



**City of Sherwood
PLANNING COMMISSION
855 N. Sherwood Blvd
Tuesday, June 3, 1997
7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes of May 20, 1997**
- 3. Community Comments:** *Community comments are limited to items NOT on the printed agenda.*
- 4. Consent Agenda - No applications scheduled.**
- 5. Public Hearings:** (Hearing Disclosure Statement. Also, declare conflict of interest, ex-parte contact, or personal bias)
 - A. SUB 96-9 Wyndham Ridge #3 Preliminary Plat:** (continued from May 20, 1997, public hearing closed) a request by Centex Homes for preliminary plat approval of a 69-lot single family subdivision located south of the existing Wyndham Ridge PUD. Tax Lot 1000, Map 2S 1 31B.
 - B. PUD 97-1 Edy Rd Preliminary Development Plan & Preliminary Plat:** a request by Venture Properties for a 33-lot planned unit development and preliminary subdivision plat, located at 17110 SW Edy Rd. Tax Lot 2100, Map 2S 1 30D.
 - C. SUB 97-5 Woodhaven Townhomes Preliminary Plat:** a request by Genstar for preliminary plat approval of a 70-lot townhome subdivision located in the Woodhaven PUD. Tax Lot 500, Map 2S 1 31. Tax Lot 2000, Map 2S 1 31CA.
 - D. SUB 97-2 Lucas Subdivision Preliminary Plat:** a request by Lucas Development for preliminary plat approval of a 5-lot subdivision, located at the intersection of SW Borchers Dr and Pacific Highway. Tax Lot 300, Map 2S 1 29B.
- 6. Other Business**
- 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
June 3, 1997

1. Call to Order/Roll Call

Chairman Whiteman called the meeting to order at 7:05PM.

Commission Members present:

Allen Baker
George Bechtold
Susan Claus
Scott Franklin
Angela Weeks
Bill Whiteman

Staff:

Sue Engels, Development Director
Greg Turner, City Planner
Jason Tuck, Assistant Planner
Roxanne Gibbons, Recording Secretary

2. Minutes of May 20, 1997 Commission Meeting

Chairman Whiteman asked if there were any corrections, additions or deletions to the minutes of May 20, 1997. There were no comments.

Susan Claus moved the Planning Commission accept the May 20, 1997, Planning Commission meeting minutes as presented. Seconded by George Bechtold.

Vote for Passage of Motion: 5-Yes, 0-No, 0-Abstain

Angela Weeks arrived after the vote was taken.

3. Community Comments

Chairman Whiteman called for comments from the audience regarding any items not on the printed agenda. There were no community comments.

4. Consent Agenda

There were no land use applications scheduled.

5. Public Hearings

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

George Bechtold announced he would not be participating in the public hearing for Agenda Item 5C, SUB 97-5 Woodhaven Townhomes Preliminary Plat.

Susan Claus announced she would not be participating in the public hearing for Agenda Item 5A, SUB 96-9 Wyndham Ridge #3 Preliminary Plat.

Scott Franklin announced he had a potential conflict of interest with Agenda Items 5A, SUB 96-9 Wyndham Ridge #3 Preliminary Plat and 5B, PUD 97-1 Edy Road Preliminary Development Plan and Preliminary Plat. Both applicants are clients of the company he works for, but he did not feel this would affect his decision-making process and he planned to fully participate in the public hearing for these two land use applications.

Bill Whiteman announced he had contact with a resident of a neighboring project to Agenda Item 5A, SUB 96-9 Wyndham Ridge #3 Preliminary Plat. This individual also testified at the public hearing on May 20, 1997. Chairman Whiteman did not feel this would affect his decision-making process and he planned to fully participate in the public hearing for this land use application.

There were no further disclosures.

5A. SUB 96-9 Wyndham Ridge #3 Preliminary Plat (continued from May 20, 1997)

Chairman Whiteman asked if Staff wished to bring the Commission up-to-date. Sue Engels announced the public hearing was closed at the May 20, 1997 Commission meeting, but at the request of a participant, the record was left open for seven (7) days. Mr. Doug Rux submitted a letter dated May 27, 1997 regarding his meeting with Mr. Roy Priest, Centex Homes, which was made a part of the record. The City Engineer submitted a memo dated May 28, 1997 regarding the Wyndham Ridge Booster Station New Location and Engineering Review which was also made a part of the record.

Ms. Engels responded to questions from the Commission regarding the public hearing record. The record was left open for seven days for additional information. If anyone had wished to provide further comments on the submitted information, this request must have been made in writing to the City within this seven day timeframe. No such requests were received.

In response to Mr. Baker's question, Ms. Engels said if someone had requested in writing that the record be left open within the seven day timeframe, the statute states, "An opportunity shall be provided at the continued hearing for persons to present or rebut new evidence and testimony. If new written evidence is submitted at the continued hearing, any person, prior to the conclusion of the hearing, may request the hearing be left open for seven days." This references written information. At the initial public hearing, any person may request that the record be left open for seven days.

Ms. Engels also proposed, at the request of the City Engineer, three minor additions to Conditions 2E, 2I and 2R. These requests deal with the City Engineer's review and approval. The applicant is aware of these additions and had no objections.

Chairman Whiteman read Mr. Rux's letter into the record, "I have had the opportunity to meet with Centex Homes to discuss issues raised at the May 20, 1997, hearing concerning SUB 96-9 Wyndham Ridge #3. I would like to begin by thanking Mr. Roy Priest in meeting with me to discuss the issues and to find workable solutions to concerns I and my neighbors had about the original proposal. Because of the meeting I believe our concerns will be adequately addressed

about fencing of the water quality facility, location of the water booster pump station and perimeter fencing of the project on the boundary between residential and commercial by Centex Homes. In the spirit of good faith Centex Homes has presented in working out the issues, we do not believe any further conditions should be imposed beyond recommendations presented by City Staff. Thank you for the opportunity to participate in your land use hearing process.”

Chairman Whiteman reviewed the memo from the City Engineer regarding the new location of the Booster Station at open space Track B. Track B was identified for the Commission on the map.

Chairman Whiteman referred the Commission to a letter he prepared dated June 3, 1997 regarding his conversation with Mr. Dave Heironimus and the concern that there was no public park space in the proximity of the Wyndham Ridge development. Mr. Heironimus discussed this with his neighbors and encouraged Chairman Whiteman to pursue a condition which would use system development charges to purchase a lot from Wyndham Ridge and enter into an agreement with the homeowners association for the development and maintenance of the property relieving the City of that financial burden and still provide a park for that neighborhood. Chairman Whiteman briefly discussed this with Sue Engels, who was going to get back to him. He had not received any further response prior to the meeting tonight. He had prepared a motion for this request.

