up with an application. Brad commented that Sherwood is an urban area that is designated to be in the Urban Growth Boundary and there is an expectation that it will be developed to an urban standard. Staff continues with a recommendation for approval.

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Chair Allen asked regarding tree removal for existing trees if the new owner wishes to remove them. Brad replied that the owner could remove five trees per calendar year or 10% of the trees whichever is greater.

Chair Allen asked regarding the speed limit on Edy Road.

Bob Galati, City Engineer explained that Edy Road was an old County road, at a rural standard. In order to change the speed limit an application has to be made with the state for a speed reduction and a speed study along the entire road has to be done. The City may not be opposed to reducing the speed, but it would be appropriate to approach the County to go through the application process to reduce the speed.

Chair Allen asked if it was appropriate for the Planning Commission to recommend a speed reduction as an adjunct to this process.

Community Development Director Tom Pessemier answered that it was not part of the land use process, but the Commission could ask staff to do something after the process is over.

Commissioner Walker asked regarding Nursery Way going through. Brad answered that when the property to the west develops, the expectation would be that SW Nursery Way would be connected. In the interim, area school children are allowed to walk through the completed development and use the pathway to the school instead of walking down Edy Road and Copper Terrace.

With no other questions for staff, Chair Allen moved to deliberation.

Commissioner Griffin commented that he had read the application and the conditions. Mr. Griffin said the application was comprehensive and the applicant is doing their best to make a quality subdivision and leave some of those trees. Mr. Griffin commented that 249 trees would be removed, saving many and planting more. Mr. Griffin commented regarding the property owner's rights to cut down trees to develop and what existing Renaissance subdivisions were like within the City. Mr. Griffin said he understood the concerns of the homeowners on Bedstraw and commented on the nature of a concept plan pertaining to Area 59.

Commissioner Walker commented that she was sensitive to the concerns from nearby homeowners and the rights of property owners to develop their property. Ms. Walker stated she wished there was a way to create a green space or buffer zone between the homes, but did not see how that could be done with the vegetative area on the west side of the property that has to be protected.

Chair Allen commented on concept plans and that it was reasonable for people to expect what is shown on the plan. Mr. Allen commented regarding the Millers Landing subdivision concerns and the result being a great neighborhood. Chair Allen stated that the proposal meets all of the current standards and he would encourage the City Council to be receptive to a proposed adjustment if one is received from the applicant.

Vice Chair Albert commented that he appreciated that the developer did not pursue the maximum number of lots for the subdivision and are at the low end. The minimum is 24 lots and this subdivision has 26. The lots are large and the applicant took care to minimize the disturbance to the neighboring property owners. It complies with all of the minimum standards and provides a future through street when Nursery Way can be connected. Mr. Albert said he also sympathizes with the neighboring property owners who have enjoyed a green space area behind them for a number of years.

Commissioner Clifford commented that he would like to see the subdivision go forward and he liked the alignment of the street and the cul-de-sac, adding that a neighborhood with a cul-de-sac brings people in to a safe environment. Mr. Clifford offered that people will slow down on the street because of the curvature of the street and said there was a lot of effort put into the overall landscaping of the project. The lots are larger than are developed these days and there are landscape opportunities for homeowners to screen out their back yards. Once the project goes in the pedestrian access to the school, which will be provided, will be a great selling point.

Motion: From Vice Chair Brad Albert for the Sherwood Planning Commission to make a recommendation of approval for the application of Renaissance at Rychlick Farm (SUB 12-01/ PA 12-02) based on the applicant testimony, public testimony received, and the analysis, findings and conditions in the staff report, to be heard on July 17, 2012 at City Council. Seconded by Commissioner John Clifford. All present Planning Commissioners voted in favor. (Commissioner Michael Cary was absent).

Chair Allen stated the next Planning Commission Meeting was July 10th.

Julia Hajduk informed that Commission that it will be a work session where the commission will be acting as a steering committee for the Town Center as well as the next round of legal training regarding quasi-judicial hearing processes.

Chair Allen adjourned the meeting.

City of Sherwood, Oregon
Planning Commission Minutes
November 27, 2012

Commission Members Present:

Chair Patrick Allen
Vice Chair Brad Albert
Commissioner Michael Cary
Commissioner James Copfer

Staff Present:

Julia Hajduk, Community Development Director
Bob Galati, City Engineer
Brad Kilby, Senior Planner
Kirsten Allen, Planning Dept. Program Coordinator

Commission Members Absent:

Commissioner John Clifford
Commissioner Russell Griffin
Commissioner Lisa Walker

Council Liaison

Councilor Krisanna Clark

Legal Counsel Present:

None

1. Call to Order/Roll Call

Chair Patrick Allen called the meeting to order at 7:00 pm.

2. Agenda Review

The agenda consisted of the Consent Agenda, a continued Public Hearing for the Pankhard Building (LA 12-01), as well as some business items that are non-hearing items; Strengths, Weaknesses, Opportunities, and Threats (SWOT) Review of Planning Commission and 2013 Goal Setting, Downtown Streetscape project update and discussion, and Downtown Parking Survey Results.

3. Consent Agenda

- a. August 28, 2012 Planning Commission Corrected Minutes
- b. November 6, 2012 Planning Commission Minutes
- c. November 13, 2012 Planning Commission Minutes

Motion: From Commissioner James Copfer to adopt the Consent Agenda. Seconded By Vice Chair Brad Albert. All Commission Members Present Voted In Favor (Commissioners Clifford, Griffin, and Walker were absent)

4. Council Liaison Announcements

Councilor Krisanna Clark noted that new Mayor elect, Bill Middleton, was present at the meeting and reminded the Commission about the Boards and Commissions Appreciation Dinner on December 19th.

5. Staff Announcements

Community Development Director Julia Hajduk informed the Commission that there will be a Cedar Creek Trail Kick-Off meeting on December 5th, from 6:30-8pm at City Hall. The purpose of the meeting is to help understand where the project is regarding scope and schedule, and to develop an interested parties list.

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Julia said the Town Center Open House will be January 18, 2013 and there will be more information available at the next meeting. There will be a steering committee meeting or planning commission work session between now and then.

6. Community Comments

Eugene Stewart, 22595 SW Pine Street, Sherwood. Mr. Stewart commented regarding the minutes being up to date and thanked the Commission.

7. Old Business

a. Public Hearing- Pankhard Building (LA 12-01) *Continued from November 13, 2012*

Chair Allen re-opened the public hearing on LA 12-01 and read the public hearing statement which asked for any ex parte, bias, or conflict of interest.

Chair Allen disclosed that he was the state's Chief Banking Regulator and as such he regulated the Bank of Oswego, but he did not feel there was a conflict and he planned to participate in the hearing.

Brad Kilby, Senior Planner, gave a brief overview of the presentation given at the November 13, 2012 meeting (see record, Exhibit 1) and explained the Pankhard Building was on the corner of Railroad Street and Washington Street and the improvement would be on the southwest corner of the site at the former coffee shop. The application is for a landmark alteration to restore the entry at the corner of the building, as well as, replace a door and a window on Washington Street with a new brick veneer wall that matches the existing façade and to install and automatic teller machine (ATM) and night deposit in the new wall. The building was built in 1910, but according to the Sherwood Historical Society, the building was not occupied until 1912. Brad said that the building has housed a number of uses over time including a saloon, government offices, professional offices, and a bank. The applicant wants to restore the corner entry to the building as shown on historical photos. Brad said there was a question about lighting above the ATM, the applicant has been asked to address that issue; typically it is low lighting with the standard of ½ a candle foot off of the property.

Brad informed the Commission that the property is approximately 7800 square feet and zoned Retail Commercial. A bank is an approved use in the zone and the proposed alterations to the structure do not extend into any required setbacks or violate any other dimensional standards, because the applicant is not enlarging the structure. Staff has made a recommendation of approval with the single condition that sandblasting not be used as a technique to restore the façade of the building.

Brad commented that there was a request that the record be left open by Mr. Claus, but there was nothing submitted during that time. The premise from Mr. Claus' testimony was that there should be an elevator installed to provide access to the upstairs. Brad stated that he discussed the issue with the Building Official, who referred him to an Oregon Revised Statute (ORS), which is included in the staff memo (see record, November 27, 2012 packet, page 10). Brad said that, per the ORS, an elevator would not be required, because banking customers do not need to go upstairs. Brad said that when there is an alteration to a structure and accessibility improvements are required there is a prioritized list of accessibility improvements that have to be made such as parking, bathrooms, and entrance into the building. Brad said that the cost of improvements has to be proportional to the cost of the proposed improvements and an elevator would be outside of those proportionate costs. Brad said the Building Official did not see that there would be any justification to require an elevator for this project.

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Commissioner Cary asked what would trigger the need for an elevator. Brad replied that it would probably be a major remodel on the upper floor of the building that required accessibility, but even then it has to be based on the value of those improvements. Brad said that what he remembered of his conversation with the Building Official, up to 25% of the cost of the project may be required to be spent towards bringing the project up to accessibility standards, starting with parking on the outside of the building and then on improvements to move people into the building. Brad stated that there was no proposed work on the second floor.

Brad noted that there was an assertion, by Mr. Claus, that the original safe was removed from the building, but the safe remains.

Chair Allen commented that he was also the states building safety regulator and the notion that an elevator is required in a two story building is a common misconception and private buildings are not required to have an elevator.

With no other questions for staff, Chair Allen turned the time over the applicant.

Representatives from Bank of Oswego, 22578 SW Washington Street, Sherwood Tim Heine and Bridget Smith, came forward. Mr. Heine informed the Commission that this branch was not a full service bank, but a loan production or business banking center consisting mainly of office space. Mr. Heine stated that the bank was trying to follow the City's need for economic redevelopment and had an opportunity to leave their other Sherwood location and opted to help with the redevelopment of Old Town. The bank is putting in a significant investment into the space to ensure that it is a nice looking space and there will be three employees housed in the office.

Commissioner Cary asked regarding the lighting at the ATM. Mr. Heine answered that there needs to be a certain amount of lighting to make sure it is safe for banking customers and noted that Washington Street was pitch black at night. Bridget Smith added that the architect is recommending the installation of a luminary which would shine down on the ATM and night depository and it will not be too bright. Mr. Heine added that the light will only be noticeable because of the light coming from it and it will be historically correct to enhance the value of the building.

Chair Allen commented that there was about 27 minutes remaining for applicant rebuttal and asked if anyone else desired to testify.

Eugene Stewart, 22595 SW Pine Street, Sherwood. Mr. Stewart commented that he thought it was a good project and wanted to add that the large outside doors of the bank vault had been taken off along with some brick work that contained asbestos. Mr. Stewart commented regarding the landmark alteration and the street design elements that are no longer in old town.

The applicant had no rebuttal, so Chair Allen closed the Public testimony. With no final questions the following motion was received.

Motion: From Commissioner James Copfer to approve the application for the Pankhard Building (LA 12-01) based on the applicant testimony, public testimony received, the analysis, finding and conditions in the staff report with the condition that no sandblasting be done on the exterior of the building. Seconded By Vice Chair Brad Albert.

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Before the vote, Chair Allen commented regarding investment in Old Town and said he worked in old town Albany when the Savings and Loans collapsed. The Chair said that the people who live and work in an area add to its vibrancy, these kinds of office jobs are critical to the success of Old Town, and he appreciated the bank's faith and investment in the area.

All Commission Members Present Voted In Favor (Commissioners Clifford, Griffin, and Walker were absent)

8. New Business

a. Strengths, Weaknesses, Opportunities, and Threats (SWOT) Review of Planning Commission and 2013 Goal Setting

Julia informed the Commission that City Council and City Manager are moving away from the SWOT aspect and have streamlined the meeting, asking two questions.

1. What are your two or three most significant accomplishments for this past year?
2. What are your two or three major goals for 2013 as a commission?

Councilor Clark explained that the SWOT portion would be separated in the form of a business meeting from the Boards and Commissions Appreciation Dinner.

Discussion followed and the Commission decided the accomplishments were:

- Code Clean-up was 80% complete,
- Planning work regarding various projects in the Old Town Cannery District,
- Improved Public Noticing and Public Involvement - with good feedback from the public on higher profile projects.

Other items discussed were the more thorough staff reports and televised Planning Commission Meetings.

Goals for 2013 were discussed with the following goals being identified:

- Finish the Code Clean-up
- Complete the Sherwood Town Center Plan
- Find ways to maximize engagement by:
 - Making better use of technology
 - Improving public knowledge of Planning processes
 - Providing access to performance data to address anecdotal comments

Other items discussed were flexibility with the process for those who want to be engaged, tutorials on government cable access channel, and a review of the Citizen Involvement Plan. Chair Allen commented that it was up to the City Council to review the Citizen Involvement Plan.

b. Downtown Streetscape project update and discussion

City Engineer, Bob Galati gave an update on the Downtown Streetscape Project and stated there has been public outreach through updates to SURPAC, public meetings to answer business owner's questions, and now the Planning Commission with the final design parameters and some final decision points before going to bid.

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Bob referred to the information in the packet and stated that the drawings show an artist's rendering of both Railroad Street and Washington Street. This project builds upon the previous two projects which were Phase I and the Cannery Street Project. Bob said each project has gotten a little bit better each time as we have corrected some structural design elements that were not quite working.

Bob said that the sidewalk on Railroad Street, in front of the businesses, will be widened an extra four feet to turn it into more of a *paseo*, where the businesses can spill out and use the area for restaurant seating, or displays, and the like and still have a fully functional, full width sidewalk. The railroad side of Railroad Street will be cleaned up and Washington Street will be similar to what was done on Pine Street and Columbia Street.

Bob commented that there will be two different types of trees; a Zelkova and an Autumn Gold Ginkgo Baloba. The Zelkova matches what was done with the cannery project: a nice green, columnar type tree which will go along the railroad street side. On the *paseo* side we wanted something that was more of a canopy type of tree that would grow up and cover the *paseo*. The Autumn Gold Ginkgo Baloba would not get in the way of being able to see the store fronts because it has a higher canopy and the spacing of the trees will allow the canopies to overlap, so it will be a pleasant place to sit in the summertime. Bob conveyed that he wanted everyone on board regarding the concept of the tree selection and to understand that it was to enhance the area so businesses could use the area and the City can utilize it for events like the Cruise In. Bob clarified that the Ginkgo will extend the full width of the north side of Railroad Street, between Pine and Main, but the Zelkova would be used on Washington Street and the south side of Railroad Street.

Chair Allen asked if the zero elevation curbs would be continued. Bob replied that the zero elevation curbs posed drainage and parking issues, so a rolled curb with a 3" lift, similar to the ones used near the cannery, will be used. The sidewalk will still have the blue pebble look and the blue street lights will remain. Bob explained that he had conferred with the Council regarding the lights and the Council voted to continue with the lights to remain consistent.

Bob stated that the other element of the design was the alleyway improvements, between Pine Street and Main Street, and he was pleased that these were within the scope of the budget.

Bob said there were a couple of different options for the alley and the design is the least expensive option, but it is the option that fits in the budget. The design uses a concrete border on either side with an asphalt surface with transition asphalt to the grade for the businesses outside of that area, where feasible. The City would be moving all of the pedestals underground for telephone and electrical, with the gas meters being relocated to the side of the buildings, where possible. What is shown in the packet is what people would be looking at once it was done. Bob said the business owners requested alleyway lighting between Pine and Washington. This will be done with lighting fixtures mounted to the building that would throw light down. Bob said this is what the City is recommending and said now would be the time to add input.

Chair Allen asked if this would require land use action by the Commission. Julia commented that, as part of public outreach, Bob was trying to get feedback from a variety of interests and while the Commission's thoughts regarding Old Town design standards had some weight, it is not a land use decision. Discussion followed with many of the Commissioners reacting positively, but asking if the fixtures could be more consistent with either the lighting that was already present in Old Town or be more period correct.

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Chair Allen asked regarding purchasing and ownership of the lights. Bob responded that it would be the City.

Commissioner Cary commented regarding the widening of the sidewalk on Railroad Street and asked who would be responsible for the trees. Bob answered that the City would be responsible. Mr. Cary asked if the business owners would be permitted to change the awning size. In the old town overlay standards it states that they awning be proportionate to the façade.

Chair Allen commented that the Ginkgo was a striking tree in the fall.

Julia asked for the next steps in the process.

Bob stated that the next steps were to go out to bid in the next week, and the lighting issue can be fixed with a change order, because the bidding process is several weeks long. Bids will be opened December 17th, and release the contractor to start construction mid-January, with a mandatory completion before Cruise In in early June 2013. Coordination will be continued with all of the business owners and the walking distance to the business entrances will not be more than ½ a block so they can remain viable during the construction process. We will have more public meetings as construction occurs and the contractor will have direct contact with owners so we can resolve issues immediately. As the City Engineer, Bob is the contact for this project.

Bob added that the city is working with business owners who want to add a trash enclosure for all of the business owners and if they can identify an area within each of the blocks that they all agree on that item will come before the Commission. Bob commented that it will include all of the owners or the trash enclosures cannot be done.

c. Downtown Parking Survey Results

Bob Galati informed the Commission that the parking study was a condition that was placed on the Community Center development where the City was required to provide a limited study that shows the utilization of parking in the existing downtown area. Bob stated the City hired a consultant to do a parking study to provide information on existing conditions; taking into account both on street and public off street parking and not including private lots. Bob explained that private lots would include parking lots similar to lots at Symposium Coffee or Attrell's Funeral Home. The study area was between Oak Street and Park Street, 3rd Street to Willamette. The parking lot at Stella Olsen Park was initially included, but was not included in the final report because it was not within walking distance of the Old Town businesses.

Bob stated that the overall number of spaces within the downtown parking area is 515 spaces. The analysis looks at utilization for on street parking, separately from off street parking, and then a combined analysis of the parking overall. The combined parking analysis shows a 35.7% usage at the peak hour or a little over a third of the parking being utilized within the downtown area. That shows that there is a significant amount of additional space available.

Bob commented that another aspect of the report is parking behavior and under normal conditions you look for turnover rate: people come in, park, do their business, and leave. Bob said the City has stalls that are rated two hours and around 19% of those stalls exceed the two hour limit where people park and stay. The average parking time for everyone else is about 2 hours and 25 minutes and most are parking within the time period. Bob commented that those who exceed the parking

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time limit are most likely people who are business owners or employees of businesses staying all day as they work.

Chair Allen asked if the report gave the City enough of a framework for an intern to go out and repeat the study in the future for a comparison, but not have to pay a five figure bill. Bob conceded that with the baseline and the defined area, it could be done. Chair Allen commented that the question is how the parking will be impacted once the area becomes built up and how assumptions and projections prove out. Bob agreed and stated if one wanted to do a full parking study the boundary scenario would still be valid. Chair Allen commented that in the fifteen years he has lived in Sherwood he could not remember a time, other than during an event, when parking within two parking spots of where you wanted to go was unavailable.

Commissioner Cary said he did not realize that there was so much parking in Old Town. Bob replied that it adds up to a significant amount when you include the library parking lot, the gravel lot utilized on Pine Street, and the gravel lot on Railroad Street.

Chair Allen inquired about the next meeting date. Julia stated that there were not any current planning projects scheduled for the December 11th meeting date, and the Sherwood Town Center steering committee meeting could be pushed to January 8, 2013.

Julia added that the Langer Farms Phase 7 (SP 12-05/ CUP 12-02) was not appealed to Council and the City has not heard if there was a tenant.

9. Adjourn

Chair Allen closed the meeting at 8:05 pm.

Submitted by:

Kirsten Allen
Planning Department Program Coordinator

Approval Date: _____

New Business Agenda

Item B

City of Sherwood
Staff Report to Planning Commission

December 31, 2012

File No: PA 12-04 Very Low Density Residential Text Amendment

Proposal: The applicant proposes to amend the § 16.12 Residential Uses section of the Sherwood Zoning and Development Code, (SZDC), specifically the § 16.12.020 Very Low Density Residential Zone. The proposed changes are attached as Exhibit A. The applicant's materials are attached as Exhibit B.

I. BACKGROUND

- A. Applicant: John Satterberg/Community Financial
P.O. Box 1969
Lake Oswego, OR 97035
- B. Applicant's Representative: Kirsten Vanloo, Emerio Design
- C. Location: The proposed amendment is to the text of the development code and specifically applies to the properties zoned Very Low Density Residential (VLDR).
- C. Review Type: The proposed text amendment requires a Type V review, which involves public hearings before the Planning Commission and City Council. The Planning Commission will make a recommendation to the City Council who will make the final decision. Any appeal of the City Council decision would go directly to the Land Use Board of Appeals.
- D. Public Notice and Hearing: Notice of the January 8, 2013 Planning Commission hearing on the proposed amendment was published in *The Gazette* on January 1, 2013 and *The Times* on December 20, 2012. Staff posted notice in five public locations around town and on the web site on December 19, 2012. Regular updates were provided in the City newsletter.

While this does not apply citywide, it may affect the value of property located within the very low density residential zone; therefore Measure 56 notice was sent on December 19, 2012 informing property owners within that zoning designation. DLCD notice was provided on December 4, 2012.

- E. Review Criteria:
The required findings for the Plan Amendment are identified in Section 16.80.030 of the Sherwood Zoning and Community Development Code (SZCDC). Applicable Statewide Planning Goals: Goal 1 Citizen Involvement, Goal 2 Land Use Planning, Goal 5 Natural Resources, Scenic and Historic Areas and Open Space, and Goal 12 Transportation.

F. Background:

The area east of SW Murdock Road is zoned very low density residential, (VLDR). The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of 0.7 to 1 dwelling unit per acre. If developed through the Planned Unit Development (PUD) process, and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, the permitted density of 1.4 to two (2) dwelling units per acre may be allowed.

There are two existing planned unit developments within this VLDR zoning designation: Fair Oaks, and Sherwood View Estates. The remaining properties, approximately fifty-five acres, consist of 11 parcels zoned VLDR and nine single-family homes. The area includes a 2.25-acre wetland located in the southeast corner of the site with standing water most of the year. Areas are included in Metro's natural resource Goal 5 inventory including Class A wildlife habitat, with groves of woodland habitat and mature trees.

Several challenges exist for site design including the Tonquin Scablands, a rocky terrain sculpted from ancient glacial flooding. There are two high points: one point in the center of the area and one in the southern portion of the site with sloping terrain in between. This results in challenges to the street and pedestrian circulation network and added costs to develop and design.

Another challenge to the area is due to the presence of soil contamination identified by the Department of Environmental Quality (DEQ). A 40-acre portion of the VLDR site area, and the majority of the area available for development, was part of the "Ken Foster Farm" site. Portions of the Ken Foster Farm site had been used for discarding animal hides and carcasses that were remnants from the local tannery operation in the city. As part of the Department of Environmental Quality (DEQ) investigation of the Tannery site located on SW Oregon Street, it was discovered that the soil on the Ken Foster Farm site was also contaminated. The property to the northeast of the undeveloped area, Ironwood Subdivision, was in development when the issue arose which required significant soil removal and oversight from the Department of Environmental Quality (DEQ).

DEQ entered the Ken Foster Farm site into the Environmental Cleanup Site Information Database in 2000, and completed a Preliminary Assessment (PA) in 2004. The assessment was funded by cooperative grant funds from the Environmental Protection Agency (EPA) Region 10. (DEQ Technical Memorandum) The results of the soil sampling completed for this site listed concentrations of antimony, chromium, lead and mercury above expected background concentrations. In addition, sediment samples from the wetland areas on the site were found to contain elevated concentrations of chromium copper, mercury and zinc. According to the report, they found that the human health risk were relatively low based upon the soil samples from the EPA Impervious Area results and data from property-owner site investigations on two of the properties within the former Farm acreage. Valid soil sample tests of the subject site indicate that hexavalent chromium was not present in soils and that the prevalent form of chromium in soils is trivalent chromium. The other concentrations did not present an unacceptable human health risk on an individual contaminant basis. The DEQ concluded that the chance of significant exposure to residents living around these areas is low under current conditions.

In 2005, the City received a grant to develop the Southeast Sherwood Master Plan (Exhibit C), a master plan for the area to serve as a guide to coordinating the potential separate land use actions and infrastructure investments of property owners, developers, and the City in order to create a cohesive, livable neighborhood that could develop over time. The SE Sherwood Master Plan was prepared with the input of property owners, developers, neighbors and City representatives. Three open houses were held in order to develop a preferred alternative for development of this area. The purpose was to identify a more efficient way to develop the area and to try to get property owners in the area to work collaboratively when considering developments. The plan did not result in amendments to the Comprehensive Plan or Zoning map but was accepted by the Planning Commission via Resolution 2006-01(Exhibit D).

The recommended master plan was a hybrid of several alternatives that were developed through the open house workshops. Through the planning phase, the developers emphasized the need for providing sufficient density to pay for the necessary infrastructure while the citizens emphasized a preference for larger lots to preserve the wildlife habitat. This resulted in the development of a hybrid plan that provided for a mix of lot sizes with a range of increased density in the center of the

plan area to 15,000 square foot lot sizes abutting the southern portion of the site. The gross density, under the preferred option would be 2.2 units per gross acre and net density of 4.43 units per acre.

The Planning Commission, via resolution, approved the SE Sherwood Master Plan in concept in 2006. Although not formally adopted and incorporated into the Comprehensive Plan nor adopted by the City Council, it does provide guidance for development and the intention of the community and surrounding property owners for the area. The applicant's proposal applies some of the recommendations for development as adopted by the resolution to the SZDC regarding the density requirements and proposes a minimum lot size to achieve the resulting net density if developed through a planned unit development process.

The applicant, the property owner of tax lot 2S133CB01000, just north of the Sherwood View Estates had previously applied for a Planned Unit Development in 2011 for an eight-lot subdivision (Denali PUD 2011-01) consistent with the density identified in the SE Sherwood Master Plan. However, because the SE Sherwood Master Plan had not been implemented and thus the proposed density not permitted, the City Council approved via Ordinance 2012-004, a six-lot subdivision and Planned Unit Development.

The applicant has not submitted a final development plan for the planned unit development and elected to pursue a text amendment in order to achieve the greater density that was developed under the SE Sherwood Master Plan.

II. AFFECTED AGENCY, PUBLIC NOTICE, AND PUBLIC COMMENTS

Agencies:

The City sent request for comments to the standard agency notification list on December 5, 2012. The City received one comment as discussed below. The City has received either no response or no comment on the proposal from the other agencies.

Engineering Department: After review of the proposal, the proposed amendment will not have a significant impact on the infrastructure and services are available to accommodate this increased density.

Public:

Kurt Kristensen 22520 SW Fair Oaks Ct. Sherwood, OR 97140 submitted comments via email are attached as **Exhibit E**.

Mr. Kristensen is opposed to the text amendment as written as it does not incorporate the entire SE Sherwood Master Plan and believes some of the elements of the plan may not be implemented if the Planning Commission recommends adoption of the text amendment as proposed by the applicant. He requests that the Planning Commission recommend to Council the adoption of the SE Sherwood Master Plan so it can be implemented in its entirety. Mr. Kristensen is also concerned about the environmental impacts that the entire site area presents and wants a comprehensive approach taken for remediation of the area.

Response: Not all of the recommendations within SE Sherwood Master Plan are incorporated with this proposed text amendment. The text amendment standards will apply only to properties developed as a planned unit development. This gives the Planning Commission and City Council another level of review where they could impose the unique conditions that would not be available to them if developed as a standard subdivision or partition, such as the open space areas and pedestrian connections that are part of the SE Sherwood Master Plan. They could incorporate the elements of the SE Sherwood Master Plan within each proposed development so long as the standards are not contrary to the Code.

The density standards and minimum lot size developed under the SE Sherwood Master Plan were not compatible with existing VLDR PUD standards and therefore the applicant submitted this proposal.

The particular text amendment provisions are not contrary to the SE Sherwood Master Plan as a whole. The Commission could elect to reference the purpose and intent of the SE Sherwood Master Plan within the purpose of the Planned Unit Development Code section itself for properties within the VLDR zone. Additionally, the Planning Commission could chose to move the actual master plan document forward to Council as a separate action later. This text amendment does not prohibit this.

No other comments have been received as of the date of this staff report.

III. REQUIRED FINDINGS FOR A PLAN TEXT AMENDMENT

The applicable Plan Text Amendment review criteria are 16.80.030.1 and 3.

16.80.030.1 - Text Amendment Review

An amendment to the text of the Comprehensive Plan shall be based upon the need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the Comprehensive Plan, and with all other provisions of the Plan and Code, and with any applicable State or City statutes and regulations.

Need Identified:

The applicant identified that the need for the proposed text amendment is found within in the Planning Commission Resolution 2006-01. The Planning Commission resolution accepted the SE Sherwood Master Plan report and approved the process to implement the plan. The Resolution advised that the Planning Commission would consider development proposals that are consistent with the principals and goals listed in the master plan. Alternative B/C from the master plan became the recommended layout with a net density of 4.43 units per buildable acre. Although not formally adopted or incorporated into the Comprehensive Plan or adopted by the City Council, the plan provides guidance for development and the intention of the community and surrounding property owners for the area. Had the Council formally adopted the master plan, the next step would have required amendments to the SZDC regarding the density requirements in this particular zone be adopted. This is because the density shown in the master plan is higher than the existing special density allowance of two units per acre currently allowed in the VLDR zone under the PUD standards.

The Planning Commission did not forward a recommendation of adoption of the master plan to the Council or forward the specific changes to the density, minimum lot size or changes to the minimum parcel size to develop a planned unit development now proposed. Nor were any of the Code amendments outlined in the plan adopted by the Council. The Commission resolved that they would review applications applying the standards developed through the master planning process when approached by the private property owners in the affected area. (Exhibit D).

Because the Planning Commission adopted the resolution accepting the master plan and the need for the master planning effort itself, the Planning Commission could find that the there is an identified need for the amendment as the applicant proposes. The Planning Commission may review the proposed changes to the Code to determine if it does indeed achieve the outcomes sought for the SE Sherwood Master Plan. Should the Planning Commission find that the need for the amendment is satisfied, staff would recommend the following finding.

RECOMMENDED FINDING: Based on the above discussion, the need for the proposed amendments is satisfied as it supports the intention and purpose of the SE Sherwood Master Plan for the density, minimum lot size, and minimum area of the parcels available to when developing a planned unit development.

Comprehensive Plan:

Chapter 3. Growth Management

Policy 1: To adopt and implement a growth management policy, which will accommodate growth consistent with growth limits, desired population densities, land carrying capacity, environmental quality and livability.

The property is located within the City limits and within the urban growth boundary. Most of the VLDR area that would be affected by the implementation of the code changes has not been partitioned or fully developed and the density is well below the one dwelling unit per acre minimum. Several of the properties do not currently have urban facilities such as adequate roadways, water, sanitary sewer and pedestrian connections. Development could improve the level of services occurring in this area and would provide improved connection and infrastructure within our City boundaries. Additionally, the properties will have direct access to SW Murdock Road, an arterial.

The applicant proposes a maximum density of four units per acre and a minimum lot size of 8,000 square feet if developed as a planned unit development. Planned unit developments are only allowed in this zone if it can be demonstrated that the natural areas can be preserved. Each applicant within this zone will have to comply with this standard when applying for a PUD. This is consistent with the policy.

FINDING: Based on the above discussion, the proposed text amendment is consistent with the growth management policy objective.

Chapter 4. Land Use

Policy 6 The City will create, designate and administer five residential zones specifying the purpose and standards of each consistent with the need for a balance in housing densities, styles, prices and tenures.

Very Low Density Residential Minimum Site Standards:

1 DU/Acre, 1 acre minimum lot size

This designation is intended to provide for single-family homes on larger lots and in PUD's in the following general areas:

Where natural features such as topography, soil conditions or natural hazards make development to higher densities undesirable. This zone is appropriate for the Tonquin Scabland Natural Area.

