



**City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
April 10, 2007 – 7PM**

1. **Call to Order/Roll Call**
2. **Agenda Review**
3. **Consent Agenda** – February 13, 2007 draft minutes
4. **Staff Announcements**
5. **Community Comments** (*The public may provide comments on any non-agenda item*)
6. **New Business:** Planning Commission vacancy update/Vice Chair nominations; Storm Water Master Plan memo from Gene Thomas, P.E. (non-formal presentation and question period).
7. **Comments from Commission**
8. **Next Meeting:** April 24, 2007 – Cedar Brook Dental Office Appeal (SP 06-11); Bridges Old Town Change of Use (SP 07-02).
9. **Adjournment**

WORK SESSION

Commissioners will adjourn to a work session following the regular meeting. Work sessions are open to the public; however, public comments will not be taken. Topics: Commercial and Industrial Design Standards – Likes & Dislikes (Heather Austin); Brookman Road Concept Plan Update (Julia Hajduk).

City of Sherwood, Oregon
Planning Commission Draft Minutes
February 13, 2007

Commission Members Present:

Chair – Patrick Allen
Vice Chair – Russell Griffin
Matt Nolan
Jean Lafayette
Todd Skelton

Staff:

Julia Hajduk – Planning Manager
Heather Austin – Senior Planner
Tom Pessemier – City Engineer
Lee Harrington – Engineering Sr. Project Mgr.
Gene Thomas, P.E.
Cynthia Butler – Administrative Assistant III

Commission Members Absent:

Adrian Emery
Dan Balza

1. **Call to Order/Roll Call** – Cynthia Butler called roll. Commissioner Skelton arrived after roll call at 7:07 PM.
2. **Agenda Review** - There were no changes to the agenda.
3. **Consent Agenda** – Minutes from the January 23, 2007 session were approved by vote:
Yes – 5 No – 0 Abstain – 0
4. **Announcements** – Heather Austin reported back on an issue raised at the last meeting by Commissioner Griffin regarding a construction trailer in disrepair that has been parked for an extended time on the public property near the corner of Railroad and Main St. The Code Compliance Officer located the owner and is taking action for its removal. New copies of the Sherwood Development and Zoning Code are being printed and collated due to multiple changes for Goal 5 and Infill standards that were recently adopted. Commissioners will receive updated copies soon as these are available, however all current information has been updated and made available on the City web site and at City Hall. City Council approved the Moser Measure 37 claim for 2 units per acre, the density allowed at the time the Moser's obtained the property. The City Council also adopted the Economic Development Strategy and continued the Parks Master Plan to the March 6th session. Councilor Dave Grant is the new Council liaison to the Planning Commission. Mayor Keith Mays will be the alternate.
5. **Community Comments** – Chair Allen asked if there were any Community Comments. There were none.
6. **New Business:**
 - A. **Taco Bell Cap memo** – Heather Austin said that Taco Bell's traffic engineer calculated the number of trips based on seating capacity rather than square footage of the building, and that Taco Bell believes they have met CAP requirements. Heather stated that the standard to date for calculating trips has been square footage, but that the Code is not clear on requiring this methodology and is open for interpretation. Heather added that the ITE manual allows either method of calculation for the CAP and the City's traffic consultant, Jeff Weiss of Hopper Dennis Jellison agrees on the ITE manual allowances, but also concurs with City staff

that whatever interpretative decision is made by the Commission will set policy for future applications.

Jean Lafayette asked staff to clarify if the trips reported based on a restaurant or a drive-thru establishment. Heather confirmed that it was a restaurant. Jean Lafayette said that methodology for calculating the number of trip using seating would be appropriate for a restaurant whose purpose is seating patrons, however historically square footage more accurately and consistently reflects the number of trips. Jean cited examples of other Taco Bell establishments that are located inside of other establishments or are open 24 hours and restrict access to a dining or seating area.

Russell Griffin asked for confirmation if either method was allowed in the ITE manual. Heather deferred to City Engineer, Tom Pessemier. Tom said that the ITE manual allows options for both methodologies for drive-thru restaurants and allows the land use situation to be the guide. Russell asked if the Code requires applicants to use square footage. Heather said the Code states that square footage is used to estimate trips in accordance with methods allowed in the ITE manual. Heather recapped that although the Code references square footage as the methodology, it also refers to the allowable methods outlined in the ITE manual. The ITE manual allows either square footage or seating capacity.

Jean Lafayette discussed that history of previous applications has shown that the ITE contains inaccuracies and is not reflective of the most current forms of land use application. Tom agreed that particularly in atypical land uses such as espresso stands there are fewer studies on a nationwide basis for calculations. Tom added that he believed there are sufficient studies used for drive-thru restaurants however, and that limited study information would not apply in this case.

Patrick Allen discussed scenarios that could guide methodology used such as using seating for a fully sit-down restaurant and using square footage for a drive-thru restaurant to reflect what actually generates the traffic. Patrick asked Tom for feedback on this option. Tom said that typically an applicant for a sit-down restaurant will opt to use square footage calculations as this results in fewer trips. Tom added that if the site plan is a drive-thru restaurant the applicant will opt to use seating for calculations also to reflect fewer trips. Tom said that Patrick's suggestion is less typical. Jean said that Patrick's suggested method provides the most protection for the City so that the most realistic trip analysis is used. Jean added that the area is already serviced by a lighted intersection and there will be an increased impact on the traffic.

Julia Hajduk stated that even if the CAP is met an applicant is still required to mitigate to meet overall average trip impacts and intersection requirements, and that meeting the CAP determines whether or not development can occur. Julia reiterated that staff is looking for interpretation by the Planning Commission that will be applied to this applicant and future applications. Matt Nolan agreed with Patrick Allen's recommendation that a decision needs to be made on a case-by-case basis depending on what kind of business is proposed. Matt added that the vast majority of visitors to a Taco Bell use the drive-thru. Patrick added that care needs to be taken not to relate the drive-thru as a specifically Taco Bell circumstance, but to clarify whether a sit-down or a drive-thru restaurant application is being presented. Matt agreed. Patrick added that he is comfortable applying one or the other methodology based on restaurant design, regardless of what kind of food is serviced. Jean agreed, and said that if the design is a fully sit-down

restaurant without a drive-thru attached then either methodology could apply. Jean added if the design is a drive-thru the square footage calculation would apply.

Patrick agreed and recapped that the standard would be clear and straight forward.

Chair Allen asked commissioners for consensus if the following standard should apply: Drive-thru design requires use of square footage as the method for calculating CAP, and restaurant design with no drive-thru may use either square footage or seating capacity for the method on calculating CAP. Commissioners concurred. Staff acknowledged.

Chair Allen concluded discussion regarding the Taco Bell application at 7:25 PM.

B. Public Hearing – Cedar Creek Assisted Living Zone Change (PA 06-05) – Russell Griffin read the Public Hearings Disclosure Statement. Chair Allen asked if there was any exparté contact, bias, or conflict of interest to declare. Matt Nolan said that he had exparté contact with former commissioner Ken Shannon while returning a trailer to his property. Matt said that Ken encouraged Matt to contact staff to retrieve the original file to look at the history of how the road was to go in, and Ken said that the applicant originally wanted a smaller road. Matt said he did not follow Mr. Shannon's advice because he did not want to create a bias and that his contact with Mr. Shannon will not impact his ability to review and make a decision on the application. Jean Lafayette said that she also had exparté contact with Ken Shannon and said that Mr. Shannon reiterated the same request. Jean added that Ken said that the original application involved a smaller operation and gravel road, and that a concomitant rezone change had occurred and that standards from the original application should be upheld. Jean stated that Ken's opinion did not bias her in any way for being able to review and make decisions on the application. Russell Griffin stated that he declares a potential conflict of interest because he owns property directly adjacent to the Cedar Creek Assisted Living facility. Russell added that this does not keep him from fairly evaluating the application.