Scott Franklin said this may not be the appropriate use of parks fees. He was not sure the City should use parks fees to purchase a wholly developed lot.

Allen Baker asked if this had been reviewed by the Parks Board. Chairman Whiteman said the Parks Board had not reviewed this proposal.

Sue Engels clarified that Wyndham Ridge #1 and #2 were part of a planned unit development and Wyndham Ridge #3 is a subdivision application. She questioned the ability of the City to require a park as part of a subdivision application. Secondly, the homeowners association being referenced would be for Wyndham Ridge #3, the proposed 69-lot subdivision, to maintain a park which probably would be used by anyone in the vicinity. It would be very expensive for these homeowners to maintain. The park would be very small and she questioned whether this was a good use for a parcel in this development. Staff had a number of questions regarding this request.

Chairman Whiteman said he knew of other jurisdictions which have neighborhood parks with agreements with either an organization or association to maintain the park. The systems development charges are not allowed to be used for the maintenance and operation of a park. He said the request was a way to answer a need and desire for people living in the area. This would allow the City to be in a partnership with the property owners in the development of a property which would be used for public purposes. He knew this would be a small parcel, but thought that the applicant would be responsive to this proposal. There are no parks on the west side of Highway 99W in this area. The closest park property would be on Scholls-Sherwood Road, about 2 miles away.

Sue Engels said the Parks Plan indicates there could be a public need for a park on the west side of Highway 99W. It is not specific in the location for this park.

Chairman Whiteman moved the Planning Commission add a Condition #9 to SUB 96-9 Wyndham Ridge #3 Preliminary Plat, as follows, “The developer will sell to the City, for fair market value, one lot to be used as a neighborhood park. The homeowners association will have 12 months from council approval of this condition to enter into an agreement with the City for the development and maintenance of the park. Should an agreement not be reached in that time, the City may sell the lot as a building site.” Seconded by George Bechtold.

Chairman Whiteman said this condition would meet the needs of young families in the area and it begins a practice of a citizen/city participation in developing these parks. It was not that long ago he was at a City Council meeting where the people on Murdock were talking about the property the City had, the fact that nothing was being done with it and why wasn't it being developed into a park. The Murdock Park was developed. The Council has the option of denying or removing this condition, if they so desired.

Vote for Passage of Motion: 3-Yes, 2- No (Baker, Franklin), 0-Abstain

Susan Claus did not participate in the vote on the motion.

George Bechtold moved the Planning Commission approve SUB 96-9 Wyndham Ridge #3 Preliminary Plat based on the staff report, findings of fact, public testimony and agency comments with the minor changes referencing the City Engineer and addition of Condition #9. Seconded by Angela Weeks.

Vote for Passage of Motion: 4-Yes, 1-No (Baker), 0-Abstain

Susan Claus did not participate in this land use hearing.

SUB 96-9 Wyndham Ridge #3 Preliminary Plat was approved subject to the following conditions:

1. The final development plans shall be in substantial compliance with the plans date stamped February 20, 1997, except as modified herein.
2. Prior to the submittal of plans for building plan check, provide engineered construction plans to the City and applicable agencies for public and private improvements including costs, maintenance and bonding provisions in compliance with City, Pride, USA, WCDLUT and TVFRD standards. The plans shall include provisions for streets, street trees, on-site sidewalks, sanitary sewer, water, fire protection, storm water runoff, erosion control, grading, street lighting, landscaping and signage.

In particular:

UNIFIED SEWERAGE AGENCY:

- A. Each lot within the development must be provided with a means of disposal for sanitary sewer. The means of disposal shall be in accordance with the Resolution and Order 96-44 (Unified Sewerage Agency's Construction Design Handbook, July 1996 edition). Engineer shall verify that public sanitary sewer is available to up-hill adjacent properties, or extend service as required by R&O 96-44.
- B. Each lot within the development shall be provided with access to public storm sewer. Engineer shall verify that public storm sewer is available to up-hill adjacent properties, or extend storm service as required by R&O 96-44. Hydraulic and hydrological analysis of storm conveyance system is necessary. If downstream storm conveyance does not have the capacity to convey the volume during a 25-year, 24-hour storm event, the applicant is responsible for mitigating the flow in the zone of influence as defined by USA standards.
- C. The developer shall provide a water quality facility to treat the new impervious surface being constructed as part of this development.
- D. A joint 1200-C erosion control permit is required.

ENGINEERING:

- E. The typical pavement sections shall indicate underdrain and storm sewer collection line from the downspouts, or as required by the City Engineer.
- F. A drainage map for the pre and post development condition and drainage shed areas shall be provided by the developer for review and approval by the City Engineer. The drainage map shall include all areas utilized for water quality and detention ponds.
- G. Provide water, sanitary and storm sewer stubs for the future development of Tax Lot 602 of Map 2S 1 30C and Tax Lots 1102, 700, 800 and 900 (except storm sewer stub for TL 900), of Map 2S 1 31B, subject to the approval of the City Engineer.
- H. A 25 foot radius is required at the curb of all corner lots per City standards.
- I. The developer shall make provisions for gravity drainage for roofs, foundations and low point drains to the collection line behind the curbs, or as otherwise approved by the City Engineer.

- J. The proposed waterlines have a large number of 90 degree bends which creates significant pressure losses. The waterlines shall have a 135 degree or larger angles for bends.
 - K. The cul-de-sac diameter at the pavement shall be 90 feet, with a center island subject to the approval of the City Engineer.
 - L. The developer shall make a provision to maintain a positive drainage flow where two property lines abut each other at side and rear.
 - M. All building elevation pads are required at the time of construction plans review.
 - N. All weather access is required for the sanitary sewer and storm sewer manholes.
 - O. The waterline for List Street, Hines Street and Lowd Place shall be a minimum of 8 inches and the waterline for Stein Terrace, Swans Drive, Aimers Terrace, Bushong Terrace, Winkle Terrace, Fletcher Terrace and SW Elwert Road shall be a minimum of 12 inches, subject to the approval of the City Engineer.
 - P. Sanitary sewer lines shall be a minimum of 8 inches.
 - Q. The typical pavement section shall be revised to meet City standards. The City standards require 2 inches of Class B and 2 inches of Class C.
 - R. The trenched area for water in Handley Street shall be resurfaced for the entire width of the street, or as required by the City Engineer.
 - S. The area required for the proposed booster station is 700 to 900 square feet. Provide detailed plans for the booster station and the service site to the City Engineer for preliminary review.
3. Provide a street tree planting plan to the City for approval. Each lot shall be provided with a minimum of two (2) street trees (or a minimum of three (3) street trees for corner lots) in the planter strip in accordance with City specifications. Trees are to be uniformly planted 25 feet apart and 3 to 5 ft. from sidewalks and driveways. The trees shall be two (2) inches in diameter at Breast Height (DBH- 4.5 ft. above mean ground level) and at least six (6) feet in height. Tree species to be in accordance with City approved street trees. Street trees shall be planted by the developer prior to occupancy of 75% or more of the houses. The street trees shall be planted in substantial conformance with the approved street tree planting plan unless other circumstances prevail which may alter the plan slightly.
4. Street names shall be in accordance with City standards and approved by Washington County.