Along the fringe of expanding urban development where the transition from rural to urban densities is occurring.

Where a full range of urban services may not be available but where a minimum of urban sewer and water service is available or can be provided in conjunction with urban development.

The applicant identified several changes to the Planned Unit Development (PUD) standards within the VLDR zone. The minimum lot size is still considered a large lot for an urbanized area as it will remain the largest minimum lot size in the City even if developed as a PUD. The zone is located on the fringe of the urbanized area and compatible with the surrounding properties already developed as planned unit developments under the VLDR standards to the north and south of the subject area as the larger lots will still contain single-family dwelling units.

FINDING: Based on the above discussion, the proposed amendments are consistent with the land use policy objective.

Consistency with Statewide Planning Goals

Goal 1- "Citizen Involvement"

The purpose statement of Goal 1 is "to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process."

The proposed code changes do not include changes to the City's citizen involvement program, which complies with Goal 1; however, the process to develop the proposed changes was fully compliant with this

Goal. The City provided notice to property owners zoned VLDR, published notice in the paper and posted notice around the City.

In 2005, over 120 people participated and provided input through the various open houses in the SE Sherwood Master Plan process to develop the recommended plan. There were multiple work sessions with the Planning Commission and two public hearings were held on March 28 and April 4, 2006 to provide the public an opportunity to be heard.

Goal 2- "Land Use Planning"

The purpose statement of Goal 2 is "to establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to ensure an adequate factual base for such decisions and actions".

The proposed code changes affect the land use process when utilizing the planned unit development standards. The City's land use planning process and policy framework, which are in compliance with Goal 2, will not change as result of this action.

FINDING: As discussed above in the analysis, the applicant identified a need for the proposed amendments to reflect the Planning Commission resolution regarding the SE Sherwood Master Plan and the density, lot size and amendments with a planned unit development. The amendments are consistent with the Comprehensive Plan and applicable City, regional, and State regulations and policies.

16.80.030.2 – Transportation Planning Rule Consistency

A. Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.

The transportation analysis conducted during the SE Sherwood Master Plan process concluded that the street system could accommodate an increased density to levels proposed by the applicant. The analysis considered the trip generation increases for net densities ranging from 3.35 to 5.03 units per acre.

FINDING: The amendments will not result in a change of uses otherwise permitted and will not have a significant impact on the amount of traffic on the transportation system; therefore, this policy is not applicable to the proposed amendment. In addition, any development proposal will be required to conduct a traffic analysis and mitigation, if needed, will likely be a condition of the land use approval.

IV. RECOMMENDATION

Based on the above findings of fact, and the conclusion of law based on the applicable criteria, staff recommends Planning Commission forward a recommendation to the City Council. Because the decision is based on public policy and finding whether these amendments achieve the outcomes sought during the SE Sherwood Master Planning efforts, and not a technical decision, staff takes no position on the merit of the proposed amendments.

V. EXHIBITS

- A. Proposed development code changes--with "track changes" submitted by the applicant
- B. Applicant's materials submitted on October 16, 2012
- C. SE Sherwood Master Plan dated February 26, 2006
- D. Planning Commission Resolution 2006-01 dated, May 9, 2006
- E. Comments from Kurt Kristensen, submitted via email on December 26, 2012

16.12.010. - Purpose and Density Requirements

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A. Very Low Density Residential (VLDR)

The VLDR zoning district provides for low density, larger lot single-family housing and other related uses in natural resource and environmentally sensitive areas warranting preservation, but otherwise deemed suitable for limited development, with a density of 0.7 to 1 dwelling unit per net buildable acre.

1. If developed through the Planned Unit Development (PUD) process, as per Chapter 16.40, and if all floodplain, wetlands, and other natural resource areas are dedicated or remain in common open space, the permitted density of ~~1.4 to two (2)~~ four (4) dwelling units per net buildable acre may be allowed.

a. ~~To be eligible for a PUD in the VLDR zoning district the project site must be a minimum of 3(three) acres.~~

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b. ~~The minimum lot size in a PUD in the VLDR zoning district shall be 8000 sq. ft.~~

~~1.2.~~ Minor land partitions shall be exempt from the minimum density requirement.

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~~2. Special Density Allowances~~

~~Housing densities up to two (2) units per acre, and minimum lot sizes of 10,000 square feet, may be allowed in the VLDR zone when:~~

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a. ~~The housing development is approved as a PUD, as per Chapter 16.40; and~~

b. ~~The following areas are dedicated to the public or preserved as common open space: floodplains, as per Section 16.134.020(Special Resource Zones); natural resources areas, per the Natural Resources and Recreation Plan Map, attached as Appendix C, or as specified in Chapter 5 of the Community Development Plan, and wetlands defined and regulated as per current Federal regulation and Division VIII of this Code; and~~

e. ~~The Review Authority determines that the higher density development would better preserve natural resources as compared to one (1) unit per acre design.~~

NOTE: The chart in 16.12 needs to be amended to show the minimum lot size for VLDR development in a PUD is 8,000 sq. ft.



Home of the Tualatin River National Wildlife Refuge

Planning Commission Meeting
Case No. PA 13
January 8, 2013
Fee _____
Receipt # _____
Date 10-16-12
TYPE ✓

City of Sherwood Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- Annexation
- Plan Amendment (Proposed Zone _____)
- Variance (list standard(s) to be varied in description)
- Site Plan (Sq. footage of building and parking area)
- Planned Unit Development
- Conditional Use
- Partition (# of lots _____)
- Subdivision (# of lots _____)
- Other: Development Code Text Amendr

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: John Satterberg/Community Financial Phone: 503 636 4800
 Applicant Address: PO Box 1969 Lake Oswego, Or 97035 Email: _____
 Owner: _____ Phone: _____
 Owner Address: _____ Email: _____
 Contact for Additional Information: Kirsten Vanloo - 503 956 4180
kirsten@emeriodesign.com

Property Information:

Street Location: _____
 Tax Lot and Map No: _____
 Existing Structures/Use: _____
 Existing Plan/Zone Designation: _____
 Size of Property(ies) _____

Proposed Action:

Purpose and Description of Proposed Action: _____
The purpose of this text amendment application is to update the
development code to reflect the decisions made by the community and
Planning Commission in the work completed for the SouthEast Sherwood
Master Plan


Proposed Use: NA for this application

Proposed No. of Phases (one year each): NA for this application

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.


Applicant's Signature

10-15-2012
Date

NA for this application
Owner's Signature

Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc. NA for this application
- At least 3 * folded** sets of plans NA for this application
- At least 3 * sets** of narrative addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)
- Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects) NA for this application
- Signed checklist** verifying submittal includes specific materials necessary for the application process NA for this application

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

Proposal: The application proposes to amend the development code standards of the Very Low Density Residential (VLDR) zoning district to include specific elements of the SE Sherwood Master Plan so that plan can be implemented relative to new development density. The proposed code text amendment language changes the allowable density to 4 dwelling units per net buildable acre if developed through a planned unit development.

Background: In 2005 the City Council authorized the SE Sherwood Master Plan process and participation in the Oregon Transportation and Growth Management Quick Response program to fund the study and master plan process. Numerous public meetings and workshops with property owners were held, and in 2006 the Planning Commission passed a resolution to accept the SE Sherwood Master Plan and approve a process to implement the plan. The entire SESMP area is zoned Very Low Density Residential and contains approximately 55 acres. At this time, these are the only lands inside the City that are zoned VLDR.

Several design/development alternatives were presented during the master plan process, *Alternative B/C* became the 'recommended plan', with a net density of 4.43 units per buildable acre.

Figure 8 - Alternative B/C Plan View



Affected Property: There are four parcels in the City of Sherwood with VLDR zoning that could be developed under the VLDR standards currently in place, using the PUD standards. Those four parcels are:

1. Moser – 2S1 33 BC TL 1700, 11.63 acres
2. Miller – 2S1 33 CB TL 200, 5.37 acres
3. Yuzon – 2S1 33 CB TL 100, 10.36 acres
4. First Community – 2S1 33 CB TL 1000, 3.71 acres

These four parcels total approximately 31 acres. Assuming a loss of 20% of the total acreage for streets, an estimated TOTAL development density under the current development standards would result in 45-49 units (at the currently allowable density of 2 units/net acre through the PUD approval process), or a gross density of approximately 1.6 dwellings/gross acre.



Figure 2 - Study Area and Property Ownership, September 2005

With the adoption of the recommended text amendments, as supported by the SESMP, a total of six parcels could be developed, as follows:

1. Moser – 2S1 33 BC TL 1700, 11.63 acres
2. Miller – 2S1 33 CB TL 200, 5.37 acres
3. Yuzon – 2S1 33 CB TL 100, 10.36 acres
4. First Community – 2S1 33 CB TL 1000, 3.71 acres
5. Huske – 2S1 33 CB TL 300, 4.88 acres
6. Chinn – 2S1 33 CB TL 600, 3.01 acres
7. Walker – 2S1 33 CB TL 700, 3.06 acres *(while this parcel is large enough to be redeveloped under the proposed text changes, it is doubtful that more than one additional dwelling unit could be added to the site due to the existing development)*

The Chinn property was included in the original SESMP, and is included in these calculations, however, access to that property is limited and little interest in development was expressed by that property owner @ the time of the SESMP public outreach. It is likely that the Chinn parcel will someday develop as a 3 parcel Minor Partition with 1 acre lots.

The Huske parcel adjacent to Murdock Road was included in the SESMP designs and was anticipated to be redeveloped; however, without the proposed text amendments that site does not qualify for review under the current PUD standards and currently can ONLY be redeveloped with 1 acre lots.

These six parcels total approximately 39 acres. Assuming 20% of the property is used for public streets, the resulting developable land totals approximately 31 acres. With 15% of that remaining acreage in open space (per the PUD requirements) and 10% set aside for water quality tract(s) – the resulting developable land totals 23+ net buildable acres. When additional land is subtracted for a wooded open space on the Moser property as anticipated in the SESMP (4 acres +/-) there actually only 19 net buildable acres available (at a maximum) for development of single family homes.

The Technical Memo from Julia Hajduk to Kevin Cronin included as an appendix item (#5) in the SESMP details the history of the zoning designations for the area, and clarifies the “downzoning” of the property as it was annexed into the City. The process employed throughout the SESMP evaluation provided an opportunity for citizens to “get involved” with development of a new plan for the area. This text amendment request carries the work completed for the SESMP to its culmination.

If the recommended text changes are approved by the Planning Commission and City Council there is opportunity for development of 70 + single family lots in this section of the city. The potential resulting density is similar to that anticipated by the SESMP.

Excerpted purpose statement from the SESMP

The Sherwood City Council agreed with the need for a master plan study and adopted Resolution 2005-059 on September 6, 2005 (see appendix 1). Primary goals include developing solutions to the problems of piecemeal development, exploring options to provide better urban levels of service, emergency response, transportation, tree preservation, open space for fish and wildlife habitat, and recreation opportunities such as walking trails.

Excerpted Alternatives Comparison from the SESMP

Alternatives Comparison

Alternative	A	B	C	B/C
Total # of proposed lots ¹	54	83	80	82
Acres of right-of-ways & alleys	6.5	7.1	9.4	7.1
Acres of open space	14	13	9	11
Gross Density ²	1.5	2.3	2.2	2.2
Net Density ³	3.35	5.03	4.39	4.43

1. Proposed lots - does not include 11 “existing” 1-acre lots.
2. Gross Density is equal to number of new lots divided by total acres of developable land. Total acres of developed land does not include “existing” lots. Roads, alleys, and open space have not been subtracted from total developable land. Total developable land equals 36.6 acres.
3. Net Density is equal to number of new lots divided by net acres of developable land (roads, alleys, and open space have been subtracted from total developable land area).

Excerpted Density Question from SESMP

Question 4: *Why is the City considering a new zoning designation or amending the existing Very Low Density designation?*

Answer: According to the Metro Housing Rule (OAR 660-007-0035), Sherwood is required to provide a minimum 6 units per acre for new housing. For example, the Washington County zoning designation is R-6, or six to an acre, for the Yuzon property, which is far and above the existing 1 acre minimum and is consistent with the state standard. Typically, when areas are annexed to the City a property is “upzoned” to an urban density and not “downzoned” to a rural density located in a city limits. The City is simply following the pre-existing zoning that was in place before annexation. The City is honoring the property owners request to review the zoning standards because they see higher densities all around them. From a market perspective, in order to privately finance public improvements, and reduce the burden on taxpayers, the development community needs a project “to pencil out” so different land use scenarios need to be considered prior to any master plan being adopted.

Chapter 16.80 - PLAN AMENDMENTS

16.80.010 - Initiation of Amendments

An amendment to the City Zoning Map or text of the Comprehensive Plan may be initiated by the Council, Commission, or an owner of property within the City.

Response: The amendment is being initiated by a property owner.

16.80.020 – Amendment Procedures

Zoning Map or Text Amendment

A. *Application - An application for a Zoning Map or text amendment shall be on forms provided by the City and shall be accompanied by a fee pursuant to Section 16.74.010*

Response: The proposed text amendment application is considered a **legislative action** and is requested on the general land use application form, accompanied by the required application fee.

B. *Public Notice - Public notice shall be given pursuant to Chapter 16.72*

Response: As a Type V **legislative action** application - Chapter 16.72.020 requires public notice for the required hearings to be both in the newspaper and posted in several locations throughout the city. Mailed notice to property owners is not required because this application is for a text amendment that is not specific to any single parcel of land. The application fee paid to the City includes monies to cover the public notice costs for the proposed text amendment.

C. *Commission Review - The Commission shall conduct a public hearing on the proposed amendment and provide a report and recommendation to the Council. The decision of the Commission shall include findings as required in Section 16.80.030*

Response: The proposed text amendment application will be reviewed by the Planning Commission at a public hearing.

D. *Council Review - Upon receipt of a report and recommendation from the Commission, the Council shall conduct a public hearing. The Council's decision shall include findings as required in Section 16.80.030. Approval of the request shall be in the form of an ordinance.*

Response: The proposed text amendment application will be reviewed by the City Council at a public hearing.

16.80.030 - Review Criteria

A. *Text Amendment*

An amendment to the text of the Comprehensive Plan shall be based upon a need for such an amendment as identified by the Council or the Commission. Such an amendment shall be consistent with the intent of the adopted Sherwood Comprehensive Plan, and with all other provisions of the Plan, the Transportation System Plan and this Code, and with any applicable State or City statutes and regulations, including this Section.

Response: The proposed text amendment is in response to PC Resolution 2006-001. The Planning Commission accepted the SE Sherwood Master Plan Report and approved a process to implement the plan. The PC resolved to consider development proposals that are consistent with the principals and goals listed in the SE Sherwood Master Plan. The specific amendments to the text are contained in Exhibit 'A'.

Comprehensive Plan

Response: The proposed text amendment does not include changes to the text of the Comprehensive Plan, but amends language of the development code, which implements the Comprehensive Plan. The proposed amendment continues to implement the Land Use goals and policies as they apply to Very Low Density Residential zoned lands.

Applicable Statewide Planning Goals

Goal 1: Citizen Involvement

Response: The purpose of Goal 1 is *“to develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process”*. The proposal is to amend the code to implement the elements of the SE Sherwood Master Plan that was accepted by the City and does not include changes to the citizen involvement program. There was extensive citizen involvement in the development of the SE Sherwood Master Plan, including several public workshops, meetings with property owners and planning commission meetings. This application process includes additional opportunities for public input as well. Citizens will be notified of the proposed text amendment changes as required by Section 16.72 and will have an opportunity to participate in the public hearings held before the Planning Commission and the City Council.

Goal 2: Land Use Planning

Response: The purpose of Goal 2 is *“to establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions”*. The proposal is to amend the code to incorporate criteria developed through the master plan process into the development code so that the SE Sherwood Master Plan can be implemented as accepted by the Planning Commission. The proposal does not include changes to the planning process.

Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces

Response: The purpose of Goal 5 is *“to protect natural resources and conserve scenic and historic areas and open spaces”*. The area within the boundaries of the SE Sherwood Master Plan includes steep slopes, wetlands and woodlands. The proposed plan amendment is to incorporate elements of the SE Sherwood Master Plan into the development code so that the plan can be implemented as accepted by the Planning Commission. The PC resolution includes specific performance targets for open space to conserve natural resources within the plan area. The proposed text amendment allows for increased net density in the VLDR zone and retains the 15% open space requirement if developed through a Planned Unit Development. Existing resource protections remain intact.

Goal 12: Transportation

Response: The purpose of Goal 12 is *“to provide and encourage a safe, convenient and economic transportation system”*. The proposal is to amend the development code to increase density on Very Low Density Residential lands to 4 units per net buildable acre, if processed

through a PUD. Allowing opportunities for increased density in the area of the SE Sherwood Master Plan will help make it economically feasible for development to pay for infrastructure. The proposed text amendment will not promote any changes to the adopted Transportation Systems Master Plan for the City of Sherwood.

B. Map Amendment

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan.....

Response: A map amendment is not proposed.

C. Transportation Planning Rule Consistency

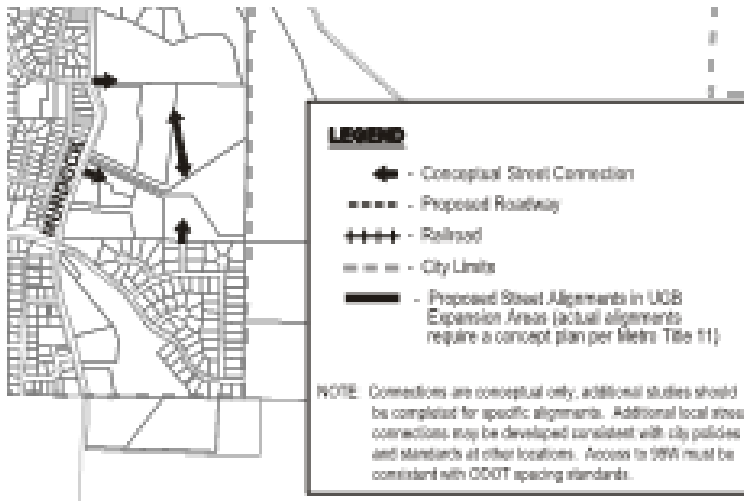
1. *Review of plan and text amendment applications for effect on transportation facilities. Proposals shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with OAR 660-12-0060 (the TPR). Review is required when a development application includes a proposed amendment to the Comprehensive Plan or changes to land use regulations.*
2. *"Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.*
3. *Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:*
 - a. *Limiting allowed uses to be consistent with the planned function of the transportation facility.*
 - b. *Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.*
 - c. *Altering land use designations, densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes.*

Response: The proposal is to incorporate elements of the SE Sherwood Master Plan into the development code so that the plan can be implemented. Transportation analysis conducted during the SE Sherwood Master Plan process concluded that the street system serving the area is planned to have adequate capacity to accommodate the alternatives presented. The analysis considered trip generation increases for net densities ranging from 3.35 to 5.03 units per acre. The proposed text amendment is for a change in net density on VLDR lands to 4 units per net buildable acre if developed through the PUD process. This change reflects the net density of the 'recommended plan' in the SE Sherwood Master Plan that was accepted by the Planning Commission. Topography and geology of the area present infrastructure challenges and approval of the amendments will make it feasible for transportation facilities planned for by the City to be completed.

The functional classification of all public streets within and adjacent to the VLDR-zoned parcels has been evaluated with the conclusions of the SESMP in mind. Development of the few

remaining vacant parcels of land within the VLDR district under the proposed densities envisioned with this text amendment will not result in levels of travel or access that is inconsistent with the existing functional classification of the identified streets.

While not an approval criteria, it is critical to understand that the City of Sherwood Transportation Systems Plan – adopted in 2005 – requires connectivity as illustrated in the excerpt below.

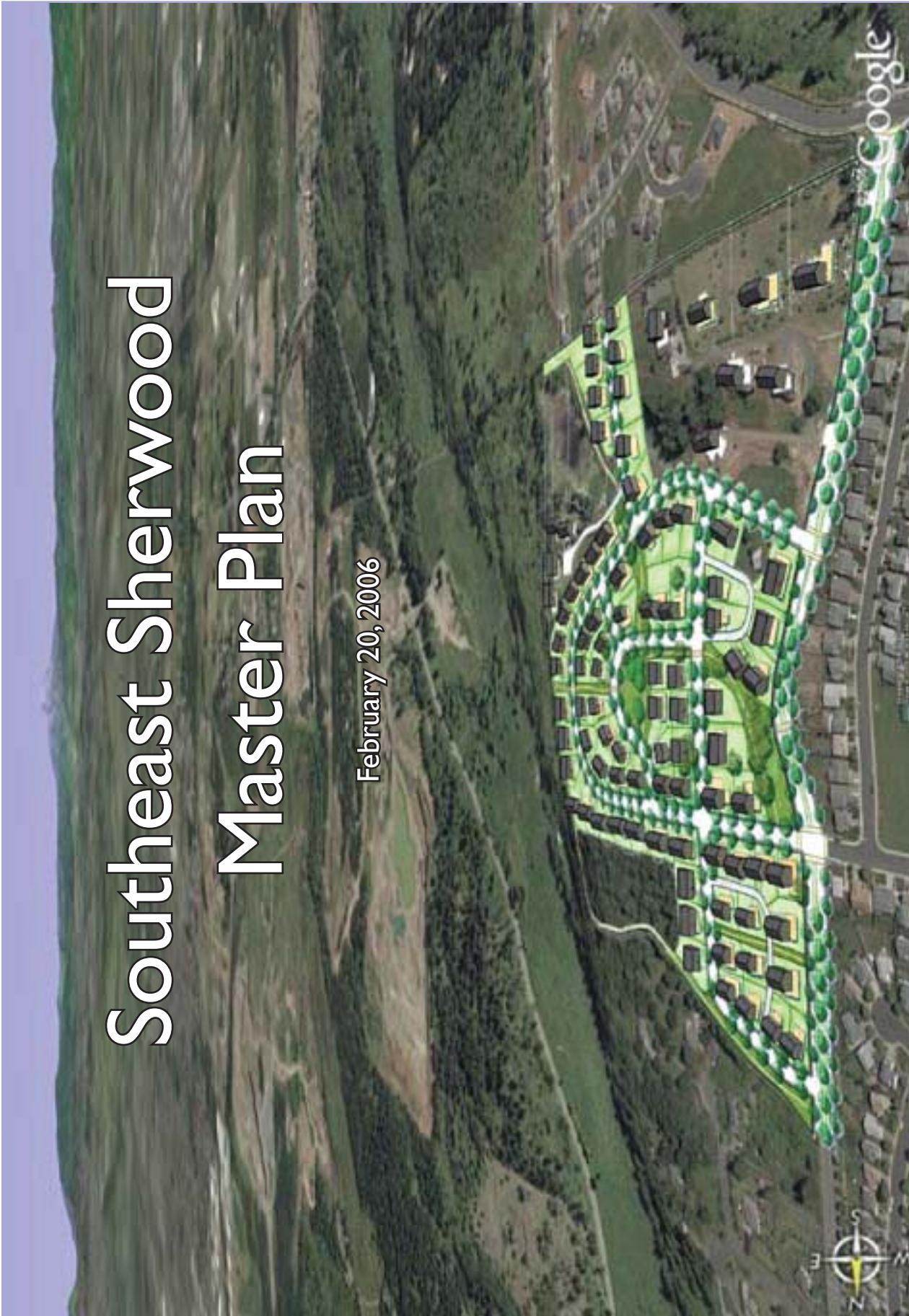


**Figure 8-8
LOCAL STREET CONNECTIVITY**

This connectivity was considered in the SESMP, and was reflected in each of the design scenarios. Furthermore – commentary in the SESMP reflected the need for development at densities that could support the construction of the desired infrastructure. The proposed text amendment facilitates development at a density that can provide the necessary transportation system elements.

Southeast Sherwood Master Plan

February 20, 2006



Prepared for the:
City of Sherwood
Oregon Transportation and Growth Management Program
A joint program of the Department of Transportation and
the Department of Land Conservation and Development



In association with
DKS Associates



Funding

The Southeast Sherwood Master Plan was prepared with funding from the State of Oregon through the Transportation and Growth Management (TGM) Program, a joint program of the Department of Transportation and the Department of Land Conservation and Development.

The TGM program supports community efforts to expand transportation choices for people. By linking land use and transportation planning, TGM works in partnership with local governments to create vibrant, livable places in which people can walk, bike, take transit or drive where they want to go.



Acknowledgements

City of Sherwood Planning Commission

Adrian Emery - Chair
Patrick Allen - Vice Chair
Jean Lafayette
Dan Balza
Matt Nolan
Russell Griffin
Todd Skelton

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Oregon Transportation and Growth Management Program

Matthew Crall, TGM Project Manager

Special thanks is extended to Patrick Allen, Jean Lafayette, and Matt Nolan for their dedication to this project.



Oregon Department of
Land Conservation and
Development



Oregon Department of
Transportation

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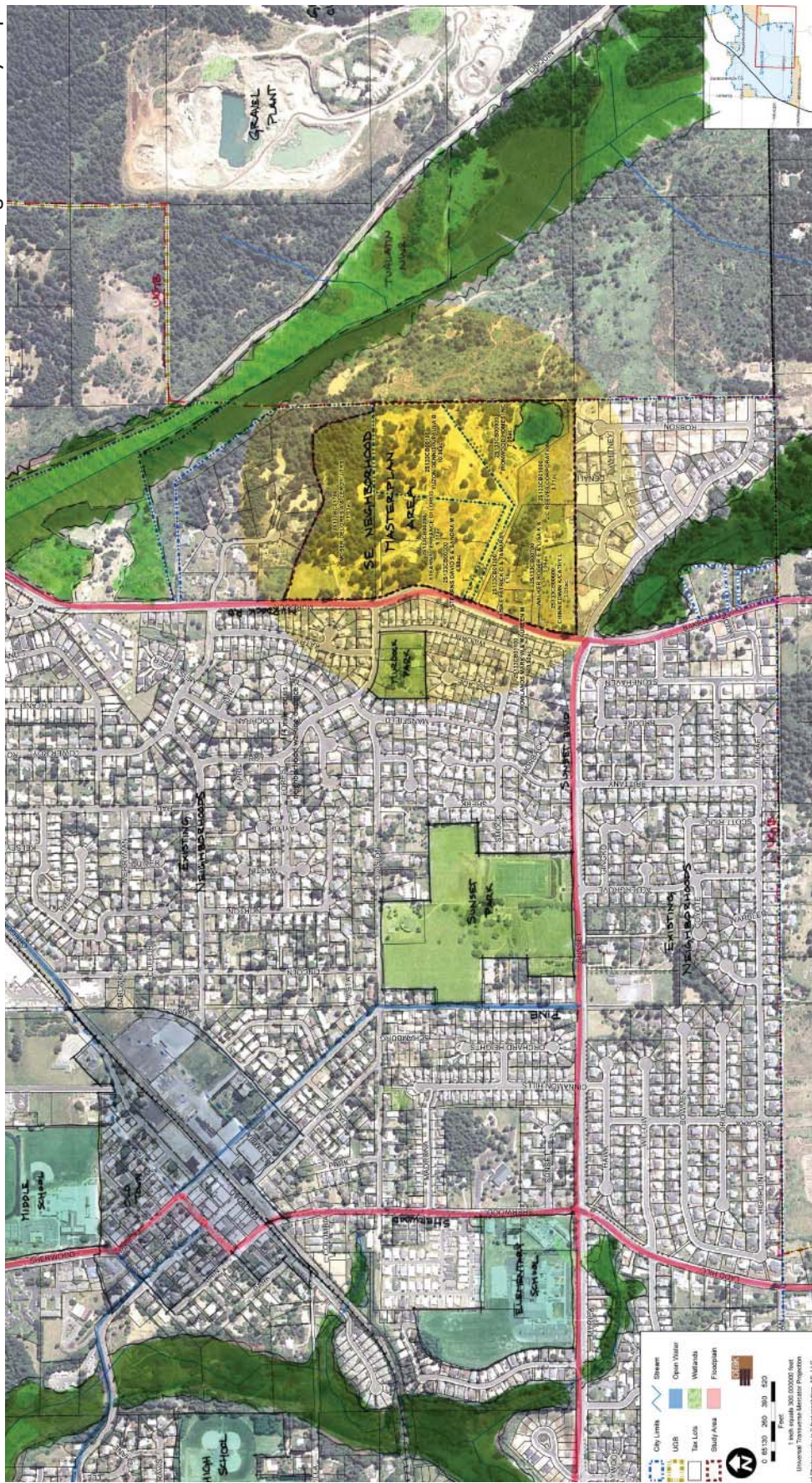
I. Background

Introduction

The SE Sherwood Master Plan is a guide for the transition of a 55-acre area in Sherwood, Oregon into a new, walkable neighborhood. The plan is intended to coordinate the separate land use actions and infrastructure investments of property owners, developers, and the City of Sherwood to create a cohesive, livable neighborhood.

The study area is located east of Murdock Road and extends to the eastern limits of the City and urban growth boundary (UGB) (see figure 1). The study area consists of 11 parcels, zoned Very Low Density Residential (VLDR), and nine existing homes.

Figure 1 - Vicinity Map



Purpose

The purpose of the master plan is for the City of Sherwood to be proactive in coordinating future development of the site. Making good use of the City's urban land supply is consistent with smart growth principles to use land resources efficiently and take advantage of existing urban services. It is also consistent with Sherwood's Comprehensive Plan policies regarding the integration of land use, transportation, open space, natural resource conservation, and preservation of historic resources.

Prior to initiating the study, the City held two informal neighborhood meetings to discuss issues and potential solutions, pre-application meetings for two subdivisions, and heard interest in development proposals from other owners. Based on the potential for piecemeal development, the City concluded that there was a need for a master plan to guide the transition of the area.

The Sherwood City Council agreed with the need for a master plan study and adopted Resolution 2005-059 on September 6, 2005 (see appendix 1). Primary goals include developing solutions to the problems of piecemeal development, exploring options to provide better urban levels of service, emergency response, transportation, tree preservation, open space for fish and wildlife habitat, and recreation opportunities such as walking trails.

The City applied for and received a grant from the Oregon Transportation and Growth Management Program to conduct the master plan process. As stated in the grant's statement of work, which was endorsed by the City Council, the goals of the study were to plan:

- A. *A pedestrian friendly transportation system that will link the site with nearby residential developments, parks, schools, commercial sites, and other destinations;*

- B. *An increase in residential densities;*
- C. *A land use plan that provides for a mix of housing types that is compatible with adjacent uses;*
- D. *Conceptual plans for public facilities (roads, paths, water, sewer and storm drainage) needed to support the land use plan;*
- E. *Implementing strategies including map and text amendments for the City to adopt (to be prepared by the City); and*
- F. *A high level of neighborhood and citizen involvement.*

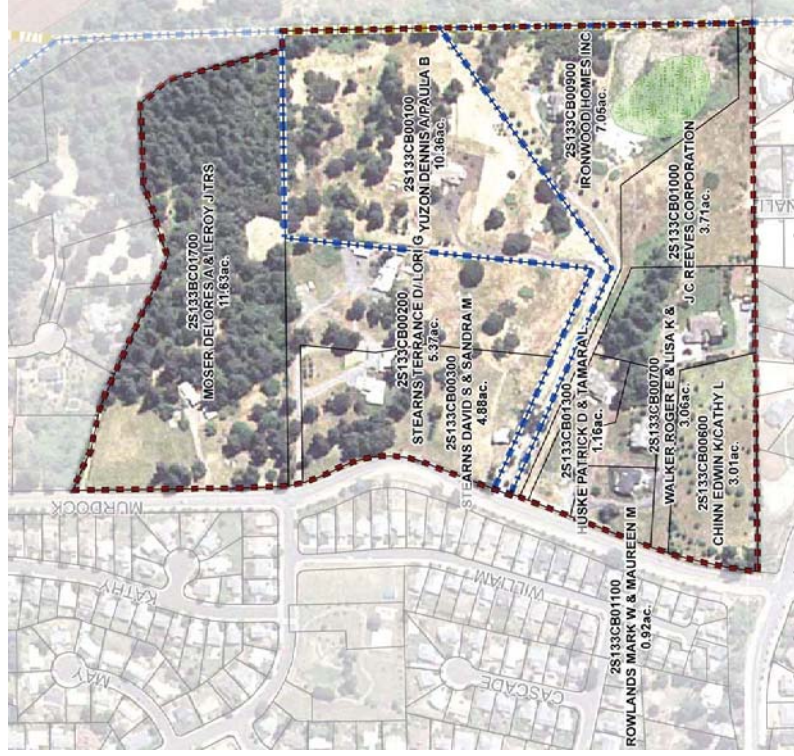


Figure 2 - Study Area and Property Ownership, September 2005

Process

The master plan was prepared with the input of property owners, developer representatives, neighbors, and City representatives. A series of three open houses were held between October, 2005 and January, 2006. Please see appendix 2, 3, and 4 for the materials and meeting summaries from the open houses. The City developed a project webpage, which was used along with electronic meeting notices and postcards, to provide ongoing information about the project. The process, in summary, included the following steps.