Chair Allen recapped the public meeting rules and opened the public hearing at 7:30 PM with comments from staff. Julia Hajduk said that staff recommends denial based on criteria not met. Specifically, 4.203.02-B regarding an existing and demonstrated need for the use; 4.203.02-C, the proposed amendment is timely considering the proposed development in the area and surrounding land uses; and location criteria in consistency with the Comprehensive Plan in regard to High Density Residential (HDR) zoning uses. Julia said that based on the staff report the applicant requested a continuance from the December 12, 2006 scheduled session so that they could prepare additional information. The applicant provided a market analysis that was distributed this evening. Jean Lafayette asked Julia if staff has reviewed the market analysis in order to make additional findings. Julia said that staff has not reviewed the market analysis in detail.

Julia recapped that Tax Lot 4400 that contains the existing care facility is currently zoned HDR and is also currently under construction for an approved expansion on this tax lot. The portions under discussion in the application tonight is Tax Lot 600, which is proposed to be changed from Medium Density Residential High (MDRH) zoning to HDR as well. Julia added that if the zone change is approved, the applicant will ultimately present a site plan review application for another expansion of the facility.

Jean Lafayette referred to Page 6 of the staff report at the end following policies 1-6 that reads, "Policy 6 indicates that higher density developments should be located with direct access to arterial and collector streets". Jean stated that Policy 6 does not contain this language. Julia confirmed and said that she would respond shortly after reviewing the Comprehensive Plan.

Chair Allen recommended moving to the applicant's testimony and coming back to staff's response to Jean's question. Chair Allen opened testimony from the applicant at 7:40 PM.

Craig Smith, 393 SW 37th Circle, Gresham, OR 97080 – Craig is the applicant and manager for GrayCo, the company that manages the Cedar Creek Assisted Living facility. Craig recapped the history of the site and said that in 1998 the City originally denied their application for zoning to build the existing assisted living facility and the Planning Commission resulted in approval of the application. Craig added that their facility supports the community in various events and was voted business of the year in 2005 for the City of Sherwood. The current expansion project is adding 20 units providing a total of 58 total units, the maximum density allowed on Tax Lot 4400. Craig said that when they purchased the parcel to the south, Tax Lot 600, the parcel was an eyesore. Craig added that the property was purchased with plans to control what may eventually develop next to their property and control the area of entrance to their facility.

Mr. Smith said they meet most of the criteria required and discussed in the staff report. Craig specified items beginning with Page 3, Item #B and said that regarding demand and supply they hired consultants for a professional marketing study in January 2007, which was distributed this evening. Craig referenced the executive summary on Page 2 and said that demand does exceed supply, supported by the following 60 pages of data. Craig said the facility meets a need in the community and enhances the existing neighborhood, which also addresses Page 4, Item #C of the staff report regarding surrounding areas. Mr. Smith cited the new library and cannery site as areas in Sherwood that are currently changing and said that they do enhance Old Town. Mr. Smith added that they work with their neighbors regarding easements and related issues and have good working relationships with them. Craig said the residents and families associated with their facility are excited to live near Old Town and they have invested in the City by expanding their current facility. Craig said the need for more units also supports the rising costs for providing services and construction costs. Regarding traffic, Craig cited their traffic study that supports a low impact on traffic due to the nature of their business. Mr. Smith said they are also creating an approved service access entrance in the current expansion project, and are a proponent of the continuation of Adams Street. Regarding Policy 6 of the Comprehensive Plan, Craig stated that it appeared the criteria on streets is met with language already address in Item #C previously addressed. Craig deferred to Glenn Gregg for further testimony.

Glenn Gregg, 10415 SW Terwilliger Place, Portland OR 97219 – Mr. Gregg is the property owner who said he has an agreement with GrayCo to purchase the property at a future date. Glenn said that HDR zoning is needed for 40 more units, but that the HDR zoning for their business will not impact traffic in the same way other development in HDR usually impacts traffic. Glenn offered to have a condition placed on an approval that the use is restricted to elderly housing only. Mr. Gregg concluded by saying that the facility services Sherwood residents and their families, and has been valuable in the community.

Craig Smith stated that they currently have about 25 local employees and that the added growth of their facility would also increase employment for Sherwood.

Jean Lafayette asked Mr. Smith how the majority of residents currently pay for services provided at the facility. Craig responded that approximately 20% of residents are covered by Medicaid and the remaining is private. Jean reiterated that a condition of elderly housing could be interpreted to include apartments for age 55 and over with full kitchens, versus assisted living only. Jean asked Mr. Smith to confirm that there were currently are no kitchens in the units. Craig said that the units are limited to a microwave and small refrigerator, but that residents are encouraged to use the dining facilities. Mr. Smith added that specifying a condition for assisted living only is fine with them.

Chair Allen asked if there were further questions from commissioners for the applicant. There were none. Chair Allen asked if Julia was ready to clarify the question raised by Commissioner Lafayette and the applicant, Craig Smith on Policy 6. Julia Hajduk referred to the Comprehensive Plan under Residential Planning Designation, Item #A – General Objectives, Item #B – Policies & Strategies, and Item #C – Residential Zone Objectives, Section #5 states “HDR zoning designation is intended to provide for high density multi-family urban housing with a diversity in style, design and amenities, in keeping with sound site plan principles in the following general areas: ...including direct access to major fully improved streets is available.” Julia added that the standard is not policy and did not specify arterial or collector street designations, but the objective indicates major fully improved streets.

Patrick asked Julia to clarify why the Comprehensive Plan would guide HDR zoning in combination with the language for major fully improved streets. Julia said that the implication is that traffic impacts would be greater in HDR areas. Patrick said that it seemed reasonable to consider the nature of this specific application in terms of lower traffic impact and asked Julia for feedback. Julia said that staff has been on record in the past and continues to believe that conditional zone changes are their resulting uses are difficult to track over time, which staff recommends against.

Craig Smith said that he disagrees that the conditional approval for assisted living use only would be difficult to track, and said that based on other information provided including their support to the community that it would be unreasonable to deny the application based on this.

Chair Allen asked if there were further comments by the applicant. There were none. Chair Allen closed the public hearing at 8PM.

Julia Hajduk reiterated that she had insufficient time to review the market analysis in detail, but that it appears to indicate a need for this service. Julia said that even with a condition on an approval and revised findings as discussed, the issue of timeliness remains. Julia said that Adams Street is likely to continue through in the future and spur changes that need to be considered in the larger picture. Julia added that the locational criteria for HDR to a public street is an objective rather than policy in the Comprehensive Plan and would allow room for interpretation. Julia stated that if the Planning Commission considers a conditional zone change to assisted living only, staff requests that deed restrictions be in place to protect the use over time. Discussion ensued regarding other applications that had deed restrictions in place, such as the former Hite House application on Sherwood Blvd.

