



**City of Sherwood
PLANNING COMMISSION
Stewart Senior/Community Center
855 N. Sherwood Boulevard
October 17, 2000 - 7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Consent Agenda - Approval of September 19, 2000 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 following procedure (Resolution 98-743, adopted June 9, 1998):
 - Staff Report--15 minutes
 - Applicant--30 minutes(to be split, at the discretion of the applicant, between presentation and rebuttal.)
 - Proponents—5 minutes each (applicants may not also speak as proponents.)
 - Opponents—5 minutes each
 - Rebuttal—Balance of applicant time (see above)
 - Close Public Hearing
 - Staff Final Comments—15 minutes
 - Questions of Staff/Discussion by Body—no limit
 - Decision (Note: Written comments are encouraged, and may be submitted prior to the hearing, at the hearing, or when the record is left open, after the hearing for a limited time. There is no limit to the length of written comment that may be submitted. Recognize that substance, not length, determines the value of testimony. Endorse rather than repeat testimony of others.)
- A. PA 00-03 Title 2 Regional Parking Policy and Title 5 Neighbor Cities & Rural Reserves Functional Plan Text Amendments:** Title 2 would reduce minimum and establish maximum parking standards and permit shared use of parking spaces. Title 5 would acknowledge the green corridor designations of Highway 99W between Sherwood and Tigard and Sherwood and Newberg. (*Carole Connell, Planning Consultant*)
- B. PUD 00-02 Drennan Estates Preliminary Plan & Plat (remanded to the PC by Council):** a request by David & Joan Drennan for a 97-lot single-family attached and detached planned unit development located north of Sunset Blvd and east of the railroad tracks. Tax Lots 3000, 3100, 3200, Map 2S 1 31DA. (*Dave Wechner, Planning Director*)
- 6. New Business**
 - A. Report from Council Liaison** (*Ken Shannon*)
- 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
October 17, 2000

1. Call to Order/Roll Call

Chair Angela Weeks called the meeting to order at 7:05 PM.

Commission Members present:

Adrian Emery
Jeff Fletcher
Jean Lafayette
Keith Mays
Ken Shannon
Angela Weeks

Staff:

Dave Wechner, Planning Director
Carole Connell, Planning Consultant
Shannon Johnson, Legal Counsel
Terry Keyes, City Engineer
Roxanne Gibbons, Recording Secretary

Commission Members absent:

Jeff Schroeder

Introduction of New Planning Commission Member

Chair Weeks presented a *Certificate of Appointment* to Jean Lafayette, the newly appointed Planning Commission member. Ms. Lafayette will fill the term vacated by Sterling Fox, who was appointed to the City Council. Her term will expire in March 2003.

2. Minutes of September 19, 2000

Chair Weeks asked if there were any additions or corrections to the minutes of September 19, 2000. There were no changes.

Keith Mays moved the Planning Commission accept the September 19, 2000 minutes as presented. Seconded by Adrian Emery.

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

3. Agenda Review

Dave Wechner distributed a report prepared by Metro entitled, "The Nature of 2040" to the Commissioners.

4. Community Comments

There were no comments.

5. Public Hearings

Chair Weeks read the hearings disclosure statement and requested that Commission members reveal any conflicts of interest, ex-parte contact or bias regarding any issues on the agenda.

There were no Commissioner disclosures.

5A. PA 00-03 Title 2 Regional Parking Policy and Title 5 Neighbor Cities & Rural Reserves Functional Plan Text Amendments

Chair Weeks opened the public hearing and called for the Staff Report. Carole Connell referred the Commission to the Staff Report dated October 10, 2000, a complete copy of which is contained in the City Planning File, PA 00-03. The proposed plan text amendment would be a recommendation from the Commission to the City Council. She reviewed the Code criteria for plan text amendments and the Staff Report findings. Metro requires adoption of these tiles to meet Functional Plan guidelines for regional planning. She noted:

