



**City of Sherwood
PLANNING COMMISSION**

**Stewart Senior/Community Center
855 N. Sherwood Boulevard**

August 20, 2002

Regular Meeting -7:00 PM

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Consent Agenda – July 2, 2002 PC Minutes**
- 3. Agenda Review**
- 4. Community Comments** *are limited to items NOT on the printed Agenda.*
- 5. Public Hearings:** (Commissioners declare conflict of interest, ex-parte contact, or personal bias) **Public Hearings** before the City Council and other Boards and Commissions shall follow the procedure identified in Resolution 98-743, adopted June 9, 1998 (copies available on table):
 - A. PA 02-02 Land Use Process and Appeals Plan Text Amendments:** to Part 3, Zoning & Community Development Code, Chapter 3, Section 3.200 Procedures for Processing Development Permits and Section 3.400 Appeals, simplifying appeal process. (*Keith Jones, Senior Planner*)
 - B. PA 02-03 Residential Density Plan Text Amendments:** to Part 3, Zoning & Community Development Code, Chapter 2, to correct the Net Density within the Very Low Density Residential (VLDR), Low Density Residential (LDR), Medium Density Residential Low (MDRL) and Medium Density Residential High (MDRH) residential zoning districts. (*Keith Jones, Senior Planner*)
- 6. New Business**
 - A. Report from Council Liaison** (*Ken Shannon*)
 - B. Report on Woodhaven Phase 8C sound wall** (*Keith Jones, Senior Planner*)
- 7. Adjourn**

**ITEMS NOT COMPLETED BY 11:00 PM WILL BE CONTINUED
TO THE NEXT REGULARLY SCHEDULED MEETING**

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
August 20, 2002

1. Call to Order/Roll Call

Chair Adrian Emery called the Planning Commission meeting to order at 7:00 PM.

Commission Members present:

Patrick Allen
Adrian Emery
Kevin Henry
Jean Lafayette
Ken Shannon
Lee Weislogel

Staff:

Keith Jones, Senior Planner
Roxanne Gibbons, Recording Secretary

Commission Members absent:

Bill Whiteman

2. Consent Agenda – July 2, 2002 PC Minutes

Chair Emery asked if there were any additions or corrections to the minutes. There were no changes to the minutes.

Lee Weislogel moved the Planning Commission accept the July 2, 2002 Planning Commission meeting minutes as presented. Seconded by Patrick Allen.

Vote for Passage of Motion: 5-Yes, 0-No, 1-Abstain (Emery)

3. Agenda Review

Patrick Allen said he would like to briefly discuss buildings in the Old Town District under New Business. The Commission concurred.

4. Community Comments

There were no community comments.

5. Public Hearings

Patrick Allen read the hearings disclosure statement and asked that Commission members reveal any conflicts of interest, ex-parte contact or bias. (See specific public hearing for disclosures)

5A. PA 02-02 Land Use Process and Appeals Plan Text Amendments

Chair Emery opened the public hearing on PA 02-02 and called for the Staff Report. Keith Jones referred the Commission to the Staff Report dated August 6, 2002, a complete copy of which is contained in the City Planning files. He noted:

- The report was prepared by Dave Wechner, Planning Director.

- The proposed amendments will clarify the appeals process – who hears appeals, who may appeal a land use decision, and require that all appeals must be “on the record”.
- Staff recommends the Commission recommend approval of the plan text amendments to the City Council.

Chair Emery noted that there was no one in the audience to testify. There being no proponent or opponent testimony, he dispensed with the rebuttal portion of the hearing and moved on to Commission discussion of the proposed amendments.

Chair Emery said that there had been previous discussion regarding placing public works projects under the Type IV review. Some members of the Commission said they would have liked to have reviewed the plans for the Police Station.

Patrick Allen said the term “public facilities” could be used and defined as any structure and other public infrastructure (not a structure) that has a projected cost of more than \$250,000.

Mr. Jones suggested using the definition “site plans using public facilities”.

Mr. Allen said this would incorporate school projects and Clean Water Services projects.

The Commission agreed that they would also like to review major road, sewer and water projects in the City.

Mr. Allen said public facilities would require a Type IV review and are defined as any publicly-owned buildings and any other public infrastructure with a value in excess of \$250,000.

Mr. Jones said the City does not do a site plan review for new road alignments.

The Commission said public infrastructure projects valued at more than \$250,000 could be reviewed under the Type V process.

Mr. Weislogel asked about public reservoirs, pump houses or field houses. The Commission said these would be reviewed under the Type IV process. They identified the new public works building as a site plan they would like to review.

The Commission noted their concern that they did not review the Meinecke Road/Highway 99W project.

Adrian Emery closed the public hearing on PA 02-02 for further Commission deliberations.