Patrick Allen asked staff how the economic development strategy for the City factors in with the application. Julia said that technically the application should not be connected to the Economic

Development Plan as this was adopted last week, after the application was submitted, Patrick asked Julia to respond to its relevance outside of the timing issue of adoption. Julia said she had not considered this aspect of the application fully since it did not technically include the recently adopted standards, but that HDR is likely better for the tax base however without time and documentation to affirm this she could not be certain. Julia said that added jobs are always good for the community. Patrick speculated that the square footage would be a higher assessed value. Julia said she could not speak to that speculation. Patrick said that it would be fair to assume there would be no impact to schools for the HDR zoning on this application. Julia said that would be an assumption, but likely a fair assumption.

Patrick asked Julia to more fully describe the issue of need and timeliness, and to provide an example of when an application clearly demonstrates need and timeliness – and how the example differs from this application. Julia provided an example of light rail construction in Beaverton was timely to consider transit oriented development – circumstances of a change in an area that warrants a new look at land uses. Patrick asked if there is a Code standard that prevents the change being caused by the applicant themselves. Julia said there is nothing in the Code that says an application cannot be the cause for change in land use and that interpretations of need and timeliness is required. Julia added that any interpretations that result need to be those that can be followed consistently. Patrick asked what documentation of need would look like in an application. Julia confirmed that the market analysis provided by the applicant would be an example that documents a clear need. Julia added that because the neighboring zones are also residential the comparison is easier and would allow for the market analysis to be easier to accept as documentation to demonstrate need.

Chair Allen asked for discussion among commissioners.

Russell Griffin said he understands the direction for HDR zoning to be located near major streets, however the low impact nature of this application did not appear to warrant concern for trips and should be evaluated on this basis. Russell added that he feels the market analysis demonstrates need and that timeliness is met by the current growth of neighboring Old Town and the City's growth overall that would make use of the assisted living services. Russell added that the facility has always been a good neighbor, quiet and proactive, and that he would like to see the Commission and City staff work through the issues to approve the application.

Jean Lafayette agreed with the recommendation to make findings based on discussion to approve the application and suggested a vote among commissioners to see where they currently stand before resuming further discussion. All agreed.

Chair Allen received consensus from commissioners to work toward approval of the application, and asked staff for the 120-day deadline. Julia said that upon the request for the hearing continuation by the applicant the deadline was extended to the next hearing date, but a specific time frame was not identified. New findings were recommended as follows: 1) Page 3, #B – needs met by the market analysis provided by the applicant; 2) Page 3, #C – timeliness met considering the pattern of development changing in the area to include their current expansion, downtown renewal, library, re-orientation of Oregon St., cannery site and the overall growth of the community; 3) Policies on Page 6 of 7 are met by providing a density mix, low impact traffic analysis, and employment opportunities contributing to the community; 4) Deed restriction – confining use to assisted living housing only, as defined in the Code.

Chair Allen recommended a 5-minute break to discuss application deadlines required in order to return to review revised findings, approve application and forward to the City Council within the 240-day application deadline.

< 5-minute break >

Chair Allen reconvened the session at 8:30 PM.

Chair Allen asked for the applicant to confirm extending the 120-day deadline to May 6th. Mr. Smith confirmed.

Jean Lafayette motioned to continue the Cedar Creek Assisted Living Zone Change application (PA 06-05) to the February 27th session for review of the revised findings, and to recommend approval to Council for the April 3rd Council session. Russell Griffin seconded. Vote was taken:
Yes- 5 No – 0 Abstain – 0

Motion carried.

C. Public Hearing – Sherwood High School Expansion (SP 06-13;CUP 06-01;PUD

06-01) - Chair Allen declared a potential conflict of interest and said his wife is an employee of the School District, but that it would not have any bearing on his ability to review the application. Chair Allen asked if there was any exparté contact, bias or conflict of interest for any of the commissioners to declare. Russell Griffin stated that he has had conversations with Michelle DeBore and Dan Jamison from the School District about other issues not related the application.

Julia Hajduk recapped that the application complies to requirements as described in the staff report, with some recommended conditions of approval to assure full compliance. Julia said that that Harper Houf Peterson & Righellis, Inc. has distributed a memo this evening regarding bicycle parking. The memo discusses the manner in which bicycle parking is calculated and requests non-conforming status for existing classrooms to be exempt from the new bicycle parking regulations. Julia added that this request would be consistent with the manner in which the City handles other pre-existing, non-conforming issues that exist prior to the passage of new regulations.

Jean Lafayette said that she did not see a condition that addressed the northern water quality facility specifically and referenced the existing condition shown on Page 34-B. Jean added that the text should be clear that the plans the applicant submitted do not comply and modified to also read that they do not to connect into public services. Russell agreed that his recollection was that the applicant was not to hook into public services at Meinecke Rd. and address their own storm water facilities on site. Lee confirmed that staff made this recommendation and any existing or new facilities be upgraded to meet Clean Water Services standards. Lee stated that comments can be revised to more clearly reflect this. Jean confirmed that she would like a condition to be added that the applicant's plans would not connect in to the Meinecke Rd. public services and address their own storm water facilities on site. Julia agreed with the recommendation, but asked that the applicant respond prior to confirming the change in language.

Jean referred to Page 37, #2 - "prior to occupancy the off-site tree mitigation must be planted and inspected and the fee in lieu for remaining inches must be paid." Jean said that this is not called out. Jean added that the numbering also appeared to be off for items A-E that needs to be adjusted to include the condition #2. Julia confirmed. Jean stated that #D-2 regarding a deed restriction on the 20' setback should include a restriction that if redevelopment occurs, connectivity from Meinecke Rd. to Dow St. also be included. Julia responded that she would like to take time to review that recommendation. Jean added that the deed restriction for connectivity from Meinecke Rd. to Dow St. in the case of redevelopment would be consistent with language on Page 31 of the staff report regarding connectivity.

Chair Allen opened the hearing for applicant testimony.

Keith Jones, Harper Houf Peterson Righellis, 5200 SW Macadam Ave., Ste. 5800 Portland, OR 97239 – Keith discussed the storm water treatment location and referred to a map. Keith said that the location should remain as it is due to the fact that the north part of the site does not allow for travel all the way down to the south, and asked for flexibility to treat additional existing areas. Jean Lafayette asked for confirmation if there are plans to connect into the public system. Keith responded that it will be connected into the public system, but be treated elsewhere.

Keith discussed bicycle parking and said they would like pre-existing, non-conforming status for the existing classrooms for bicycle parking requirements, and that only new classrooms be used in calculations based on new bicycle parking standards. Discussion ensued resulting in agreement that Item D-11 will reflect 4 bicycle parking spaces per new classroom.

Keith referred to Item C, 1-A regarding traffic signals and language "lane markings below", and asked Lee Harrington if the word "below" could be removed to read more clearly; "traffic lights aligned to lane markings". Lee confirmed.

Norm Dull, 319 SW Washington St., Ste. 200 Portland, OR 97204 – Norm is the architect for the School District. Norm discussed the design of the expansion and answered questions from commissioners. Russell Griffin asked about the landscaping plans as a barrier for nearby housing. Norm responded that they will comply with the landscaping along the area Commissioner Griffin described. Russell asked about the service access for the fire department and if there would be sufficient signage to keep vehicle parking from occurring in this area. Norm confirmed that fire lanes would be posted.

Chair Allen asked if there was further testimony by the applicant. There was none. Chair Allen closed the public hearing at 9PM. Chair Allen opened discussion to commissioners and staff.

Lee Harrington discussed Clean Water Services standards and said that in regard to the storm water issue they are met and do not add any new private storm water to the public storm water. Russell asked about the process for pavement drainage on Meinecke. Tom said that the contour plan shows the runoff directly in to Cedar Creek at Stella Olson. Patrick Allen asked if the City can manage this issue. Julia confirmed that the submitted plans are consistent with City standards.