5. Submit 15 copies of the Subdivision Final Plat for the Planning Commission consent agenda approval prior to recordation with Washington County.
6. Aimers Terrace shall be relocated to the west and aligned with List Place and the name changed to List Place.
7. Lot #69 (flag lot) shall comply with the following setbacks: 20 feet from the west and east property lines and 5 feet from the north and south property lines.
8. Comply with Washington County's comments letters dated January 9, 1997 and November 27, 1996.
9. The developer will sell to the City, for fair market value, one lot to be used as a neighborhood park. The homeowners association will have 12 months from council approval of this condition to enter into an agreement with the City for the development and maintenance of the park. Should an agreement not be reached in that time, the City may sell the lot as a building site.

This approval is valid for one (1) year.

PUD 97-1 Edy Road Preliminary Development Plan and Preliminary Plat

Chairman Whiteman called for the Staff Report. Jason Tuck referred the Commission to the Staff Report dated June 3, 1997, a complete copy of which is contained in the Planning Commission's minutes book. He noted:

- The PUD is located south of Edy Rd, west of Highway 99W, and described as Tax Lot 2100, Map 2S 1 30D. He identified the area on the map.
- The site is zoned High Density Residential (HDR) and the proposed single family use is permitted outright in the zone. The applicant is proposing to develop the site as a PUD.
- The request is for 33 "Z" lots" in the preliminary subdivision plat. "Z" lots are a lotting pattern that is suitable in situations where the lots need to be narrow.
- The site is 6.87 acres in size. The southern portion of the site is classified as open space on the Sherwood Natural Resources and Recreation Plan. This area has very steep slopes and is densely vegetated. The applicant is willing to set this area aside from development.
- The applicant has met the required findings for PUD approval.
- Exceptions from the standards of the underlying zoning district are warranted due to the development providing 2.46 acres of open space which is an added amenity. The applicant is proposing to leave approximately 36% of the site as open space.
- The zoning standard exceptions to allow the "Z" lots which are proposed include:
 - Lot size reduced to 4,182 sf
 - Front yard setbacks reduced to 12 feet
 - Street side yards reduced to 12 feet
 - Rear yard setbacks reduced to 12 feet
- The applicant is required to comply with the materials list and drawings as submitted.

- The exceptions to the zoning standards are warranted by the applicant providing good quality housing as proposed.
- The surrounding area to the east and west are zoned High Density Residential (HDR). The area to the west has an existing single family house located on it. The owner has recently gone through a minor land partition and is planning to develop the site as either single family or multi-family use.
- The HDR zone allows 16 dwelling units per acre and the applicant is proposing 7.9 units per acre.
- The PUD will have CC&R's which will incorporate regulations on architectural features of the homes and land which will create an internally compatible neighborhood.
- Adequate public facilities to support the development will be available when the developer makes the required improvements. The City Engineer and David Evans & Associates have determined there is insufficient water pressure to adequately serve the development and to provide continuous flow of water as part of a looping system. It was determined that the improvements, Project 2, would be required to be built under any circumstances. Project 2 is a 12 inch water line extending from Highway 99W to Edy Road. The applicant will be required to make the necessary improvements to the water system.
- As indicated in an April 24, 1997 memo from Sue Engels, Development Director, to the applicant, the applicant will be reimbursed for the water line improvements.
- The application meets the required findings for preliminary subdivision plat approval.
- As a general standard for location and design of streets, Code Section 6.304.01 shall be considered in relation to existing and planned streets, topographical conditions and proposed land uses.
- The area to the west of the site is zoned multi-family and has the potential to be developed in accordance with the Code. There are spacing standard problems with Edy Road. To resolve future access spacing conflicts with this property it is recommended that access be provided through the PUD which is directly aligned with Houston Drive. The road connection is essential in meeting the general standards as required by the Code.
- The applicant is proposing to extend Houston Drive south of Edy Road, curving and stubbed to the adjacent property to the east and plans to extend a local street to the south end of the project where it turns east and is stubbed to the adjacent property. The proposed design precludes connectivity to adjacent properties to the west.
- The City is requiring that a street be stubbed to the west property line to allow connectivity.
- The City has also determined that the two connections to the east are not needed and that the design can incorporate one street stub to the east property line, located at the proposed south connection.
- The public street to the west shall be stubbed approximately 235 feet south of the north property line. Stubbing the road to the west property will allow the adjacent property owner to develop his property without accessing Edy Road where there are spacing conflicts with access. The street design would be reviewed with the submittal of the Final Development Plan.
- Tree inventories have been submitted as required by Section 8.304.7 of the Code.
- Staff is recommending the addition of two conditions:

- The vehicular access to the west shall be provided approximately 250 feet south of the north property line, the northeast street which stubs to the east shall be eliminated.
- A materials list specifying the exterior materials of the units as well as the final elevations of the units shall be submitted for review and approval of the Planning Commission.

Slides of the site were presented to the Commission. In conclusion, based upon the findings of fact, Staff recommends approval of PUD 97-1 Edy Road Preliminary Development Plan and Preliminary Subdivision Plat.

Allen Baker asked if the open space was being given to the City or if the City was paying for it. Sue Engels responded the City is prepared to work with the developer for certain amounts as required by law under public ownership. Sometimes developers are willing to donate the open space.

Scott Franklin asked for further clarification. Ms. Engels said the Code requires a certain amount of actual floodplain for City ownership. If this is conditioned, the developer would receive credits for that portion of land.

Mr. Baker said it is a trade off for the applicant having a PUD to gain the extra lots in return for the donation of the open space. Otherwise it seems to be a one way deal.

The Commission reviewed the map identifying the portion of land which would be included for any credit. Ms. Engels said the Parks & Open Space Master Plan indicates an eventual path of some type. The City was not in a position to say exactly what would be required for pathway. The 1991 Parks & Open Space Master Plan shows the path. The Transportation Plan indicates a bikepath. The City has not made a final decision at this time regarding the type of path and whether the developer would receive any development credits.