The Commission discussed the review process for public facilities and public infrastructure projects.

Patrick Allen moved based on Staff recommendation and Commission discussion, the Planning Commission recommend to the City Council approval of PA 02-02 Land Use Process and Appeals Plan Text Amendments as amended. Seconded by Lee Weislogel.

Vote for Passage of Motion: 6-Yes, 0-No, 0-Abstain

The following changes were made to PA 02-02, Section 3.201.01 Classifications:

- **D. Type IV, Add:**
 - 5. All new public facilities.
 - 6. Remodel of public facilities over \$250,000.
- **E. Type V, Add:**
 - 4. Public projects over \$250,000 (excluding buildings).

Mr. Weislogel noted that page 1 of the Staff Report should be corrected to reference PA 02-02, not PA 02-03.

5B. PA 02-03 Residential Density Plan Text Amendments

Chair Emery opened the public hearing on PA 02-03 and called for the Staff Report.

Jean Lafayette announced she had talked to a citizen (Marilyn, unknown last name) regarding density. This discussion did not cause her to have any bias.

Ken Shannon announced he had talked to Council President Keith Mays regarding minimum lot sizes in general. This discussion did not cause him to have any bias.

There were no other Commissioner disclosures.

Keith Jones referred the Commission to the Staff Report dated August 13, 2002, a complete copy of which is contained in the City Planning files. He noted:

- This is not a change in density. It is a correction to the numbering that was in error when going from “gross” to “net” density. The minimum lot sizes in the residential zones will not change.
- The current maximum density is in error and needs to be corrected to reflect the minimum lot sizes in the LDR, MDRL and VLDR zones.
- The maximum density in the HDR and MDRH zones is not consistent with the average lot sizes for townhomes.
- Staff recommends the density numbers be revised as stated in the Staff Report:
 - VLDR – density not to exceed 4.4 du per acre and not less than 1.4 du per acre
 - LDR – density not to exceed 6.3 du per acre and not less than 3.5 du per acre
 - MDRL – density not to exceed 8.8 du per acre and not less than 5.6 du per acre
 - MDRH – when developed as townhomes per Section 2.204, the density shall be determined by the average lot size per Section 2.204.01B2.
 - HDR – when developed as townhomes per Section 2.204, the density shall be determined by the average lot size per Section 2.204.01B2.

Chair Emery noted that there was no one in the audience to testify. There being no proponent or opponent testimony, he dispensed with the rebuttal portion of the hearing.

Chair Emery closed the public hearing on PA 02-03 for discussion by the Commission.

Chair Emery said he was not in favor of the proposed text amendments. He said the current density figures were not actually a mistake at the time. The City negotiated with Metro and the result was the existing density standards.

The Commission asked how net acres are determined.

Mr. Jones said the net acre is figured by removing the roads, wetlands, floodplains and parks and open spaces. Staff then applies the minimum and maximum density to whatever is left over. There is no averaging because the minimum lot size will not change. He explained how the density was determined for the LDR zone.

Ms. Lafayette used the LDR as an example in determining the net density. One acre (43,560 sq ft) divided by 5 is 8,700 sq feet.

Mr. Jones said the “rule of thumb” is you remove 20% for roads and wetlands. For example, if you start with 1.5 acres, then remove 20%, you are left with 1 acre of buildable area (43,560 sq feet divided by 6.3 results in approximately 7,000 sq feet).

Mr. Allen reiterated that the proposed plan text amendments would not reduce the current minimum lot size in the residential zoning districts.

Mr. Jones said the benefit to “net” is that you look at what is buildable and not include the floodplain or density transfer (which is only allowed with a PUD).

Chair Emery recessed the meeting at 7:40 PM for a 5-minute break and reconvened the meeting at 7:45 PM.

Mr. Henry asked if the goal was to have larger lot sizes or to have higher density which would impact the City’s infrastructure. If you build more houses on 5,000 square foot lots to make them more affordable, this will in turn attract more families that will have a greater impact on the schools. The schools in Sherwood are already overcrowded. He was thankful that they bought a house on a 7,000 square foot lot and not a 5,000 square foot lot.

Mr. Shannon said Miller’s Landing is an example of a development that has lot sizes that are less than 5,000 square feet. He does not favor developing lot with less than 5,000 square feet.

Ms. Lafayette said the proposed text amendments include allowing townhomes in the HDR and MDRH zones and higher density in the VLDR, LDR and MDRL zones. The Commission could adopt the townhomes recommendations and not include the higher density figures.

Mr. Allen said he was not comfortable living in a community that wants to limit affordable housing by having larger lots and less density. The proposed plan text amendments make the Code consistent with what the City has said they want minimum lot sizes to be. The design of a home can be as much of a problem as the lot size.