- Title 2 provides minimum and maximum parking standards that will apply to new development.
- The City Council recommended some changes be made to the Code regarding Old Town parking requirements. The Council said the off-street parking standards in Old Town are too restrictive. They recommended removing off-street parking standards for new business in the Old Town Overlay Zone (Code Section 9.202.06). She has included this provision in the proposed plan text amendment.
- The City recently adopted the Urban Renewal District Plan. Municipal parking lots will be one of the capital improvement projects in this program.
- Title 2 Regional Parking Policy has eight standards that must be met. These are included in the Staff Report.
- She distributed a map of the Old Town Overlay Zone.
- The City may establish a parking district (i.e., parking or signage) in residential areas in order to protect residential areas from spillover parking generated by adjacent commercial, employment or mixed-use areas, or other uses that generate a high demand for parking. The district request shall be made to the City Manager who will forward a recommendation to the City Council for a decision.
- Code Section 5.302.02 establishes minimum and maximum parking standards. The proposed parking standard table would be made part of the Code. The current Code does not contain maximum parking standards.
- The asterisk in the table refers to, “An enclosed building or garage associated with any single family housing type cannot be counted towards the parking space requirement for that unit.....”.
- Section 9.202.06, should be reworded to read, “For all property and uses in the Old Town Overlay Zone, off-street parking is not required.”

The Commission asked for clarification regarding where the proposed Old Town Parking Standards would apply.

Mr. Wechner clarified that with adoption of the proposed changes both the “dark shaded” and “light shaded” area of the map would not have any off-street parking standards. The current standard allows a 50% parking reduction in the “light shaded” areas and no parking standards in the “dark shaded” areas on the map.

Ms. Connell said there will be some map changes associated with these Code amendments. The Council did not spend any time in reviewing commercial v. residential parking during their work session. The current Code references commercial uses and home occupations.

The Commission discussed creating parking districts for certain areas of Old Town. The Commission asked Staff to respond to the Council recommendation to eliminate parking standards for the Old Town Overlay Zone.

Mr. Wechner responded that this issue arose during a review of a conditional use permit for the Blue Church. The request was for a commercial use that is located on the edge of a residential area. The use is in a commercial zone and the other businesses along Pine Street share the commercial zone. The proponent of the site attempted to use the shared parking standard (within a 500-foot radius) to get the required 13 parking spaces. Even though the applicant had produced two agreements for shared parking, the hours of use would be overlapping. The Hearings Officer decision was to deny the request for conditional use permit. Mr. Wechner thought the Council recommendation was aimed to be pro-small business in Old Town. The Council brought the issue up outside of any public hearing and directed Staff to change the parking standards for Old Town.

Mr. Shannon said one of the major problems the City had in developing an urban renewal district was parking. You cannot have a viable business if you do not have adequate parking, and the urban renewal district will definitely add parking. Currently, there is a parking problem for businesses in Old Town, especially at certain times of the day.

Ms. Connell said if the Commission is not comfortable removing parking standards for the Old Town area until there is alternative parking available, some other language such as agreements for parking with surrounding property owners or establishing “parking districts” could be used.

Mr. Johnson clarified that the change with regard to Old Town parking will not directly affect the appeal of the Blue Church conditional use application, unless they refile a new application. The application is reviewed under the rules in effect at the time of submittal. However, the Council wanted to expedite the parking issue because they felt it was appropriate. He advised the Commission that the Blue Church appeal is before the Council and would caution any discussion with any Council members about parking, generally, prior to the hearing.

Mr. Fletcher said he did not see the need to change the requirements for parking standards in Old Town, until some parking is created through the urban renewal process. He did not support what appeared to be changing the rules for one particular application.

The Commission discussed rewording the parking standard table footnote on page 5 of Exhibit A.

Ms. Connell reviewed the Title 5 recommendation. The intent of this title is to clearly define Metro policy with regard to areas outside the Metro Urban Growth Boundary (UGB). Land

outside of the UGB is designated rural reserve or green corridor. The proposed amendment would comply with Title 5. This policy statement would be added to the Comprehensive Plan Part 2, Chapter 3 under Growth Management. In all likelihood, Washington County will adopt these provisions to be in compliance with the Metro 2040 Plan.