Ms. Engels said the water detention facility would be owned by the City, the landscaping would be maintained by the homeowners and the technical portions would be maintained by the City. This would be consistent with other subdivisions in the City.

Susan Claus asked if the applicant identified the materials to be used for the path. Ms. Engels said the City would pay for the path since it is shown on the Master Plan as a path. She did not know the calculations or costs of this path. Chairman Whiteman asked for further clarification. Ms. Engels said in the past an applicant has been required to put in a path to get people to a natural area when there was no particular provision for actually building the path.

George Bechtold asked if any previous subdivisions had 12 foot setbacks. Mr. Tuck was not aware of any. Woodhaven has some 10 foot rear yard setbacks which abut an open space. Mr. Franklin said the net effect would not be the same as in this proposal.

Chairman Whiteman opened the public hearing for PUD 97-1 Edy Road Preliminary Development Plan and Preliminary Plat and asked if the applicant wished to provide testimony.

Renee Cannon, Venture Properties, 5000 SW Meadows Road, Suite 151, Lake Oswego, Oregon 97035, addressed the Commission. Ms. Cannon thanked the Commission for the opportunity to provide testimony. She introduced Mike Miller, Alpha Engineering and noted that the property owner was also in attendance.

Mike Miller, Alpha Engineering, 9600 SW Oak, Suite 230, Portland, Oregon 97223, addressed the Commission. Mr. Miller reviewed the proposal, the reason for choosing the particular product for the site, and noted:

- An aerial photograph was shown to the Commission.
- The site is 6.87 acres, the zone allows 109 units and they are only proposing 33 units.
- Two-thirds of the site is flat and had previously been farmed. The site slopes down quite steeply in one area which has limited development. The floodplain/wetland area is on the bottom of the site. This area will not be developed and will be left as open space.
- The surrounding properties are mostly vacant. There are some larger existing homes on the property to the west. The east property is vacant and there is a mobile home park on the site as well. There is an existing subdivision on the other side of Edy Road, off of Houston Drive.
- The “Z” lot concept creates a “Z” shape. This concept has been used in many areas of the country. The idea is to push the garage to one side and the back yard to the other side to maximize the yard area. The garage is shifted so that each front yard is maximized. On a smaller lot you can maximize the back yard so that it feels like a bigger yard.
- In most cases, the homes share driveways. This creates less access points to the street. There is plenty of space in front of the garage for cars to park.
- You see more of the house with the “Z” lots. There is a lot of detail involved with the architecture of the homes. There are different materials, varied roof lines and even offsets. There is lap siding, machine rolled, and trim around the windows and multi-panes.

In response to Susan Claus’s question regarding materials, Renee Cannon said they have not decided on the roof materials. The materials will be some sort of composition. They have not gone through and bid the plans yet. When the plans are bid, they would determine what the final architecture is going to be. They will not bid it until they own the property and they have to get preliminary plat approval before they do all of this. This is one of the things they do not normally do as long as they get site approval.

Ms. Claus reminded Ms. Cannon this is a PUD approval and part of the approval is a review of materials. Ms. Cannon said they do not know what type of materials they are going to use. They will try to stay close to the concept shown to the Commission, but this is a concept.

Mr. Miller continued to discuss the application and noted:

- Although the minimum setback is 12 feet, because of the diagonal off-set there is a lot of distance between the second unit. The second unit is more than 30 feet back from the street. This makes the average setback well above the minimum.
- The conceptual drawings are not indicative of how the houses are spaced.
- The lots may be an average of 4,200 sf, but they look much larger from the street. You see the house from half of the side to all the way to the other side of the garage. You see about 50% of the house, as opposed to with a conventional lot. You do not see a lot of the garages.
- They have looked at the street stub and because the width of the street is wider than the lot, you would take out two lots to put the stub in. In order to access Lots 30-32 you would still need a street that goes back to them. There is really not a lot gained here. Based on having to provide a stub, they are down two lots, to a total of 31 lots. It might be possible to suggest accessing the east property through the other property if it is going to be developed and if it is a timing issue eliminate a portion of the street. He identified the area on the map.
- If their property is developed first, there is the potential to put in a temporary road which could later be converted into a lot as the east property is developed.

Mr. Tuck said the City is trying to directly line up accesses across from each other. The applicant's recommendation would offset this about 100 feet, which is the exact opposite of what the City is trying to accomplish. The access through the Edy Road PUD to the property to the west would eliminate the west property having direct access to Edy Road. A condition was placed on the Dorothy Meadows application that the access may be cut off, if there was adjacent access provided. The access to Dorothy Meadows would be directly across from the Grant Partition, the property to the west. Washington County may adopt a street standard of 300 feet spacing between accesses. Washington County required the Grant Partition and Dorothy Meadows to line up, straight across from each other. If they did not line up, they would have to go through an access spacing variance. Providing access through the Edy Road PUD would eliminate all of these concerns. The Code requires access to adjoining properties as part of the approval criteria.

Mr. Franklin said the recommendation would probably take out at least one lot and possibly two lots.

Renee Cannon addressed the Staff Report and the applicant concerns. She noted:

- They are concerned about the condition for a westerly road stub. One of the questions they asked at their pre-application meeting with Staff was, "Do we have to provide access to the west." The answer was, "No, because that property has an approved partition." The applicant went ahead under this assumption.
- They want to build a small lot subdivision using the land very efficiently versus building multi-family units. They have been very successful in building small lot subdivisions in Wilsonville. The streetscape with "Z" lots is wonderful. The westerly access would disrupt the streetscape.
- They do not agree with the requirement for a westerly stub. They found out about this requirement one week ago. This is why the Commission is looking at plans that do not show

the stub. They would like the Commission to direct Staff to rethink this requirement and allow the lot layouts similar to those presented.