Discussion returned to connectivity on Page 31 of the staff report, and whether connection between Meinecke and Dow was possible if future redevelopment were to occur. [tape recording

during this section not available] Notes taken indicate that Patrick recommended not including specific language requiring connection between Meinecke & Dow at this time.

Patrick recapped modifications discussed including: existing classrooms to be considered pre-existing, non-conforming that are not calculated in the new classroom bicycle parking requirements; traffic light alignment language to remove the word “below” issue; tree mitigation (F3); D-11 recommending 4 spaces per new classroom; and renumeration for outline items A-E as described.

Patrick recommended after modifications that the application be forwarded to the March 6th City Council session. Russell Griffin seconded. Vote was taken.

Yes – 5 No – 0 Abstain - 0

Motion carried.

Chair Allen adjourned the regular meeting at 9:20 PM.

7. Comments by Commission – None.

8. Next Meeting: February 27, 2007 – Cedar Creek Assisted Living Zone Change (PA 06-05); Work Session – Brookman Rd. Concept Plan; Planning Commission Goals & Work Program.

9. Adjournment – Chair Allen adjourned the regular meeting at 9:20 PM, followed by a work session on the School District school designs for the new elementary and middle schools for Area 59.

End of Minutes.

To: City of Sherwood Planning Commission

From: Gene Thomas, Civil Engineer

Through: Tom Pessemier, City Engineer;
Rob Dixon, Community Development Director

Subject: SANITARY MASTER PLAN UPDATE

Current: The consultant is progressing with development of the master plan.

Work in process includes:

- Continued on-going data collection tasks, base mapping development, and coordination with CWS standards
- Continued review of the existing sanitary sewer system
- Continued development of the hydrologic model of existing system
- Preliminary master plan documentation and presentation materials preparation.

Future Action: A Progress Staff Report will be presented to the Planning Commission at the April 24th commission meeting.

Additional presentations are proposed:

Work Session with PC	5/22/07
Hearing and Adoption by PC	6/26/07
Hearing and Adoption by CC	7/17/07

These dates have been revised to match the Stormwater Master Plan development work currently in process.

Completion: The Master Plan is currently projected to be completed about the end of this fiscal year, with the rate study and SDC methodology completed shortly thereafter.

To: City of Sherwood Planning Commission
From: Gene Thomas, Civil Engineer
Through: Tom Pessemier, City Engineer;
Rob Dixon, Community Development Director
Subject: STORMWATER MASTER PLAN UPDATE

Background: The existing Stormwater Master Plan was approved in 1993 and has guided city development since its approval. However, the City has outgrown the current master plan. In addition, there have been several expansions to the City boundaries. Area 59 and Areas 54 and 55 are within the urban growth areas and will be annexed to the city as planning is completed.

A new Stormwater Master Plan is needed to evaluate existing and future system conditions and to recommend appropriate improvements and appropriate rates and SDCs to support these needs.

Current: Staff initiated a contract with Murray, Smith & Associates to develop this Master Plan Update. The consultant will evaluate existing conditions; identify improvements and related costs associated with improvements within the City limits as well as future annex areas within the urban growth area.

Staff has also requested the consultant consider potential areas of interest outside the current boundaries that are likely to merge into the city. The area of interest report will be a draft technical report that will accompany the Master Plan but not be a section of the main report.

A full rate and methodology study tied to the developed CIP will be performed as part of the Master Plan as well.

Work in process includes:

- Study area characterization, base mapping development and coordination with CWS Standards
- Review of the existing storm sewer system, preparation of an existing storm drainage system map
- Development of the hydrologic model of existing storm sewer system
- Preliminary master plan documentation and presentation materials preparation.

Future Action: A Progress Staff Report be presented to the Planning Commission at the April 24th commission meeting.

Additional presentations are proposed:

Work Session with PC	5/22/07
Hearing and Adoption by PC	6/26/07
Hearing and Adoption by CC	7/17/07

Completion: The Master Plan is currently projected to be completed about the end of this fiscal year, with the rate study and SDC methodology completed shortly thereafter.



MEMORANDUM

22560 SW Pine St
Sherwood, OR 97140
Tel 503-625-5522
Fax 503-625-5524

To: Planning Commission

From: Heather Austin, AICP, Senior Planner

Date: April 3, 2007

RE: Commercial and Industrial Design Standards- Work Session

The Planning Commission's Work Plan for 2007 listed commercial and industrial design standards as a high priority item. Staff has scheduled a work session for the April 10th Planning Commission meeting to begin looking at this issue.

Over the next few months, staff will work with the Planning Commission to identify the goals and objectives of commercial and industrial design standards, identify where the Code addresses these issues and where it is lacking, and prepare a scope of work for this long-range planning project.

Included with this memo is "Chapter 7, Section 5- Design Criteria and Guidelines" from the *Commercial and Mixed-Use Development Code Handbook* produced by the Oregon Transportation and Growth Management (TGM) Program in 1999. The handbook can be found online at: <http://www.oregon.gov/LCD/docs/publications/commmixedusecode.pdf> and a PDF of the handbook is attached to the e-mail being sent to the Planning Commission.

- (5) Required landscape treatments shall be determined through site/design review.
- (6) Street trees shall be planted in sidewalk cutouts where on-street parking is provided, and in landscape parkway strips where on-street parking is not provided. Street tree standards may be modified where the development provides pedestrian amenities, in conformance with Section 5.
- (7) All building entrances, pathways and other pedestrian areas shall be lit to two-foot candles with pedestrian-scale lighting (e.g., wall mounted, sidewalk lamps, bollards, landscape uplighting, etc.). Alternative lighting meeting the intent of the design guidelines in Section 5, Criteria 3 and 5, may be approved through site/design review.

Section 5 – Design Criteria and Guidelines

This section articulates the community's design goals and objectives for new development and redevelopment. The following guidelines and standards are intended to implement the purposes of this district, as described in Section 1. As discretionary approval criteria, Criteria 1-8, below, are meant to be flexible, recognizing the wide range of commercial needs in the community and the creativity of the market.

Design Review Procedure

[Discussion: It is presumed that a jurisdiction will want to use a site plan review or design review process for reviewing applications. The procedure could be administered by staff, or include a public hearing/meeting with a design review board or commission. In either situation, it will be necessary to provide proper public notice, and an opportunity for local appeal. It is recommended that applicants attend a pre-application conference or meeting with city staff, and, for large projects, be required to meet with the affected neighborhood(s) to identify issues of design context and neighborhood interest.]

The applicant must demonstrate how his/her proposal conforms to all of the criteria numbered 1-8, below. The guidelines under each criterion must be used to satisfy the criterion, or the applicant may propose an alternative approach, as approved by the decision-making body, that better achieves the intent of the guidelines. Before a development may be approved, the decision-making body must make findings that the proposal satisfies the guidelines.