September 21, 2005 – Pre-application conference with property owners and developers.

September 21 – October 13, 2005 – Three site visits by the project team, with mapping of existing conditions.

October 6 and 12, 2005 – Interviews with property owners.

October 26, 2005 – Open House No 1. In this workshop, thirty-two participants viewed background materials regarding existing conditions, opportunities and constraints, transportation issues, frequently asked questions, and smart growth principles. An exit questionnaire was used to obtain feedback. The meeting was held at the Sherwood Police Facility.

November 30, 2005 – Open House No 2. In this workshop, following the open house portion, three working alternative plans were presented. Thirty-nine participants attended the meeting. The meeting was held at the Sherwood YMCA.

January 18, 2006 – Open House No. 3. This workshop was originally planned to present a “preferred” alternative. Based on feedback from the November open house, the meeting was redesigned to continue the development and evaluation of the alternatives. The meeting was held at the new Sherwood Civic Center in Old Town.

The following information was reviewed by the community at the third open house:

- The three previous alternatives from November (Alternatives A, B, and C);
- A new hybrid alternative (Alternative B/C) that responded to issues raised in November;
- Perspective images of the alternatives using the master plans overlaid on Google Earth imagery;
- An illustration of a proposed public park on the property; and
- Information about smart development practices, green streets, and low impact development practices.

In addition to the above, a “Design Your Own Alternative” station was included, where citizens worked with one of Otak’s designers to discuss and create additional ideas. The results from that station are included in appendix 4-d of this report. AKS Engineering, who represents several property owners, brought their own alternative master plans to the workshop. They set up a station and discussed their ideas with participants. Forty-one people attended the third Open House. Seventeen people filled out exit questionnaires and/or submitted letters and e-mail comments.

II. Opportunities and Constraints

The site has multiple environmental constraints which can also be viewed as potential opportunities. These opportunities and constraints are illustrated in figure 3, as well as described in detail in the opportunities and constraints memorandum included in appendix 2-e.

A 2.25-acre wetland is located in the southeast corner of the site. According to neighbors, this wetland has standing water except in the driest summer months. The wetland is an opportunity for the future neighborhood to have passive open space, wildlife habitat, and a natural stormwater area. Neighbors expressed concern about impacts to the wetland area including pesticide runoff, groundwater recharge, and the importance of the wetland as wildlife habitat.

The northern portion of the site has a 12-acre mixed woodland. It includes a variety of secondary growth mature trees, including Madrone, Douglas Fir, and others. Metro's natural resource (Goal 5) inventory describes this area as Class A (highest-value) wildlife habitat. According to a long-term resident, the area provides habitat for many species of mammals and birds. Wildlife moving through the Tonquin lowlands also travel through this portion of the site.

Small tree groves and isolated large trees extend from the northwest to the southeast portion of the site. These trees are a defining feature of the landscape in the interior portion of the site.

The wooded areas and trees are an opportunity to provide visual and open space amenities for the neighborhood. They also provide a challenge for site design. This site is marked by channels, depressions, and bedrock knolls that are part of the broader Tonquin Scablands Geological Area sculpted by ancient glacial flooding. There are two high points, one in the center of the property (elevation 315 feet) and one on the south (elevation 360 feet), with sloping terrain between them. These hilltops have great views, including a view of Mount Hood to the east. The unique terrain of this site provides an opportunity for very appealing home sites, but also provides a challenge to a connected circulation network and cohesive neighborhood design.

Preserving the natural environment of the site (including wildlife habitat, wetlands, steep slopes, endangered species, Tonquin Scablands, and mature vegetation) was mentioned in the majority of the comments received from the first open house. At least one of the above issues was raised by every respondent.

Figure 3 - Opportunities and Constraints Map



Adjacent land uses are summarized as follows:

North: Fair Oaks Subdivision, large lots (1-acre or larger) single family detached homes;

South: Sherwood View Estates, medium lots (approximately 12,000 square feet) single family detached homes;

West: Across Murdock Road, small lots (approximately 6,000 square feet) single family detached homes; and

East: Open space and Resource Land.

Of the comments received from the first open house, the second major concern was the desire of some of the residents within and most adjacent to the project area to maintain the existing Very Low Density Residential (VLDR) zoning of the site. However, some respondents were willing to consider additional density if the existing rural character of the neighborhood was maintained, and proposed lots that were smaller than one acre were placed in the center of the project, buffered from the existing lots.

- Transportation conditions and issues are described in the Baseline Conditions Transportation Memorandum, prepared by DKS Associates (see appendix 2-d). Transportation conditions, opportunities and constraints include the following:
 - Southwest Murdock Road is classified as an arterial and has a posted speed limit of 35 miles per hour. The average daily traffic (ADT) on the road is approximately 6,000 vehicles. A sidewalk only exists on the east side of the street for approximately half the distance between Division Street and Oregon Street. Bike lanes are not provided.
 - Southeast Roy Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane street has sidewalks along both sides and a trail which leads to Murdock Park on the south side of the street. Bike lanes are not provided.
 - West Sunset Boulevard is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway has sidewalks along both sides and serves approximately 6,000 vehicles per day. Bike lanes are not provided.

- The following table lists performance level of each of the three study intersections. The three intersections in the study area are all operating at level-of-service (LOS) C or better, which meets the City of Sherwood LOS standard of LOS D.

Existing PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
SW Murdock Road/Oregon Street	Roundabout	A	7.3	0.68
SW Murdock Road/SE Willamette Street	2-Way Stop	A/C	--	--
SW Murdock Road/W Sunset Boulevard	All-Way Stop	B	10.4	0.44

- The Sherwood Transportation System Plan requires local street connections to Denali Lane and Roy Street when the area develops.

III. Alternatives

The Southeast Sherwood Master Plan was prepared through a process of preparing and refining alternatives. Otak prepared four alternatives over the course of Open Houses 2 and 3, as follows:

Open House 2 – Alternatives A, B, and C were presented and discussed with attendees. Comments on the plans were submitted during and following the Open House. Comments received from this open house are summarized in appendix 3-b. These alternatives are described on the following pages.

Open House 3 – Following Open House 2, the City directed Otak to prepare a hybrid plan using: (1) the best features from Alternatives A, B, and C; (2) input received at Open House 2; and, (3) an evaluation of how the plan could be refined to follow ownership boundaries as much as possible. Alternative B/C emerged from this direction. Alternative B/C is described in this report in Section IV, Recommended Plan.

In addition to the four alternatives prepared by Otak, five other plans were created during the process. They include:

Citizen Alternatives – During Open House 3, a “Create Your Own Alternative” station was provided. This station allowed attendees to analyze the site, discuss options, and draw their own alternative. This was a lively and creative session that resulted in the four plans included in appendix 4-d.

AKS Alternative – AKS Engineering, representing several of the property owners who desire to potentially develop their property, prepared an alternative. This plan was brought to Open House 3, where AKS set up their own station and discussed the plan with attendees. The AKS alternative is included in appendix 4-e.



Figure 4 - “Create Your Own Alternative” - Example



Figure 5 - Alternative A Plan View

Alternative A

Alternative A was presented at both the second and third open houses. The image shown to the right is the revised drawing, as shown at the third open house. Highlights of Alternative A include:

- 54 new lots (+ 11 existing = 65 Total)
 - 14 acres of open space
 - 6.5 acres of local streets and alleys
 - Two main areas of open space: a five acre area located at the northern woodland and an eight acre corridor that connects and preserves treed areas to the wetland.
 - Retention of the Historic Murdock Barn as an open space tract.
 - A looping street pattern that follows the topography.
 - Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane (south-bound left turn prohibited).
 - A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
 - Lots ranging from 5,000 square feet to 1-acre.
 - A gross density of 1.5 units/acre and a net density (net of existing lots) of 3.4 units/acre.
 - The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
53. This alternative could be developed under current zoning with a planned unit development (PUD) overlay.

Alternative B

Highlights of Alternative B include:

- 83 new lots (+ 11 existing = 94 Total)
- 13 acres of open space
- 7.1 acres of local streets and alleys
- Three main areas of open space: a five acre area located at the northern woodland, a one acre neighborhood park, and a six acre corridor that connects treed areas to the wetland.
- Retention of the Historic Murdock Barn as an open space tract.
- A looping street pattern that follows the topography and provides an edge to the park.
- Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane. A fourth connection to Murdock Road is made at the north property line.
- A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
- Lots ranging from 5,000 square feet to 1-acre, with many lots in the 7,000 – 10,000 square foot range.
- A gross density of 2.3 units/acre and a net density (net of existing lots) of 5 units/acre.
- The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
- This alternative would require a text amendment to the VLDR zone district.



Figure 6 - Alternative B Plan View

Alternative C

Highlights of Alternative C include:

- 80 new lots (+ 11 existing = 91 Total)
 - 9 acres of open space
 - 9.4 acres of local streets and alleys
 - Open spaces as follows: a three acre area located at the northern woodland, two open space corridors, and a view point in the center of the site.
 - Retention of the Historic Murdock Barn as an open space tract.
 - A looping street pattern that follows the topography. All new streets are double-loaded with lots.
 - Connections to existing streets are made at Denali Lane, Roy Street, and Ironwood Lane. An alley connection to Murdock Road is made at the north property line.
 - A pathway network connects all of the open spaces. A mid-block pedestrian crossing is provided on Murdock Road.
 - Lots ranging from 5,600 square feet to 0.5-acre, with many lots in the 10,000 – 15,000 square foot range.
 - A gross density of 2.2 units/acre and a net density (net of existing lots) of 4.4 units/acre.
 - The layout of new lots does not conform to existing ownership boundaries – cooperation between property owners would be needed to process land use approvals.
51. This alternative would require a text amendment to the VLDR zoning district.

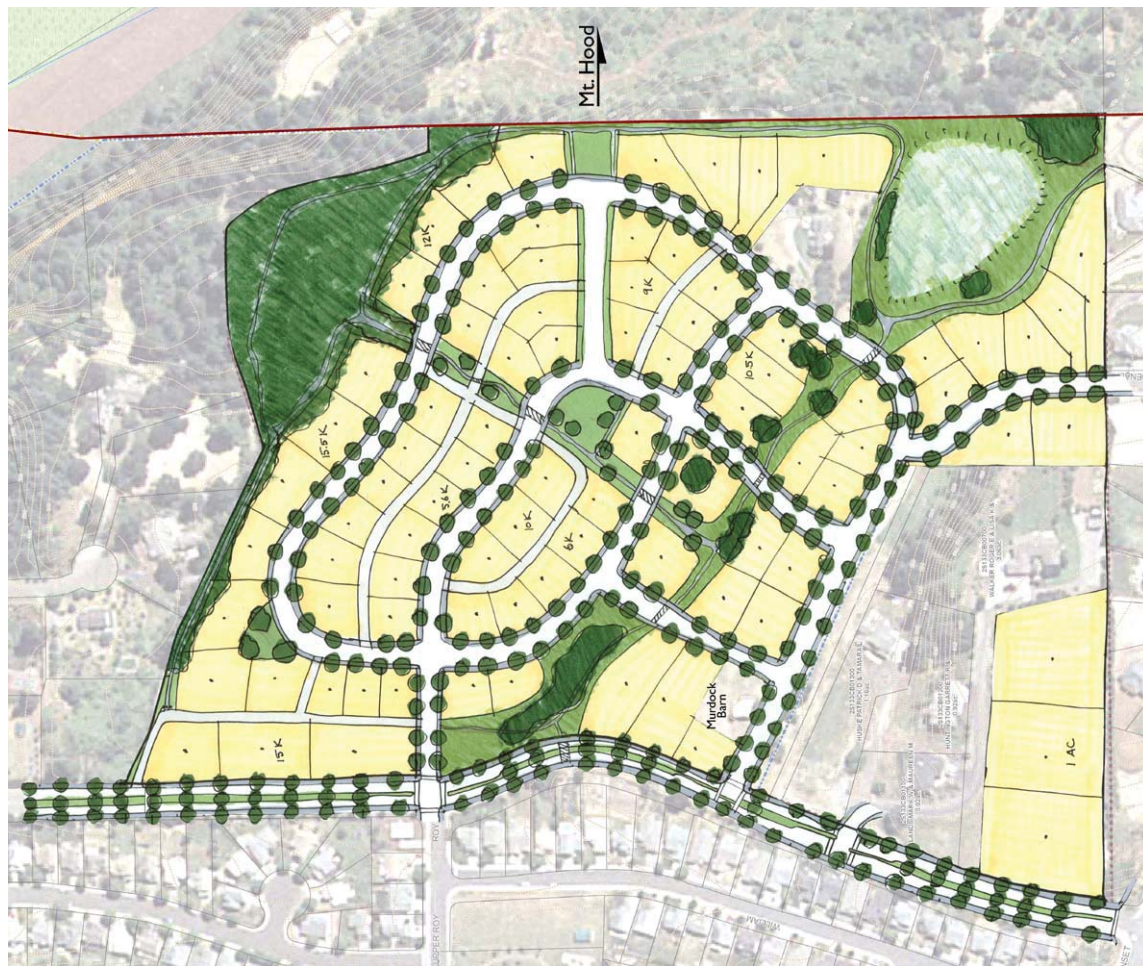


Figure 7 - Alternative C Plan View

Alternatives Comparison

Alternative	A	B	C	B/C
Total # of proposed lots ¹	54	83	80	82
Acres of right-of-ways & alleys	6.5	7.1	9.4	7.1
Acres of open space	14	13	9	11
Gross Density ²	1.5	2.3	2.2	2.2
Net Density ³	3.35	5.03	4.39	4.43

1. Proposed lots - does not include 11 "existing" 1-acre lots.
2. Gross Density is equal to number of new lots divided by total acres of developable land. Total acres of developed land does not include "existing" lots. Roads, alleys, and open space have not been subtracted from total developable land. Total developable land equals 36.6 acres.
3. Net Density is equal to number of new lots divided by net acres of developable land (roads, alleys, and open space have been subtracted from total developable land area).

IV. Recommended Plan

Overall Character

The recommended plan (Alternative B/C) is a 55-acre neighborhood characterized by a mix of large- and medium-lot homes, a variety of open spaces, and a network of streets and paths. It is designed as a walkable neighborhood. The design strikes a balance between compatibility with adjacent uses and densities that are characteristic of Sherwood's low density neighborhoods. The layout generally follows the existing ownership boundaries in order to facilitate future land use approvals.

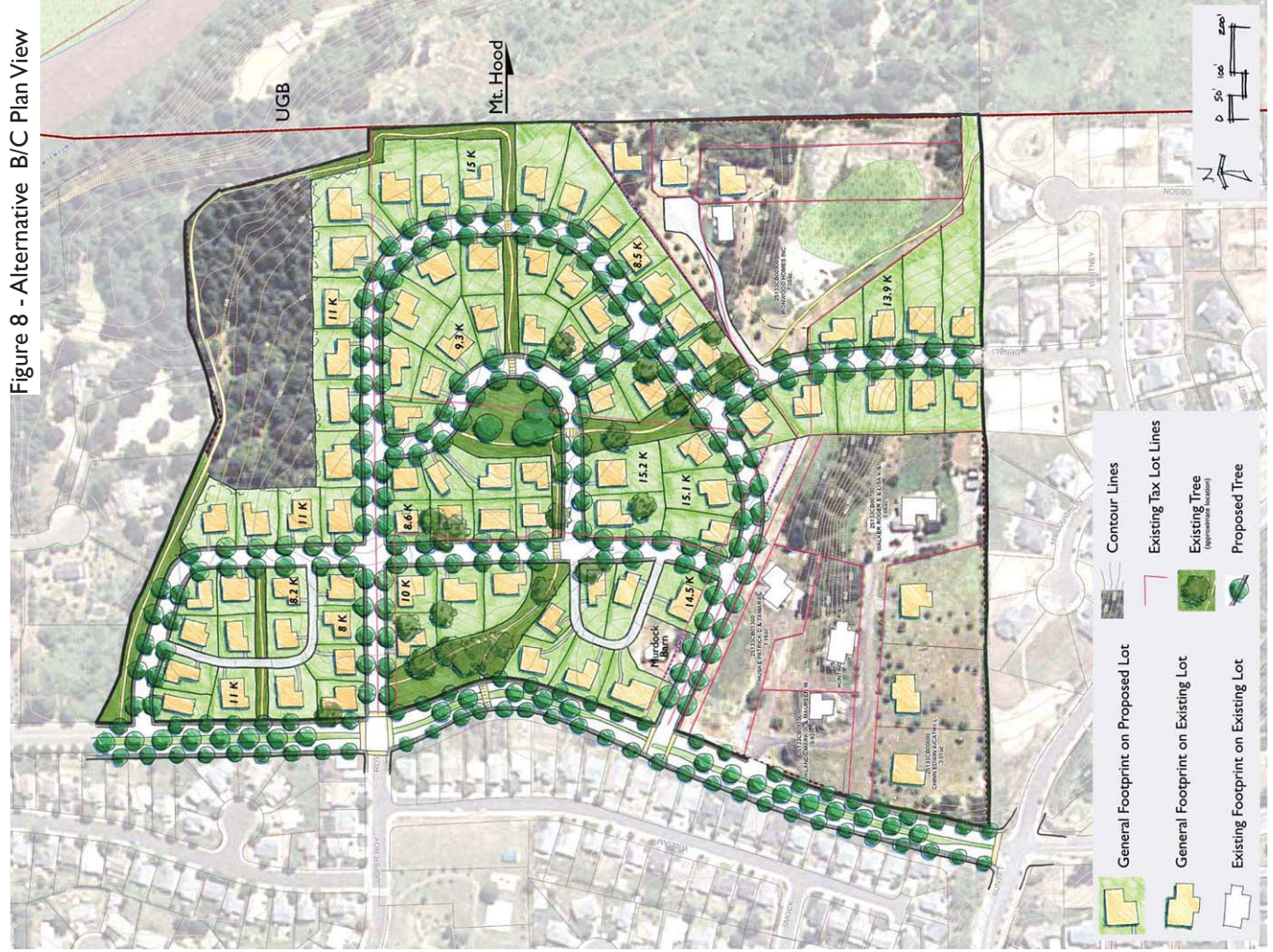
Residential Density

The 82 new lots on this plan have an approximate gross density of 2.2 units per acre, not including existing lots. The approximate net density is 4.4 units per acre, when streets and open space are not included. Development of this plan would require a text change to the Sherwood Zoning and Development Code Very Low Density Residential (VLDR) zoning district to allow approval as a Planned Unit Development.

Coordination with Existing Ownerships

The design of the neighborhood conforms very closely to the pattern of existing ownerships. Wherever possible, existing parcel lines have been used as the boundary for streets or lots. This will enable separate land use approvals that, together, will knit into a cohesive neighborhood plan. Some refinements to the plan will be required during implementation.

Figure 8 - Alternative B/C Plan View



Housing Variety

The plan includes 82 “new” lots, i.e. the colored lots illustrated on Figure 8. These comprise the undeveloped portions of the site. The plan assumes that four existing homes would be redeveloped. Two of these redeveloped homes (tax lots 2S 1.33 CB 200 and 300, see figure 2) are consistent with input received from property owners. With small refinements, all four of these homes could be easily incorporated into the recommended plan.



Figure 9 - Recommended Plan with existing homes and lot lines highlighted.

The plan also has 11 lots on existing or future one acre parcels. These include the southwest corner and the four lots comprising Ironwood Estates, a subdivision approved in May 2004. The property owners in the southwest corner of the site do not want further subdivision of their properties.

The overall transition of lot sizes is a “transect” of increasing density from 1-acre lots in the southwest corner, to approximately 15,000 square-foot new lots in the south and middle areas, to 8,000 – 10,000 square feet in the north. This method of design provides a buffer to the existing homes and intensifies towards the center of the plan area, away from the existing neighborhood.

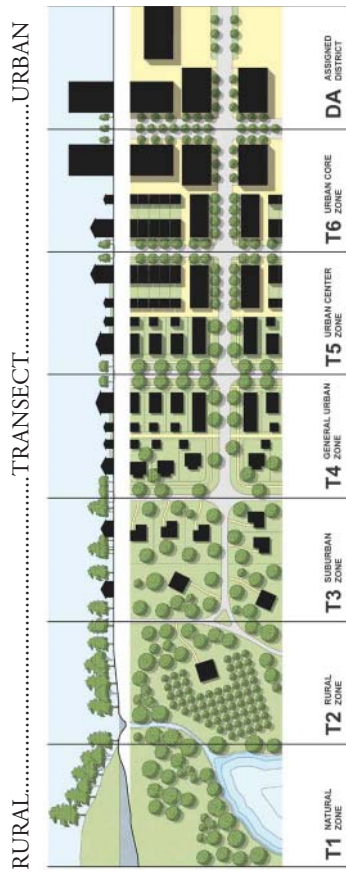


Figure 10 - Transect Diagram. This diagram illustrates a complete application of transect design, from central city to rural edge. Courtesy of Duany Plater - Zyberk & Company.

Open Space

The plan includes 11 acres of open space that is woven throughout the neighborhood. The main open space is 4.5 acres clustered in the northern wooded area. This space is connected to Murdock Road by a green 25-50 foot-wide linear buffer of open space and walking path along the north edge of the site. A one acre neighborhood park is located in the center of the neighborhood at the high point of the site. This prominent location provides views (including an eastward view to Mt. Hood) and serves to organize the pattern of streets and lots around it. The park is visually and physically connected to two open space tracts extending to the south and west.

A grove of trees is preserved at the newly formed intersection of Roy Street and Murdock Road. This location may also accommodate stormwater facilities. The Murdock Barn is preserved and allows a subdivision of the parent parcel.

The wetland area at the south end of Ironwood Estates is key open space. It is a delineated wetland that is part of the lots recorded on the Ironwood Estates plat. One of the off-road pedestrian paths extends along its west edge.

Wetland in southeast corner of the site



Circulation

The streets form a connected system of blocks that follow the topography of the site. Connections are made at Roy Street and Denali Lane, as required by the Sherwood Transportation System Plan. A new connection to Murdock Road is proposed at the north end of the site. The existing access to Murdock Road, Ironwood Lane, is illustrated with a prohibited south-bound left turn due to sight distance. More site specific mapping is recommended to determine the degree of the sight distance problem. It is likely that modifications to Murdock Road could improve the sight distance to allow for left turns from the site onto Murdock Road. This is further described in the DKS Alternatives Transportation Analysis (appendix 3-c). There are 7.1 acres of land dedicated to local streets and alleys.

The street circulation is supplemented by a network of off-road pedestrian paths. The paths form a walking loop around the north half of the site that connect all of the northern open spaces. A path extends south from the neighborhood park to the wetlands and connects to the cul-de-sac at the north end of Robson Road.

Murdock Road 2005 - looking south



Green Streets

As part of a larger strategy for low impact infrastructure and development practices, green streets should be considered for Murdock Road and the local circulation within the Southeast Sherwood Master Plan area.

Issues to be considered include accommodation of adequate parking on residential streets, the feasibility of soils and drainage characteristics, maintenance of green streets, and how green street storm water conveyance will work with other water quality facilities. Three green street cross sections (two local streets to use within the plan area and one for Murdock Road) have been prepared and are illustrated below. For additional information, the Metro Green Streets Handbook is available at <http://www.metro-region.org/article.cfm?ArticleID=262>.

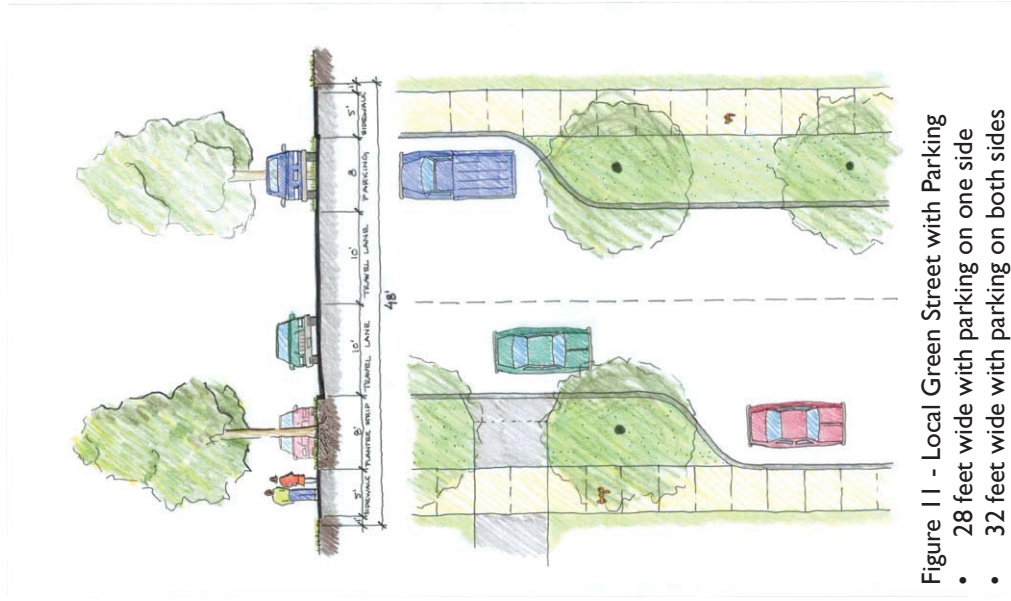


Figure 11 - Local Green Street with Parking

- 28 feet wide with parking on one side
- 32 feet wide with parking on both sides

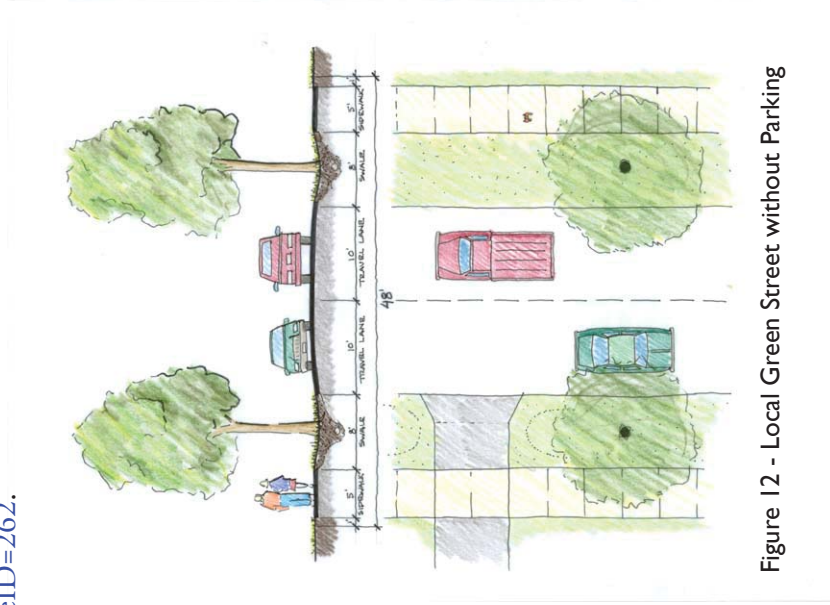


Figure 12 - Local Green Street without Parking

Figure 14 - Murdock Road Green Street Design, Plan View

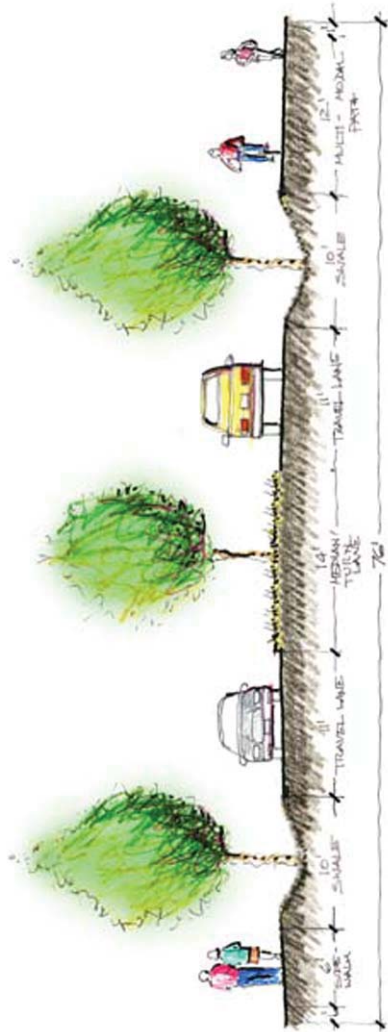
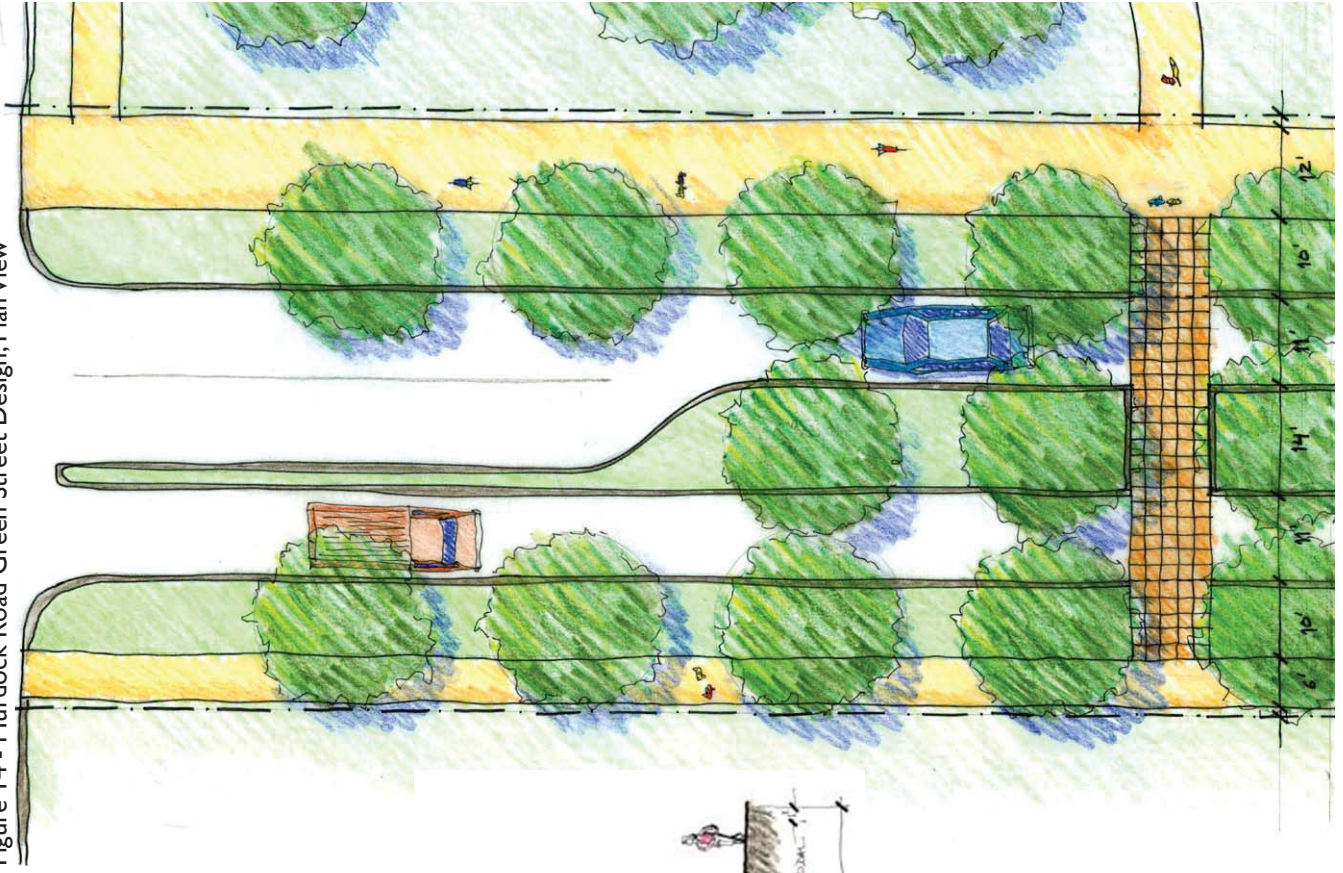


Figure 13 - Murdock Road Green Street Design, Cross-Section

Curb Options



Figure Courtesy of Green Streets - Innovative Solutions for Stormwater and Stream Crossings, METRO. 2002



Green Street in Seattle Washington - Courtesy of Seattle's pilot Street Edge Alternatives Project (SEA Streets)

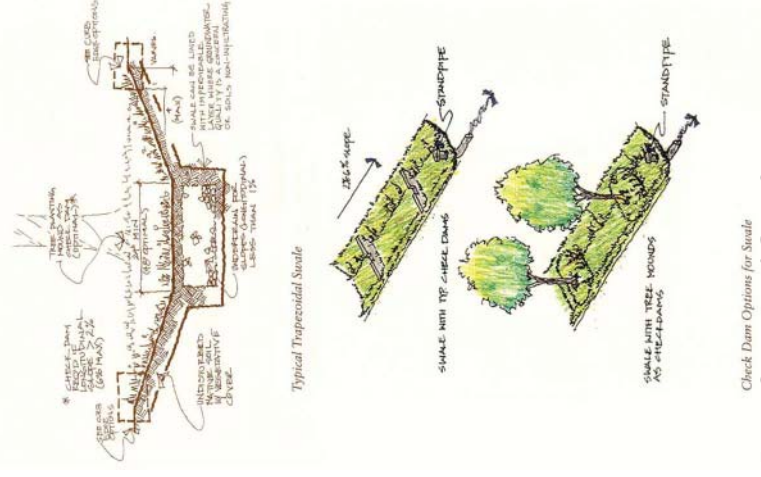


Figure Courtesy of Green Streets - Innovative Solutions for Stormwater and Stream Crossings, METRO 2002.