Chair Emery said the City did not want higher density, but had to comply with Metro.

Ms. Lafayette said the proposed VLDR density will go from 2 du per acre to 4.4 du per acre. There are net 44 acres of vacant VLDR land in the City. If the Commission allows 2.5 more du per acre, this will result in an increase of 105 du per acre.

Mr. Jones stated that the minimum lot size in the VLDR zone is 40,000 square feet and under a PUD, the minimum lot size is 10,000 square feet. He referred the Commission to the City Zone Map and identified the vacant residential parcels.

There being no further discussion,

Patrick Allen moved the Planning Commission recommend approval of PA 02-03 Residential Density Plan Text Amendments to the City Council as submitted. Seconded by Lee Weislogel.

**Vote for Passage of Motion: 3-Yes (Allen, Shannon, Weislogel)
3 – No (Emery, Henry, Lafayette)**

Motion Failed

Jean Lafayette moved the Planning Commission amend PA 02-03 by removing the amendments to Section 2.101 VLDR, Section 2.102 LDR and Section 2.103 MDRL and recommend approval of the remaining townhome language in Sections 2.104 MDRH and 2.105 HDR to the City Council. Seconded by Patrick Allen.

The Commission continued their discussion of the proposed changes to density, focusing on the LDR zone.

Ms. Lafayette said she voted in opposition to the previous motion because Metro wants higher density, but the City wants to retain its livability by limiting the number of units. On the other hand, the Code needs to be changed so that Staff is better able to make interpretations based on density requirements.

Mr. Weislogel asked if there was a density figure that would be acceptable in the VLDR and LDR zones.

Mr. Allen suggested not changing VLDR and make the changes as recommended by Staff in the LDR and MDRL zones, as well as including the townhome density in MDRH and HDR. The net density of the vacant VLDR land is not very much. The only bad examples of density seem to come from PUD's with lots less than 5,000 square feet. The question of LDR density would seem to be more important when expanding UGB and long range master planning.

Patrick Allen moved to amend Jean Lafayette's motion to reincorporate all of the Staff recommendations on density. Seconded by Lee Weislogel.

**Vote for Passage of amendment to motion: 3-Yes, 3-No, 0-Abstain
Amendment to motion failed.**

Jean Lafayette moved to amend her original motion to only remove the changes to Section 2.102 LDR zone. Seconded by Patrick Allen.

Vote for Passage of amendment to motion: 6-Yes, 0-No, 0-Abstain

The Commission voted on the amended motion that only removed the LDR zone from the Staff recommendation to City Council.

Vote for Passage of Amended Motion: 5-Yes, 1-No (Emery), 0-Abstain

6. New Business

6A. Report from Council Liaison

Ken Shannon reported the City Council had a farewell party for Councilmember Angela Weeks. Ms. Weeks was not able to attend, but she is resigning her position due to a move to Washington State.

Jean Lafayette read from the August 13, 2002 Council Agenda identifying the other issues the Council dealt with. The sign code plan text amendments were heard and the Council left the record open for 14 days for additional written comments. The purchase of the Newnes buildings was approved by Council. The City plans to use this site for the public works department as well as an indoor soccer arena.

6B. Report on Woodhaven Phase 8C Sound Wall

Keith Jones referred the Commission to report included in the packets dated August 13, 2002. He noted:

- The plat was redesigned to allow for additional land between the homes and the railroad tracks and Steel Tek. Attachment C shows the center of Lot 1061 is approximately 270 feet away from the Steel Tek building and lots do not directly back to the railroad as originally proposed.
- The Planning Department approved the height of the sound wall based on Code requirements of 6 feet in height.
- Landscaping was required as an additional buffer and has not been installed. Staff will inform the applicant of their burden to install the landscaping and also require that the water quality facility be replanted to function properly. The City has a maintenance bond for this development.
- The February 20, 2002 letter from Clean Water Services (CWS) to Steel Tek notes that a stream corridor or sensitive area does exist on the Steel Tek property.

The Commission thanked Mr. Jones for the report.

6C. Old Town District Buildings

Mr. Allen asked the Commission for their thoughts regarding the immediate demolition of the Robin Hood Theater versus leaving it standing, but not using it. Ode Gribble wrote a letter to *Sherwood Gazette* voicing her concerns about removing the building. He said even if the building is not being used, he was concerned about losing “building mass” in the Old Town District. The Commission agreed that it would be better not to lose building mass.

Ms. Lafayette said it may be useful to identify the Robin Hood Theater parking lot as a “public parking” area.

7. Adjourn

There being no further business to discuss, Chair Emery adjourned the regular meeting at 8:40 PM.

Respectfully submitted,

Planning Department