Chair Weeks asked if there was anyone who wished to provide testimony on PA 00-03 Plan Text Amendment, either proponent or opponent.

Rick Hohnbaum, 640 W. Division, Sherwood, Oregon 97140, addressed the Commission. He asked for clarification of the proposed language in the Staff Report for Policy 4, on page 7.

Ms. Connell said Metro had more specific language about signage and landscaping. During the work session, the Staff and Commission agreed the Metro wording was too specific. They proposed the language in the Staff Report.

Mr. Hohnbaum said the Council is still in denial. He hoped that the lesson learned with regard to the Home Depot experience would note that just because land is outside of the UGB does not mean that the City should not have policies and ordinances in effect for that land. He did not agree with the portion of the recommendation that states, "If the City at some future date annexes an area.....then the City will consider policies and standards." He said the City should have policies and standards for land outside the UGB prior to it being annexed. The City zoning should take into consideration the effects outside that zoning.

Ms. Connell did not disagree with Mr. Hohnbaum, but stated that Title 5 is a separate issue from what he is talking about. If the City wants to have rules in place prior to property being annexed, the current zones should be revised.

There being no further testimony, Chair Weeks closed the public hearing on PA 00-03 for discussion and deliberations by the Commission.

Mr. Mays asked if Staff would look into improving the current code to deal with environmental impacts on land outside of the Urban Growth Boundary. This item will be added to the list of Code amendments.

Jean Lafayette asked what criteria are used at the time of annexation to determine zoning. Ms. Connell responded that the current Code allows property to be annexed only if it is inside the UGB and is already zoned through the Comprehensive Plan. If any property is proposed to be annexed without being in the UGB there would be lengthy process to determine zoning.

In response to Mr. Shannon's question, Ms. Connell said the Code does have a landscape corridor requirement on Highway 99W. Whether you can protect the rural nature of a site when it gets annexed is the question. The Title 5 recommendation simply states that the green corridor will be considered through the urbanization process.

The Commission discussed at length parking standards for the Old Town area. Mr. Fletcher said the Old Town parking standard should not be changed until additional parking, through urban renewal or some other process is in place.

Terry Keyes advised the Commission that there probably will not be any parking lots constructed within the next 5 years in the Old Town area. It will take time for the urban renewal process to generate funding for parking.

Mr. Wechner said the conceptual drawings for urban renewal area identify parking lots associated with commercial or residential use. When you consider the timing for any additional parking lots, you have to consider the timing of associated uses for these properties. Right now there are no budgeted funds for construction of additional parking areas.

Angela Weeks said her biggest concern with parking in the Old Town area is the impact on the residential neighborhoods. She wondered how the residents would be informed of the process to create a "parking district".

The Commission revised the footnote on page 5 of Exhibit A to read, "An enclosed building or garage associated with any residential dwelling type cannot be counted towards the parking space requirement for that unit. Further, if the street on which the house has access is less than 28 feet wide, 2 off-street parking spaces are required per single family residential unit (includes single family detached or attached, two family dwelling or a manufactured home on an individual lot). If the abutting street is 28 feet or wider, one standard (9'x18') parking space is required."

Adrian Emery moved the Planning Commission recommend to the City Council adoption of PA 00-03 Title 2 and Title 5, with the revision of the footnote in Exhibit A. This motion includes the recommendation that the City Council take immediate action to address the current parking issues in the Old Town area and the possibility of creating an Old Town Overlay Zone Parking District. Seconded by Keith Mays.

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

The Commission took a 10-minute break at 8:30 PM and reconvened the meeting at 8:40 PM.