Rationale for Recommended Plan

The recommended master plan is Alternative B/C as illustrated in Figure 15. As described in previous sections of this report, this alternative grew out of the consideration of all of the other alternatives, plus commentary from participants in the process. The following describes the reasons why Alternative B/C is recommended, using the project goals (in italics) as organizing criteria.

A. A pedestrian friendly transportation system that will link the site with nearby residential developments, parks, schools, commercial sites and other destinations.

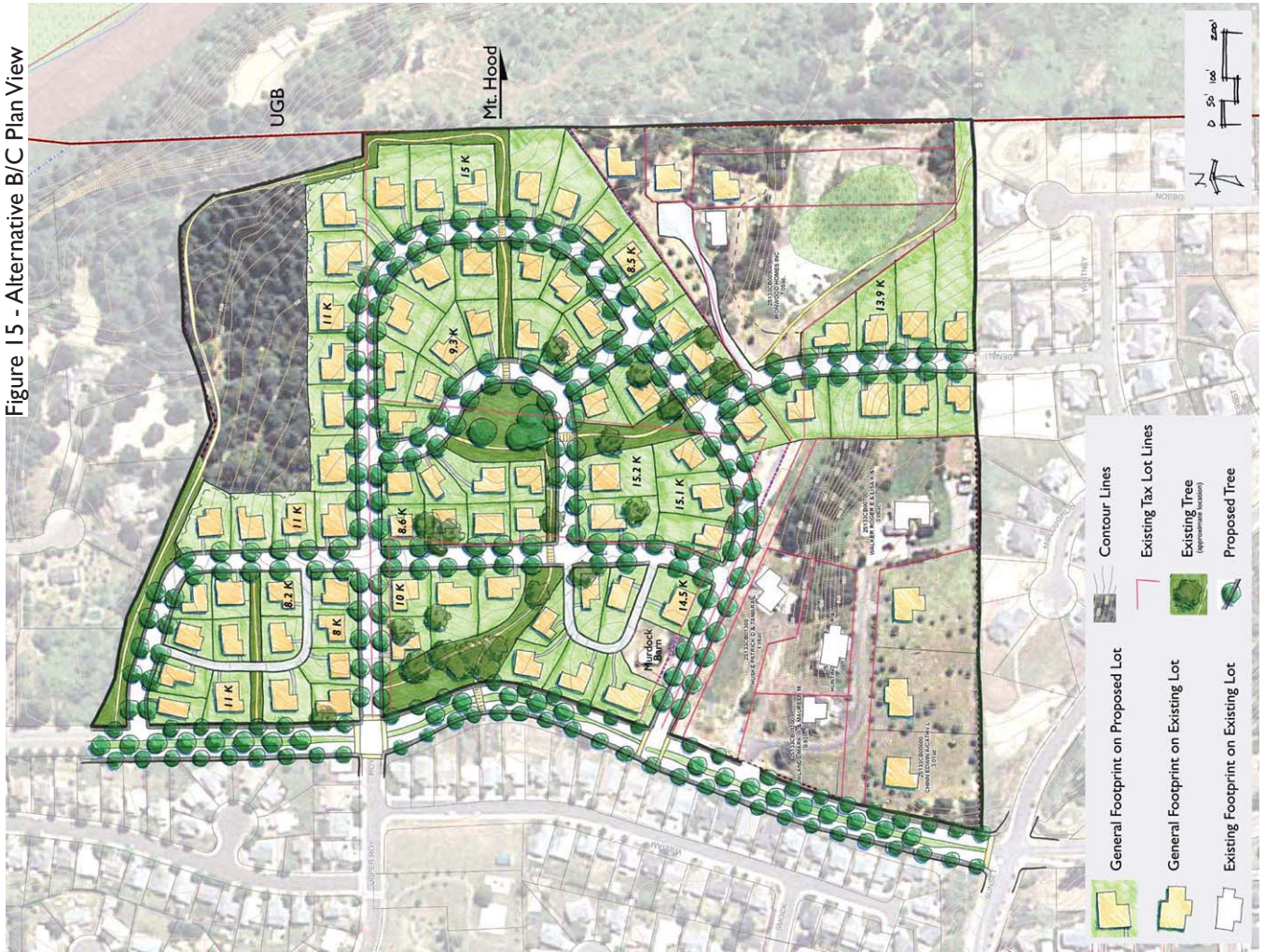
- All of the alternatives provide pedestrian friendly transportation systems to a strong degree.
- Alternative B/C has the best balance of “public realm” circulation because of the connected and logical pattern of streets and alleys.
- Alternative B/C also has an off-road path network that responds to site opportunities.

B. An increase in residential densities.

- Developer and City representatives emphasized the need for providing sufficient density to feasibly pay for infrastructure. Alternative B/C provides an 82-lot design that also has significant open space amenities. This is less than the developer preferred plan (AKS plan - appendix 4-e) of 121 lots with far less open space.

- Citizen input emphasized a preference for larger lots. Many citizens expressed a preference for the VLDR 1-acre zoning pattern. In the third workshop, some citizens who previously supported 1-acre zoning stated they were open to a variation of Alternative A. Alternative A is not recommended because it: (1) does not follow existing ownership lines, which makes coordinated land use approvals difficult; (2) has a disproportionate amount of open space on a few properties; and (3) may not have enough density to pay for infrastructure.
- Alternative B/C incorporates a “transect” of lot sizes from 1-acre lots in the southwest corner, to approximately 15,000 square-foot new lots in the south and middle areas, and to 8,000 – 10,000 square feet in the north. Alternative B/C also incorporates varied open space amenities throughout the neighborhood – this is an essential design feature to enhance neighborhood livability.
- Alternative B/C includes similar lot sizes across streets and in sub-areas of the plan. It also does not include 5,000 – 7,000 square foot lot sizes. These elements are responsive to comments received in the workshops.
- Alternative B/C provides 24 lots on the 12-acre Moser property at the north end of the site, while retaining a 4.5 acre open space in that location. This design maintains base density available under a planned unit development approval procedure, while preserving an important open space and wildlife habitat area.
- Alternative B/C follows existing lot lines as closely as the overall layout would allow.

Figure 15 - Alternative B/C Plan View



C. *A land use plan that provides for a mix of housing types and is compatible with adjacent uses.*

- Alternative B/C achieves a mix of lots sizes, without very small lots (5,000 square foot lots) and without too much variation in sub-areas of the plan. All lots are single-family detached, which is responsive to comments received at the first workshop. Accessory dwelling units would still be allowed.
- At the south end of the site, the 15,000 square foot lot pattern is compatible with the 12,000 square foot lot pattern to the south. The height and specific location of buildings along the Denali Lane extension will be important. The further east, and the lower in height, these homes are constructed, the less they will block eastward views from the adjacent home to the west.
- At the north end of the site, a 25-50 foot buffer with trail has been included to increase compatibility with the 1-acre homes and mature vegetation of Fair Oaks Subdivision. The large open space in this area is a key feature of Alternative B/C and ensures compatibility between the existing subdivision and new development.
- Along Murdock Road, the lot arrangements will provide a friendly neighborhood character that is much more open and green than the existing character of the west side of the street, which is dominated by rear yard fences.

D. *Conceptual plans for public facilities (roads, paths, water, sewer and storm drainage) needed to support the land use plan.*

- As noted above, Alternative B/C provides an 82-lot density (in balance with open space) to enhance the feasibility of paying for infrastructure.
- It provides a connected and clear pattern of public streets.
- Engineering of stormwater facilities was not part of the scope for this neighborhood design process. One or two lots within Alternative B/C may be needed for stormwater facilities. Green streets and low impact development practices are recommended in order to reduce water-related impacts and the land area required for detention basins.

Figure 16 - Alternative B/C Perspective View



- F. A high level of neighborhood and citizen involvement.*
- This project included significant involvement from project area owners and neighbors. Well over 120 individuals attended all three workshops. Further description of neighborhood and citizen involvement is described in Sections I and III of this report as well as in appendixes 2, 3, and 4.
 - At the outset of the project, it was hoped that the large public involvement effort would result in a consensus plan with widespread support. However, generally speaking, neighbors and citizens did not support Alternative B/C. And although there was some neighborhood support for Alternative A, this alternative did not achieve the project goals. Conversely, the AKS Plan is not supported by the City or neighbors. The recommended plan responds to as many of the comments as possible and strikes a carefully considered balance between Alternative A and the AKS Plan.

Figure 17 - Alternative B/C Illustrated View of Park



- As noted in the transportation analysis, the City's requirements for sight distance are not achieved at the intersection of the proposed southern access and Murdock Road. However, the relocation of this intersection (as shown in Alternative B) was strongly opposed by all participants. More site specific mapping is recommended to determine the degree of the sight distance problem. It is likely that modifications to the alignment of Murdock Road will be needed, as described in the DKS report (appendix 2-d).
- Alternative B/C includes a 1-acre hilltop park. The park is recommended because of its unique location and value as a shared amenity for the neighborhood. It is relatively close to Murdock Park to the west, but would provide passive park use and an alternative to having to cross Murdock Road to visit a local park. This park needs to be coordinated with the City's Park Master Plan. An alternative (not recommended) would be to reduce the space to about 0.25 acre and design it as a small viewpoint.

E. Implementing strategies including map and text amendments for the City to adopt.

- Implementing land use procedures and standards will be prepared by the City.
- Alternative B/C follows existing ownership boundaries as closely as the overall layout would allow. This increases the potential for the individual properties to be phased in over time and have the neighborhood "knit together" according to the plan.

Appendix





Resolution 2005-059

**A RESOLUTION AUTHORIZING PARTICIPATION IN A STUDY OF THE
"SE SHERWOOD STUDY AREA" AND THE VERY LOW DENSITY RESIDENTIAL ZONE**

WHEREAS, the City of Sherwood has a Very Low Density Residential (VLDR) Zone in the Sherwood Plan and Zone Map that requires a minimum 1 acre per lot; and

WHEREAS, the City has approved recent subdivisions and partitions in the proposed study area without adequate public improvements because the City cannot require urban levels of service in proportion to the impacts of the projects; and

WHEREAS, the City expects future private development in the immediate future and that a master plan for the neighborhood would better serve current and future property owners, neighbors, and the City; and

WHEREAS, City staff has applied for technical assistance through the Oregon Transportation and Growth Management (TGM) Quick Response program to fund the study and master plan for the "SE Sherwood Study Area" and at no additional cost to the City; and

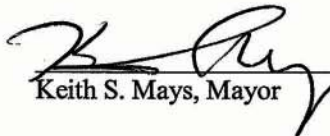
WHEREAS, the City is committing in-kind services, such as staff time, to match the overall \$50,000 estimated budget; and

WHEREAS, this technical assistance application requires a demonstration of support from local elected officials, the Planning Commission has identified the task in the 2005 Work Program; and the City Council recognizes the benefits of a coordinated master plan for efficient land use, multi-modal transportation, and shared open space, and acknowledge the need to analyze and plan for the proposed study area; and

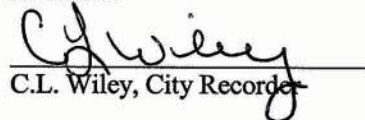
NOW, THEREFORE, THE CITY OF SHERWOOD RESOLVES AS FOLLOWS:

Section 1. The SE Sherwood Study Area (Exhibit A) and technical assistance application is hereby endorsed and the Planning Supervisor shall administer the study according to the attached Statement of Work (Exhibit B).

Duly passed by the City Council this 6th day of September 2005.


Keith S. Mays, Mayor

ATTEST:


C.L. Wiley, City Recorder



Southeast Sherwood Neighborhood Plan Open House - October 26, 2005

Thank you for attending the open house. Please let us know any comments you have or information we should know regarding:

Existing Conditions: _____

Transportation: _____

Frequently Asked Questions: _____

Neighborhood Design (including specific ideas about the design of this neighborhood):

Other: _____

Please submit comments by **November 2, 2005**

To: Kevin Cronin, AICP, Planning Supervisor
City of Sherwood
Southeast Sherwood Open House #1
22566 SW Washington Street
Sherwood, OR 97140



Southeast Sherwood Neighborhood Master Plan
Open House # 1 - Exit Survey Responses

Appendix 2-b

Existing Conditions:

- Conditions in study area are currently good.
- More units/acre has no option for space to do anything except exist. People walk in our neighborhood because it is kind of open. When we were elsewhere we walked in the less densely built areas. We need more open space, HOWEVER we must be willing to acquire it – buy, gift, will or some ownership mechanism.
- JC Reeves Dev. Road proposal to go through Denali Lane North has a huge issue due to steep slopes (around 25%). Alternate proposal to go through Robson is unrealistic due to wetland (check 100 year flood plain – it’s much broader than map at meeting shows).

Transportation:

- I would prefer most transportation planning to be focused on improving traffic flow on Tualatin – Sherwood road. That is the greatest problem related to growth in my estimation/perspective.
- We’ll need some public transportation with more park and ride space.
- To put road in through Denali Lane will require major retaining walls in order to grade slope for road. In the end, it would resemble a tunnel minus the roof. Is that going to be cost-effective?

Frequently Asked Questions:

- You have such a BIG lot – are there any more around here? is one question. Another frustrated remark is – there are no one-story houses to be found anywhere!
- When Woodhaven was developed, the area was designed with green spaces, walking trails and recreational area/parks. How come JC Reeves didn’t have to put anything into his development that would be for the benefit of the entire community?

Neighborhood Design:

- This study area needs large lots and low density due to its unique terrain. Whatever is decided in the end, be sure to protect the forested areas in this study area.
- A mix of apt/condo, large 2 story homes, one story, some larger lots. Sunset Park is great but a tree filled park that offers summer shade and picnic possibilities for apt/condo dwellers and walking/running paths is part of a “neighborhood.” Some planning went into the development of Lake Oswego – there are lots of trees and space between houses. I don’t feel that I need to “keep my elbows in” as I’m beginning to here.
- I believe JC Reeves should consider selling back that portion (3.7 acres) north of existing development. City should consider walking trails/park (nature) to “connect” areas rather than a road. Building more houses directly about (west) of wetland, as JC Reeves intends, will destroy wetland due to fertilizers/pesticides run-off from lawns. This is an extremely viable wetland. The “pond” is home to many different varieties of birds during the winter and spring months. Deer and coyotes as well as other wildlife, frequent this area.

Other:

- This open house was a good idea to open communication flow.
- Concern with any high density building and apartments town houses, etc.
- Also, the wetlands and property between Tonquin and the west edge of Metro Boundary.
- Major Concern – impact on wetlands if land becomes subdivision with high density – must protect the wildlife and wetlands.
- We don’t want to loose the value of our property because of neighbors or trees.
- Almost everything being built for the “younger” set – two or more story places, etc.
- The area in question should not be more than one house per acres. People in Fairoaks’ and Ironwood’s developments custom-built homes there with the knowledge that it was zoned as such. It wouldn’t be ethical to re-zone since the majority of those people don’t want it rezoned (2 developers owning 85% of the land knowing it was zoned as such). In fact P. Huske built homes for people using that knowledge in his favor to entice people to buy into his development.



Southeast Sherwood Neighborhood Master Plan
Open House #1 Written Comments Received

Curt Peterson

- Concerned about unique geologic features – Tonquin Scablands.
- Concerned about wildlife habitat and migration.
- Would prefer VLDR Density retained.
- Not enough technical knowledge involved in the creation of the master plan (i.e. needs more geologic studies, etc).

Carolyn Peterson

- The overall plan theme should be Low Impact to the current citizens of Sherwood and low density zoning should be preserved.
- Due to the unusual natural landscape and woodlands, any plan should only allow natural landscaping and native vegetation. Traditional lawns and non-native plants should be minimized.
- Cut and filling of topography must be minimized.
- Fencing that inhibits movement of wildlife should not be allowed.
- These types of safeguards will lessen pollution to the adjacent Tonquin wetlands and groundwater.
- There is no need for an internal connected road network that inhibits the movement of wildlife and discourages pedestrians.
- Bike and pedestrian trails can interconnect the areas. These same trails can be designed to allow emergency access.
- The plan to turn Murdock Road into another three lane Day Road is a high price for the citizens of Sherwood to pay for continued unrestrained development.
- Be a leader for low impact development in the Metro area.

Kurt Kristensen

- Set aside master plan until UGB extended to wetland high mark below the bluff parallel with Rock Creek (with Metro collaboration).
- Have more collaborative process including: Metro, Federal Wildlife Refuge, Neighbors and property owners of bluff property, Washington County commissioners.
- Area is too sensitive to develop at higher density than currently zoned.
- City favors developers over residents.
- Murdock Road does not need improvements.

Roger and Lisa Walker

- Concerned about increased pedestrian and vehicular traffic
- Concerned about loss of wildlife, view, and natural environment.
- Would like City to maintain diverse lot sizes by retaining large lot zoning in this area (minimum 1 unit/acre).
- Non-resident land owners are pushing the need for a rezone.
- Do not make improvements to Murdock Road that would encourage its use as a bypass road to Tualatin-Sherwood Road.
- Buffer existing homes with large new homes, parks, or wetlands.
- Require height and setbacks to protect existing homes and views.
- Avoid building on steep property.

Southeast Sherwood Neighborhood Master Plan
Open House #1 Written Comments Received - Continued

Appendix 2-b

Rufauna Craigmiles (Roni)

- The Metro Long-Range Growth Plan of 2040 considered diversity of housing and protection of natural areas key issues.
- To my knowledge, the comparatively small area of very low-density zoning that exists east of Murdock represents the only one-acre lots available for homes in the Sherwood city boundary. If this is true, we may have our last opportunity to protect them. The area under consideration for rezoning is partially developed with homes on acre or larger lots.
- Maintaining the integrity of the existing homes is important. Any future development should be done to protect these property owners as well as to address concerns over the wildlife, wetlands and vegetation in the area. Zoning to allow less than acre lots would destroy the last chance to offer Sherwood this level of diversity and would harm the natural environment.
- Murdock Road needs some attention without question. Resurfacing and maybe a left hand turn lane for safety would be nice. I would not, however, like to see it turned into a thoroughfare connecting Tualatin Sherwood Highway and Sunset. This could easily become a by-pass from Oregon to 99W and create a traffic Rufauna Craigmiles (Roni)
- Feedback Form Format
- The Metro Long-Range Growth Plan of 2040 considered diversity of housing and protection of natural areas key issues.
- To my knowledge, the comparatively small area of very low-density zoning that exists east of Murdock represents the only one-acre lots available for homes in the Sherwood city boundary. If this is true, we may have our last opportunity to protect them. The area under consideration for rezoning is partially developed with homes on acre or larger lots.
- Maintaining the integrity of the existing homes is important. Any future development should be done to protect these property owners as well as to address concerns over the wildlife, wetlands and vegetation in the area. Zoning to allow less than acre lots would destroy the last chance to offer Sherwood this level of diversity and would harm the natural environment.
- Murdock Road needs some attention without question. Resurfacing and maybe a left hand turn lane for safety would be nice. I would not, however, like to see it turned into a thoroughfare connecting Tualatin Sherwood Highway and Sunset. This could easily become a by-pass from Oregon to 99W and create a traffic nightmare for local residents. If future development in the area were in line with present zoning restrictions, the present street would be adequate with general maintenance.
- Buffer existing properties with parks and wetlands. Change siting of Denali to the east to protect existing wetlands.
- Require setbacks and height restrictions in consideration of existing houses and view property.
- Avoid building on steep property. Slides and erosion potential could be harmful to the area in general. Use this property for green spaces.

Gary Huntington

- Minimum 1 unit/acre zoning, especially on existing 3 acres between Ironwood Homes and Sherwood View Estates (Chinn Property).
- If higher density allowed, it should be placed in center of property.
- Homes should have a minimum size to be consistent with existing homes in surrounding subdivisions.



Southeast Sherwood Neighborhood Master Plan
Open House #1 Written Comments Received - Continued

Martin J. Gavin

- Supports minimum one acre zoning.
- Murdock Road traffic has increased greatly over last 10 years and new residential development will add to the traffic resulting in right of way improvements that may encroach upon their property.
- Values heavily wooded area on north end of site. Concerned about the impact development will have on wildlife.
- Why is there a focus on Southeast Sherwood Neighborhood rather than on other areas of town that need planning?
- Why is Sherwood not focusing on a greater mix of uses overall (jobs/residential/commercial)?
- The City should place a higher priority on sustainable building and renewable energy technologies and be an example for other communities.
- The City should preserve this land.

Nancy and Mark Batz

- The environmental impact of any development must be considered in this extremely sensitive area.
- Concerned that low density residential is not being considered as part of the master planning process.

Jean Lafayette – Planning Commissioner

Summary of comments heard at open house:

- John McKinney wants to keep large lots. No less than 1/4 of an acre.
- Gail Toien requested more adult oriented activities available in the parks.
- Dan Jamimeson, School District Super., expressed concerns on sidewalk connectivity especially on Sunset near the school.
- What's the current right of way? How much will the city take and from which side of the road?
- Why is this a city priority? There are many other things that need to be addressed.
- Future notices. Please confirm that if they signed in future notices will be mailed directly to them.
- Maintain and protect existing owners. Bought based on VLDR adjacent.
- This should be kept VLDR to provide diversity. The only one acre lots in the city.
- Don't change zone to build.
- Need to consider wildlife in the area. This is near (next to?) areas that the Tualatin Wildlife Refuge is interested in protecting.
- We discussed protecting existing home owners by smart planning with the highest density in the center of the area and the adjacent properties maintaining larger lots.
- There was also concern about the city's goal for developing this at a higher density than its currently zoned. "What's the city getting out of this?"

Frequently Asked Questions (FAQ)

Question 1: *Why is the City doing a master plan?*

Answer: The secret is out. Sherwood is a great place to live and work and a lot of new families continue to move here to enjoy a high quality of life. As a result, development is going to happen. The City wants to coordinate this new development so it fits in with the existing community and is designed well. As it pertains to SE Sherwood, the City wishes to avoid piecemeal development and inadequate infrastructure that could result from development under the existing zoning or from multiple requests for zone changes. Property owners and developers who would like to develop control over 85 percent of the land in the study area. Recent developments have resulted in a disjointed land use pattern without public improvements, connected streets, recreation trails, or shared open space. The master plan will address the issues of public facilities, traffic and transportation, recreation and open space, tree preservation, and location and lot patterns for new housing.

Question 2: *Has the City decided to change the existing zoning?*

Answer: No. The master plan is a study. The Planning Commission and City Council will review the results and decide whether to initiate further action.

Question 3: *Who is paying for the master plan?*

Answer: The Oregon Transportation & Growth Management program has provided the necessary funds to pay for the consultant services. The City does not pay any direct costs for the master plan. The contract is between the State and the consultant, while the City receives the professional service and provides staff support.

Question 4: *Why is the City considering a new zoning designation or amending the existing Very Low Density designation?*

Answer: According to the Metro Housing Rule (OAR 660-007-0035), Sherwood is required to provide a minimum 6 units per acre for new housing. For example, the Washington County zoning designation is R-6, or six to an acre, for the Yuzon property, which is far and above the existing 1 acre minimum and is consistent with the state standard. Typically, when areas are annexed to the City a property is “upzoned” to an urban density and not “downzoned” to a rural density located in a city limits. The City is simply following the pre-existing zoning that was in place before annexation. The City is honoring the property owners request to review the zoning standards because they see higher densities all around them. From a market perspective, in order to privately finance public improvements, and reduce the burden on taxpayers, the development community needs a project “to pencil out” so different land use scenarios need to be considered prior to any master plan being adopted.

Question 5: *Why add more housing when the local schools are at capacity?*

Answer: Regardless of school district capacity issues, the City cannot stop development. However, the City can direct where the growth goes and what it looks like. Since December 2004, the City has been working with the school district on a master plan that includes a new elementary and middle school for Area 59 west of Sherwood to address capacity issues. The City can only control *how* the area develops; the market and individual property owner decisions determine *when* the area develops.



Question 6: *Does the Planning Commission and City Council support this master plan process?*

Answer: City staff consulted the Planning Commission on many occasions prior to initiating the master plan and has supported staff's decision to develop a master plan. The Planning Commission has identified this task in their 2005 Work Program. In addition, the City Council adopted Resolution 2005-059 that endorsed and authorized the master plan.

Question 7: *How large is the study area and how many property owners are involved?*

Answer: The study area contains about 53 acres. Property sizes range from 1 to 12 acres. There are 11 properties, 8 different property owners, and 9 residential units.

Question 8: *Why is the Snyder property not included in the Study Area?*

Answer: The Snyder property, located west of the study area, is outside the UGB. In all likelihood, this property will not come into the UGB. Therefore, it will not be developed at urban densities.

Question 9: *What are the City's tree regulations and how do they apply?*

Answer: Section 8.304.07 of the Sherwood Zoning & Community Development Code (SZCDC) requires a developer to inventory and mitigate all native and non-nursery related trees on a property subject to a land use application. In addition to the inventory, a certified arborist must submit a tree mitigation plan that does one or a combination of the following:

- (1) preserve as many as possible that are not impacted by new roads or structures;
- (2) replace on per caliper inch any removal of trees on site;
- (3) replace off site on city parks, open space, or right-of-way; and/or
- (4) pay a fee in lieu per caliper inch.

These options provide the necessary flexibility to meet the tree standard. New city rules will be explored in 2006 to implement a region wide Tualatin Basin program to protect and restore fish and wildlife habitat. These new rules will implement new standards adopted by Metro in September 2005.

Question 10: *How do I get involved?*

Answer: There are four ways to get involved:

1. Check the Web for updates:
http://www.ci.sherwood.or.us/government/departments/planning/se_sherwood.html
2. Email: planning@ci.sherwood.or.us;
3. Phone: Kevin A. Cronin, Planning Supervisor, 503-625-4242; and
4. Read monthly updates in the *Sherwood Archer* insert in the *Gazette*.

If you have any other questions that have not been addressed above, or would like to receive future notices of meetings and updates, e-mail the Planning Department at planning@ci.sherwood.or.us or call 503-625-4242.



Memorandum

DATE: October 26, 2005

TO: SE Sherwood Master Plan Project Team

FROM: Carl D. Springer, PE; Chris Maciejewski, PE; Garth Appanaitis

SUBJECT: SE Sherwood Master Plan Baseline Transportation Conditions Review

The purpose of this memorandum is to summarize the existing transportation conditions surrounding the southeast Sherwood Master Plan study area. The City is considering strategies to coordinate future development of the study area, bordered on the north by Fair Oaks, on the south by Sherwood View Estates, on the west by SW Murdock Road and on the east by the UGB. This memorandum includes information regarding the roadway network and intersection operations for the areas along SW Murdock Road between W Sunset Boulevard and NE/SW Oregon Street. Specific information in the following sections includes general street and trail layout, street functional class, existing speed limits, traffic volumes, and intersection operations.

Roadway Network

The following section provides information regarding the streets located in the vicinity of the Southeast Sherwood study area based on field review and the City of Sherwood Transportation System Plan¹. The primary street characteristics are summarized in Table 1.

Table 1: Roadway System Characteristics

Street Name	Classification	Daily Traffic Volume	Posted Speed (mph)
SW Murdock Road	Arterial	6,000	35
NE Oregon Street	Arterial	9,000	35
SW Oregon Street	Collector	5,000	25
SW Willamette Street	Neighborhood Street	500	25
SW Fair Oaks Drive	Local	N/A	25
SW Roy Street	Neighborhood Street	N/A	25
West Sunset Boulevard	Arterial	6,000	25
SW McKinley Drive	Local	N/A	25

N/A = not available

¹ City of Sherwood Transportation System Plan, Prepared by DKS Associates, March 2005.

1400 SW Fifth Avenue
Suite 500
Portland, OR 97201

(503) 243-3500
(503) 243-1934 fax
www.dksassociates.com



Southwest Murdock Road is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway runs from the roundabout at NE/SW Oregon Street southward past W Sunset Boulevard, bordering the west side of the study area. The average daily traffic (ADT) on the road is approximately 6,000 vehicles. Sidewalks are provided for the majority of the west side of the street between Oregon Street and Sunset Boulevard, except for a short distance north of Willamette Street. A sidewalk only exists on the east side of the street for approximately half the distance between Division Street and Oregon Street. Bike lanes are not provided.

Murdock Road is controlled by a roundabout at Oregon Street and a four-way stop at Sunset Boulevard. There are currently no traditional traffic calming devices (e.g. speed humps or curb extensions) on the roadway, although there are street trees on portions of the west side. Murdock Road is designated as a primary emergency response route by Tualatin Valley Fire and Rescue² and therefore, options for installing traffic calming measures in the future are limited to options that would not impact emergency response times.