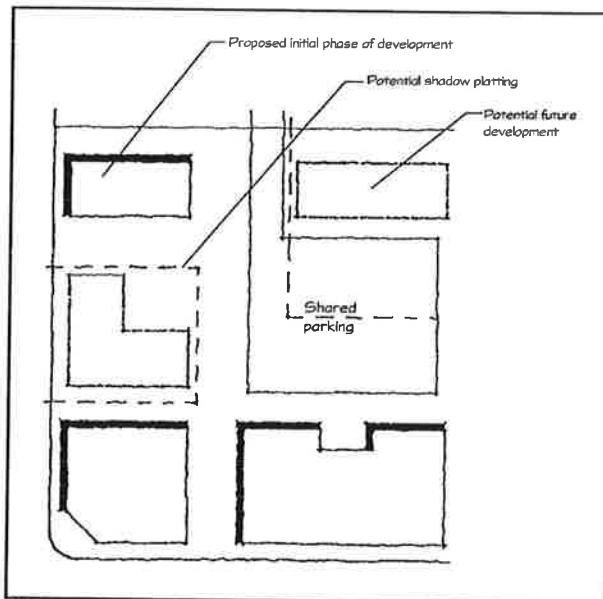
Criteria

Criterion 1: Compact Development

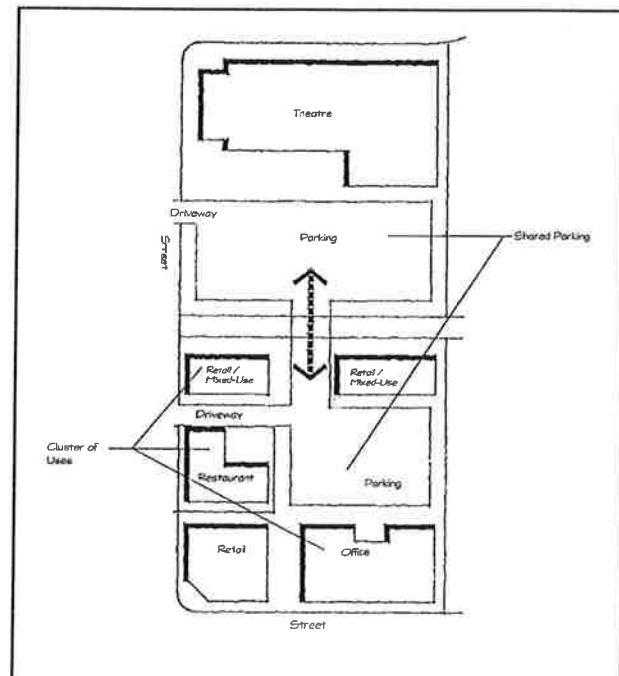
The site layout is compact, and enables future intensification of development and changes in land use over time.

Guidelines:

- A. If in a Downtown/Main Street Zone, the development achieves a floor area ratio consistent with that provided in Table 4.1, or a shadow plan is provided that demonstrates how development may be intensified over time for more efficient use of land [and to meet the required FAR]; and
- B. Opportunities for shared parking are utilized in the proposal; and
- C. If the site contains more than one use, the site layout clusters buildings on the site to promote linked trips. A cluster is a group of buildings that are attached, oriented on adjacent street corners, or are close together such that a pedestrian need not walk across more than 64 lineal feet of parking and driveway area, or one double-loaded row of parking (not inclusive of sidewalks, pathways, landscaping, plazas, and other pedestrian facilities), whichever is less, between building entrances; and
- D. The provisions of Section 6, Parking, are met; and/or
- E. The proposal contains an equally good or superior way to achieve the above criterion.



Shadow plans allow for transitioning to compact development. (Criterion 1, Guideline A)

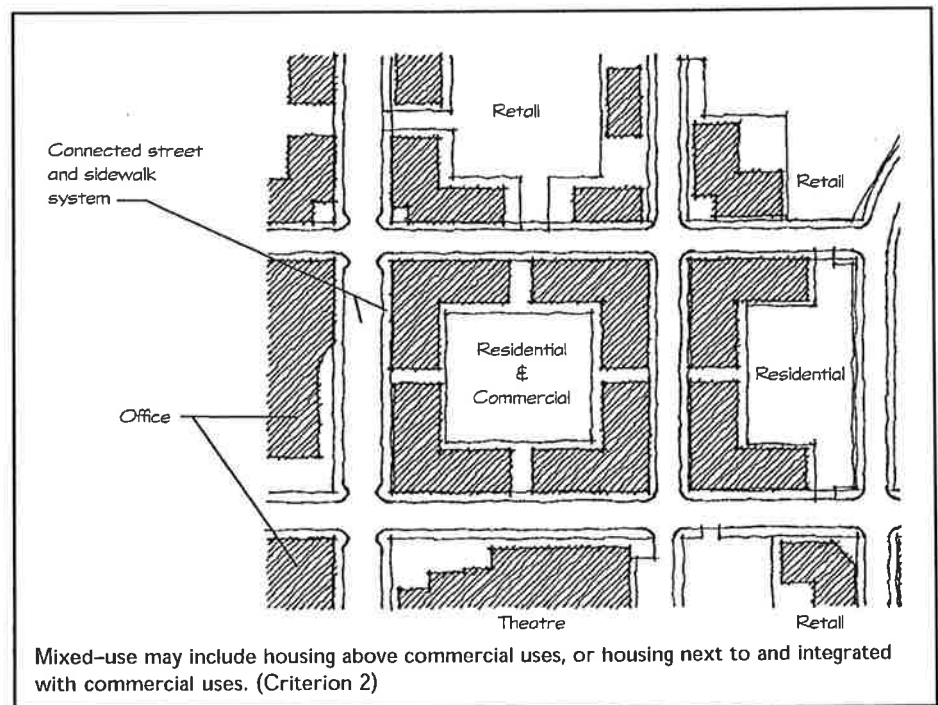


Criterion 2: Mixed Land Use

Where appropriate, land uses are mixed on-site or are mixed in combination with adjacent uses (existing or planned); the combining of land uses should promote easy access among stores and services by pedestrians.

Guidelines:

- A. The proposal is a "mixed-use" development or contributes to a mixed-use district. For the purposes of this ordinance, "mixed-use" means a combination of residential and commercial/industrial/civic uses, arranged vertically (in multiple stories of buildings) or horizontally (adjacent to one another); or
- B. The proposal is designed in such a way that it is well integrated with adjacent land uses. "Integrated" means that uses are within a comfortable walking distance (1/8 mile) and are connected to each other with direct, convenient and attractive sidewalks and/or pathways; or
- C. The existing and planned land uses on, or in the vicinity of, the site make it impracticable to meet Guideline A or B; or
- D. The proposal contains an equally good or superior way to achieve the above criterion.

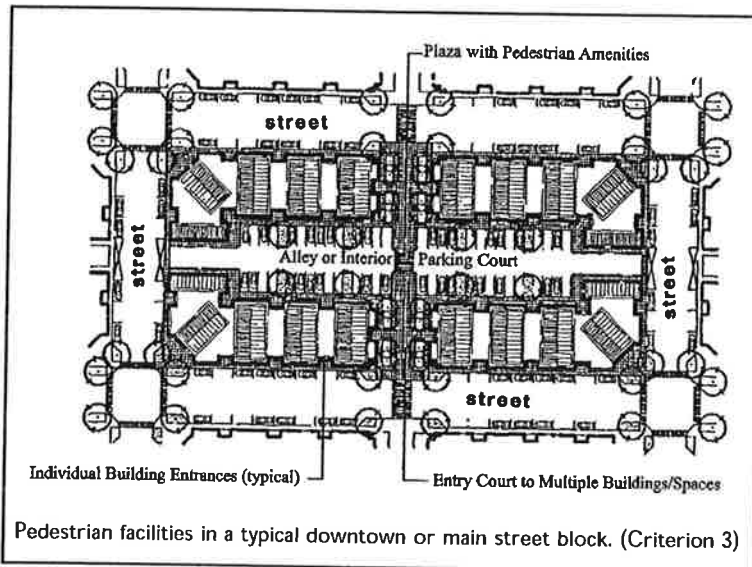


Criterion 3: Pedestrian Access, Safety and Comfort

All portions of the development are accessible by a direct, convenient, attractive, safe, and comfortable system of pedestrian facilities, and the development provides appropriate pedestrian amenities. The design of buildings supports a safe and attractive pedestrian environment.