5B. PUD 00-02 Drennan Estates Preliminary Plan and Plat (remanded by the Council to the Commission)

Chair Weeks opened the public hearing and called for the Staff Report. Dave Wechner referred the Commission to the Staff Report dated October 10, 2000, a complete copy of which is contained in the City Planning File, PUD 00-02. He noted:

- On August 18, 2000, the Council remanded this application back to the Commission for additional review.
- On page 2, two variances should be added to those requested:

- Reduction of lot sizes for single-family attached dwellings from 4,000 sf to less than 2,000 sf on the townhome lots.
 - Variance of two feet in the allowed townhome height of 35 feet to increase to 37 feet.
- The revised plat identifies a three-phased Planned Unit Development and 97-lot subdivision.
 - The variance to the building height would be pretty high for the Sunset Boulevard corridor. Taking into consideration the 15-foot landscape corridor and given the proximity of the high buildings on Sunset Boulevard with the density proposed, Staff would recommend denial of the variance in building height.
 - The reduced setback is consistent with other previous PUD approvals in Sherwood. However, these developments have experienced problems with the reduced setback as the construction of homes is simply not practical within the envelope allowed by this setback and impacts to slopes or adjacent open space tracts. Staff would recommend denial of the reduced rear yard setback to 10 feet.
 - The trail has been included on the development plan. The applicant has indicated a trail varying in width from 3 feet to 6 feet. Reed Rainey, Parks Director for Sherwood, advised that all trails constructed for public use should be a minimum of 6 feet wide at all areas. The trail would also need to be paved.
 - On page 4, Item #3, the oversized lots in the townhome site are in compliance with the current Code. Staff requests the applicant to clarify what the plans are for these oversized lots.
 - The physical feasibility of the trail and its connection to existing trail segments to the north must be confirmed. A condition of approval should be included to assure that the trail will actually be built. There is an existing pedestrian access across the railroad tracks on the north side of Sunset Boulevard.

Mr. Keyes said the City is working with the railroad to get the south sidewalk along Sunset Boulevard across the railroad tracks.

Jean Lafayette asked if it was feasible to connect the trail to the property to the north and east of this site. Mr. Wechner said the applicant could respond to this question during their testimony.

Mr. Shannon said the applicant is asking for several variances and in return the City will get a trail. Mr. Keyes said a 6-foot wide trail would not meet the standard. The standards call for a 10 to 12-wide trail. Pedestrian trails in communities like Sherwood would need to be at least 10 feet wide and six feet would not be sufficient.

Chair Weeks asked if any ADA standards need to be met with regard to the trail. Mr. Keyes said there are probably some ADA standards that would need to be met. Some sections of trail could be steep if there are alternative ways to get around.

Mr. Shannon asked if the underlying zoning were used, what type of development could be built. Mr. Wechner said if you assume the highest residential density, it would probably be apartments or condominiums.

Mr. Mays asked if there was any requirement for fire sprinklers in three-story buildings. Mr. Wechner said this would be addressed as part of the building permit process under the Uniform Building Code.

Chair Weeks asked if the applicant wished to provide testimony on PUD 00-02.

Dave Drennan, (property owner) 15365 Hume Drive, Saratoga, California 95070, and Keith Jehnke, (representative) AKS Engineering, 18961 SW 84th Avenue, Tualatin, Oregon 97062, addressed the Commission. Mr. Drennan clarified that on page 4 of the Staff Report, under #3, 55 townhome units are being proposed in Phase 1, not 61 units.

Mr. Jehnke addressed the major concerns of the Commission from the previous hearing and noted:

- The request for a two-foot variance in building height to 37 feet would break up the roofline of the buildings. Some of the buildings will be 35 feet and some will be 37 feet high.
- The first 3-4 pages of the 8-11-2000 applicant narrative contain details of the project and answers the concerns of the Commission. Page 2 of the narrative contains a table that shows the dwelling units per acre.
- They have increased the number of off-street parking spaces in Phase 1 from 2.4 spaces to 3.7 spaces. This is outlined in the narrative.
- He identified the location of the stormwater facilities on the map.
- Tualatin Valley Fire District requirements are that after the 25th house, every house must be sprinklered. They plan to have all of the houses in Phase 3 sprinklered.
- With regard to public access to the open space, they have added trails to the plan.
- They have not looked at connecting the trail to the existing trail to the east from Gregory Park. This connection could be possible, but you would probably need a bridge to cross the wetland.
- They have added two play areas tracts to the site. He talked to Reed Rainey and the Parks Board would have to approve these becoming public park areas. The homeowners association would maintain these play areas if the City did not take them over. The applicant would like to turn these areas over to the City.