Northeast Oregon Street is classified as an arterial and has a posted speed limit of 35 miles per hour. The road intersects SW Oregon Street and Murdock Road at a roundabout. Sidewalks run along the entire north side of the street, as well as a portion of the southern side between Murdock Road and Tonquin Road. The two-lane road widens to three lanes east of Tonquin Road and serves approximately 9,000 vehicles per day. Bike lanes are provided between Tonquin Road and Tualatin-Sherwood Road.

Southwest Oregon Street is classified as a collector and has a posted speed limit of 25 miles per hour. The two-lane road serves approximately 5,000 vehicles per day and has sidewalks along the south side. Bike lanes are not provided.

Southeast Willamette Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane road intersects Murdock Road from the west, opposite of Fair Oaks Drive. In the vicinity of the study area, sidewalks are provided along the south side of Willamette Street only. The street serves approximately 500 vehicles per day. Bike lanes are not provided.

Southeast Fair Oaks Drive is classified as a local road and has a posted speed limit of 25 miles per hour. The two-lane road provides access to the Fair Oaks Planned Unit Development (PUD). Bike lanes are not provided.

Southeast Roy Street is classified as a neighborhood street and has a posted speed limit of 25 miles per hour. The two-lane street has sidewalks along both sides and a trail which leads to Murdock Park on the south side of the street. Bike lanes are not provided.

West Sunset Boulevard is classified as an arterial and has a posted speed limit of 35 miles per hour. The two-lane roadway has sidewalks along both sides and serves approximately 6,000 vehicles per day. Bike lanes are not provided.

² *City of Sherwood Transportation System Plan*, Prepared by DKS Associates, March 2005.



Southwest McKinley Drive is classified as a local road and has a posted speed limit of 25 miles per hour. The street has sidewalks along both sides and provides access to Sherwood View Estates. Bike lanes are not provided.

Existing Intersection Operations

The operational performance of the study intersections was determined using 2000 Highway Capacity Manual (HCM) methodology for signalized and unsignalized intersections. Table 2 lists the performance level of each study intersection. The three intersections in the study area are all operating at level-of-service (LOS) C or better, which meets the City of Sherwood LOS standard of LOS D³.

This finding suggests that the existing traffic controls at these study intersections could service moderate growth along the corridor. Future forecasts for any new planned development within the study area would be re-evaluated to ensure that there will be adequate facilities to serve it.

Table 2: Existing PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
SW Murdock Road / Oregon Street	Roundabout	A	7.3	0.68
SW Murdock Road / SE Willamette Street	2-Way Stop	A/C	—	—
SW Murdock Road / W Sunset Boulevard	All-Way Stop	B	10.4	0.44

2-Way Stop Intersection LOS:

A/A = Major Street turn LOS/ Minor Street turn LOS

Roundabout Intersection LOS:

LOS = FHWA Methodology Level of Service

Delay = FHWA Methodology Level of Service

V/C = HCM Methodology worst approach Volume to Capacity Ratio

³ City of Sherwood Transportation System Plan, Prepared by DKS Associates, March 2005.



Memorandum



17355 SW Boones Ferry Rd.
Lake Oswego, OR 97035
Phone (503) 635-3618
Fax (503) 635-5395

To: Kevin Cronin, AICP, Planning Supervisor, City of Sherwood

From: Michelle Stephens and Joe Dills, OTAK

Copies: Matt Crall, Transportation & Growth Management Program

Date: November 15, 2005

Subject: Southeast Sherwood Master Plan
Opportunities and Constraints Memo with
Stakeholder Input from Workshop # 1 (Task 2.2d)

Project No.: 13384

The purpose of this memorandum is to outline the opportunities and constraints for the SE Sherwood Neighborhood Plan. The site is an approximately 52-acre (GIS database) area located on the east side of Murdock Road, north of Sunset Boulevard and south of the Fair Oaks Subdivision (see Vicinity Map in Appendix).

Issues addressed (and illustrated below and on the Opportunities and Constraints Map in the appendix) include existing site conditions (slope, wetlands, woodlands, public facilities/infrastructure, transportation, and parks and open space), the opportunities and constraints specific to residential master plan options for this site, and input from project stakeholders. The City of Sherwood produced a Technical Memo that addresses many of the policy and site issues in greater detail available at www.ci.sherwood.or.us/government/departments/planning/se_sherwood.html.

Parcelization

Within the 52-acre study area there are 11 total properties ranging in size from 1 to 12 acres. There are eight different property owners and nine existing homes. Piecemeal development and inadequate infrastructure could result from development under the existing zoning or from multiple requests for zone changes. The master plan presents an opportunity to coordinate development and ensure well designed, coordinated developments that have adequate infrastructure, transportation networks, and open space.

Slope Analysis and Views

The site slopes downward from both the north and the south, with a lowland area located in the center and southeast corner of the project area. Approximately 27 percent of this site (15-acres) has slopes greater than 15 percent, with over half of those being slopes greater than 20 percent (8-acres). Slopes greater than 20 percent create design difficulties for residential development and the

construction of infrastructure and streets. This site is also marked by channels, depressions, and bedrock knolls that are part of the Tonquin Scablands Geological Area that was sculpted by ancient glacial flooding.

The terrain is defined by two high points and sloping terrain between them. The highest point is at the southern end of the site (tax lot 700, elevation 360 feet mean sea level). The other high point is east of the center of the site (tax lot 100, elevation 315 feet mean sea level). The two highpoints are annotated on the Opportunities and Constraints Map with view arrows. These hilltops enjoy great views, including ones of Mount Hood to the east. Other portions of the site have good views of the Tualatin Valley.

The unique terrain of this site provides an opportunity for providing privacy and variation in home orientation. It also provides a challenge to a connected circulation network and cohesive neighborhood design.

Wetlands

According to a delineation report submitted to the Department of State Lands and the City for the Ironwood Acres Subdivision, there are 2.25 acres of delineated wetlands located at the southeast corner of the site. The wetlands extend to the east of the site boundary. The wetland marsh holds water except in the driest summer months. It is bordered by defined banks on the south and north sides.

The wetland can act as passive open space for the future residents of the area, while also providing wildlife habitat and storm water mitigation. As a jurisdictional wetland, it is not part of the developable land on the site.

Woodlands and Trees

A mixed woodland is located at the northern portion of the site. It includes a variety of mature trees, including Madrone, Douglas fir, and others. It occupies approximately 12 acres of land or 21 percent of the total site area. Metro's natural resource (Goal 5) inventory describes this area as Class A (highest-value) wildlife habitat. According to the long term resident of the property, the area provides habitat for many species of mammals and birds. Wildlife moving through the Tonquin lowlands travel through this portion of the site.

The Opportunities and Constraints Map illustrates the pattern of small tree groves and isolated large trees running from northwest to the southeast portion of the site. The oak savannah is a defining element of the existing landscape in the interior portion of the site and is consistent with native upland habitat in the Willamette Valley. The trees on Tax Lot 100 have been recently cut. Section 8.304.07 of the City's zoning code addresses trees on private property. In general, the City only permits the removal of trees for the purposes of constructing City and private utilities, streets,



*SE Sherwood Master Plan - Opportunities and Constraints Memo
With Stakeholder Input from Workshop #1*

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November 15, 2005

and other infrastructure, and the minimally required site grading necessary to construct the development as approved. If other trees must be removed the City requires that the removed trees be mitigated. Mitigation can be in the form of replacement trees on-site, replacement trees planted off-site, or cash payments equivalent to the fair market value of the otherwise required replacement trees.

Overall, the wooded areas and trees provide both opportunities and challenges to the master plan. They are an opportunity to provide visual and open space amenities for the neighborhood. They also provide a challenge for site design and provision of density that may be needed for covering infrastructure costs. The master plan should explore the potential for clustering development in the north so that a portion of the woodland can be retained.

Public Facilities/Infrastructure

Public infrastructure/facilities including sanitary sewer, water, and fire protection are all available to the site. Storm water and water quality facilities can potentially be consolidated to one or two locations within the site instead of each development having its own facility, thereby reducing maintenance costs to the City and providing more developable land.

Transportation

The Transportation System Plan (TSP) for the City of Sherwood was adopted in March of 2005 and is available on the City's webpage (www.ci.sherwood.or.us/government/departments/engineering/tsp/tsp.html). The plan addresses existing conditions on Murdock Road and the surrounding streets as well as planned improvements for the next 20 years, including pedestrian and bicycle facilities that may require the dedication of right-of-way in the project area. DKS Associates, the transportation firm that prepared the TSP, has also prepared a transportation technical memo specific to new residential development on this site.

The nine homes located in the project area are all accessed by private drives from Murdock Road. Future roads for the project area will need to provide connectivity internally in addition to the surrounding projects and streets. The geologic features, wetland, and woodland are all obstacles to an internal connected road network.

Pedestrian activity in the area is relatively low, but will increase when development occurs on the site. Careful design for pedestrian crossings of Murdock will be needed for safety. A network of sidewalks and pedestrian paths will be an amenity for the neighborhood and help integrate it into the surrounding area that has parks and school facilities. There are no multi-use paths in the site area, but will be explored as part of the master plan process.

*SE Sherwood Master Plan - Opportunities and Constraints Memo
With Stakeholder Input from Workshop #1*

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Parks and Open Space

The entire site is within one-quarter mile, or a five minute walk, from Murdock Park, a four-acre active city park. The site is also within one-half mile of Sunset Park, which at 16 acres, is the second largest park in Sherwood.

The Tualatin River National Wildlife Refuge is located within one-half mile northeast of the project site. Residential development in this area will be accessible to the regional trail system that is part of Metro's future trail network which includes the wildlife refuge.

Adjacent Land Use

Fair Oaks Subdivision north of the site consists of large lot (1-acre or larger) detached single-family homes. West of the site, across Murdock Road, are small lot detached single-family homes developed on varying lot sizes that average approximately 6,000 square feet (7 units per acre). Sherwood View Estates, located south of the site, consists of detached single-family homes with an average lot size of approximately 12,000 square feet.

Compatibility with adjacent densities and existing homes on the site will need to be considered in the master plan. Opportunities include: buffer areas between the large lots on the north and smaller lots on the site; a landscaped edge treatment to Murdock Road; and careful home siting on the south.

Summary of Stakeholder Issues

Approximately 40 stakeholders attended the Southeast Sherwood Neighborhood Master Plan Open House #1. Fifteen written comments were returned on either the provided feedback form or in a letter format.

Two issues were mentioned in the majority of the comments. The first was the importance of preserving the natural environment of the site including wildlife habitat, wetlands, steep slopes, endangered species, Tonquin Scablands, and mature vegetation. At least one of these issues were raised by every respondent.

The second primary issue was the desire of the residents within the project area and adjacent to the project area to maintain the existing Very Low Density Residential (VLDR) zoning. Although some respondents were willing to consider additional density, their preference was to maintain a maximum of one unit per acre zoning. In addition, lots that were smaller than one acre needed to be placed in the center of the project, and buffered from the existing larger lots.



*SE Sherwood Master Plan - Opportunities and Constraints Memo
With Stakeholder Input from Workshop #1*

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Some respondents felt the master plan process should be postponed. Instead, a larger study involving Washington County Commissioners, Metro, other agencies, and more residents and additional land outside of the existing UGB would be conducted. This response was due partly to the perception that the master plan process was being driven by two developers and that the City favored the developers desires over the desires of the existing residents.

Respondents also desire to maintain the existing views and the adoption of design standards for new development that requires large setbacks, buffer areas between existing and new development, and height restrictions. Other neighborhood design issues include the request to preserve the Murdock Barn, have a connected trail network which allows for wildlife migration and access by emergency vehicles, and a request that any development keep an “open” feel (i.e. “elbow room”). Although the majority of comments desired large lot, detached single family homes, one respondent desired a mix of home styles that cater to residents in all stages of life.

Existing traffic, pedestrian and bicycling facilities along Murdock Road were not listed as a concern by any of the respondents. However, the majority of respondents did not want Murdock Road to become a bypass route onto the Tualatin-Sherwood Road. The respondents did not believe any right of way changes (besides maintenance) were necessary on Murdock Road as it not perceived to currently have a traffic problem. There is also a perception that a “high” density development within the project area would cause traffic congestion on Murdock Road, and therefore require the right of way changes proposed in the TSP. Some respondents, who were opposed to the changes in right of way, were therefore opposed to an increased density on the project site.

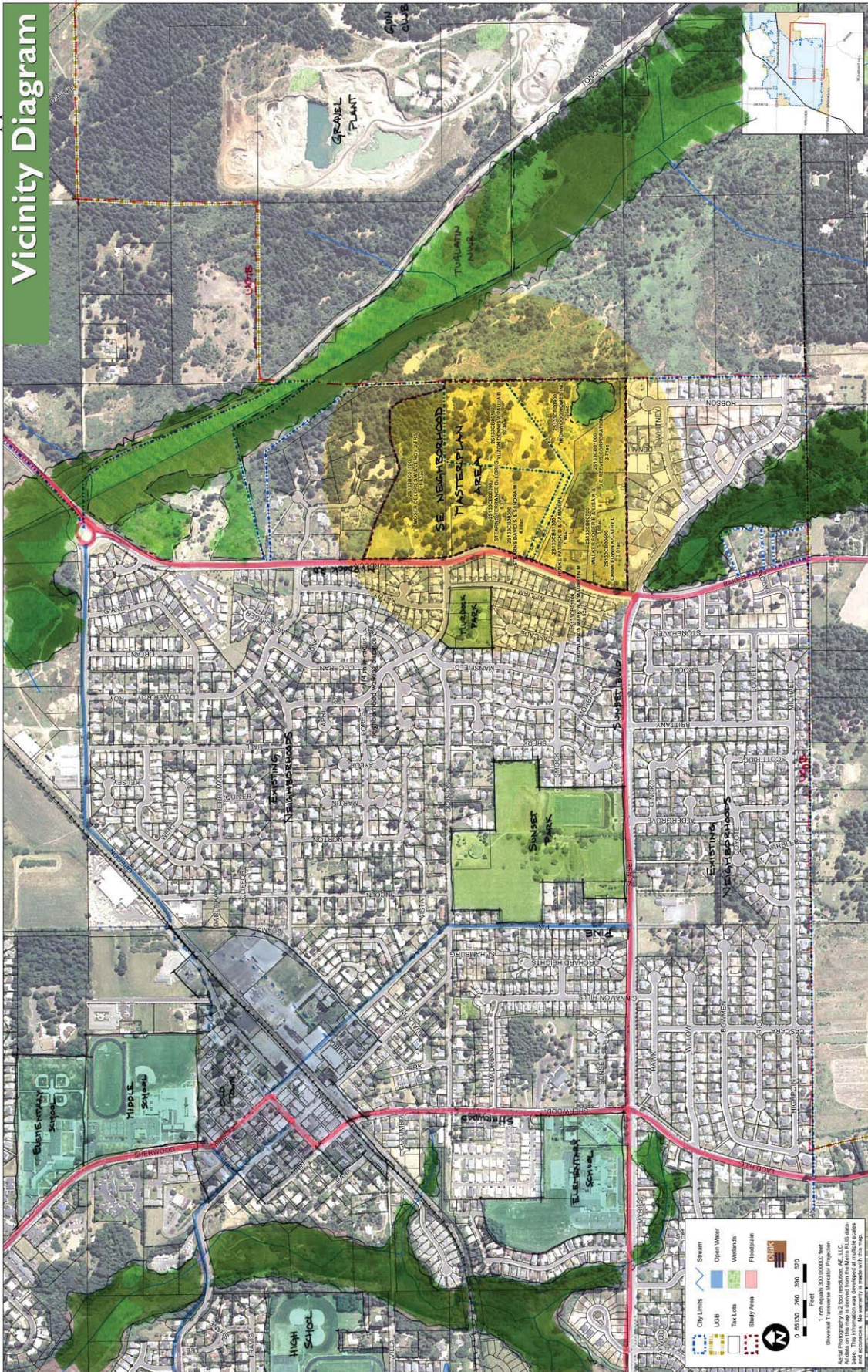
One commenter stated that an internal connected road network was not necessary and that a connected pedestrian network that connected safely to schools and parks was a priority that would also allow wildlife migration.

Appendix 2-e

Appendix

Appendix 2-e

Vicinity Diagram



Map Photography: 2009 Aerial Logistics



Southeast Sherwood Neighborhood Master Plan
Sherwood, Oregon

City of Sherwood
Oregon Department of
Land Conservation and Development
TGM Quick Response Program





City of Sherwood
Oregon Department of
Land Conservation and Development
TGM Quick Response Program

**Southeast Sherwood
Neighborhood Master Plan**
Sherwood, Oregon





Southeast Sherwood Neighborhood Plan Alternatives Workshop – November 30, 2005

Thank you for attending the workshop.

Please let us know any comments or preferences regarding:

Alternative A (open space, lot size, transportation network, etc.): _____

Alternative B (open space, lot size, transportation network, etc.): _____

Alternative C (open space, lot size, transportation network, etc.): _____

Overall Critique/Other: _____

Please submit comments by **December 12, 2005**

To: Kevin Cronin, AICP, Planning Supervisor
City of Sherwood
Southeast Sherwood Workshop #2
22566 SW Washington Street
Sherwood, OR 97140

Or: cronink@ci.sherwood.or.us



Use back or additional sheets if necessary

Southeast Sherwood Neighborhood Master Plan
Open House #2 – Survey Response

Appendix 3-b

Alternative A (open space, lot size, transportation network, etc.):

- Too much lot size variation – too much house size variation would result.
- Don't like the tiny lot circles if you change that, like open space near UGB.
- Don't like alleys.
- Make these lots fewer and bigger.
- Nothing < 10,000' lots.
- I like this plan the best.
- Open Space excessive.
- Not acceptable.
- This alternative does not take into account the input from the majority of the workshop participants to leave this area as it, or at the minimum subdividing it into one acre lots with 50% for open/natural space.
- Minimum lot size 10K to 12K sf.
- Denali should be cul-de-sac to preserve Sherwood View Estates as was originally planned when residents bought property.

Alternative B (open space, lot size, transportation network, etc.):

- Too many small lots.
- Don't like alleys.
- Don't like the mix of lot sizes.
- Nothing less than 10,000' lots.
- Reject.
- Having no left turn allowed onto Murdock from the SE Sherwood Neighborhood (near the Murdock barn) will cause increased traffic through the Sherwood View Estates neighborhood. That is a big concern.
- Open space excessive.
- Road at entrance runs thru wetlands.
- Best plan for view lots.
- Not acceptable.
- Subdividing this area into 91 lots would totally destroy the natural beauty. This area is unique and should not be developed in this manner. Changing the zoning would go against the public input and the best interest of the overall Sherwood community.
- Too many small lots – would be difficult to get buyers for larger lots when such close quarters are “next door” – reminds you of (could not read, but looks like Alotto) – not a good thing (where you have a nice house and someone puts up a different “type”)
- Minimum lot size s/b 10K to 12K
- Keep Denali a cul-de-sac.

Southeast Sherwood Neighborhood Master Plan
Open House #2 – Survey Response - Continued

Alternative C (open space, lot size, transportation network, etc.):

- Too many small lots.
- Don't like alleys.
- Nothing less than 10,000' lots.
- Reject.
- Having no left turn allowed onto Murdock from the SE Sherwood Neighborhood (near the Murdock barn) will cause increased traffic through the Sherwood View Estates neighborhood. That is a big concern.
- 5000 sq. foot lots are unreasonable for this area. The planners are kidding themselves if they think someone with of 15.5k lot would want a home on 5000 sq. ft. directly across the street.
- Not acceptable.
- This alternative is even less of a desirable plan than alternative "B". It has negative issues relating to the existing plant and animal habitat, as well being an overwhelming change to the area as it exists today. There is no public support for this alternative.
- Same as for Alternative B. Too many small lots – would be difficult to get buyers for larger lots when such close quarters are "next door" – reminds you of (could not read, but looks like Alotto) – not a good thing (where you have a nice house and someone puts up a different "type"). Minimum lot size s/b 10K to 12K. Keep Denali a cul-de-sac.
- Get rid of alleys – this is not the Bronx!

Overall Critique/Other:

- Please try an option D with less # houses than B and C, and more lot size uniformity than A.
- Why is the zoning changing in the first place? We all moved in believing the current zoning. It feels like we got a bait and switch, rug pulled out from under us thing. Why have zoning if it means nothing and people can't count on it?
- It's extremely disturbing how in each alternative there are plans for eight homes directly above the delineated wetland pond. How will those homes with fertilizers, pesticides, etc. used on the lawns prevent harming the pond and the various wildlife that uses it?
- How do you make it equitable for each owner? Who will pay for open space? Overall, this process is turning out to be a disappointment. There is a core of people who are not open-minded about the alternatives presented. They are just using this as a forum to say that they want no change and would be very happy if there were not further development. Of course, they would – they are not the property owners. Everyone wants to be the last person in the City!
- I am still looking forward to an Alternative "D" from the City of Sherwood which leaves the area as it is without additional residential development. I am personally against the above three Alternatives based on the potential negative impact to already crowded school, increased traffic on Murdock Road and the natural environment of this unique area.
- I recommend that the decision to develop this area or leave as is be left up to a vote by all residents of the City of Sherwood. A ballot measure could be setup to allow this area to be preserved for future natural park land, or to be developed as a residential subdivision. If approved by the measure for future natural park land, a bond measure could be established for funding land acquisition and park development.
- Need an alternative showing original zoning.
- Also, alternative need with 10K to 12K lots.
- Keep green space and buffer zone for fragile wildlife and wetland areas.

Southeast Sherwood Neighborhood Master Plan
Open House #2 Written Comments Received

Kurt Kristensen

- Does not believe there is support for any of the alternatives.
- Cost of development on environmental and school system too high. Would be better to not allow development on land until school system catches up
- City did not honor workshop #1 comments.
- Upgrades to Murdock Road should not be considered with this development as the need for the road improvements are related to the entire City, not just this development.
- Traffic on Murdock Road is a concern.
- Roundabouts should be considered. Intersections proposed will cause road to become unsafe and cause traffic congestion in Fair Oaks Subdivision.
- This project needs to be reviewed with Metro and Washington County to look at entire bluff area and wetlands. Make wildlife refuge a regional attraction.
- Build a Street of Dreams.
- Protect areas with lower density.
- Propose additional workshop before final recommendation.
- Believes plans are developer driven.

Steve Klein

- Preferred Alternative A to the other plans, but none were to his satisfaction. Improvements to Alternative A include reducing the number of lots, creating a minimum lot sizes of 7,500 square feet, but keep average lot size around 20,000 square feet. Increase lot sizes even if it means reducing open space.
- Does not see need for any formal parks within development. Area already served by Murdock and Sunset Parks.
- Access onto Murdock Road a large concern (doesn't say why). Combine private accesses into one of the new access roads.

Lisa Walker

- There is a need for at least one additional meeting. At least one plan needs to reflect minimum 1 acre

Bob Davidson

- Although he would prefer no development – development of lots within the 12,000 to 15,000 square foot range or larger are acceptable. Similar to development in Sherwood View Estates.
- Not in favor of smaller lot sizes mixed with larger lot sizes.

Evy Kristensen

- Worried that a zone change will be like “opening a can of worms.” Prefers to keep 1 acre zoning.
- Concerned about impact on schools and environment.
- Wants to preserve last forest in Sherwood.



Dean Glover

- Wants to see a 1 acre plan/option.
- Moser forest along north property line needs to be saved and protected. No development permitted. How is this area being protected?
- Alternative A is the preferred out of the 3 presented. Alternative C is the least preferred – lots are too small.
- Believes alleys give the impression that too many homes are being squeezed into project area without adequate access.
- Access to Murdock appears to be dangerous.
- Concerned about 20 foot easement on north property line. If developed would like 10 foot dedicated back to Fairoaks Subdivision.
- Believes process is moving too fast.
- Would like more City planning personnel at open houses to hear feedback and to have meetings recorded.

Gary De Boer

- Allow construction at the end of Denali with cul-de-sac.
- Only provide emergency access through existing subdivision rather than allowing access by new development through existing subdivision.
- Not in favor of any of the presented alternatives. Would prefer low density plan.
- Does not like alleys.
- Concerned about Murdock Road accesses and “no left turn” proposal. Would force traffic through existing subdivisions.
- Worried about school congestion.
- Create a “street of dreams.”

Carolyn and Curt Peterson

- Likes the open space, and alleys on Alternative A.
- Alternative B is less desirable than A, and C is the least desirable due to the amount of proposed open space.
- Dislikes the proposed flag lots, due to access through existing lots.
- Concerned about access through existing (western) wetland.
- Southeast wetland needs larger buffer.
- Concerned that allowing smaller lot sizes is only a way to allow future development of hundreds of houses on this site.
- Extending Denali Street results in unfair traffic burden on residents of Fairview Estates.
- Prefers minimum 1 acre zoning, similar to Fairoaks subdivision.
- Worried about school congestion.
- City should partner with Metro (or find other funding source) to protect sensitive lands/forests.
- Safeguards should be in place to ensure development is wildlife/environment friendly.
- Not in favor of a three lane Murdock Road.
- Wants City to be a leader for low impact development.

Southeast Sherwood Neighborhood Master Plan
Open House #2 Written Comments Received - Continued

Appendix 3-b

Southeast Sherwood Master Plan

Mark and Megan Rowlands

- Keep current 1 acre zoning.
- Would like another meeting with 4th option presented.
- Consider doing a “Street of Dreams.”
- Take more time to develop smart growth plan.

AKS – Montgomery Hurley

- Master plans do not recognize existing homes and/or property lines.
- Streets and lot layouts on three alternatives are irregular.
- Proposed layouts/lot sizes/streets do not appear to meet City code or require PUD overlay to accomplish.
- Plans do not seem to add much density over what is currently allowed.
- Not in favor of alleys.
- Wants more details on ownership of alleys and open space.
- Would like specifics on plans (setbacks, stormwater, and length of driveways).
- Plan requires excessive lengths of driveways and awkward home configurations.
- Would like to see an additional public open house.

Paula Yuzon

- Encourages the City on its path of thinking for the entire community and region (prevent sprawl, develop compact urban form).
- Don't be swayed by NIMBY's, but listen to their comments.

Lori Stearns

- Owns property within plan area. Does not want sale/development of her land attached to a Master Plan – property controlled by neighbors.
- Concerned with all three alternatives:
 - Not dense enough lot sizes.
 - None of the three plans were acceptable.
 - Believes true parcel lines and recorded plats need to be represented on alternatives.
 - Layout does not consider existing property lines
 - Too much open/green space shown on her property
 - Concerned with safety of nature trails – Doesn't the City already have enough trails
 - Why is there a formal park?
 - More consideration should have been given to other clusters of mature trees on developed lots within the plan area.
- Doesn't like Murdock with a median. Too expensive, why not just use turn lanes.
- Feels her property is taking unfair share of burden of open space.

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Memorandum

DATE: November 30, 2005

TO: SE Sherwood Master Plan Project Team

FROM: Chris Maciejewski, PE; Carl D. Springer, PE

SUBJECT: SE Sherwood Master Plan – Alternatives Transportation Analysis

P05274-000-000

The purpose of this memorandum is to review the transportation performance and other key characteristics of the alternatives created for the SE Sherwood Master Plan (Alternatives A, B, and C). The first two sections of this memorandum discuss compliance of the proposed alternatives with City access spacing and safety standards. The last section evaluates local traffic operation issues in the long term (2020).

Access Spacing

Murdock Road is designated as an arterial roadway in the City's Transportation System Plan (TSP)¹, which has an access spacing minimum of 600 feet and maximum of 1,000 feet. The properties forming the study area combine for approximately 2,000 feet of frontage to Murdock Road. The City's TSP designates a connection to the study area at Roy Street. Because Roy Street is located approximately 1,500 feet north of Sunset Boulevard, there should also be one access point to the study area between Sunset Boulevard and Roy Street. North of Roy Street, the study area has approximately 500 feet of frontage, which under the City access spacing criteria would not allow an access point north of Roy Street.

In addition to access to Murdock Road, the TSP designates a local street connection from the study area to the south (Denali Lane). This connection should be included in each of the alternatives.

While the adopted City standards for access spacing are aimed at providing a well-connected, functional roadway system, it is important to consider the balance between maintaining standards and providing effective access to the lands served by the roadway. The City has the authority to grant exceptions to the access spacing criteria when it is warranted. For example, there are no access options to Murdock Road between Roy Street and Willamette Street (which are 1,100 feet apart) where development has already occurred. Therefore, a public roadway access to Murdock Road at the north end of the study area (500 feet north of Roy Street) may be desirable as it could balance motor vehicle traffic accessing the study area (less turning traffic at each site access intersection, less traffic on the local streets leading into the study area) and it would meet the City's criteria of maximum 1,000 foot spacing between public roadways.

¹ *City of Sherwood Transportation System Plan*, Prepared by DKS Associates, March 2005.

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MEMORANDUM
November 30, 2005
Page 2 of 5

In addition, access spacing criteria is subject to the physical constraints of the surrounding land (topography, adjoining property access). When the access spacing criteria cannot be met (without significantly impacting the function of a property) due to physical constraints, the City also has the authority to grant an access spacing criteria exception. For example, the southeast corner of the study area has several existing homes served by a driveway accessing Murdock Road that winds up a steep slope. This driveway is bounded by the slope to the south and a storm water pond to the north. As it would be difficult to convert this driveway into a public roadway and connect it to the rest of the study area, it may be appropriate to have a second access to Murdock Road between Roy Street and Sunset Boulevard.

Based on these access spacing criteria, the three alternatives created for the study area were reviewed for compliance with City standards. Table 1 summarizes the findings.

Table 1: Access Criteria Review Summary

Scenario	Proposed Access Points to Murdock	Meets City Standard?	Connection to Denali?	Comments
Alternative A	3	No	Yes	<ul style="list-style-type: none"> Includes 2 access points between Roy and Sunset, which does not meet minimum 600' spacing requirement. However, both of these access points may be needed due to physical constraints between the two access points
Alternative B	3	Marginal	Yes	<ul style="list-style-type: none"> Meets criteria between Sunset and Roy Northern access is approximately 500 feet north of Roy, which is slightly below the 600 foot minimum. This access may be desirable as it would be the only intersection on Murdock in the 1,100 feet between Roy and Willamette.
Alternative C	4	No	Yes	<ul style="list-style-type: none"> Includes 2 access points between Roy and Sunset, which does not meet minimum spacing requirements. However, both of these access points may be needed due to physical constraints between the two access points Northern access is approximately 500 feet north of Roy, which is slightly below the 600 foot minimum. This access may be desirable as it would be the only intersection on Murdock in the 1,100 feet between Roy and Willamette.



Table 2: Forecasted 2020 (TSP) PM Peak Hour Intersection Performance

Intersection	Traffic Control	Level of Service	Average Delay	Volume to Capacity
Murdock Road / Oregon Street	Roundabout	A	5.4	0.34
Murdock Road / Willamette Street	2-Way Stop	A/B	—	—
Murdock Road / Sunset Boulevard	All-Way Stop	B	10.2	0.39

2-Way Stop Intersection LOS:

A/A = Major Street turn LOS/ Minor Street turn LOS

Roundabout Intersection LOS:

LOS = FHWA Methodology Level of Service

Delay = FHWA Methodology Level of Service

V/C = HCM Methodology worst approach Volume to Capacity Ratio

All-Way Stop Intersection LOS:

LOS = Level of Service

Delay = Average delay per vehicle (seconds)

V/C = Volume to Capacity Ratio

To determine if rezoning the study area to allow more units impacts the operations at the study intersection, the trip generation of the site was estimated for each of the alternatives. Trip generation was estimated based on rates provided by the Institute of Transportation Engineers³ (ITE) for residential land uses. Table 3 lists the estimated daily and peak hour trips for each of the alternatives, including a calculation of the net increase in trips from existing zoning. Alternatives B and C, which have similar unit totals, would generate approximately 250 more daily vehicle trips and approximately 20 to 30 more peak hour vehicle trips than Alternative A.