- With regard to the open space and conveyance to the City and the path, they tried to accommodate the completeness of the path. The City indicated they wanted an asphalt pathway for bicyclists. No one is going to ride a bike up that incline, they may walk, but they are not going to ride a bike up. It was mentioned that this might be an 8 foot asphalt path. They have spent a lot of time and money getting an arborist to do the tree inventory. They are going to save several trees, but they do not want to take equipment down into the sloped area and cut down trees to provide an asphalt pathway.
- They are willing to convey the open space to the City with a couple of caveats. They are concerned about the homeowners being responsible in cleaning up after themselves. They would donate the open space to the City as long as the condition is made to maintain the area and protect the trees. In other words, no one is going to go and cut down the trees. It is a beautiful area and there are not that many of them left. When you have high density housing you need an amenity that provides a place for children to play. You can provide a bark path by hand. They have done this in other projects.
- They are concerned about the 12 inch water main. The City Engineer did not say there is an inadequate water supply. The system needs to be looped. There is a difference. There is adequate water there, but it needs to be looped. The applicant does not know if it is their full responsibility to do this. They would agree to build the 12 inch water line and stub it to the east end of the project, and the additional cost between the 8 inch and desired 12 inch main would be at their cost if the difference does not exceed \$10,000. The applicant is willing to do this.
- They are concerned about the calculations done for the water line, in particular the calculations of David Evans & Associates (DEA). DEA did a project in Wilsonville and under estimated an LID by about \$5 million. They were not sure the City's \$150,000 estimate is valid.
- They would like the Commission to approve the layout and take the design issues to the City Council.
- They may not be the people who build the houses. If for some reason the opportunity comes up and someone else wants to build this kind of design, they are pretty well stuck with this layout.
- She did not know what type of siding would come in with the bids. They used to use L-P, but discovered that this probably was not a very good decision. There are some other products which are available that they may use, depending on the contractors.
- She distributed photos of homes in Wilsonville called "court yard" homes. They used vinyl siding and composition roofs on these homes.
- They are trying to have a regular and pleasant streetscape in the Edy Road PUD.
- There is the possibility that the applicant may be bought out by someone else. She is not involved in all of the negotiations, but she did not want to preclude this. They have a lot of interested parties because they have been thinking about not continuing with the development because of all of the problems. They have been thinking about selling the property raw and letting someone else take on this process.
- Don Morissette is the President of Venture Properties. Venture Properties is the development company he owns.

- She was really offended in a meeting they had not too long ago when someone from Staff said they were going to build a “shanty-town”. They have no intentions of building a “shanty-town”.
- The proposed houses will be between 1,800 and 1,900 square feet. The houses will have the standard side yards.

Chairman Whiteman asked if there was anyone else who wished to testify in favor of the application.

Ralph Spath, executor of Helen Spath’s estate (his mother), 1006 NE Bitterbrush Road, Prineville, Oregon 97754, addressed the Commission. Mr. Spath said:

- The property was his mother’s, his brother was born on the property and his grandfather owned it. His mother passed away in April 1996 and he has lived on the property for 63 years.
- They have paid for two different water lines which have been placed down Edy Road. When the last water line was put down there was an ample amount of water and since that time there have been four different housing projects put onto this water line, Oregon Trail, Cedar Creek Park, Cedar Creek Estates and Wildflower Village. He thought there is ample amount of water pressure and they should not be required to put a loop in. The development planned for this property is a lot smaller than any of the other projects.
- The last water line was put in, in 1985. The first one was put in, in the early 1950’s. At that time each person on the water line was paying an extra amount of money for the upkeep of the water line.
- When the existing water line was put in, in 1985, none of the money could be found that was kept aside on the first part. It just disappeared. His mother had to have this deferred because she was living on Social Security and only received about \$300 a month. This amount started out at about \$11,000 and now over \$20,000 is owed. The original amount was determined by the amount of footage along the front of the property line.
- The estate of the property has to be settled because they owe back taxes which must be paid of by the middle of August 1997. This amounts to over \$80,000 and they would like to have this approved so that the sale of the property could be completed.

Chairman Whiteman asked if there was anyone else who wished to speak in favor of the application. There was no further proponent testimony and Chairman Whiteman asked if there was anyone who wished to speak in opposition to the application.

Robert J. Claus, 22211 SW Pacific Highway, Sherwood, Oregon 97140, addressed the Commission. Mr. Claus said he did not know if he was in opposition to the project, but the Commission should listen very carefully to what the applicant said tonight. If he understood correctly:

- The applicant has an option to buy. If they go in and can’t buy it, but get this approved they can sell the property. He has no problem with this.

- There have been problems with previous PUDs where roads did not match. The City could not get concessions on the roads. Now some of these problems are being resolved by the City.
- An application for a PUD must be put together to everybody's satisfaction. That's why they are doing a PUD, that is why Oregon law allows it, because it answers the statutes to put upon the developer and gives them latitude. This is not what is happening with this application.
- The applicant wants to put some restraints on the use of the trees. Why, because it is dense and it is going to help them sell it. There is no arborist saying which trees must be preserved under the ordinance. The Commission should be making the decision regarding the trees.
- He is not trying to stop this application, but the Commission must decide what they are getting or the City will be back to the emotionally disturbing tugging match that occurred and was finally resolved with Woodhaven.
- The applicant wants the City to take on the property behind the maintenance agreement. You can't do this. It must go through the Parks Board.
- There is someone objecting to an LID. The City cannot take an LID pay back on water unless the SDCs are readjusted. Woodhaven worked around this same type of problem.
- The most dangerous thing for the Commission is the possibility of having an "Aloha" situation on their hands being set in motion if the PUD is approved without a materials specification list on the houses. Without having this list the developer can cut on the materials specifications.
- The applicant should be required to come in with a PUD that has all of the questions answered.
- If this was a straight subdivision, there is nothing you could do about it. This is not what a PUD is and they would not be here if they could go through the other process.
- There is no materials list, no engineering on the park, no costs, what would be the homeowners dues for maintenance and SDC credits for open space.
- The PUD application is not complete.

Chairman Whiteman asked if there was anyone else who wished to testify in opposition to the application.

Conrad Claus, 125 NW First Street, Sherwood, Oregon 97140, addressed the Commission. Mr. Claus said he was not sure he was completely in opposition to the application as much as making some observations. He agreed with Mr. Claus that a PUD, legally, needs to have a little more detail than a subdivision. He discussed "fair share" where you have a larger capacity to directly serve the particular PUD or subdivision. The term "fair share" comes from the Dolan case. This does not apply to PUDs, it applies to subdivisions. If you want a "fair share" you go through the subdivision process. He made particular reference to this application and the water line being oversized. He suggested the City get further information from Mr. Dittman or Mr. Tim Ramis, a land use attorney.

Chairman Whiteman asked if there was anyone else who wished to testify.

Neil Grant, 1000 South Pine, Sherwood, Oregon 97140, addressed the Commission. Mr. Grant said he owned the four acre parcel to the west which adjoins the PUD property. He recently went through the land use application process for a three lot minor land partition. He noted:

- One parcel will include a house and two other parcels of approximately one acre will be used for future development.
- He supported the project, including the recommended access which would serve his property. This access would allow his property to be developed in a much more efficient manner, instead of their access via Edy Road as Mr. Tuck discussed. The westerly access would forego their need for a direct access to Edy Road. Dorothy Meadows could also adjust their access to develop their property more efficiently.
- The comments about who was first should be ignored by the Commission. The goal is to develop all of the properties in the most efficient manner. This is the best thing for the City.
- He has received some contacts regarding the development of his property, but no formal proposals at this time.
- He showed the Commission a conceptual drawing of how his property may be developed.