Mr. Drennan said he understands there is a public park planned just to the west of this site. They are focusing on the playground areas in their PUD being for the residents.

Mr. Drennan and Mr. Jehnke identified the parking areas, trail system, and paths to the playground areas on the map for the Commission.

The Commission agreed it would take extensive posting to identify the parking and emergency access areas. Staff agreed that a combination of signage would be appropriate. Mr. Emery said the homeowners association CC&R's should deal with RV parking.

Mr. Jehnke identified the different type of townhome lots on the map; front-loaded and rear-loaded lots.

Mr. Wechner said the visual corridor requirement on Sunset Boulevard is 15 feet.

Mr. Jehnke said they are asking for the height variance to break up the roof line. Mr. Wechner said the Code allows structures to be 2-1/2 stories or 35 feet in height. Under the current standard consideration should also be given to the lot size.

Mr. Mays said some of the changes were encouraging. He asked if there were any similar townhomes in other developments to what is being proposed. He would like to make a site visit to one of these developments prior to making a decision on this application.

Mike Anders, 300 NW 8th Avenue, Suite 402, Portland, Oregon 97209, addressed the Commission. He said there are similar townhomes in the Cougar Ridge development located off of Murray Boulevard in Beaverton.

Chair Weeks asked if these townhomes were being built as affordable homes. Mr. Drennan said he did not know what was considered "affordable". They are intending to make these townhomes as nice as possible to blend in with the single-family homes in the area. The representative from Dolphin Homes, who was not in attendance, would have these figures. Mr. Drennan said they could get estimates for the Commission.

Mr. Drennan said the intent of the proposed design was so that it would fit in with the projects that Dolphin has completed in other developments. He said the townhomes would have similar construction to what was included in the Commission packets.

Mr. Emery said he was concerned about parking in the townhome site. He asked if 100 parking spaces was enough for 55 units. Mr. Drennan said there would be 110 townhome spaces, including the garage and driveway, plus 19 additional spaces.

Mr. Mays asked what would prevent the townhome owners from converting some of the garage space into living space. Mr. Wechner said the only violation would be through the CC&R's and enforced by the homeowners association. There is nothing in the City Code that would prevent this was occurring.

Mr. Mays said he was inclined to continue the hearing until he could make a site visit to other similar townhome sites. Mr. Shannon said he would like to see the other townhome site too. Mr. Fletcher said he knew what townhomes look like. He did not think a site visit would be necessary. He had some minor issues with the application, but overall he thought the proposal was not that bad. He said the applicant had addressed parking and the trail issues.

The Commission agreed that the townhomes would probably look like a large wall along Sunset Boulevard.

Mr. Drennan said based on the slope of the site where the trail is intended to be constructed, if the trail were built as wide as discussed, there would be a lot of cut and fill work done. There

will be some disturbance of the area above the trail, but he did not know to what extent. There are only a couple of the lots where 10-foot rear yard setbacks would be necessary. He asked that this be considered when looking at their request for the reduced rear yard setbacks from 20 feet to 10 feet.

Mr. Drennan said the application was scheduled to be heard next Tuesday by the City Council. He did not know if there was enough time to do a site visit prior to Tuesday. Mr. Mays said if necessary the Council could continue the hearing to another date specific. Mr. Wechner said the reason for scheduling the Council hearing for next Tuesday was because Council agendas are full in November and December to review Metro 2040 Functional Plan requirements and to meet the 120-day deadline for this application.