Table 3: Motor Vehicle Trip Generation Comparison

Scenario	Residential Units	Daily Trips	AM Peak Trips	PM Peak Trips
Alternative A*	65	622	49	65
Alternative B	91	871	68	92
<i>Net Increase (B – A)</i>	+26	+249	+19	+27
Alternative C	90	861	68	91
<i>Net Increase (C – A)</i>	+25	+239	+19	+26

*Alternative A is based on the level of development allowed with existing zoning

³ Trip Generation Manual, 7th Edition, Institute of Transportation Engineers, 2003.



Based on the small net increase of trip generation listed in Table 3, the denser alternatives for the proposed site would not significantly impact operations on the surrounding roadway system. The net increase in traffic would represent less than 5 percent growth in daily or peak hour volumes. The operation at the study area intersections is estimated to continue to meet or exceed performance standards (LOS D). The functional classification of Murdock Road (arterial) and Denali Lane (local) is not estimated to warrant change with the net increase in trips. Therefore, the planned roadway system in the study area can adequately serve the vehicle generated by any of the development alternatives.

Conclusions

The proposed alternatives for the SE Sherwood Master Plan layout a well-connected, functional roadway system that is in-line with planning objectives in the City's TSP. In each option, there are roadway issues to be considered that balance strictly meeting roadway standards with realistically providing an effective roadway system. The City has the authority to grant exceptions to criteria when warranted to address these issues. Based on the analysis presented in the previous sections, the following findings should be considered to select a preferred alternative:

- Access Spacing
 - Alternatives A and C would require an exception to access spacing criteria between Roy and Sunset. This option may be pursued if it is determined that the physical constraints (storm-water pond and hillside) create barriers to site access.
 - Alternative B would require an exception to access spacing criteria north of Roy Street. However, this would be the most likely location for an access onto Murdock between Roy Street and Willamette Street.
- Safety
 - Alternatives A and C could require the prohibition of side-street left turns at the main access point between Roy Street and Sunset Boulevard due to restricted sight distance. This could be addressed with a channeled median. If implemented, this turn restriction could increase the amount of traffic generated from the study area that would use Denali Lane to access Sunset Boulevard and Baker Road to the south of the site. As another option, the curves on Murdock Road may be able to be corrected as part of the roadway improvements to provide adequate sight distance.
 - In each alternative, the exact location of the enhanced pedestrian crossing on Murdock Road south of Roy Street needs to address sight distance issues with both the horizontal and vertical curves on Murdock Road.
- Operations
 - The street system serving the study area is planned to have adequate capacity to handle any of the alternatives. The net increase in vehicle trips would not significantly impact roadway performance or function on Murdock Road or Denali Lane.



Southeast Sherwood Neighborhood Plan Alternatives Open House # 3 – January 18, 2006

In addition to comments on specific plan alternatives (see other side), it is helpful to the City to know your opinion regarding key issues.

1. Please prioritize the following neighborhood master planning issues as least important (1) to most important (5) to you:

Master Plan Issues	No Opinion	Least Important	...	Most Important
a. Similar Lot Sizes To Existing Neighborhood	0	1	2	3 4 5
b. Similar Home Sizes To Existing Neighborhood	0	1	2	3 4 5
c. Public Open Space (manicured park)	0	1	2	3 4 5
d. Public Open Space (nature park)	0	1	2	3 4 5
e. Mature Trees/Forests	0	1	2	3 4 5
f. Wetlands	0	1	2	3 4 5
g. Pedestrian Access/Walkable Neighborhood	0	1	2	3 4 5
h. Pedestrian Safety	0	1	2	3 4 5
i. "Green" Infrastructure	0	1	2	3 4 5
j. Connected Street Network	0	1	2	3 4 5
k. Trail/Open Space Access	0	1	2	3 4 5
l. Overall Density	0	1	2	3 4 5
m. On-Street Parking	0	1	2	3 4 5
n. Density sufficient to fund required infrastructure	0	1	2	3 4 5
o. Coordinated Development of Parcels Under Separate Ownership(s)	0	1	2	3 4 5
p. Other (please specify)	0	1	2	3 4 5

2. Where do you live?

- A. North of the project area
- B. South of the project area
- C. West of the project area
- D. In the project area

Thank you for attending the open house!



Southeast Sherwood Neighborhood Plan **Alternatives Open House # 3 – January 18, 2006**

Please let us know any comments or preferences regarding:

Alternative A (open space, lot size, transportation network, etc.) _____

Alternative B/C Hybrid (open space, lot size, transportation network, etc.) _____

Comments _____

Please submit comments by **January 30, 2006**

To: Kevin Cronin, AICP, Planning Supervisor
City of Sherwood
Southeast Sherwood Open House # 3
22560 SW Pine Street
Sherwood, OR 97140

Or: cronink@ci.sherwood.or.us



Use additional sheets if necessary

**Southeast Sherwood Neighborhood Plan
Alternatives Open House #3 - January 18, 2006**

1. Please prioritize the following neighborhood master planning issues at least important (1) to most important (5) to you:

Master Plan Issues	Survey #	Mean	Max	Min	1	2	3	4	5	6	7	8	9	10	11	12	13
a. Similar Lot Sizes to Existing Neighborhood	3.6	5	2	5	3	2	3	3	5	5	4	4	2	2	4	4	4
b. Similar Home Sizes to Existing Neighborhood	3.7	5	2	5	2	2	3	3	5	5	4	4	2	2	4	4	4
c. Public Open Space (manicured park)	2.8	5	1	5	4	4	3	4	2	3	3	3	4	4	3	1	1
d. Public Open Space (nature park)	4.2	5	2	5	5	5	5	5	5	5	5	5	5	2	4	2	2
e. Mature Trees/Forests	4.3	5	1	5	5	5	5	5	5	5	5	5	5	1	4	4	4
f. Wetlands	4.0	5	0	5	4	5	5	4	5	4	5	4	5	0	5	4	4
g. Pedestrian Access/Walkable Neighborhood	3.9	5	2	4	5	4	5	5	5	5	4	4	2	2	3	3	3
h. Pedestrian Safety	4.3	5	3	5	4	3	5	4	5	5	4	4	5	5	3	3	3
i. "Green" Infrastructure	3.8	5	1	4	4	5	5	5	5	4	4	4	4	1	2	2	4
j. Connected Street Network	1.7	4	0	3	0	4	3	1	1	1	1	1	1	2	2	1	1
k. Trail/Open Space Access	4.0	5	1	3	5	5	5	5	4	5	4	5	1	1	4	4	4
l. Overall Density	3.7	5	1	4	5	2	1	1	5	4	1	3	5	5	5	5	5
m. On-Street Parking	1.5	4	0	1	0	1	1	1	1	1	1	2	2	2	2	2	2
n. Density sufficient to fund required infrastructure	2.4	5	0	1	0	4	0	3	1	4	2	2	5	5	4	1	1
o. Coordinated Development of Parcels Under Separate Ownership(s)	3.4	5	0	5	4	4	4	2	4	5	1	1	0	0	5	2	2
p. Other - Minimize disruption to existing neighborhoods											na	na					
p. Other - Average owners lots															na		
p. Other - Traffic from new development direct access to Murdock including ability to make left turn on Murdock.																	na
p. Other - Low Density																	na
p. Other - Flexibility within Master Plan regarding lot layout and streets.																	na

2. Where do you live?

A. North of the project area										1							1
B. South of the project area					1	1		1			1	1					1
C. West of the project area									1								
D. In the project area																	
E. N/A							1										

The entries in the above columns (numbered 1 - 13) represent the 13 feedback forms returned with the "survey" portion completed from Open House #3. The numbers within the columns are the priority ranking from each respondent to each of the issues on the left (one through five - with five as the most important). The Mean column is the average rank of each master plan issue, followed with the highest (Max) and lowest (Min) ranking for each issue.

Southeast Sherwood Neighborhood Plan
Alternatives Open House #3 – January 18, 2006

Appendix 4-b

Alternative A (open space, lot size, transportation network, etc.)

- I would, of course, prefer even less houses – but appreciate the trails – connection to open park and nature spaces. The lot sizes are more generous than most – that’s a plus.
- Eliminate lot west of Murdock Barn so you have open space on Murdock Road and preserve the look of Murdock Barn.
- I like the trails, preserving the tree area.
- Best Alternative – most space new intersection should be “full service” left and right turns. To not do so would route much more traffic thru existing neighborhood of Sherwood View Estates.
- Yes – preserve as much as possible of the Moser Natural Area – Sherwood’s last original forest.
- Like Moser natural area a lot. Like the Murdock “existing look and feel” preservation. Much prefer this plan to all others. Except: Please make the “no left turn” intersection on Murdock a full right and left turn intersection! The backflow into Sherwood view will cause much disruption as people go that way to get to Sunset. We thought we had a dead-end neighborhood, and now I get how many people driving by my house everyday?
- Best plan presented. Leaves nice amount of green space and would best complement existing homes and neighborhoods.
- This is the least worst of the two alternatives. Less homes per acre than B/C. Rapid growth is not necessarily good. Dense housing is bad.
- Does not meet overall goals of the Master Plan for best use of the land within city boundaries.
- It does not reflect the majority owner’s wishes for higher density.
- It does not reflect accurate conditions for the region, both for platted lots; i.e. Ironwood Acres and a trail system along its eastern boundary.
- The plan shows a green corridor through the center of the plan, the long term plan success may have a problem sense the health of the current trees are poor, some are dead or dying. The plan also depicts several large trees in this area that don’t exist.
- This plan does not allow emergency services access in or out in all directions onto Murdock Road. That could be hazardous in emergency situations.
- I disagree with trails running down the center of the development that benefit very few citizens and pets.
- There are too few lots to support the cost of the infrastructure.
- Offers a better compromise and a higher degree of protection and use of the environment for City park connects and trails.
- There should be a collaboration with METRO, Washington County, and Fish and Wildlife to accomplish Alternative A and protect and provide access to viewing the wetlands, and possibly, with METRO Open Spaces look at a system of elevated trails around the perimeter of the wetlands – with access from the green belt corridor between Sherwood Fair Oaks and SE Sherwood.
- It is imperative that Planners and focus groups that are working on Sherwood’s 20 year parks plan review Alternative A and incorporate the trails and access. In particular they should visit Wilsonville’s River Park and take note of the wild trails they have incorporated; this type of system would fit the area that is to be preserved as Sherwood’s Last Forest on the Moser Property.
- The City, attorneys for developers and neighbors should work with state, Washington county and Metro to assure that once Alternative A is adopted that there is a legal guarantee that the open space concepts and areas shown will, in fact, be preserved. Either with METRO Open Space Bonds or City Parks Funds.



Alternative B/C Hybrid (open space, lot size, transportation network, etc.)

- Looks best.
- Too many houses, too many streets, too little open spaces.
- Like this because apparently will be easier to do with less owner cooperation.
- Like to have all exits from development both left and right turn.
- Alternative “B” is denser but leave more of natural area than “B/C”
- Most space new intersection should be “full service” left and right turns. To not do so would route much more traffic thru existing neighborhood of Sherwood View Estates.
- Like Moser natural area a lot. Let’s keep it as Sherwood’s last forest.
- Please make the “no left turn” intersection on Murdock a full right and left turn intersection! The backflow into Sherwood view will cause much disruption as people go that way to get to Sunset. We thought we had a dead-end neighborhood, and now I get how many people driving by my house everyday? This was my same comment in Alternative A, I can’t stress this enough. Please straighten Murdock so that the sightline is enough to allow left turns. Please do not burden us in Sherwood View with the backflow of cars coming through our neighborhood in order to get the Sunset and Murdock intersection. Our neighborhood never planned on this traffic through it. I’m counting on you, Pat!!!
- Lots too small, too many people, cars, etc. Does not measure up to existing adjacent homes and neighborhoods.
- Throw this option out.
- Lot sizes are acceptable, if a lower density neighborhood was wanted.
- Closer to an acceptable plan, if a lower density plan was wanted.
- It has green space that does not dominate one property.
- It recognizes property lines.
- It recognizes existing conditions for platted lots and tree survey.
- I disagree with the exact placement of a few private streets. They do not flow well with the topography and marketability of the region.
- I like the trail system but still think flexibility for the trail system locations is needed.
- I agree that there could be a small public space, but I don’t think it should be an open space park on top of the hill (view will be blocked). There is already a park for free play a half block down the street. Perhaps a quiet space with a few benches in a serene setting like the edge of the wetland or the timber setting would better suit the neighborhood and community?

AKS Alternative

- Has met all goals of the Master Plan agreement #24248 #1 for the SE Sherwood contract.
- Reflects realistic densities for land within urban growth boundary.
- Designed with current development codes, easily implemented.
- Designed with accurate infrastructure including water quality facilities and topography.
- Liberal use of trail system and green space throughout plan.

Comments

- PLEASE straighten Murdock so cars can make left-hand turns and drive safely.
- Develop the cooperation and find the time to collaboratively create ways to protect high-value habitat and runoff to wetlands.
- Plan, plan, and plan for future traffic congestion. Don't want to be in gridlock.
- I would prefer nothing to ever be built there. Of the options I like Alternative A.
- Conservation easement.
- Like to see more evenly spaced lots and park. I think if all property owners are planned with a ratio of lots and park you would have more consensus. We need parks they can be designed in a way that considers each owners land.
- Like the AKS Versions and B/C Hybrid.
- I like Lisa Walker's plan, an also the plan drawn based on top of it. "Plan D".
- Thanks for listening to inputs at the last open house. It looks like you took inputs into consideration. Please keep it up! Thanks.
- We like plan 4 AKS, it is better for everyone, all are treated the same. We all get what we want.
- I don't believe that the Moser's property should have to give up half of the open space for this plan. I think the open space should be a percentage of each owner's property – I also feel that smaller lots would be more likely to have more amenities per developer's as it would make developing less costly.
- Unless a left turn is provided at both streets connecting to Murdock, Denali, Whitney and McKinley will see an unacceptable increase in traffic. These streets should remain low traffic, quiet residential streets as they were when the homeowners bought their properties.
- Since you are developing a master plan, developers should be required to follow it, or the plan is useless.
- Sherwood has a problem with over crowded schools now. Bringing in a large numbers of people will only make the situation worse. Instead of focusing on growth, the City of Sherwood should focus on improving existing conditions. Tualatin-Sherwood road needs to be four lanes. Murdock and Sunset Blvd. need to be repaved now with a surface that can handle the heavy trucks that use them. Note: Heavy trucks do use Sunset.
- More classrooms and more teachers are required. Sherwood should grow only when it is capable of handling growth.
- Thank you for your time and consideration. I hope that moving forward there will be a little flexibility with development layout.
- As a homeowner, a majority landowner and developer/builder in this region it was difficult to sit on the sidelines and not be an integral part of the design phase. As one final request, I ask that the future process will allow flexibility for future development layouts base on the guidelines that have been outlined in this process.
- Concerned about the traffic designs along Murdock and forecast accidents and road rage as traffic increases. Our traffic circles have proven themselves and I suggest that long-term growth will be better provided for by compact traffic circles at: 1. Murdock and Denali, Murdock and Upper Roy and 3. At Fair Oaks and Murdock. There's a unique opportunity to get ahead, rather than serve near term needs. My measurements show that there is adequate space to provide tight traffic circles at all intersections, and these circles will provide flow as well as slow down speeders; long-term, regardless of volume this will provide a neighborhood with safer perimeters.
- There needs to be a lighted and guarded crossing for people at several places.



- There is a 50% chance that the I-5/99 interconnect will run 1-2 miles south of Sunset, and that Murdock will become a primary feeder; I suggest that, to protect the adjoining neighborhoods, we need those traffic circles. If that is not acceptable 4 way lights at all intersections are needed.
- I agree with Pat Fleming that there are regional advantages to connecting the area North of Fair Oaks into the parks, trails and wet land access system being considered for SE Sherwood. With Metro's Open Spaces Bond the City would be able to create a WaterScape in the three parcel area in front of Fair Oaks and, with Fish and Wetlands people create an access platform for regional visitors that would want to walk the visualized elevated trails - similar to Stellar Olson Park.
- The traffic master plan can be accommodated with a safety lane access that is gated at Denali rather than a full fledged traffic artery. If the planning commission could accept that I predict a huge amount of opposition would melt.
- As citizens and tax payers of Sherwood, we are greatly concerned about the proposed development of SE Sherwood. We reside in Sherwood View Estates and when we bought our lot and built our home it was our understanding that Denali Lane would be ending in a cul-de-sac and that was a selling point. This is our retirement home since we do not plan on leaving Sherwood until we have no control ("feet first").
- Supporters of the educational bond issues even though we do not have children or even grand children in the system – but we feel that is the future – the education of the children. All this leads to our concerns about what the proposed development will create:
- Increased student load on an already over capacity school system. The addition of 65 to 91 houses in the proposed development area would even further overload the system.
- Environmental impact on the fragile wet lands directly adjoining the proposed development area. Even with storm drains the run-off will still impact the area down hill – in other words – the wet lands.
- Environmental impact on the fragile wild life refuge which also directly adjoins the proposed development area. Development will affect the migratory patterns of the wildlife even more than we already have, forcing them into an ever decreasing habitat. It will also affect their food supply and water supply not to mention the impact of the encroachment of so many people on their ever shrinking habitat.
- Increased traffic and decreased safety for residents – there is already a problem at the Sunset-Murdock intersection from people not stopping for the stop sign. The three alternatives offered did not address the issue of either another round-about or traffic light for people trying to exit the proposed development and turning left.
- The "punching through" of Denali would channel traffic through Denali and through Sherwood View – which was never supposed to handle such a load. This is a safety issue which has not been properly addressed. We have heard that the City needs to have another access route to Sherwood View, however, it appears that instead of solving that City concern, it will instead create more dangerous concerns for the residents – traffic and crime (more access/exit for perpetrators).
- It was extremely disappointing to find that only three alternatives were being offered for this development – even with the concerns already voiced by participants in the three open meetings. It was even more disappointing to find that the area being developed across 99W at Elwert was considered over a year and there were FIVE alternatives proposed, along with an established citizen's advisory committee. Why were the citizens of the SE Sherwood area not given the same opportunity, but were given only three alternatives, less than six months time, no citizen advisory committee, and only three meetings? It appears input from tax payers for this particular development area doesn't carry very much weight – which makes us wonder just why!! Was our participation in the meetings just an exercise in futility and the decision had already been made as to what would be done? It is hoped the tax payers' and voters' opinions would count in the process – please consider this.

Frequently Asked Questions (FAQ) SE Sherwood Master Plan Workshop No. 3 – January 18, 2006

Question 1: *Why is the City not doing a fourth alternative?*

Answer: The project budget and timeline included the development of three plans for SE Sherwood. A fourth alternative is not budgeted, nor does it accomplish the objectives of the project. Those objectives include creative site design, a connected and multi-modal transportation system, dedicated recreation opportunities and open space, maximum tree preservation, and “green” public infrastructure. For example, a fourth alternative that has all one acre lots does not achieve any of these objectives, which is why the City initiated the master plan process.

Question 2: *Can someone from the public present their own plan to the Planning Commission?*

Answer: Yes. Anyone from the public can present a plan to the Planning Commission. AKS Engineering, who represents three property owners in SE Sherwood, will present their own plans at the January 18 workshop. In addition, the City will provide the public an opportunity to design the SE Sherwood neighborhood. Any plans produced can be presented to the Planning Commission for their consideration. City staff can work with individuals who wish to make a presentation and help navigate the public review process.

Question 3: *Is a preferred alternative being selected at the January 18 workshop?*

Answer: No. The original scope of work for this project, which was developed last summer and approved by the City Council (September 2005), included the selection of a preferred alternative. Since then, the City has received many comments concerning the selection of one plan. There is a perception in the community that the City is doing this plan for the developers and that selection will be based on the most density. Nothing could be further from the truth. As a result of a lack of consensus, City staff will forward both plans to the Planning Commission that were produced by the consultant during the last five months. Any plans that were produced by third parties can also be submitted.

Question 4: *What are the next steps?*

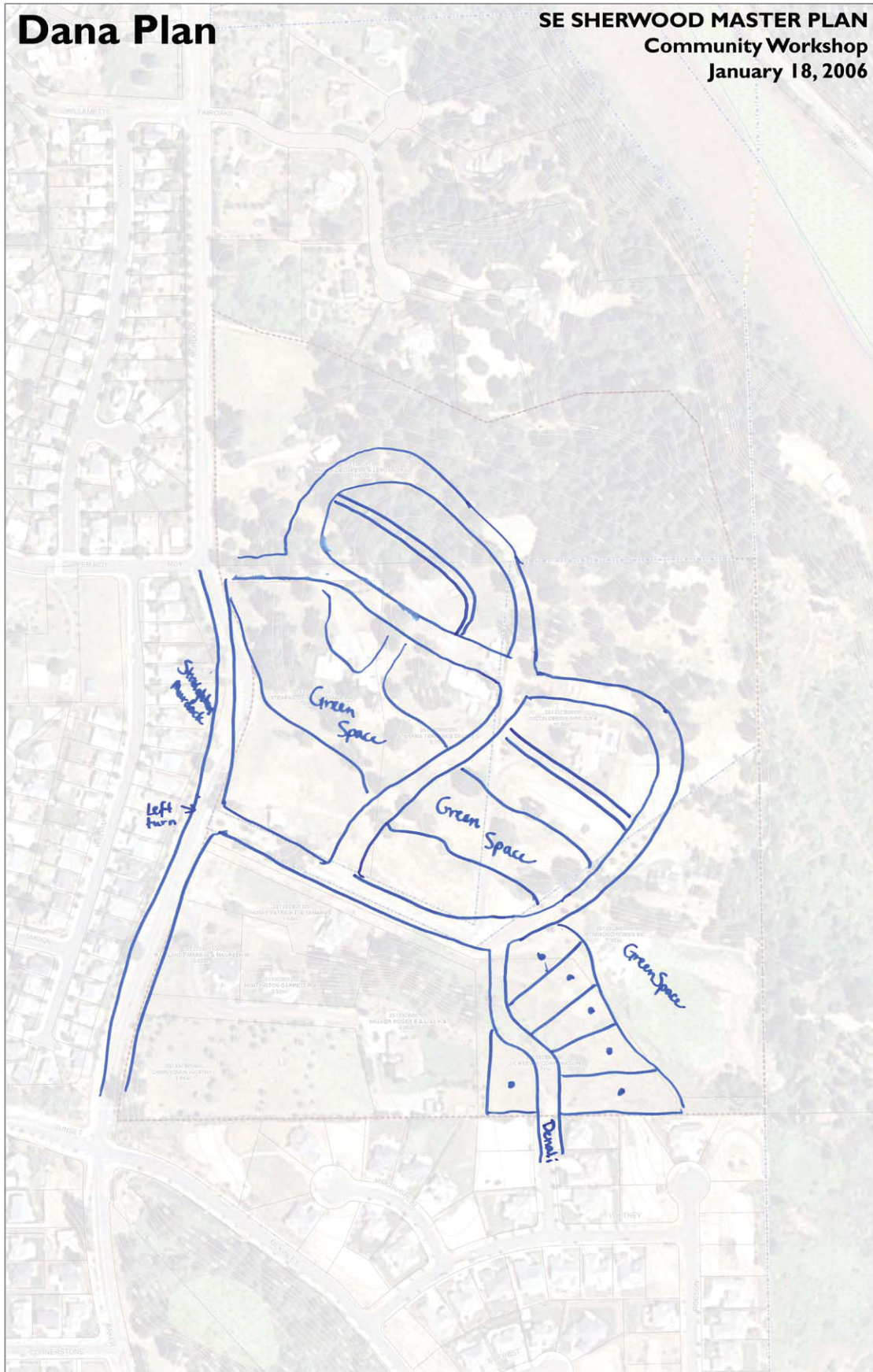
Answer: The consultant will collect all the public comments, revise the two alternatives based on comments, and summarize the master plan process in a report. In this report the consultant will provide a recommendation and a list of implementation measures for each alternative prepared by the consultants. City staff will review the report and forward it to the Planning Commission in February or March 2006 depending on the consultant’s schedule and staff availability.

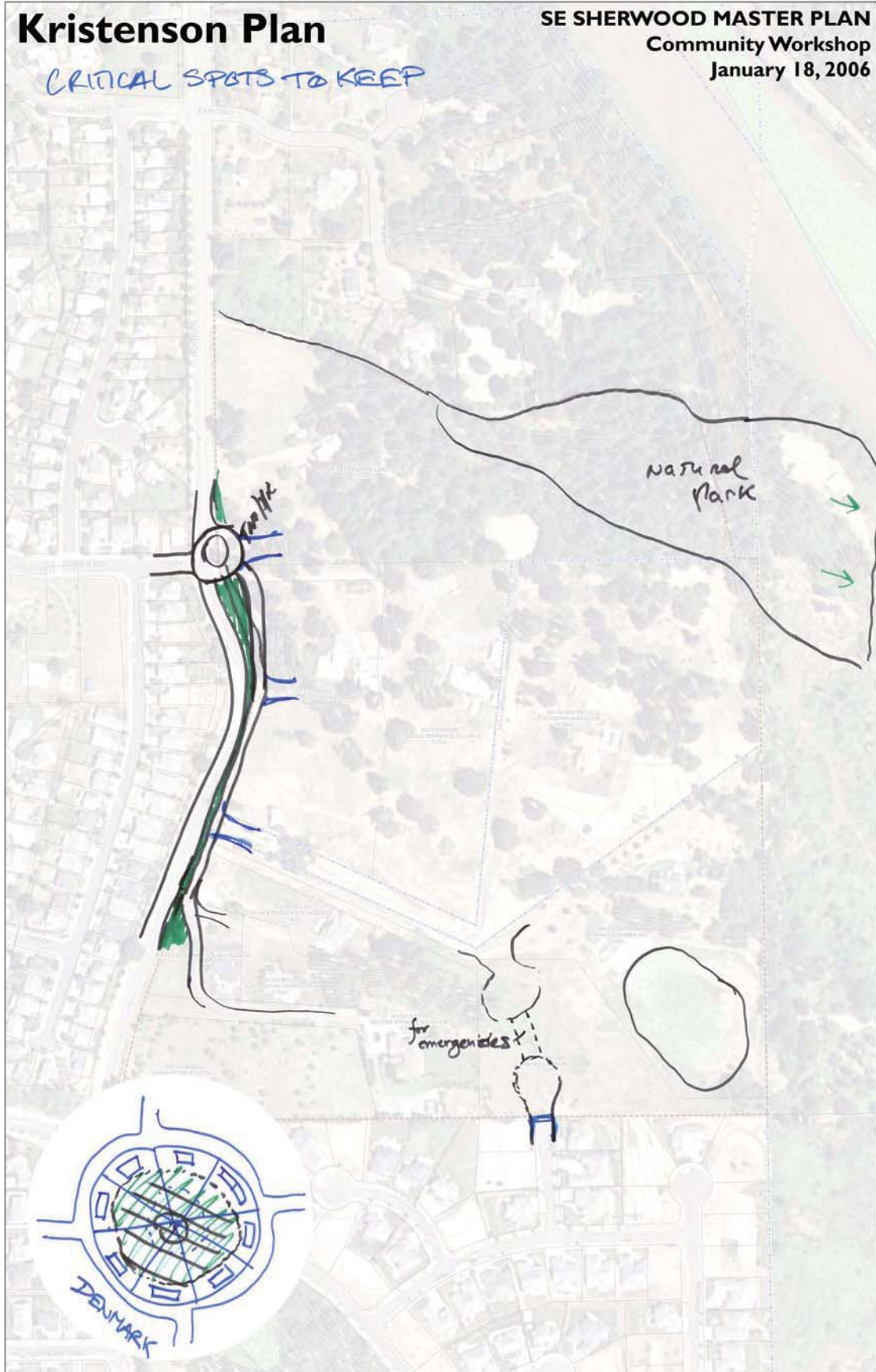
Question 5: *Will I receive notice of future meetings regarding the SE Sherwood Master Plan?*

Answer: Yes. The City has been providing this service since the project began in April 2005 with the very first neighborhood meeting. If you have received e-notice in the past you will receive e-notice in the future when the Planning Commission or City Council reviews the report. Please make sure the Planning Department has current contact information.

Question 6: *What happens after the Planning Commission reviews the consultant’s report?*

Answer: The Planning Commission has a range of choices, including but not limited to: (1) Select a preferred alternative and direct City staff to implement the plan, (2) Allow property owners to submit subdivision plans, a zone change, and/or a planned unit development application based on one of the alternatives produced during the master plan process, (3) Select a preferred alternative and forward to the City Council for review and adoption by resolution, or (4) Table the process and take no action. Other implementation measures could be developed per the direction of the Planning Commission.









Raindrops to Refuge Position – SE Sherwood Master Plan December 2005

GOALS: 1. MANAGE STORMWATER 2. PROTECT HABITAT

1. Stormwater Management —

- To limit stormwater runoff after development to an amount that does not exceed that of the site if in an undeveloped state. (zero-discharge).
- The stormwater that does run off the site will be clean.

2. Habitat –

- Protect high-value upland habitat to meet stormwater goals and to save habitat adjacent to the Tualatin River National Wildlife Refuge and Rock Creek wetlands.
- Ensure the delineated wetland on the site is protected.
- Designate that the wetland will eventually be restored to a healthy natural state.

STRATEGY: Plan and build the entire SE Sherwood Neighborhood as a Green Streets/Low-Impact development.

Due to this area’s proximity to the Wildlife Refuge and Rock Creek wetlands and due to its unique Tonquin geologic attributes, R2R asks that this area be consider a prime candidate for a Low-Impact neighborhood. R2R believes this is an economically advantageous strategy as well.

Discussion on the Green Streets/Low Impact strategy.

R2R believes that the current focus of the debate is on the wrong topic – density. Density may or may not have anything to do with ecological impact. Either low or high density developments can be friendly to the natural environment or can deliver great harm. Low density developments, such as 1 acre sites, have been some of the worst contributors to ecological degradation. Large homes, expensive landscaping, large areas of impervious surface, and hobby farm uses all can contribute to harmful runoff and create other negative impacts. Frequently owners of large, expensive homes employ commercial services to maintain huge, green, weed-free lawns year round. Over-watering and over-fertilizing are common. Heavy pesticide use is routine.

Conversely, high density development, when done well, can actually have less impact on ecological health. Of course the reverse of both scenarios occurs as well. The point is that discussion and planning must focus on design, development, and then homeowner behaviors, not just density, if the natural areas around the neighborhood are to be protected.

R2R is pleased to see the proposal for a green street for Murdock Road. We ask however that these concepts be expanded into the entire neighborhood. Various techniques are proven to control and clean runoff naturally and inexpensively. Neighborhood layout options are available to meet density goals while protecting habitat sites. There exists a growing realization that the use of native plants on both public and private sites results in low-cost maintenance and good looking landscapes. Metro, Clean Water Services and others offer guides to the development of low-impact/green streets neighborhoods.

R2R also asks the community to recognize the economic advantages of planning a green neighborhood. Information is available that documents the positive long-term economics of investing in green development strategies up front. A growing body of information supports the contention that land and home values are positively affected when natural areas in and around the neighborhood are protected, enhanced, and accessible.

The SE Sherwood Plan offers too good an opportunity to pass up. Here, in the preliminary planning stage, the community has the opportunity to insert these low-impact options into the discussion. Raindrops to Refuge offers to do research and compile information relevant to a low-impact scenario in support of this advanced planning process.