Mr. Tuck explained that Dorothy Meadows was conditioned that access to Edy Road may be cut off in the future if there is alternative access provided from adjacent properties. This was a result of discussions with the City Engineer proposing to change the spacing access on Edy Road in the future.

Chairman Whiteman asked if there was any further testimony. There was no further testimony and Chairman Whiteman asked if the applicant wished to provide rebuttal testimony.

Renee Cannon addressed the Commission. Ms. Cannon said she heard a couple of things during the testimony which she would like to address.

- She has some concerns about homeowner's association picking up after the public.
- The applicant would donate the open space to the City as long as the condition of maintaining it in a protected status was made. The Commission has a report from the arborist which is pretty self-explanatory.
- She understood the Grant property had already been resolved as far as having access. This access being to Edy Road and there was the possibility of a side lot driveway. This is the first she had seen Mr. Grant's drawing.

Mike Miller, Alpha Engineering, addressed the Commission. This is the first time he had seen Mr. Grant's map. They came in based on an approved plan that was here before this access off of Edy Road and that is what Staff informed them they needed to do. At the last minute somebody convinced Staff that all they need to do is put a cul-de-sac in. Who would not want to do this. This would be a minimal amount of improvement that one has to do, have all the utilities stubbed out to it and get one more lot. He appealed to the Commission's sense of fairness that the applicant was led down the trail and they were informed that they did not need to provide access

and now this is being sprung on them at the last minute in order to enable the neighboring property to get more lots with less improvements on the fact of Don Morissette, Venture Homes.

Mr. Baker said the Mr. Grant's drawing was not approved by the City, it was only conceptual.

Chairman Whiteman asked what would happen if Houston Drive entering the proposed PUD was made into a "Y" type access. Mr. Tuck said this is not what the City was trying to accomplish. Mr. Turner said there would be some traffic concerns, such as one street lining up with essentially two streets across the road.

Neil Grant addressed the Commission. He thought the access issue was resolved. Dorothy Meadows was approved. He is in favor of the access from the west to his property.

Renee Cannon addressed the Commission. The applicant has a plan, they have a design, they have an application and they would like what they have approved. This is not something that is maybe or just a design or something that is conceptually drawn out. She did not know that Jason was trying to work out something with the adjacent property. To their detriment the adjoining property has access on Edy Road over 100 feet away and the City wants it to be 300, she thinks that asking them to do the stubbing to the west will wipe out two lots and not give the PUD's streetscape a clear look and they want it to look.

Mr. Baker asked how long it would take the applicant to come back with building materials. Ms. Cannon responded she did not know if they would be able to give the Commission a variety of materials that they would intend to use, but they are not going to have specific materials for each elevation until they bid the houses. They have to put additional money out to do all of these things and until they get some preliminary indication that the application will be approved they can't put any more money out. They have already spent quite a bit on the project trying to meet Code requirements.

Chairman Whiteman asked if the applicant was asking the Commission to make a decision on the proposal as submitted. Ms. Cannon responded the applicant would certainly be able to do some exactions to the open space and water main. With the street stubs, they will have to re-engineer the whole project. She could provide a list of the materials that would be used, but it would be a broad list which would include some type of vinyl siding or lap siding and various types of shingles.

Ms. Claus said when they put the plans out for bid they have a specification list of what they are bidding on. It does not make any sense that an exterior materials list could not be provided to the Commission. Ms. Cannon responded they bid on what they want and if the prices come in too high, they makes some changes which in effect means they have an alternate materials list.

Ms. Claus said these are exterior finishes which show an exterior look. The applicant is asking for a PUD which requires plans for what the streetscape will look like. The Commission would like to see the final finish materials to determine what the streetscape will look like. Ms. Cannon

said they would be preparing CC&R's, but as far as the actual plans for houses are concerned, it will depend upon the cost.

Scott Franklin said the applicant may lose two lots on one side, but maybe they could get one of these lots back on the north side. If the northerly stub to the east is removed, per the recommendation, the applicant may be able to get one more lot back. The net effect of the stub to the west will be a reduction of one lot in the project. A street knuckle would be consistent with what the City has been allowing.

Mike Miller, Alpha Engineering, addressed the Commission. Mr. Miller said they did talk about the street knuckle and thought it was a good idea. The problem with the knuckle is that it takes up even more room and they could then be in trouble with the setbacks. He identified the area on the map. They have looked at this, but have not drawn it out on the computer yet.

There being no further testimony, Chairman Whiteman closed the public hearing on PUD 97-1 Edy Road Preliminary Plat and Preliminary Development Plan for discussion by the Commission.

Chairman Whiteman recessed the meeting for a 15 minute break and reconvened the Planning Commission meeting at 9:30 PM.

Sue Engels responded to some of the issues raised by the applicant. She referenced the April 24, 1997 memo to the applicant regarding the water line improvements for the Edy Road PUD. The water line needs to be looped. It is true that other subdivisions have been built without participating in the looping. The City Engineer has determined that there are three projects that are needed to effect the water line improvements. Projects 1 and 3 were anticipated on the master plan. Project 2 was not, but it does mean it is not needed. The City proposes that the applicant build the Project 2 line and be paid back by other developers. It is the opinion of the City Engineer that without the Project 2 line, there would be insufficient water pressure to adequately serve the Edy Road PUD and provide continuous flow of water as part of a looping system. The City does not place time limits on this payback requirement so that there is no incentive for others to wait it out to avoid the obligation. Based on the engineer's estimate, the portion of 600 feet starting at Edy Road would cost \$64,285. The ultimate share of the whole 1400 feet of the Project is estimated to be \$27,083.

Ms. Engels addressed the open space issue. The City would not object to leaving the open space in its natural state. The City does have a concern when the developer states it is open space that belongs to the City, but the developer gets to decide what kind of path and where it is placed. This is placing a restriction on what is supposed to be a connected pathway. It is Staff's recommendation to not build the pathway at this time. The Staff reviews what is submitted by the applicant and bases their decision on what is presented.

Ms. Engels addressed the Staff recommendation to stub the street to the west property. This recommendation will lead to connectivity and it is an arterial. Staff stands by this recommendation. The City would determine the type of parking allowed on the street, both

sides, one side or the other, or no parking on the street. It would need to be determined if this stub would go through the westerly property to the next adjoining parcel to the west.