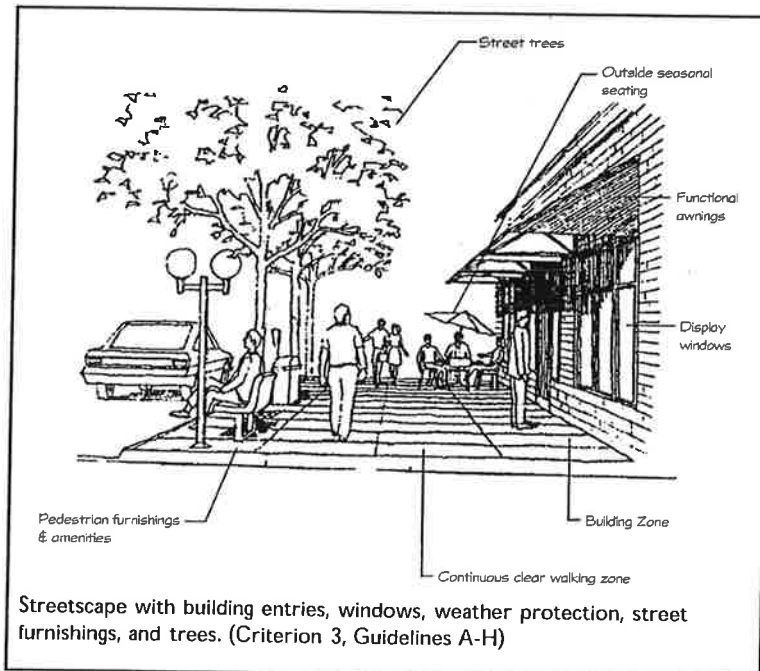
Guidelines:

A. If in the [name of zone(s)], the building(s) shall have at least one primary entrance facing [a / every abutting] street, or is/are directly accessed by a sidewalk or plaza within [10-20] feet of the primary entrance; and



B. Building entrances in the [name of zone(s)] open directly to the outside; every building has at least one entrance that does not require passage through a parking lot or garage to gain access; corner buildings have corner entrances whenever possible; and

C. If in the [name of zone(s)], at least [20-60] percent of the building's front façade (measured horizontally in linear feet) is located within [10-20] feet of the front property line; and windows or window displays are provided along at least [30-60] percent of the building's façade; and

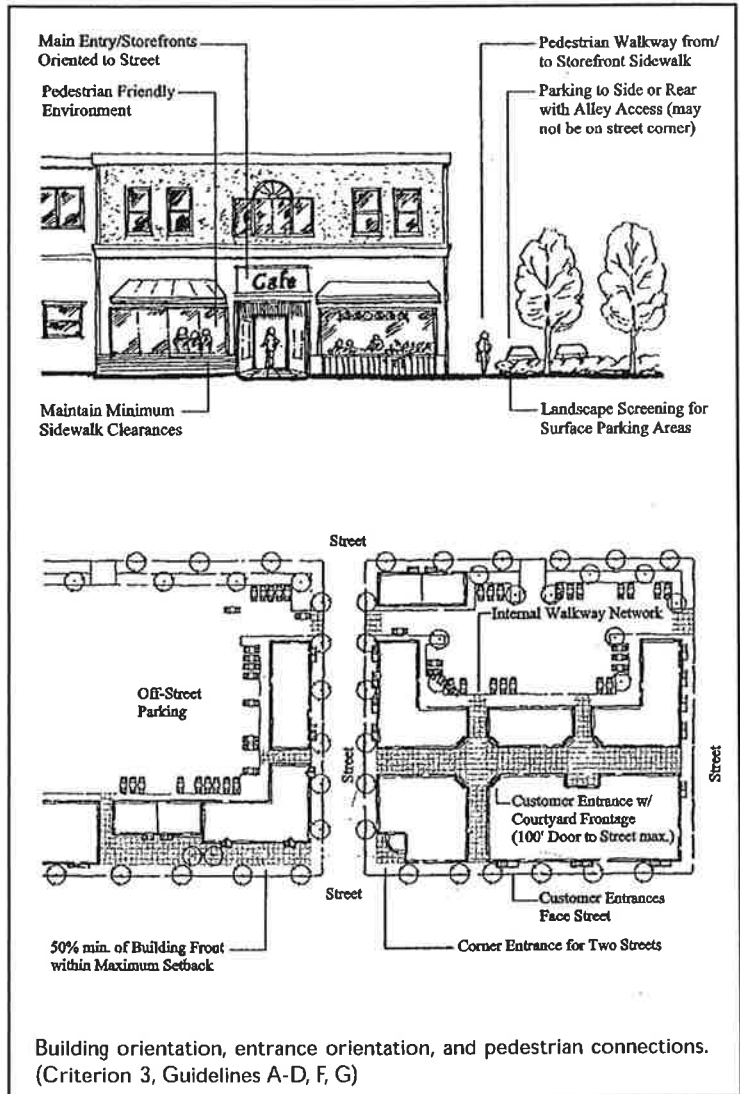


D. In any zone, pedestrian facilities as defined in Section 4(D) connect the development to adjacent land uses and provide connections through the development to the public street right-of-way; and

E. Sidewalks and/or plazas are provided with weather protection (e.g., awnings/canopies), and a street furnishing zone on both sides of every public and private street. Appropriate pedestrian amenities (e.g., street tree well cutouts, and space for outdoor seating, bus waiting areas, trash cans, newspaper vending machines, mail boxes, sidewalk displays, public art, etc.), are provided in the street furnishing zone; and

- F. Parking and vehicle drives are located away from building entrances, and not between a building entrance and the street, except as may be allowed when a direct pedestrian connection is provided from the sidewalk to the building entrance, consistent with Criterion 4(D), below; and
- G. Surface parking is oriented behind or to the side of a building when possible; parking shall be accessed from an alley when possible; and parking shall not be located on street corners if in the [name of zone(s)];
- H. Landscape buffering per Table 4.1 is provided between parking lots and all adjacent sidewalks; and/or
- I. The proposal contains an equally good or superior way to achieve the above criterion.

[Discussion: The building entrance, setback and window standards above should be tailored to address local characteristics and the intent of the zone. For example, along a main street with shops set right up to the sidewalk, it may be appropriate to require 60 percent window glazing. However, in a corridor commercial zone, where there is less pedestrian activity, it may not be practical or reasonable to set such a high standard.]