Neighboring residents, current and future landowners, and developers all stand to benefit economically and esthetically when this neighborhood is completed in a manner that protects its natural areas.



Home of the Tualatin River National Wildlife Refuge

MEMORANDUM

City of Sherwood
22566 SW Washington St.
Sherwood, OR 97140
Tel 503-625-5522
Fax 503-625-5524
www.ci.sherwood.or.us

DATE: September 27, 2005
TO: Kevin Cronin, Planning Supervisor
FROM: Julia Hajduk, Senior Planner
SUBJECT: Southeast Sherwood Study Area Technical Memo

Mayor
Keith Mays

Councilors
Dennis Durrell
Dave Grant
Dave Heironimus
Linda Henderson
Dan King
Dave Luman

City Manager
Ross Schultz

Introduction

The purpose of this memo is to provide technical background information to consider as the City and property owners study future growth implications in the southeast Sherwood area.

Location

The area specifically being discussed in this memo includes the areas both inside and outside of the City of Sherwood zoned Very Low Density Residential (VLDR). Generally, the subject area is located on the east side of Murdock Road. All the parcels except tax lot 100 identified on assessor's map 2S1 33CB are located inside the City limits. The properties were brought into the City in 1991 and 1987¹. An annexation application is currently in process to bring the last tax lot (TL 100) into the City limits.

Land Use

Density

The zoning, VLDR, currently provides a maximum of one dwelling unit per acre. Upon review of early versions of the Comprehensive Plan and the Washington County Sherwood Community Plan, this low density designation did not always limit development to this extent.

Comprehensive Plan

1983² – This version provided a minimum of 1-3 dwelling units per acre with minimum lot sizes ranging from 10,000-43,000 square feet per lot. The Plan and Zone Map includes portions of the SE Sherwood area zoned VLDR, but also VLDR in other locations throughout the City and Plan area.

¹ Current tax lot 1700 on assessor's map 2S1 33BC and tax lots 200 and 300 on assessor's map 2S1 33CB were annexed in 1987 (Boundary Commission file #2365). Current tax lots 600, 700, 900, 1000, 1100, 1200 and 1300 on assessor's map 2S1 33CB were annexed in 1991 (Boundary Commission file #2819). *Note: tax lot numbers were revised after the parcels were annexed.*

² Reflects changes to the Comprehensive Plan since it was adopted by the Council in August 1980 (Ordinance 726) through March 1983 (Ordinance 737).

1991 update³ – This version is the first to require the 1 dwelling unit per acre minimum. The 1991 version Plan and Zone Map identified the SE Sherwood area as the only VLDR in the Plan area.

Both versions have the same location related considerations for VLDR:

- Where natural features such as topography, soil conditions, or natural hazards make development to higher densities undesirable;
- Along the fringe of expanding urban development where the transition from rural to urban densities is occurring; and
- Where a full range of urban services may not be available but where a minimum of urban sewer and water service is available or can be provided in conjunction with urban development.

Sherwood Community Plan⁴

The Sherwood Community Plan was developed and adopted by Washington County in 1983 as part of the County Comprehensive Plan process. The Sherwood Community Plan designated the SE Sherwood area with an R-6 (6 units per acre) density. For example, the Yuzon property that is proposed for annexation in October, has a County designation of R-6, but if annexed to the City, the property will be “down zoned” to a lower density. Under normal circumstances, a County designation is lower than City designation. It should be noted, however, that at the time, the County did not assign any urban areas with a density lower than 5 units per acre and there was no “minimum” density requirement. In addition, the Community Plan identifies the SE Sherwood area as an area of special concern specifically requiring any development on these parcels to go through a planned development (PUD) process.

Natural Resources

The Sherwood Community Plan designated SE Sherwood as an area of special concern due to the Tonquin Scablands geological area. This area was thought to be an important geological and biological feature due to its unique scientific and educational value. The area is marked by channels, depressions and bedrock knolls and was determined to present some constraints to development. The Sherwood Community Plan indicated that a detailed study, in coordination with Metro, the State, Clackamas County and the Cities of Sherwood and Tualatin was needed to determine the significance of this area. While no study was found during this research, more recent information on the area determined that “The Tonquin Geologic Area” stretches from the Willamette River through the city of Wilsonville, and connects to the Tualatin River National Wildlife Refuge near Sherwood and Tualatin. It includes unique geologic depressions called “kolk ponds” and basalt “knobs” sculpted by ancient glacial flooding. Historic Coffee Lake basin, a long north-south running lowland, is the dominant natural feature in the area. The Metro open space and trails plans targeted acquisition of portions of the Tonquin Geologic Area. To date the “Metro Greenspaces” bond money funded the acquisition of 436 acres of land in the Tonquin Geologic area, the majority of which lies north of Wilsonville. Metro will consider a similar bond in November 2006 to replace expended funds from the original bond from 1995.

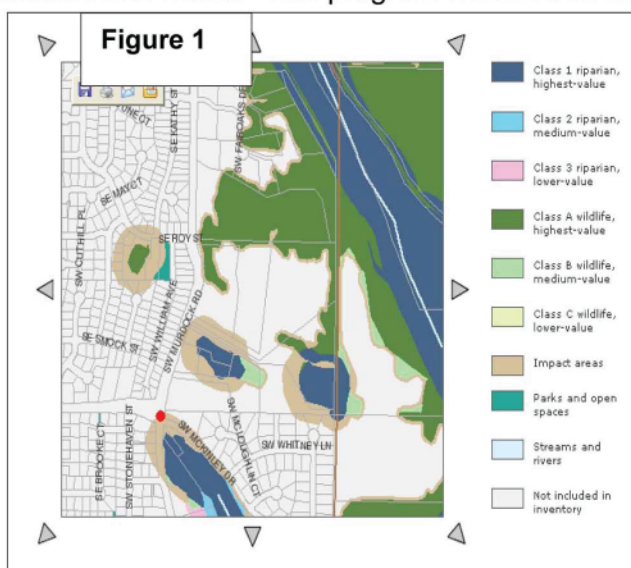
³ Adopted March 13, 1991 (Ordinance 91-922). Planning case number PA 91-12.

⁴ Adopted by the Washington County Board of Commissioners June 28, 1983 (County Ordinances 263, 264, and 265), acknowledged by the Department of Land Conservation and Development October 7, 1983. The Community Plan was revised December 27, 1983 by Ordinances 278, 279 and 280 to update information and to reflect the adoption of other plan elements.

Given Metro targets for open space acquisition providing a multi-use trail system from the Willamette River to the Tualatin River National Wildlife Refuge in Sherwood, it can be argued that the VLDR land in Sherwood is not a critical element to the overall protection of the Tonquin Geologic area. However, Comprehensive Plan policies encourage and require future growth to complement the natural environment and, if possible, add additional viewing and access opportunities.

In addition, there are significant riparian and wildlife habitat areas within the SE Sherwood Study Area that will need to be considered when planning any changes to the zoning. **Figure 1** identifies the Metro inventoried resources in this area.

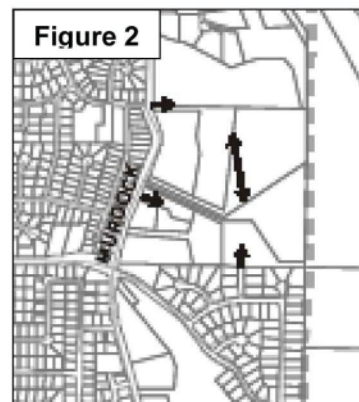
The Tualatin Basin Natural Resources Protection Program (Program) has been under development for the last four years with the cooperation and input from local cities and special districts Washington County's Tualatin River Basin. This program will not add any additional regulations beyond the existing Clean Water Services Title 3 buffer requirements. However, the Tualatin Basin Program does call for providing flexibility in development standards and encouragement of low impact development design techniques for areas that have class I and II riparian and class A and B wildlife resources. The City of Sherwood will participate in the development of new standards during the next year and will provide a proposal to the City Council in late 2006.



Transportation

The Transportation System Plan (TSP), adopted in March 2005⁵, is a master plan for all modes of transportation. The TSP identifies the need for local street connectivity in the SE Sherwood area connecting SW Denali Street to the north to provide access to the undeveloped parcels. **Figure 2** shows the local street connectivity identified in Figure 8-3 of the TSP for this portion of Sherwood. Planned connections include a new street that lines up with SW Roy Street, a new street to replace an existing flag lot drive, and another street to provide access and circulation internally.

The Southeast Sherwood study area is not directly adjacent to the newly added Urban Growth Area 48 (2004), therefore, a higher classification street and/or a street to the east of the existing City limits was not identified in the TSP. SW Murdock Road, running along the west of the study area, is classified as an arterial street. According to the TSP, SW Murdock Road lacks sidewalks and bicycle facilities adjacent to the study area. Other than SW Murdock Road, there is no planned bicycle or pedestrian facilities adjacent to the study area.



⁵ Adopted by the City Council March 15, 2005 (Ordinance 2005-006)

To the north, a planned trail is identified in the TSP through the National Wildlife Refuge connecting to the Tonquin Trail.

Historic Resources

The City adopted the Sherwood Cultural Resource Inventory as an appendix to the Comprehensive Plan update in March 1991.⁶ The inventory identified 2 resources in the SE Sherwood study area: the E. Murdock Residence and the Murdock Barn.

The E. Murdock Residence⁷ is listed as a resource of primary significance due to its connection with the Murdock family. It was inventoried in 1989 and found to be in fair condition, however, it appears that the residence was demolished. The residence was constructed circa 1905 by Emer Murdock who purchased the land in 1901. The Murdock family members were farmers in the area and resided in the Murdock residence until it was sold in 1943 to the Fosters.

The Murdock barn⁸ is listed as a resource of secondary significance and remains in the property currently identified on assessor's map 2S1 33CB, tax lot 300. In 1989 it was determined to be in poor condition, but remained in the significance inventory due to its connection with the Murdock family. The Murdock residence is directly west of the barn. The barn was constructed circa 1910.

Public Facilities

SW Murdock Road is served by an 8 inch PVC sanitary sewer line and water line that varies in size between 10 and 12 inches. There is currently no storm line in SW Murdock Road between SW Upper Roy Street and SW Sunset Blvd. The area south of the SE Sherwood study area appears to drain storm water to a pond system built with the Sherwood View Estates PUD which then flows south to an unnamed tributary of Rock Creek South. Murdock Park is the closest city park. This four acre facility is located near the intersection of Roy and Murdock Road. Sunset Park, at 16 acres, is the second largest park and located about 1,500 feet to the west along Sunset Boulevard. Archer Glen Elementary is the closest public school and has recreation fields.

⁶Adopted March 13, 1991 (Ordinance 91-922); Planning file PA 91-12.

⁷ Sherwood Cultural Resource Inventory Field No. 58, December 1989

⁸ Sherwood Cultural Resource Inventory Field No. 59, December 1989

Appendix 6





PC Resolution 2006-001

A RESOLUTION ACCEPTING THE "SE SHERWOOD MASTER PLAN REPORT" AND APPROVING A PROCESS TO IMPLEMENT THE PLAN

WHEREAS, the City of Sherwood has a Very Low Density Residential (VLDR) Zone in the Sherwood Plan and Zone Map that requires a minimum 1 acre per lot; and

WHEREAS, the City has approved recent subdivisions and partitions in the proposed study area without full public facility improvements because the City cannot require urban levels of service in proportion to the impacts of the projects; and

WHEREAS, the City expects future private development in the immediate future and a master plan for the neighborhood would provide a guide for better services for current and future property owners, neighbors, and the City; and

WHEREAS, the City Council adopted Resolution 2005-059 that authorized the SE Sherwood Master Plan process and participation in the Oregon Transportation and Growth Management Quick Response program to fund the study and master plan; and

WHEREAS, the City has held numerous public involvement opportunities including three meetings with the property owners and three public workshops; and

WHEREAS, the Planning Commission has held a work session on February 28, 2006 to consider the findings and recommendations of the report and held open public meetings with a comment period on March 28 and April 4, 2006; and

WHEREAS, the Planning Commission has discussed the recommendations from staff and the consultant and deliberated on May 9, 2006 to endorse the benefits of a coordinated master plan for efficient land use, multi-modal transportation, recreation trails, and shared open space; and

NOW, THEREFORE, THE CITY OF SHERWOOD PLANNING COMMISSION RESOLVES AS FOLLOWS:

Section 1. The SE Sherwood Master Plan Report (Exhibit A) dated February 20, 2006 is hereby accepted and the concept plans contained in the report meet the project objectives.

PC Resolution 2006-001
May 9, 2006
Page 1 of 2

Section 2. The Planning Commission will consider a specific development proposal from an applicant that is consistent with the principals and goals listed in Exhibit A, and those which provided the framework for the creation of the master plan alternatives. In particular, any proposal should attempt to meet the following performance targets:

Total number of proposed lots: 72
(Total does not include 11 existing 1-acre lots)

Acres of open space: 12.5

Gross Density: 2.2
(Gross density is equal to number of new lots divided by total acres of developable land. Total acres of developed land does not include "existing" lots. Roads, alley, and open space have not been subtracted from total developable land. Total developable land equals 36.6 acres)

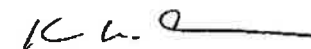
The Planning Commission also endorses a hilltop view point park included in open space, and the use of swale green space.

Section 3. This Resolution shall become effective upon its approval and adoption.

Duly passed by the Planning Commission this 9th day of May 2006.


Adrian Emery, Chair, Planning Commission

ATTEST:


Kevin A. Cronin, AICP, Planning Supervisor

Kurt Kristensen - M. Ed.
22520 SW Fair Oaks Ct.
Sherwood, OR 97140
503-625-2340

December 26, 2012

Ms. Michelle Miller, Associate Planner
Planning Department, City of Sherwood

Re: PA 12-04 Very Low Density Residential Text Amendment

Michelle Miller, Mr. Allen, Members of the Planning Commission and City Council
Representative, Ms. Clark:

According to City of Sherwood website (<https://www.sherwoodoregon.gov/vldr-pud-text-amendment-pa-12-04>), official mailings from Planning Department and a public solicitation mailing from Emerio Design (<http://emeriodesign.com/>), the latter firm has applied to the City of Sherwood to double the density requirements for the last remaining acreage (VLDR) within the City of Sherwood from two (2) per developable acre to four (4) per developable acre.

Emerio Design recently appeared in front of the City Council on behalf of a client to get approval for a PUD (Denali PUD) under the current VLDR limitations of two units per acre. City council approved a very feasible plan for an extremely challenged building site; it was accepted by council and most members of the public present.

The PA-12-04 application appears to be a direct confrontation with City Council and the public in order to push the density for not just the Denali PUD Subdivision, but the entire remaining acreage zoned VLDR within the City of Sherwood (Per proposal document, p. 1 of 8).

The proponent refers to the 2005 City Council authorized SE Sherwood Master Plan process and the subsequent 2006 City of Sherwood Planning Commission approval of the SE Sherwood Master Plan, Alternative B/C with a net density of 4.43 per buildable acre, following the connectivity, and Parks and Recreation lay-out.

According to the proposal four property owners hold parcels ranging from 11.63 acres to the 3.71 acres held by clients of applicants (First Community/Emerio Design), totalling 31 acres.

According to the proposal a doubling of the VLDR authorizing text allowing four units per buildable acre the list of property owners who would benefit increases to 7 (Proposal document, p. 2 of 8), with Mr. Huske, Chinn family and planning commission member Walker added and parcel sizes ranging from 11.63 to 3.06 acres.

The proposal refers to a technical memo from Ms. Hajduc to Mr. Cronin, but document is not available to public in foot notes to city website notice for PA 12-04

Under the compromise adoption by the Planning Commission in 2006 the City Council was asked to adopt the B/C recommendation calling for a 4.43 units per buildable lot (Proposal, p.4 of 8).

Applicant states that:

- (1) Allowing opportunities for increased density in the area of the SE Sherwood Master Plan will help make it economically feasible for development to pay for infrastructure. The proposed text amendment will not promote any changes to the adopted Transportation Systems Master Plan for the City of Sherwood.
- (2). The proposal is to incorporate elements of the SE Sherwood Master Plan into the development code so that the plan can be implemented. (Proposal, p. 7 of 8).

The current Planning Commission B/C SE Sherwood Master plan document show approximately 76 building units (Proposal, p. 1 of 8).

The proposal states that after the proposed doubling of the VLRM density allowance:

These six parcels total approximately 39 acres. Assuming 20% of the property is used for public streets, the resulting developable land totals approximately 31 acres. With 15% of that remaining acreage in open space (per the PUD requirements) and 10% set aside for water quality tract(s) the resulting developable land totals 23+ net buildable acres. When additional land is subtracted for a wooded open space on the Moser property as anticipated in the SESMP (4 acres +/-) there actually only 19 net buildable acres available (at a maximum) for development of single family homes (Proposal, p. 3 of 8). **Thus the proposal calls for approximately the same total acreage authorization as the already adopted master plan (4 x 19=76).**

It appears, however, that the beneficiaries are primarily 1-3 property owners.

The concerns that the Planning commission should carefully consider are:

1. Is it necessary since City Council and the public already have demonstrated adequate flexibility under current rules to provide for optimal building within the geological and environmental constraints.
2. Is there a chance that the SE Sherwood Master Plan design for additional city park and hiking paths will disappear within the small PUD approvals; the Denali PUD recently approved for applicant has already subsumed public access with vague assurance that open space will be maintained by homeowners.
3. Are there adequate City of Sherwood Planning constraints to enforce lay-outs of SE Sherwood Master plan B/C proposal for parks, hiking and environmental protection? The area is still in litigation with State of Oregon DEQ and property owners, and there are increasing environmental concerns about City's ability to require installation of and maintenance of an adequate area-wide SE Sherwood storm sewer system to protect adjacent wetlands and existing property owners in Fairoaks Subdivision (The entire area is mostly solid rock below 12"). Wetland owners and downstream property owners may require City of Sherwood to conduct an environmental impact assessment if further modifications are proposed.
4. The Development of the current Planning Commission Master Plan B/C for SE Sherwood took over three years to develop with multiple public meetings; the City of Sherwood City Council has, perhaps, violated the intent of the hearing process by not even placing it on a subsequent City Council Agenda between 2006-2013. It's possible that anything short of a City Council 2013 adoption of the current SE Sherwood Master Plan already adopted by the City's Planning Commission in 2006 may provide an opening for contesting a modification.

My analysis and historical involvement as a community representative for SE Sherwood and a property owner down stream from the proposed development acreage indicates that this text amendment is premature, and, perhaps unnecessary. There is a possibility it may introduce a harmful and short-sighted legal factor.

I recommend:

1. Planning commission re-refer their already adopted SE-Sherwood Master plan to the new 2013 City Council for adoption, with a strong recommendation that it be placed on a 2013 City Council Agenda for adoption.
2. Planning Commission ask Planning Department to prepare, in collaboration with Oregon DEQ, an environmental negotiated agreement between the City of Sherwood and all seven (7) property owners for submission to City Council, to assure city residents that area is developed with full assurance by DEQ that all identified pollutants are removed from within the City of Sherwood before any building permit is issued by the City of Sherwood. THE PUBLIC HEARINGS WERE VERY CLEAR THAT THE PUBLIC DID NOT FIND DATA CONVINCING TO ALLOW DEVELOPMENT OF FAMILY RESIDENCES UNTIL ALL POLLUTANTS WERE REMOVED. It is recognized that individual property owners cannot financially carry removal of pollutants, and thus have pressured DEQ to allow on-site-in perpetuity permission to leave pollutants to remain in earth embankments without any fenced containments, public signage and escrow accounts to assure maintenance and environmental protection. The City of Sherwood has, so far, resisted the community's suggestion to create a SE Sherwood improvement taxation area to fund environmental concerns of the life of proposed residences.

3. The Planning Commission vote to table the applicant's text proposal, without prejudice, until such a time as the SE Sherwood Master plan already adopted by the City of Sherwood Planning commission has been approved by a 2013 City Council.

Respectfully,

Kurt Kristensen

cc. SE Sherwood residents

References:

(1) DEQ

<http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealth>

http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealthAssessment/Documents/PHA_KFF_Final_021308.pdf

(2) Litigation

http://www.leg.state.or.us/press_releases/wingard_071311.pdf

http://arcweb.sos.state.or.us/pages/rules/bulletin/0711_bulletin/0711_othnotices_bulletin.html

Bruce Gillis communication 9-21-2012 stating: "The settlement is before the Oregon Court of Appeals as the plaintiff appealed the district court's approval and entry of the settlement. We hope this process is resolved by spring 2013..."

Michelle Miller

From: Kurt Kristensen <kurtk@poetspeak.com>
Sent: Wednesday, December 26, 2012 8:33 AM
To: Michelle Miller
Subject: Planning Commission Meeting on January 8, 2013 at 7 PM at City Hall

December 26, 2012

Dear people:

I strongly recommend that you plan to attend the planning commission meeting on Jan 8 at 7 PM at City Hall. The application for doubling density for SE Sherwood will impact you and the neighborhood.

<http://www.sherwoodoregon.gov/vldr-pud-text-amendment-pa-12-04>

The concerns that the Planning commission should carefully consider are:

1. Is it necessary since City Council and the public already have demonstrated adequate flexibility under current rules to provide for optimal building within the geological and environmental constraints.
2. Is there a chance that the SE Sherwood Master Plan design for additional city park and hiking paths will disappear within the small PUD approvals; the Denali PUD recently approved for applicant has already subsumed public access with vague assurance that open space will be maintained by homeowners.
3. Are there adequate City of Sherwood Planning constraints to enforce lay-outs of SE Sherwood Master plan B/C proposal for parks, hiking and environmental protection? The area is still in litigation with State of Oregon DEQ and property owners, and there are increasing environmental concerns about City's ability to require installation of and maintenance of an adequate area-wide SE Sherwood storm sewer system to protect adjacent wetlands and exisiting property owners in Fair Oaks Subdivision (The entire area is mostly solid rock below 12"). Wetland owners and downstream property owners may require City of Sherwood to conduct an environmental impact assessment if further modifications are proposed.
4. The Development of the current Planning Commission Master Plan B/C for SE Sherwood took over three years to develop with multiple public meetings; the City of Sherwood City Council has, perhaps, violated the intent of the hearing process by not even placing it on a subsequent City Council Agenda between 2006-2013. It's possible that anything short of a City Council 2013 adoption of the current SE Sherwood Master Plan already adopted by the City's Planning Commission in 2006 may provide an opening for contesting a modification.

My analysis and historical involvement as a community representative for SE Sherwood and a property owner down stream from the proposed development acreage indicates that this text amendment is premature, and, perhaps unnecessary. There is a possibility it may introduce a harmful and short-sighted legal factor.

I recommend:

1. Planning commission re-refer their already adopted SE-Sherwood Master plan to the new 2013 City Council for adoption, with a strong recommendation that it be placed on a 2013 City Council Agenda for adoption.
2. Planning Commission ask Planning Department to prepare, in collaboration with Oregon DEQ, an environmental negotiated agreement between the City of Sherwood and all seven (7) property owners for submission to City Council, to assure city residents that area is developed with full assurance by DEQ that all identified pollutants are removed from within the City of Sherwood before any building permit is issued by the City of Sherwood. THE PUBLIC HEARINGS WERE VERY CLEAR THAT THE PUBLIC DID NOT FIND DATA CONVINCING TO ALLOW DEVELOPMENT OF FAMILY RESIDENCES UNTIL ALL POLLUTANTS WERE REMOVED. It is recognized that individual property owners cannot financially carry removal of pollutants, and thus have pressured DEQ to allow on-site-in perpetuity permission to leave pollutants to remain in earth embankments without any fenced containments, public signage and escrow accounts to assure maintenance and environmental protection. The City of Sherwood has, so far, resisted the community's suggestion to create a SE Sherwood improvement taxation area to fund environmental concerns of the life of proposed residences.
3. The Planning Commission vote to table the applicant's text proposal, without prejudice, until such a time as the SE Sherwood Master plan already adopted by the City of Sherwood Planning commission has been approved by a 2013 City Council.

Respectfully,

Kurt Kristensen

cc. SE Sherwood residents

References:

(1) DEQ

<http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealth>

http://public.health.oregon.gov/HealthyEnvironments/TrackingAssessment/EnvironmentalHealthAssessment/Documents/PHA_KFF_Final_021308.pdf

(2) Litigation

http://www.leg.state.or.us/press_releases/wingard_071311.pdf

http://arcweb.sos.state.or.us/pages/rules/bulletin/0711_bulletin/0711_othnotices_bulletin.html

Bruce Gillis communication 9-21-2012 stating: "The settlement is before the Oregon Court of Appeals as the plaintiff appealed the district court's approval and entry of the settlement. We hope this process is resolved by spring 2013..."

Kurt Kristensen - M. Ed.
22520 SW Fair Oaks Ct.
Sherwood, OR 97140-9720

503-625-2340

<http://www.commondreams.org/>



Home of the Tualatin River National Wildlife Refuge

TOWN CENTER PLAN STEERING COMMITTEE MEETING PACKET

FOR

Tuesday, January 8, 2013
(Following the Planning Commission Meeting)

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**



**Town Center Plan Steering Committee
Meeting Agenda**

**January 8, 2013 – following the
Planning Commission Meeting
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140**

AGENDA

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda: None**
- 4. Staff Announcements**
- 5. Community Comments**
- 6. New Business**
 - a. Discussion of Sherwood Town Center Plan
- 8. Adjourn**

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I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 1/8 Agenda Item: PA 12-04

Please mark your position/interest on the agenda item

Applicant: Proponent: Opponent: Other

Name: KIRSTEN VAN LUD

Address: 30495 SW BUCKHAVEN RD

City/State/Zip: HILLSBORO, OR, 97123

Email Address: KIRSTEN@EMERUDESIGN.COM

I represent: Myself Other

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I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 1-8-2013 Agenda Item: PA 12-04 VLOR Text Amendment

Please mark your position/interest on the agenda item

Applicant: Proponent: X Opponent: Other

Name: Patrick Huske

Address: 23352 SW Murdock Rd.

City/State/Zip: Sherwood, OR 97140

Email Address: patrick@ironwood-homes.com

I represent: X Myself Other

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I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 1/27/13 Agenda Item: PA R-04

Please mark your position/interest on the agenda item
Applicant: Proponent: Opponent: Other

Name: KURT KRISTENSEN

Address: 22520 SW FAIRDALES CT

City/State/Zip: Sherwood, OR 97140

Email Address: kurt@poetspeak.com

I represent: Myself Other

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I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 1-8-13 Agenda Item: VLDOR - TEXT AMENDMENT

Please mark your position/interest on the agenda item

Applicant: Proponent: Opponent: X Other

Name: ROGER AND LISA WALKER

Address: 23500 SW MURDOCK RD.,

City/State/Zip: SHERWOOD / OR / 97140

Email Address: ROGER.LISAWALKER@GMAIL.COM

I represent: ✓ Myself(s) Other

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Date: 1-8/13 Agenda Item: VHPR Publ Text Amendment

Please mark your position/interest on the agenda item
Applicant: Proponent: Opponent: Other

Name: Roni Craigmiles

Address: 23500 Sw Murdock

City/State/Zip: Sherwood OR 97140

Email Address: msronic@gmail.com

I represent: Myself Other

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I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 1/8 Agenda Item: _____

Please mark your position/interest on the agenda item
Applicant: _____ Proponent: _____ Opponent: X Other _____

Name: TONY BRITTON

Address: 23559 SW McLOUGHLIN CT

City/State/Zip: SHERWOOD, OR 97140

Email Address: & tony@stumptownsound.com

I represent: X Myself _____ Other

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Date: 1/8/13 Agenda Item: PA 12-04-VLDR

Please mark your position/interest on the agenda item
Applicant: Proponent: Opponent: Other

Name: Beth Cooke

Address: 23598 SW McLoughlin Ct.

City/State/Zip: Sherwood OR 97140

Email Address: cookeb@comcast.net

I represent: Myself Other

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Date: 1/18/17 Agenda Item: SS Sherwood Master Plan

Please mark your position/interest on the agenda item

Applicant: Proponent: Opponent: Other

Name: Brian Satterberg

Address: 3437 Cascade Terrace

City/State/Zip: West Linn OR 97068

Email Address: Satterberg@communityfc.com

I represent: Myself Other

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Very Low Density Residential-PUD Text Amendment

Public Hearing before the Planning Commission
January 8, 2013

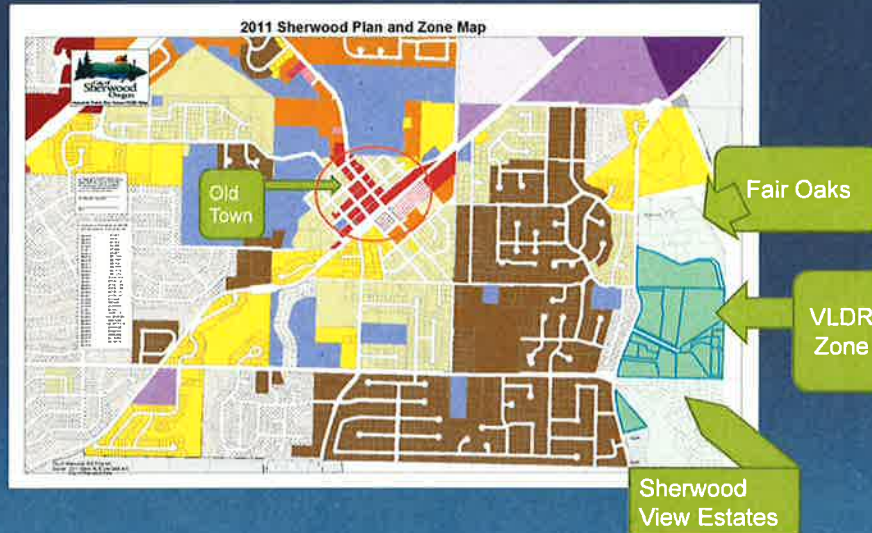
Background and Process

- Last year, Application received for a Planned Unit Development for a 8 lot subdivision known as Denali PUD
- PC recommended a 7 lot subdivision
- City Council approved a 6 lot subdivision based on the density standard of 2 units per acre.
- Applicant requests several changes to the standards as applied to the PUD standards for the VLDR zone itself, not just the Denali property
- Tonight's hearing is about the Code changes as applied to all the VLDR properties-not just the Denali site.

1-8-13
Date
7b
Agenda Item

Planning Comm.
Gov. Body
1
Exhibit #

Very Low Density Residential Zone



Issues Before the Planning Commission- Applicant's Proposed Amendments

- VLDR- Net Density with a PUD
 - From 2 units per acre to **4 units per net acre**
- Minimum Lot Size for PUD
 - From 10,000 square feet to **8,000 sq. ft.**
- Minimum Size of a PUD subdivision
 - Generally from five acres to **three** acres

SE Sherwood Master Plan

- Collaboration between the City, neighbors, property owners, and developers
- Environmental and topographic constraints limited development
- Nature resource preservation
- Walkable neighborhoods
- Increased density buffered by larger lots on the perimeter of the area

SE Sherwood Master Plan Layout



Contaminated Soils-Ken Foster Farm Site

- Soil samples show contamination from Ken Foster Farm

Used for discarding tannery waste from the Frontier Leather facility

Hexavalent chromium in the soil- levels require cleanup

Preliminary Assessment completed in 2006 and DEQ entered into the database

Any development will require cleanup of the site in question before development can occur

Density Calculation in the VLDR Zone with a PUD- Comparison

4.88 acre lot

4.88 acre - 20% (roads, wetland) = 3.91 net acres

Current Code Density Calculation

$3.91 \times 2 \text{ d.u.} = 7.82 \text{ or } 8 \text{ units}$

Density Transfer for PUD
 $7.82 \times 20\% = 1.56$

$7.82 + 1.56 = 9.38 \text{ units or } 9 \text{ units}$

Proposed Code Density Calculation

$3.91 \times 4 \text{ d.u.} = 15.64 \text{ or } 16 \text{ units}$

Density Transfer for PUD
 $15.64 \times 20\% = 3.13$

$15.64 + 3.13 = 18.77 \text{ units or } 19$

* 20 % additional density allowance for environmentally constrained sites

Comparison of Lot Sizes



Next Steps in the Process

1. Hold a public hearing to consider the applicant's proposal
2. Recommend, or specify any changes to the Code Language
3. Forward a recommendation to the City Council



Any questions?