Chairman Whiteman said he was concerned that if an application for development of the property to the west was ever submitted, that the westerly stub was put in for, it is very evident that the price of one lot, plus the westerly stub of this proposal saves the adjacent property owner money. He would like to see some type of zone of benefit or something that says should the property to the west develop off of the westerly stub then that property would have to pay a portion of the cost of the street or a fair percentage of the costs. He did not know if this was appropriate or could be accomplished. Ms. Claus said this should be fairly easy to calculate.

Mr. Baker said every time a road is extended to the adjacent property it benefits them and allows them to develop. The purpose of the Code is to allow adjacent property owners to develop and he did not think the City would want to start asking the next property owner to reimburse the other property owner for putting in a road. That is a part of the price of development, providing access to the adjacent property. Ms. Claus said she agreed with Mr. Baker.

The Commission discussed the parking issue. Ms. Engels said the fire department advises the City with regard to street widths and parking. The City will need to comply with the Functional Plan which provides for 46 foot right-of-ways and narrower streets. The City would make the ultimate decision regarding approved parking. Ms. Claus questioned whether there would be enough parking for visitors in the PUD. She asked if a guest parking area would be appropriate. Jason Tuck said the Code requires two parking spaces per dwelling unit and it does not differentiate between a PUD or subdivision. Ms. Engels said this is the minimum requirement. She actually viewed a similar "Z" lot subdivision and there is capacity for vehicles to park in front of the garage area of the apron.

Mr. Bechtold asked if Lot 15 is a flag lot and if so, what is the orientation for the front of the house. Mr. Tuck said the houses on Lots 1-15 would all be placed in the same direction. The PUD would allow different setbacks.

Mr. Bechtold said from testimony heard he did not think that the applicant had complied with providing a materials list for the PUD. The Commission agreed with this assessment. Providing a materials list as stated in the condition would be too late for the Commission to review.

Mr. Franklin asked for clarification regarding the 30 foot wide utility and public access easement between Lots 14, 15 and 16. Typically, if there is more than one utility, it would be a 20 foot wide easement. The Commission asked if the City Engineer could verify this.

Following further discussion, the Commission concurred that they would like the applicant to provide the following information:

- Materials board, identifying materials for the roof, decks, exterior paint colors, exterior siding, window treatments, trim, decks and type of fencing.

- Redesign the plat to show the westerly stub connection as required by the City and the applicant, removal of the northeast stub access, and realignment of affected lots.

Susan Claus moved the Planning Commission continue PUD 97-1 Edy Road Preliminary Development Plan and Preliminary Plat to the June 17, 1997 Commission meeting to receive further information from the applicant. Seconded by Allen Baker.

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

5D. SUB 97-2 Lucas Subdivision Preliminary Plat

Chairman Whiteman announced that Staff is recommending this application be continued to the June 17, 1997 Commission meeting.

George Bechtold moved the Planning Commission continue SUB 97-2 Lucas Subdivision Preliminary Plat to the June 17, 1997 Commission meeting. Seconded by Susan Claus.

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

Mr. Bechtold left the meeting.

5C. SUB 97-5 Woodhaven Townhomes Preliminary Plat

Chairman Whiteman called for the Staff Report. Greg Turner referred the Commission to the Staff Report dated June 3, 1997, a complete copy of which is contained in the Planning Commission's minutes book. He reviewed the Staff Report and noted:

- On March 26, 1997 the City Council approved revisions to the Woodhaven Final Development Plan.
- The site has been designated as multi-family with a townhome option. The applicant is requesting approval of the preliminary plat for a 70-lot townhome subdivision.
- The site contains a total of 5.17 acres and the overall density is 13.54 dwelling units per acre based on the total acreage. The proposed lots sizes vary from 1,648 sf to 5,364 sf.
- The street layout conforms to the layout of the road system in the existing portion of the PUD. The applicant is proposing to improve the local streets to a width of 26 feet within a right-of-way of 46 feet, which was approved under the Woodhaven PUD Master Plan. Staff is recommending the applicant provide a four foot planter strip between the curb and sidewalks along the proposed local street.
- There are no private streets proposed with this application.
- The application complies with the Comprehensive Plan and applicable zoning district regulations.
- The 70-lot subdivision will generate approximately 700 vehicle trips per day which is 10 vehicle trips per unit. The site will access Pinehurst Drive which is classified as a collector road and Sunset Boulevard which is classified as an arterial.
- The applicant is providing a visual landscape corridor along Sunset Boulevard. The applicant has met the intent of the ordinance with relation to visual screening and buffering.
- Adequate water, sanitary sewer and other public facilities exist to support the subdivision.

- Contiguous property to this subdivision is open space and public right-of-way.
- The applicant was not required to submit a tree survey because the Woodhaven PUD was approved prior to the adoption of the Tree Ordinance on January 10, 1995.

Mr. Turner made some minor changes to the conditions of approval, Condition 3I and 3Q. In conclusion, based on the findings of fact and agency comments, Staff recommends approval of SUB 97-5 Woodhaven Townhomes Preliminary Plat with the conditions contained in the Staff Report.

The Commission opted not to view the slides of the site. The applicant provided a model of the townhomes for the Commission's review.

Chairman Whiteman opened the public hearing on SUB 97-5 Woodhaven Townhomes Preliminary Plat and asked if the applicant wished to provide testimony.

Phil Nachbar, Genstar Land Company NW, 11515 SW Durham Road, E-9, Tigard, Oregon 97224, addressed the Commission. Mr. Nachbar noted:

- The applicant met with Staff regarding the site plan for the townhomes. They believe all of the issues have been resolved.
- Each lot is about 2,200 sf. The townhomes will be built in complexes with a price range of \$120,000 to \$140,000. They are designed so the individuals could choose whatever configuration they wanted. The average size would be 1,100 sf.
- This is the first test case for townhomes in the Sherwood area. It will also allow affordable housing of quality units.
- The applicant had the option of building rentals or owner occupied units. The City encouraged owner occupied and the applicant has done this.
- The materials list would be as shown with the display model. The materials list was presented with the application. The exterior of the townhomes would have a brick accents.
- He clarified that the materials are borrowed from Tamarack and are used by their sales people. He was not at liberty to offer them as exhibits.
- There is a gradual sloping down to the townhome site from Sunset Bouelvard.
- Concrete pads are planned for the rear of the townhomes as standard. Along Sunset Boulevard the rear yard will have a 15 foot setback. The wetlands side is pretty close to the buffer strip.
- He did not know whether fencing would be allowed. There will be fencing along the visual corridor.
- There will be an addendum to the CC&R's which will address the fencing. There will be no outside decks on the upper level townhomes.
- He recommended that Condition #7 be revised so that the applicant would not be required to complete the landscape corridor prior to issuance of building permit and at a time of the year when the plants would not survive. Trees cannot be transplanted in the summer. The applicant has all intentions of completing the landscape corridor as soon as possible and as conditioned.