Criterion 4: Street Connections

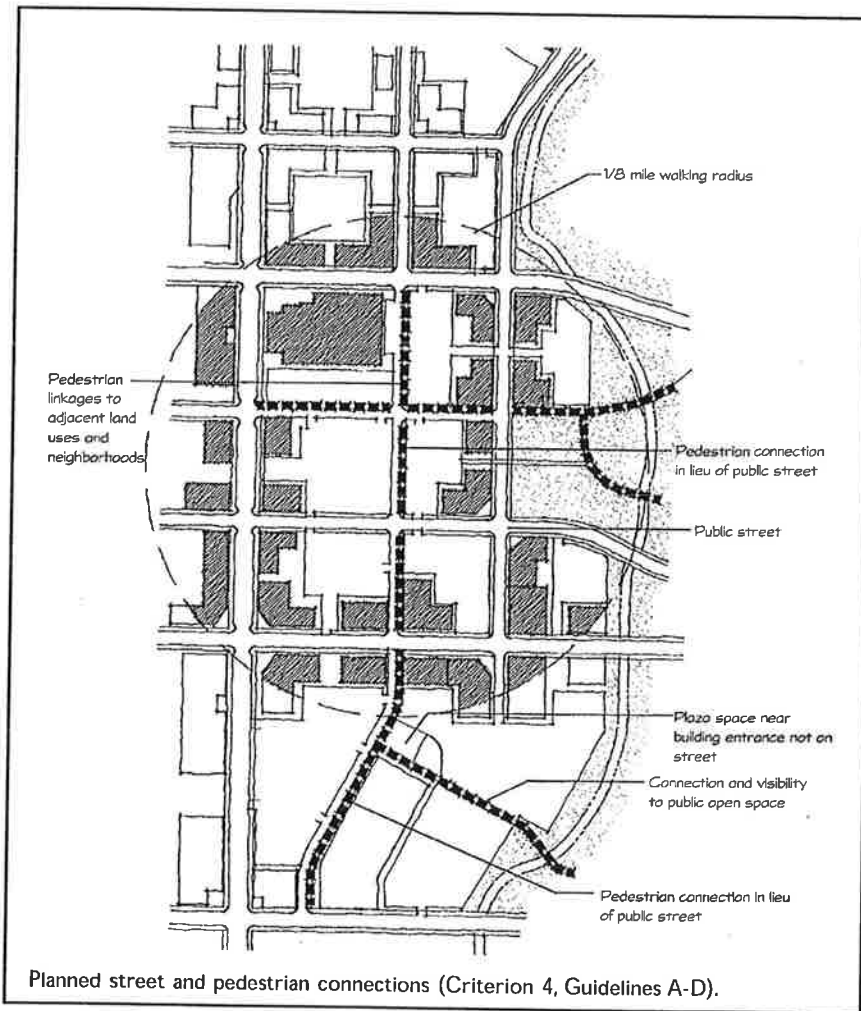
The development is part of a connected street system that serves vehicles, pedestrians and bicycles.

Guidelines:

- A. Public or private streets connect the development to adjacent neighborhoods and zoning districts; and
- B. Public streets are preferred over private streets to accommodate through traffic; and
- C. The proposal implements all planned street connections, as designated by the City's [Transportation System Plan/Local Street Plan/Other]⁷; and

D. When street connection(s) is/ are not practicable, pedestrian connection(s), as conceptually shown in the accompanying graphic, are made to and through the development in lieu of planned street connection(s). Pedestrian connections should equal what would be available if they were on a street [(i.e., distinct from vehicle lane, minimum clear space, Americans With Disabilities Act accessible, direct route with minimum interruption, shade by day and light by night, connects to a destination that attracts pedestrian activity (front door of commercial use, public plaza/park, residence, transit stop, true street, etc.))]; and/or

E. The proposal contains an equally good or superior way to achieve the above criterion.



⁷ Street requirements, and other exactions, must meet constitutional requirements under the US Supreme Court decision, *Dolan versus City of Tigard*, and similar State court opinions that require a "rough proportionality" between the impacts of development and required public dedications and improvements.

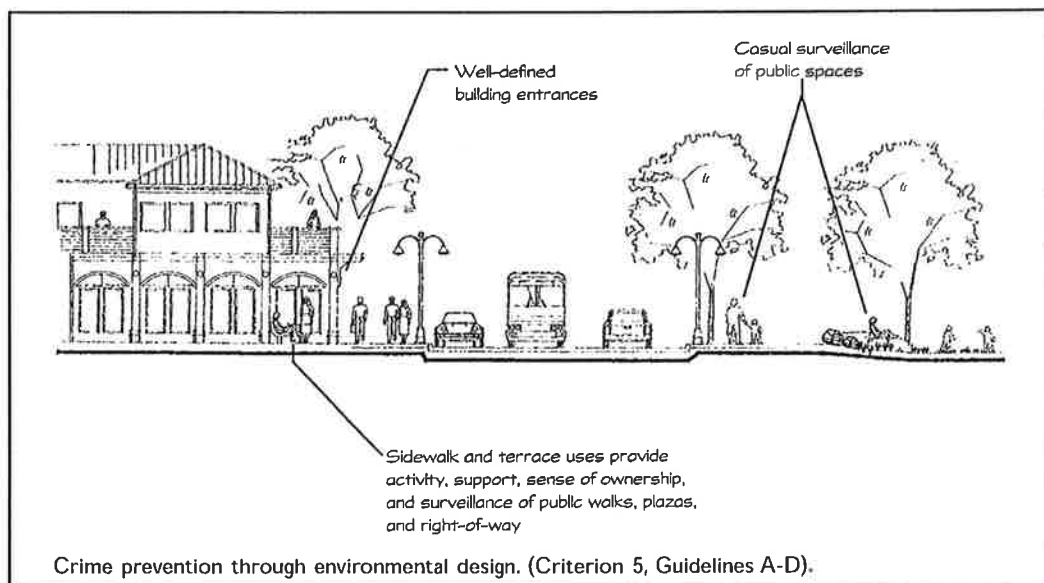
Criterion 5: Crime Prevention and Security

The site design, buildings, signs, landscaping, parking, and other elements provide a safe environment for customers, employees, occupants, and adjacent properties.

Guidelines:

Crime prevention shall be considered in the site design through application of all of the following guidelines:

- A. *Territoriality* – All proposed building entrances, parking areas, pathways and other elements are defined with appropriate features that express ownership. (Generally, people protect and maintain territory that they feel is their own and have a certain respect for the territory of others.) For example, landscaping, fences, pavement treatments, art and signs are some physical ways to express ownership through design. Such features should not conflict with the need for natural surveillance, as described in B; and
- B. *Natural Surveillance* – The proposed site layout, building and landscape design promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except as necessary for buffering between commercial uses and lower density residential districts, and then shall be minimized; and



- C. *Activity Support* – The proposed site layout and building design encourage legitimate activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining; and
- D. *Access Control* – By properly siting and designing entrances and exits (i.e., in clear view from the store), and through the appropriate use of lighting, signs and/or other features, the proposed plan controls access in ways that discourage crime; and/or
- F. The proposal contains an equally good or superior way to achieve the above criterion and guidelines.

[Discussion: The above principles are described in Chapter 2. The text in Section 2.5 can be used to create definitions for local zoning ordinances. For a complete Crime Prevention Through Environmental Design ordinance, see the City of Tempe, Arizona's web site at <http://www.tempe.gov/tdsi/Planning/CPTED/>.]

Criterion 6: Parking and Land Use Efficiency

All of the following methods are used whenever possible to minimize the amount of land developed as surface parking.