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
January 8, 2013

Commission Members Present:

Chair Patrick Allen
Vice Chair Brad Albert
Commissioner John Clifford
Commissioner Russell Griffin
Commissioner Lisa Walker

Staff Present:

Julia Hajduk, Community Development Director
Bob Galati, City Engineer
Michelle Miller, Associate Planner
Kirsten Allen, Planning Dept. Program Coordinator

Commission Members Absent:

Commissioner Michael Cary
Commissioner James Copfer

Council Liaison

Councilor Krisanna Clark

Legal Counsel Present:

None

1. Call to Order/Roll Call

Vice Chair Brad Albert called the meeting to order at 7:09 pm.

2. Agenda Review

The agenda consisted of the Consent Agenda and a Public Hearing for PA 12-04, VLDR PUD Text Amendment.

3. Consent Agenda

- a. June 26, 2012 Planning Commission Corrected Minutes
- b. November 27, 2012 Planning Commission Minutes

Motion: From Commissioner Lisa Walker to accept the Consent Agenda as written, Seconded By Commissioner John Clifford. All Commission Members Present Voted In Favor (Chair Allen and Commissioners Cary and Copfer were absent)

4. Council Liaison Announcements

Councilor Krisanna Clark invited City staff and the public to the next City Council meeting for the swearing in of Mayor-elect Middleton and re-elected members of Council. Ms. Clark stated that the building intended for the Community Center was a loss and would be demolished after the EPA approves the asbestos removal. Ms. Clark asked City Engineer Bob Galati to explain about the project and the upcoming Downtown Streetscapes Project.

Bob explained the City will take about three months to take care of environmental concerns prior to demolition, get demolition permits, and prep the lot. Parallel to the demolition, the Streetscapes project will begin, the bids came in lower than expected, and K & E Excavating out of Eugene will be doing the work. Bob said there will be meet and greets between the contractor and the public before construction begins with the next week or two.

Recorder's note: Chair Allen arrived at 7:09pm and took over conducting the meeting.

5. Staff Announcements

Community Development Director Julia Hajduk informed the Commission that although the building was declared dangerous the City is planning on moving forward with the Community Center Project and any changes to the project will come before the Planning Commission as part of the Cannery Planned Unit Development (PUD). Commissioner Griffin asked if the committees or the Community Center Project will be reformed. Councilor Clark confirmed that it was planned to do so.

Julia notified the Commission that there will be a Town Center Open House on January 17, 2013 from 5:30-7:30pm at City Hall and that the LUBA appeal to the Langer Farms Phase 7 had been withdrawn, but there is still no word on the anchor tenant.

Michelle Miller, Associate Planner, reminded the Commission that the City had received a grant for the Cedar Creek Trail and gave an update of the project stating that a kick off meeting had been held in December and a Local Trail Advisory Committee was being formed to help advise the Parks Commission regarding the development of the trail. Advisory members may be appointed by Council in February. Michelle asked if any members from the Planning Commission would be willing to serve on the committee with John Clifford expressing his interest.

6. Community Comments

There were no community comments.

7. New Business

a. Election of new Chair and Vice Chair (per SZCDC 16.06.020)

Julia informed the Commission that, per code, a new chair and vice chair were to be elected in odd calendar years and opened the floor for nominations. Nominations were received and seconded with Commissioner Patrick Allen being re-elected as Planning Commission Chair and Commissioner James Copfer conditionally elected as Vice Chair, should he accept the position.

b. Public Hearing – PA 12-04 VLDR PUD Text Amendment

Chair Allen read the public hearing statement for a legislative hearing and stated the Planning Commission's role in the amendment was to make a recommendation to City Council. Chair Allen explained that because it was legislative there was no need to disclose ex parte contact and asked if there were any conflicts of interest. Commissioner Walker recused herself as a Commissioner in order to give testimony on the matter and would not be part of the deliberation or forward recommendation to Council.

Julia commented that she was questioned regarding any conflict of interest by Planning Commissioner members who were involved in the SE Sherwood Master Plan process and stated that because the amendment was legislative there is no conflict of interest.

Michelle Miller gave a presentation for PA 12-04 VLDR PUD Text Amendment (see record, Exhibit 1) and said that last year an application for an 8 lot subdivision known as the Denali PUD was forwarded by the Planning Commission and approved by Council as a 6 lot Subdivision based on the density standard or two units per acre. Michelle explained that the applicant was requesting several changes to the Development Code and the standards applied to a PUD for the Very Low Density Residential (VLDR) zone and not just the Denali site.

Michelle showed the City Zoning map and identified the VLDR zoning that includes the Fair Oaks subdivision to the north and Sherwood View Estates subdivision to the south, with undeveloped land in between. VLDR lots are for single residential lots only and are about 10,000 square feet in size if developed as a PUD, or have a 40,000 minimum lot size as a stand-alone subdivision.

Michelle explained that the amendments to the code for a PUD, in the VLDR zone proposed by the applicant are

- To change the net density requirements, from 2 units per acre to 4 units per net acre;
- To reduce the minimum lot size from 10,000 square feet to 8,000 square feet; and
- To specify that the minimum size for developing a PUD is 3 acres.

Michelle explained that the proposal stems from the work done with the SE Sherwood Master Plan, a collaborative effort between the city, neighbors, property owners, and developers, to address some of the environmental and topographical constraints that had been limiting development. The master planning included goals to preserve natural resources and to create a walkable neighborhood that increased density buffered by the larger lots on the perimeter of the area.

Chair Allen asked regarding the legal status of the plan and its adoption.

Michelle answered that the in 2006 Planning Commission adopted a resolution for the SE Sherwood Master Plan acknowledging the efforts of the group and set the principles in the plan would be applied when developments came in.

Julia added that the SE Sherwood Master Plan does not have the teeth of law; it was accepted by the Planning Commission that if people came forward to submit applications consistent with the plan, the Planning Commission was encouraging it.

Michelle said that another challenge with the area is the contaminated soils from the Ken Foster Farm site and explained that soil samples showed contamination. The contamination came from tannery waste from Frontier Leather dumped on the farm and Hexavalent Chromium was in the soil at levels that required clean up. Michelle said that the DEQ did a preliminary assessment in 2006 and required that cleanup of the site must be done before development or construction could occur on the site and a letter of no further action from DEQ must be received.

Michelle showed a comparison of the current code density requirements and the proposed code density language and explained that 20% of the acreage is taken out for roads and land that would not be part of a final lot to make the net acreage. That net acreage is multiplied by the number of dwelling units allowed. In the example given the current code would allow for 8 units; under the proposed language, 16 units would be allowed. Michelle described that another 20% added density allowance can be given for environmentally constrained sites and showed examples of those calculations.

Michelle showed an aerial view of lots off of Murdock road that compared 7,000-9,000 square foot lots to 10,000-12,000 square foot lots to show what the density change might look like. Michelle explained that the next steps are to hold a public hearing to consider the applicant's proposal, recommend or specify any changes to the Code Language, and to forward a recommendation to the

City Council. The Planning Commission was provided with the staff report containing Exhibit A, the proposed changes; Exhibit B, the applicant's supporting materials; Exhibit C, the SE Sherwood Master Plan; Exhibit D, the Resolution acknowledged by the Planning Commission; and Exhibit E, citizen comments from Kurt Kristensen. Exhibit F is a letter from Patrick Huske, was received by the Commission at the meeting (see PA 12-04 record, Exhibit F).

Chair Allen asked if there were any questions for staff.

Commissioner Griffin asked for the current density for Low Density Residential (LDR). Michelle answered that LDR ranges from 3.5 to 5 dwelling units per acre with a 7,000 square foot lot minimum and all calculations are by net density.

With no other questions from the Commission, Chair Allen asked to receive public testimony.

Kirsten Van Loo, representing the applicant, 30495 SW Buckhaven Road, Hillsboro. Ms. Van Loo reminded the Commission that she was before them about a year ago for the Denali PUD that was zoned VLDR.

Due to some misunderstanding regarding the time allotted to Ms. Van Loo, Chair Allen called for a short recess at 7:32 pm.

Chair Allen reconvened the meeting at 7:41 pm and explained that script that was read was for a legislative hearing that is appropriate for a City initiated code change. The code provides for an applicant initiated code change. Chair Allen said that the hearing would be treated as a Quasi-judicial hearing and the applicant would be allowed to give testimony and rebuttal, public testimony would be received, and the end result would be a recommendation to Council by the Planning Commission. Chair Allen asked if there was any ex parte contact, bias, or conflict of interest that needed disclosed by any of the seated commissioners and confirmed with the audience that there were no concerns regarding their participation in the hearing. The applicant was given thirty minutes to divide between testimony and rebuttal.

Ms. Van Loo continued her testimony and said that the City Council determined that there was no legal basis to approve a PUD in the VLDR considering any of the goals or policies of Planning Commission Resolution regarding the SE Sherwood Master Plan, because the resolution had not been carried forward to City Council. Ms. Van Loo said that City Council had encouraged the applicant to come back to the City and apply for a PUD text amendment to amend the code language for the density calculations, and other policies listed in the SE Sherwood Master plan. Ms. Van Loo explained that the text amendment before the Commission builds off of the resolution, makes changes to the development code, and provides a legal mechanism to allow the owner to come back to the Planning Commission with a new subdivision.

Ms. Van Loo commented regarding the gross density and referred to the Alternatives Comparison chart found in the SE Sherwood Master Plan on page 56 of the Planning Commission packet. Ms. Van Loo described the chart as showing the four different concept plans put forth during the SE Sherwood Master planning process and pointed out that the net density is the number of lots divided by the net acres of developable land. Ms. Van Loo suggested that the right net density to support the concepts in the SE Sherwood Master Plan was about 4 units per net acre; a lower number than three of the four proposed alternatives. Ms. Van Loo said that the Planning Commission Resolution was looking for a total of approximately 72 lots and by using a net density

of four units per acre and the proposed language achieves a density that is less than what most of the alternatives proposed and is comparable to the resolution adopted in 2006 by the Planning Commission.

Ms. Van Loo commented that there are only about six or seven parcels of VLDR land in the City of Sherwood that are developable. Five parcels are vacant or have only a single house on the land. Of the other parcels, one of them has access to Murdock Road which would make redevelopment challenging; another parcel is not likely to be able to be re-developed based on the value and location of the house along with parcel access. This owner has indicated on public record that they may want to redevelop with at least a minor partition. Ms. Van Loo explained that the five parcels total about 36 acres of potentially developable land and are adjacent to each other; the land to the south, Sherwood View Estates has been developed as a PUD and has some vacant lots; and the land north, Fair Oaks Subdivision, was developed as a PUD, and is fully built out.

Ms. Van Loo commented on a portion of the resolution which states that *the City has approved recent subdivisions and partitions in the proposed study area without adequate public improvements because the City cannot require urban levels of service in proportion to the impact of the projects* and referred to the Nollan case and Dolan case. Ms. Van Loo said that if land is developed at one or two units per acre and developers are required to build full urban services, as required by the City Engineer and the Transportation Plan, the City will run into a Dolan conflict. At one or two units per acre the impacts of that development are too small to justify the expensive public infrastructure mandated; full streets, sidewalks, curbs, street trees, planter strips, sewer, storm, electricity, gas, etc. Ms. Van Loo said the SE Sherwood area was studied because Ironwood Estates subdivision was developed in the area and the hearings officer made findings and set conditions for the project to build infrastructure that was less than current urban service standards.

Ms. Van Loo said that the application allows the five parcels to develop at a standard that supports urban services and infrastructure, is in compliance with the findings and conclusions of the adopted Planning Commission, and allows development that is similar to the existing development in the area. Ms. Van Loo commented that it will not create something that is incompatible, but will allow these five property owners to build and contribute to the city's vitality.

Chair Allen asked regarding the other elements of the resolution.

Ms. Van Loo answered that the proposal for the text amendment addresses two numerical standards; the number of units per net developable acre, and the minimum lot size. Every other requirement in the PUD language is the same and it does not change. The proposed language changes the numerical standards to facilitate denser development. Any PUD would have to be a minimum of three acres and still go through the same PUD, Type V process, which requires two public hearings in front of the Planning Commission and one in front of City Council.

Chair Allen asked how much time the applicant had for rebuttal and was told 11 minutes.

Patrick Huske, 23352 SW Murdock Road, Sherwood. Mr. Huske said he was a business owner and he owns property in this neighborhood in the form of his personal home, a 4.88 acre piece that has been through the land use process, and two lots remaining in the Iron Acres subdivision. Mr. Huske said that this code amendment will benefit the public with streets, trails, sidewalks, and additional trees. The other thing it will do is to bring that raw land into productive use. It will bring dollars to the City to deal with DEQ issues, have tax benefits, and benefit the schools.

Kurt Kristensen, 22520 SW Fair Oaks Court, Sherwood. Mr. Kristensen said he lived directly north of the proposed land use change and commented regarding the two to three years it took to develop a consensus on what to do about the land in question. Mr. Kristensen said that Chair Allen was on the Planning Commission at that time and Commissioner Walker was part of the community group. Mr. Kristensen said the community did not get everything that they wanted, but instead something that was a productive and good east side for the City of Sherwood and was a design that respected the challenges of the geological formations in the area. Mr. Kristensen said he had submitted an extensive written testimony (See PA 12-04, Exhibit E) that he hoped the Commission would wait until the DEQ rules on the increased standards for Chromium and the City Council has a hearing on the SE Sherwood Master Plan. Mr. Kristensen commented that Denali represents a small portion of the land and is an example of front loading the density and the open land proposed by the applicant was the portion used as a non-fenced dump for DEQ pollution material right in front of the current development.

Mr. Kristensen stated that in 2006 there was a collaborative effort by the community and the text amendment proposal was not a collaborative effort, but a developer push, partly engineered by City staff to accomplish something that they did not want to accomplish through the formal process of having a hearing on the SE Sherwood Master plan.

Mr. Kristensen expressed his concern for the hybrid format of the public hearing saying that Ms. Van Loo had an extended amount of time to state her views and he may be the single person with the most historical knowledge and involvement in the process and asked that the record would reflect that the community was not afforded a balanced ability to represent itself under this format.

Lisa Walker, 23500 SW Murdock Road, Sherwood. Ms. Walker informed the Commission that she had submitted written testimony (see PA 12-04, Exhibit G) that was a basis for her comments and stated that she and her husband, Roger, were property owners in the VLDR zone. Ms. Walker acknowledged that the Planning Commission had many projects that came before them and suggested that this decision may be one of the bigger decisions made. Ms. Walker said that a lot of decisions by the Commission require research on the impacts and gave the example of the code clean up that has taken over two years. This decision is affecting fundamental code language that will require more due diligence and is a continuation of the SE Sherwood Master plan discussion that began seven years ago. Ms. Walker commented that nothing was adopted and the resolution has no teeth as it is not legislative; it was a huge endeavor that involved a lot of people with no consensus reached. Ms. Walker asked that more citizen testimony be received and considered, and additional time be given for further investigation.

Ms. Walker referred to the staff report, on page 24 of the packet, under 16.80.030.1 and said the applicant claims that the need for the proposed amendment is found in the resolution, but the applicant is relying almost solely on a resolution that had no consensus. Ms. Walker commented that Alternatives Comparison chart consisted of proposals nobody liked and the citizens were not informed enough to know that a decision did not have to be made. Neither the citizens nor the Planning Commission felt strongly about the Plan and that is why it did not move on to Council. Ms. Walker said that the Planning Commission had not used the resolution process before or since which negates its strength; the resolution was a way move on. Ms. Walker said the resolution was done seven years ago, it was prudent to look into the intent to determine the current validity of the issues, and it should not be accepted at face value.

Roger Walker, 23500 SW Murdock Road, Sherwood. Mr. Walker commented that the Moser property has been logged and could no longer have the park that was planned. Mr. Walker said that the resolution supported a plan that could not be legally done and supports the position of a process that was stopped prematurely, prior to due diligence. Mr. Walker stated that the proposed text amendment did not satisfy all issues identified in the SE Sherwood Master plan which included the hilltop viewpoint and was to have density buffering with high density in the middle and lower density on the outskirts.

Mr. Walker referred to Citizen Involvement, as noted on page 25 of the packet, and said that seven years ago there were approximately 120 people that participated in 5 months of discussions regarding the plan. Mr. Walker commented regarding the need to have more input and perhaps more plans of what wants to be done to this site, because this is the last low density land in Sherwood. Mr. Walker said that the DEQ has changed the specifications of their findings and have loosened the requirements regarding the Chromium that was found. They have not come back to the land owners to let them know if the land is less or more contaminated. Mr. Walker commented that this change should be reflected in the Commission's decision as the money needed to clean up, may be less than anticipated and money may be a reason for proposing an increase in density. Mr. Walker said that the packet contained citizen comments received during the SE Sherwood Master Plan discussion and suggested that time should be spent to review and obtain new comments in a similar manner. Mr. Walker explained that the B/C plan in the Alternative Comparisons chart was the last plan that was decided on and it was the "least worst" plan, not the most liked.

Jean Simson, 22466 SW Nottingham Court, Sherwood. Ms. Simson submitted written testimony (see PA 12-04, Exhibit H) then referred to the proposed language in Section 16.12.01A.2 that states *Minor land partitions shall be exempt from the minimum density requirement*, and asked what the purpose and the impact of the statement was and if land partitions would be subject to the minimum lot size.

Ms. Simson said she participated in the 2006 SE Sherwood Master Plan process and was a proponent to updating the code, however she was concerned that increasing the density may have a negative impact on the area. Ms. Simson asked the Commission to pursue implementing the Master Plan or to incorporate the intent of it in the PUD text as the applicant relies on the master plan in proposing the changes for the text. Ms. Simson explained that the SE Sherwood Master Plan was the result of a study done by a consulting firm called OTAK, through multiple public meetings, work sessions, and public hearings, and many factors were considered and integrated into this comprehensive plan. The final preferred alternative was an 82 lot design with significant open space amenities including a one acre neighborhood park with pedestrian paths. Ms. Simson said that consideration was made for preserving the natural environment on the site that included a buffer with larger lots planned for the southwest area and smaller lots were located to the north. Ms. Simson commented that the proposed text amendment keeps one acre, but allows four units per acre on a PUD; this is twice the density without any safeguards provided in the master plan. The final 2006 resolution was for 72 lots and twelve and half acres of open spaces, the text amendment does not have that safeguard. Ms. Simson observed that the text amendment does not reference or incorporate the master plan and encouraged the Commission to move the actual master plan document forward to the Council or at a minimum reference the purpose and intend of the plan into the PUD text language as suggested in the staff report. Ms. Simson commented that the Commission did not have to move forward because the action was legislative.

Roni Craigmiles, 23500 SW Murdock Road, Sherwood. Ms. Craigmiles reminded the Commission that the application concerned all the property, not just the property at the end of Denali Lane, and the decision will affect the whole area. Ms. Craigmiles said that if the zoning is changed the density for her property would to increase to support twelve houses and in combination with the adjoining neighbor's land, there could be twenty-four houses backing up to Sherwood View Estates. Ms. Craigmiles stated that this would not happen while she lived there, and said we should be responsible stewards. Ms. Craigmiles commented that the SE Sherwood Master Plan was developed under a time constraint that is no longer present and there had been a push to come up with something that was agreeable to multiple property owners that was environmentally responsible, legal, and compatible with the City's hope for the future. Ms. Craigmiles said that what was developed made no one happy and consequently, nothing became of the recommendations. This is a legislative action and does not require swift movement or any change at all. The SE Sherwood Master Plan should be revisited, considering changes that have taken place since it was adopted. Ms. Craigmiles suggested a review of what has changed in seven years, taking into account that ideas, people, and concerns may be different. Ms. Craigmiles commented regarding the different lot sizes and zoning available throughout Sherwood and each filling a need. Metro has always touted diversity in housing we should protect this unique part of Sherwood. Ms. Craigmiles said Sherwood has one area zoned VLDR and the initial intent was to recognize the uniqueness of it; the wetlands, the topography, and natural habitat. There will never be an area like this again.

Tony Britton, 23559 SW McLoughlin Court, Sherwood. Mr. Britton said that it seems the applicant did not need to double the density to get through the hurdles specified and compared the density changes to doubling the number of students per classroom, stating it would have a major effect on the quality of their experience. Mr. Britton commented on other high density areas available in the City and said no new feeder streets to deal with the traffic increases would be added to the existing high traffic on Murdock Road going up to the different neighborhoods near Sunset Blvd. Mr. Britton said he did not think it will have a very positive impact and could be done well with 54-60 houses; which is a lot better than 82.

Beth Cook, 23598 SW McLoughlin Court, Sherwood. Ms. Cook commented that it was important to maintain a variety of lot sizes and there are very few parcels that remain within the City of Sherwood that can accommodate the need for larger lots. The VLDR zone includes environmentally sensitive areas the Commission should take that into consideration. Ms. Cook requested that the Planning Commission consider changing the net density for the VLDR zone to 3 units per acre while maintaining the required minimum lot size of 10,000 square feet. Ms. Cook commented that the SE Sherwood Master Plan was not adopted and should be reviewed again consider carefully what these changes mean for the city as a whole and to consider other options that can be explored.

John Satterberg, 3437 Cascade Terrace, West Linn. Mr. Satterberg said he was the banker who foreclosed the property [Denali] and had been charged with finding solutions to dispose of properties. Mr. Satterberg explained that he was led to believe that the property could be approved for an 8 lot subdivision and at 2 units per acre and any man would have said 3.91 acres would be 7 units, but that City Council approved it for a 6 lot plat. Mr. Satterberg commented that the off-site improvements on Ironwood Road would bring the cost of the project up to \$550,000 to develop, which would not work. Mr. Satterberg said the only intent was to get [Denali] approved for an eight lot subdivision, not to increase the density too much, but to have a conformity with Sherwood View Estates with lot sizes at 8,000 to 12,000 square feet. Mr. Satterberg explained that the

Chromium has to be cleaned up and a circular loop would be created to come out through Sherwood View for fire truck access.

Before going back to the applicant for rebuttal, Chair Allen asked Councilor Krisanna Clark to characterize the instructions given to the applicant from City Council regarding the way to fix the unenforceable Master Plan.

Councilor Clark said she believed that legal counsel gave the applicant a few options because Council could not approve the recommendation by the Planning Commission as it did not fit the code.

With no other public testimony Chair Allen gave the applicant 11 minutes for rebuttal and was informed that the applicant has used 11 minutes and had 19 minutes of remaining time.

The applicant's representative, Ms. Van Loo, began by clarifying that a minor partition in VLDR is currently exempt from minimum density requirements and would continue to be exempt.

Ms. Van Loo said she appreciated the suggestions from community members to bring the entire SE Sherwood Master Plan back to the Planning Commission for adoption as it was not something that an individual property owner could do; financially or legally. Ms. Van Loo commented that the Planning Commission had spent significant time talking about the Sherwood Master Plan and the resolution did adopt it. Ms. Van Loo commented that staff could give stories as to why the master plan was not carried through to City Council, but could only propose a text amendment that embodies the precepts of the master plan. The master plan was a vision developed by about 120 people who participated in a process. Ms. Van Loo stated that she mailed out 114 invitations on bright yellow paper to households who had VLDR zoning in the City and invited them to an open house that was held on January 2, 2013 but because of lack of interest less than 20 people showed. Ms. Van Loo said she held a meeting last fall inviting all the property owners who had vacant land and not many attended the meeting, but she received feedback from several owners. Ms. Van Loo spoke of the comfort and lifestyle enjoyed by homeowners in Sherwood View Estates and Fairoaks subdivision and said property owners who live in a developed PUD enjoy.

Ms. Van Loo commented on testimony regarding the need to come up with an affordable methodology appropriate for the undeveloped land and said that staff had made it clear that they did not have it in the work plan to take the SE Sherwood Master Plan through to City Council for ratification. Ms. Van Loo said that staff strongly encouraged her to make an application because they said were looking for members of the community, who have a vested interest in the property, to carry forth with the precepts that are in the SE Sherwood Master Plan.

Ms. Van Loo agreed that the SE Sherwood Master Plan is not a consensus plan; every community plan was a compromise, because of varied ideals, beliefs and perceptions of what is appropriate for their land and for their neighbors land. The B/C plan in the SE Sherwood Master Plan is a compromise based on a lot of work that is reasonable and practicable, and possible through the PUD process.

Ms. Van Loo commented that the current PUD process provides for open space and design options and would provide the citizens and members of the VLDR community opportunity to participate in the design of any piece of property proposed for development. Ms. Van Loo conceded that some things have changed, on the Moser property specifically, but the concepts, circulation plan and

some of the vision accomplished with the plan can go forward. Regardless of adoption, each property owner will hire their own consultants with their own vision for the property based on the needs and desires of the property owners, clients and community.

Ms. Van Loo described the VLDR land, prior to its annexation by the City of Sherwood as urban, unincorporated Washington County, zoned R5, or five units per acre and commented that when property is annexed from a county to a city there is normally a provision of urban services and an urban scale of development but the property was down zoned to one unit per acre. Ms. Van Loo commented that she could not propose 5 units per acre on the land for a variety of reasons, including that there is a master plan that dictates 4- 5 units per acre.

Ms. Van Loo commented regarding the compromise between vacant and developable land and the phrase “Paralysis by Analysis” where concepts are analyzed to where nothing happens. Ms. Van Loo said she did not believe that the Planning Commission and the City Council wanted to do nothing with the land and encouraged the Commission to remember the section of the resolution that states that the City cannot require urban levels of impact and improvements if they cannot make the connection between quantity of the development and the cost of the infrastructure.

Chair Allen asked for questions for the applicant. Seeing none, Chair Allen closed the public hearing and moved to staff comments.

Julia Hajduk reminded the public that the Planning Commission would provide a recommendation to Council and there would be further opportunities for the public to add comments at a Council meeting. Julia asked if the Commission had any questions regarding the SE Sherwood Master Plan or the process.

Chair Allen said he remembered working on the master plan and asked if the Commission had options to try to address the issues other than changing all VLDR in the City. There are sets of issues that apply to all of VLDR and there are sets of issues that apply more narrowly to the Denali PUD that went to Council previously.

Julia explained that the Commission could apply rules under certain circumstances and there might be other zoning or map changes available. Discussion followed.

Commissioner Clifford inquired about the area being the last VLDR in the city and asked if there were annexations that might include the zoning.

Michelle answered that VLDR zoning is unique to the metropolitan area and as the City annexes new area there are Metro guidelines requiring average density for the entire city that would rule out a similar density of this size. It is the last VLDR zone in the city.

Chair Allen commented that the challenge is to take this unique density, put it on top of our most geographically and topographically challenged properties with a zoning that is very difficult to actually apply. Chair Allen commented regarding the difficulty for staff to direct Denali as to what can be done and the applicant’s aim to increase density without the rest of the package stating that he was not sure this is how to fix the problem.

Julia stated that staff was looking for questions or requests for information needed by the Commission for making a recommendation and said she was hearing concerns about the impacts.

Commissioner Clifford asked regarding how it works when a property owner gives up land for public use; what land becomes dedicated and what becomes preserved; who maintains it; and whether it is open space for the City of Sherwood or just for that community.

Michelle answered that a PUD requires 15% open space that would be dedicated to the general public, but it would be localized to some extent giving an example of the walking trails in the Woodhaven neighborhood that are used for open space and maintained by the City, but most appealing to Woodhaven and nearby neighborhoods. Michelle explained that with the SE Sherwood Master Plan, there was a specific property that had been identified as a park and the difficulty may be if the area is not proportional to the development and how to get the specific area for the City's benefit.

Julia indicated that staff does not have recommendation for the Commission. A proposal has been submitted that has been analyzed and is consistent with the Comprehensive Plan and the SE Sherwood Master Plan and ultimately it is the Planning Commission's decision regarding a recommendation to Council.

Michelle submitted that an issue might be to pull out of the SE Sherwood Master Plan the meatier issues and be able to get the walkability, connections, and open space from the Plan out of a Planned Unit Development.

Chair Allen added that it might be through a series of Planned Unit Developments, but with the leverage of an adopted master plan there is an assurance that the various puzzle pieces of multiple ownerships fit together as they individually come forward to develop. If the density increase and adjustment to the PUD size is done we end up with each land owner bringing forward their five or six acres to do a PUD and making their individual Nollan and Dolan cases. Chair Allen went on that the master plan was an exchange of a higher density for a "set of stuff" and we never really got to the place where we could get very much agreement that the "stuff" was worth the higher density.

Julia said that the Commission could consider the suggestion to reference the SE Sherwood Master Plan as something to weigh against the PUDs that get the bonus density. If the commission would like to go that direction then staff can bring back recommendations. Julia explained that it would be comparable to what the resolution tried to do which stated that the City would accept something consistent with the SE Sherwood Master plan. In the case of the Denali PUD, it may be consistent with the SE Sherwood Master Plan without any other property, but other property owners may need to work with their neighbors to develop a portion that is consistent with the plan. Julia stated that the Commission would need to make sure that the criteria was very clear and reminded the Commission that a PUD is a quasi-judicial legislative action and does not have to be approved because you are applying an overlay through the PUD process that allows some flexibility if criteria is met and is a benefit to the community.

Chair Allen commented that it would make the leap that was not made because the master plan was not recommended to or considered by Council.

Julia suggested that through the PUD process it does not happen as wholly as envisioned, but there could be language and criteria that could reference the plan to help get there. Julia explained that it

would still be a vision and could not have the teeth of the code and said staff could come back with proposed language and run the idea past our attorneys.

Chair Allen said he thought the right thing to do was to revisit the Master Plan in this area, but it is not in the work plan so Council should direct staff as to what work should be done. Chair Allen expressed his preference to attach something as a hook when for individual PUDs come forward that allows the Commission to point toward the master plan as well as his discomfort because so much has changed, particularly the removal of the trees on the Moser property which has had a big impact on the viability of the rest of the plan. Discussion followed.

Commissioner Griffin acknowledged that the Commission should act in a timely manner, which the area is developable land with constraints, and the SE Sherwood Master Plan was a compromise that did not go to Council.

Chair Allen commented that it did not go to Council because Commission members did not think it was a final work product that it could recommend and the Planning Director had said there were no more resources to do any more work.

Chair Allen posed that there were two ideas; a map amendment to change a portion of the VLDR or to put some language in the PUD in the VLDR language that ties to the SE Sherwood Master Plan.

Julia intimated that the first option would be more challenging.

Chair Allen suggested that the Commission task staff to bring forward refinement to the language, that attaches the SE Sherwood Master Plan to the use of the PUD tool in VLDR, and deliberate further at that point.

After a discussion of what staff has been tasked to do and possible meeting dates, the following motion was received.

Motion: From Vice Chair Brad Albert for The Planning Commission to Continue The Hearing (PA 12-04) to the February 12, 2013 Planning Commission Meeting. Seconded By Commissioner Russell Griffin. All Seated Commissioners Voted In Favor (Commissioner Walker had stepped down; Commissioners Cary and Copfer were absent).

Adjourn

Chair Allen adjourned the meeting at 9:07 pm.

Submitted by:



Kirsten Allen

Planning Department Program Coordinator

Approval Date: February 12, 2013