Mr. Shannon reviewed the Commission's options with regard to the public hearing for this application. It was the consensus of the Commission that the hearing should not be continued just for a site visit.

Chair Weeks asked if there was any further testimony, either proponent or opponent. There being none, Chair Weeks closed the public hearing on PUD 00-02 Drennan Estates Preliminary Plan and Plat for discussion by the Commission.

Chair Weeks recessed the meeting at 9:50 PM for a 10-minute break and reconvened the Commission meeting at 10:00 PM.

The Commission continued their deliberations on PUD 00-02 Drennan Estates.

Mr. Mays asked what assurance the City had for the design of the townhomes. The Code does not have design criteria for townhomes. Part of the criteria for approval of a planned unit development is that certain design standards be approved. At this time, the Commission does not know what the townhomes will look like. He would like to review this information prior to making a decision on the application.

Mr. Drennan asked if the application were conditioned that the townhomes had to meet certain design standards, if this would provide the protection the Commission needs.

Mr. Wechner discussed a recent site plan application that did not have any design standards in place. The Staff worked with the applicant to redesign the building so that it would be architecturally compatible with surrounding buildings. This proved to be a difficult task. The City and the applicant would be better protected if the applicant provided design standards for the townhomes.

Mr. Drennan said he was unclear as to what he should provide to meet the needs of the Commission. There is the possibility that the Dolphin Development Company can provide this information. However, they are not the developer, they do not own the property and they may not be the company to develop the site. He thought he had answered all of the concerns of the

Commission and they were not prepared to answer these new questions. He hoped they could get approval for the project and be conditioned on the design criteria.

Mr. Wechner said the Commission is reviewing the preliminary development plan and preliminary plat with a recommendation to the City Council. The final development plan would come back before the Commission for approval. The Commission would be acting as the “design review board” in this case. The Commission has several options and could do one of the following:

- Review the submitted preliminary plans and not require any specific design criteria.
- Review the submitted drawings for architectural compatibility with surrounding development.
- Require specific design criteria be submitted with the final development plan for review.
- Require specific design criteria, including facade and building materials, be submitted at the preliminary development stage.

Mr. Mays said he would like to have the applicant agree to a continuance so that the Commission could review design standards for the townhomes. Mr. Johnson advised the Commission that the 120-day deadline is December 18, 2000. The Commission has the authority to continue the application to a date specific and require specific information be provided within a certain timeframe.

Mr. Wechner referred the Commission to Chapter 2, Section 2.202.02D, Planned Unit Developments, beginning on page 59, Council action and the effect of the decision and Section 2.202.03 Final Development Plan. The Commission will review the final development plan after adoption by ordinance of the PUD overlay by the City Council. Staff would recommend that the Commission identify a threshold for approval of the preliminary development plan and plat.

The Commission agreed the following issues need to be addressed and noted specific items they would like to review:

- The design, elevations and materials for the townhomes.
- Can the proposed trail system connect to the existing trail from Gregory Park?
- Review a draft of the CC&R’s for the PUD, which shall include parking standards, no build-out in the garages, and maintenance of the open space.
- If the design is acceptable, the request for a building height variance would be a benefit.

It was the consensus of the Commission that the trail should be paved and meet the standards for width and that the rear yard setbacks should not be decreased to 10 feet.

Keith Mays moved the Planning Commission continue PUD 00-02 Drennan to the November 7, 2000 Commission meeting to allow the applicant time to submit standards for the townhomes in Phase 1. The public hearing is closed and the record will be left open for seven (7) days for submittal of any additional information. Seconded by Adrian Emery.

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

It was the consensus of the Commission that Mr. Wechner advise the City Council of the status of this application at their October 24, 2000 meeting and recommend that their scheduled public hearing on the application be continued to another date specific. Mr. Drennan was advised that he did not have to attend this meeting.

6. New Business

There was no new business.

7. Adjourn

There being no further business to discuss, the Commission meeting adjourned at 10:55 PM.

Respectfully submitted,

Dave Wechner
Planning Director