Guidelines:

- A. *Shared Parking*. "Shared parking" means that multiple uses share one or more parking facilities. Parking demands must "peak" during different times of the day. Shared parking shall comply with Chapter [X], *Shared Parking Agreements*;⁸
- B. *Credit for on-street parking*. The amount of required off-street parking shall be reduced by one off-street parking space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, subject to City standards, except that angled parking may be allowed for some streets, as approved by the City. The configuration of the on-street parking and allowable credit toward off-street parking requirements shall be addressed during site/design review. The City shall maintain a written record of credits granted per each use;
- C. *Reduce or waive minimum off-street parking standards*. The applicant may request a reduction to or waiver of parking standards based on a parking impact study. The study allows the applicant to propose a reduced parking standard based on estimated peak use, reductions due to easy pedestrian accessibility; availability of transit service, and likelihood of car pool use; and adjacent on-street parking. The parking study is subject to review and approval or modification by the City;

⁸ For a sample shared parking ordinance, please refer to "Shared Parking in the Portland Metropolitan Area: Model Shared Parking Ordinance; Model Shared Use Agreement for Parking Facilities", Metro (1997). Contact Metro Growth Management Services at (503) 797-1562.

D. *Maximum parking ratio.* Surface parking shall not exceed 110% of the minimum parking requirement for the subject land use(s). Exemptions to the standard can be approved through site/design review for developments that provide parking structures, shared parking, valet parking spaces, market rate parking, or similarly managed parking facilities;

[Discussion: Maximum parking ratios are recommended whether or not there is public parking and transit service, although where those exist, there is a more compelling reason for maximum ratios.]

E. *In-lieu fee for off-street parking.* The applicant may pay an in-lieu fee for required off-street parking. The in-lieu fee shall pay for public parking facilities, as provided in the City's *[Parking District Ordinance]*. *[Note: this is applicable only where a parking district has been established];*

F. *Structured parking incentive.* A density or floor area bonus of one building story shall be granted for every story of structured parking provided in a building, subject to building height limitations for the zoning district;

G. *Valet parking.* Valet parking is permitted where a valet parking plan is approved by the City with the site/design review application. Valet parking allows stacking of smaller parking spaces with less space devoted to drive aisles.

Criterion 7: Creating and Protecting Public Spaces

The proposal provides usable public space, and recognizes and responds appropriately to existing or planned public spaces (e.g., parks, civic buildings and spaces, transit stops, sidewalks, plazas, and similar spaces). Public spaces are "public" when they are within view of a street or other public space, accessible by pedestrians, and can be occupied by people. All developments shall meet or exceed the following guidelines. A development proposal may be required to mitigate impacts to a public space when it is likely to degrade public safety, or the function, comfort, or attractiveness of a public space.

Guidelines:

- A. The development provides at least *[10-20]* square feet of public space, in addition to required sidewalk(s), for every 10 off-street surface parking spaces or 1,000 square feet of floor space, whichever is greater.
- B. The development does not diminish the safety, function, comfort or attraction of an existing public space, as described in 1-4, below. A superior design may enhance an existing public space and/or create a superior public space(s).

1. "Safety" means both pedestrian safety near vehicles, and safety related to crime prevention (see Criterion #5); and
 2. The "function" of a public space may include transportation, in the case of the sidewalk; recreation and socialization, in the case of a plaza or park; and
 3. "Comfort" means the ability of a public space to reasonably accommodate expected uses; and
 4. "Attraction" relates to the reason people use the public space; and/or
- C. The proposal contains an equally good or superior way to achieve the above criterion.

Criterion 8: Human Scaled Building Design

[Note: Building design standards should be tailored to fit the local design context and character. For a related discussion, please refer to Chapter 2, Section 2.8. The Appendix lists some design guidelines used by local governments. A framework is provided below for developing your own contextually-based building design guidelines.]

Building façades are designed to a human-scale, for aesthetic appeal, pedestrian comfort, and compatibility with the design character of the district or neighborhood.

[Discussion: Community acceptance of compact mixed-use development requires that the design reflect the context of its surroundings or create its own distinct look and identity. This does not mean that it needs to copy or mirror the architectural style of the surrounding buildings (unless that is critical to the historic character of an area). The key elements to consider are outlined below.]

Guidelines:

- A. Existing architectural character of the neighborhood/district, which may or may not be an appropriate guide for new development or redevelopment;
- B. The continuity of the building sizes;
- C. How the street-level and upper-level architectural detailing is treated;
- D. Roof forms;
- E. Rhythm of windows and doors; and
- F. General relationship of buildings to public spaces such as streets, plazas, other open space, and public parking.

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
April 10, 2007

Commission Members Present:

Chair Allen
Adrian Emery
Jean Lafayette
Matt Nolan

Staff:

Rob Dixon, Community Development Director
Julia Hajduk, Planning Manager
Heather Austin, Sr. Planner
Cynthia Butler, Admin. Assistant III

Commission Members Absent:

Todd Skelton
Dan Balza

1. **Call to Order/Roll Call** – Cynthia Butler called roll. Commissioners Skelton and Balza were absent.
2. **Agenda Review** - Chair Allen stated that nominations for Vice Chair would be delayed until there was a quorum. There were no other changes to the agenda.
3. **Consent Agenda** – Voting on approval for the February 13, 2007 minutes was postponed until the next session when a quorum would be available.
4. **Announcements** – Julia Hajduk recapped the results of the Moser Measure 37 claim that was heard by City Council on February 6, 2007. Council approved the claim for 2 units per acre, the allowable standard at the time of the property was purchased. Final order approving the claim was issued on March 6, 2007. Julia said that the Claus Measure 37 claim and the Meserve Measure 37 claim will be heard by City Council on May 1, 2007. An Arbor Day celebration open to the public was celebrated in Sherwood on April 5th at Murdock Park, beginning with a proclamation by the Mayor and followed by tree planting provided by volunteers. Public Works manicured the grounds and prepped the holes for trees, as well as providing a staging area.

Rob Dixon provided an update on the I-5/Hwy. 99 Connector project. Rob said that tomorrow on April 11th the Policy Steering Committee of the elected officials will meet and hopefully narrow the field of possible corridor options for the connector and then send it back to staff for a detailed study. The goals and objectives of the project have driven the discussion to date. An analysis and feasibility study will provide the information to move the project forward. Rob and Heather attended a meeting in Wilsonville last week regarding the Coffee Creek Concept Plan that Wilsonville is currently developing, along with representatives of ODOT and other regional jurisdictions. Wilsonville is being encouraged by Sherwood and area representatives to include connector options in their concept planning of the area, or to delay proceeding further until more information about the corridor options are known. Rob added that Wilsonville has invited the City of Sherwood to submit written comments and to attend any of their Planning Commission sessions.

5. **Community Comments** – Chair Allen asked if there were any Community Comments. There were none.

6. **New Business:** Planning Commission vacancy update/Vice Chair nominations – Chair Allen asked Julia for an update on the commission vacancy. Julia said that the City Recorder is currently getting information back to her for this process. Julia confirmed that there is approximately 3 years remaining in the term for the vacant position and that a notice will be drafted and posted soon. Chair Allen reiterated the recommendation suspending nominations for Vice Chair until more members are present. Commissioners agreed.

Storm Water Master Plan – memos from former City Engineer, Gene Thomas, P.E. on the storm water and sanitary master plan were discussed. Rob Dixon said that infrastructure decisions made by Engineering are based on projecting the impacts of 50-100 years of growth, and discussed various criteria that needs to be addressed in order to meet those projections.

7. **Comments by Commission** – Commissioner Nolan stated that he would not be able to attend the session on April 24, 2007.

8. **Next Meeting:** April 24, 2007 – Cedar Brook Dental Office Appeal Hearing (SP 06-11); Bridges Old Town Change of Use (SP 07-02).

9. **Adjournment** – Chair Allen adjourned the regular meeting at 7:20 PM to participate in a work session with staff on Commercial and Industrial Design Standards.

End of Minutes.