- Tamarack will be marketing the townhomes. They are intending to market the townhomes as pre-sales which means they will wait until they have enough sold before they start the next complex. If things slow down they probably would not want to complete the entire project all at once without some assurances. There will be an agreement between the Woodhaven developer and Tamarack. There is also the possibility that these townhomes sell very quickly.
- The exterior colors show two option packages which could be used in different combinations for complexes.
- The applicant tried to provide information to the Commission which they know. They did not know that it would be a complete site plan review of the application.

The Commission asked for more specifics regarding which and how the color combinations would be used for the complexes.

Chairman Whiteman asked if there was anyone who wished to provide testimony in favor of the application.

Robert J. Claus, 22211 SW Pacific Highway, Sherwood, Oregon 97140, addressed the Commission. Mr. Claus said he supported this application for several reasons. The applicant has started to interface with the adjoining property owners and the City. If Metro does not change the growth lines, the Commission will see things occur in this area exactly as what went through the Bay Area. The City will have cottages, townhomes, row houses and clusters and less and less single family attached units. Within ten years the City will see redevelopment. The City needs this kind of detail with the plans. The Commission should assure that the great deal of landscaping is finished. The City has not decided if the tax base should be raised and the amount of money put into Parks is raised. You can cut the maintenance costs in one-half by getting Woodhaven to go back and control the type of vegetation that is planted. The City needs to get minimum maintenance landscaping planted.

Chairman Whiteman asked if there was anyone else who wished to testify in favor or in opposition to the application. There being no opponent testimony, the rebuttal was dispensed with and Chairman Whiteman closed the public hearing on SUB 97-5 Woodhaven Townhomes Preliminary Plat for discussion by the Commission.

Chairman Whiteman asked that Staff keep in mind minimum maintenance landscaping for visual corridors not only for this application, but future applications. Mr. Turner said Condition #4 addresses landscaping.

The Commission discussed rewording Condition #7 regarding the landscaping corridor and Condition #11 regarding the materials list.

There being no further discussion,

Susan Claus moved the Planning Commission approve SUB 97-5 Woodhaven Townhomes Preliminary Plat based on the findings of fact, Staff recommendations, public testimony and conditions as revised. Seconded by Scott Franklin.

Vote for Passage of Motion: 5-Yes, 0-No, 0-No

SUB 97-5 Woodhaven Townhomes Preliminary Plat was approved subject to the following conditions:

1. The final development plans shall be in substantial compliance with the plans date stamped April 22, 1997, except as modified herein.
2. The developer shall comply with the conditions as contained in the Notice of Decision for the Woodhaven Modified Final PUD Master Plan dated March 26, 1997.
3. Prior to the submittal of plans for building plan check, provide engineered construction plans to the city and applicable agencies for public and private improvements including costs, maintenance and bonding provisions in compliance with City, Pride, USA, WCDLUT and TVFRD standards. The plans shall include provisions for streets, street trees, on-site sidewalks, sanitary sewer, water, fire protection, storm water runoff, erosion control, grading, street lighting, landscaping and signage.

In particular:

- A. Each lot within the development must be provided with a means of disposal for sanitary sewer. The means of disposal shall be in accordance with the Resolution and Order 96-44 (Unified Sewerage Agency's Construction Design Handbook, July 1996 edition). Engineer shall verify that public sanitary sewer is available to up-hill adjacent properties, or extend service as required by R&O 96-44.
- B. Each lot within the development shall be provided with access to public storm sewer. Engineer shall verify that public storm sewer is available to up-hill adjacent properties, or extend storm service as required by R&O 96-44. Hydraulic and hydrological analysis of storm conveyance system is necessary. If downstream storm conveyance does not have the capacity to convey the volume during a 25-year, 24-hour storm event, the applicant is responsible for mitigating the flow.
- C. The developer shall provide a water quality facility to treat the new impervious surface being constructed as part of this development.
- D. The developer shall preserve a 25-foot corridor as described in R&O 96-44 separating the sensitive area from the impact of development. The wetland/sensitive area shall be identified on the plans. The edge of the corridor begins at the top of

bank of creek and is then 25 feet wide, and not started from the centerline of the creek as shown on the preliminary plat/grading plan.

- E. A joint 1200-C erosion control permit is required.
- F. The typical pavement sections shall indicate underdrain and storm sewer collection line from the downspouts. Lots 1 through 15 and 22 through 39 do not show location of rain drain collection lines, indicate these locations on the engineered plans.
- G. A drainage map for the pre and post development condition and drainage shed areas shall be provided by the developer. Also indicate the area for water quality and detention pond.
- H. Provide roadway dimensions as it was discussed with the City Engineer.
- I. An eighteen (18) foot radius is required at the right-of-way of all corner lots per City standard.
- J. The developer shall make provisions for gravity drainage for roofs, foundations and low point drains to the collection line behind the curbs.
- K. The developer shall apply for DSL (or DEQ) permit from the Division of State Lands for wetland areas. Provide the City with all appropriate documentation.
- L. The developer shall participate in a water pressure upgrade for the site.
- M. Continuous bike path / sidewalk needs to be shown on both sides of Sunset Boulevard.
- N. The developer shall make a provision to maintain a positive drainage flow where two property lines abut each other at side and rear.
- O. All building elevation pads are required at the time of construction plans review.
- P. All weather access is required for the sanitary sewer and storm sewer manholes.
- Q. Provide a four (4) foot deep planter strip between the curb and sidewalks along the proposed local street, subject to the approval of the City Engineer.
- R. Any access road longer than 50 feet is required to have a turn-around. Also, the access road for the sanitary and storm system shall be constructed with asphalt.

- S. Provide a detailed soil analysis for the road crossing at the wetland area and obtain all required permits.
 - T. Provide fire flow calculations for domestic and irrigation use and demand.
 - U. Provide a detailed plan of the proposed wall along Sunset Blvd. The proposed wall shall be subject to approval of the City Engineer.
 - V. The typical pavement sections shall indicate the pavement makeup for the road.
 - W. Provide detailed plans for Sunset Blvd. showing all approach tapers dimensions and details for the left turn lane, subject to the approval of the City Engineer.
 - X. Provide a drainage map and preliminary drainage calculations for the City Engineer's approval.
4. Plant the street trees in accordance with the planting plan dated April 22, 1997, unless other circumstances prevail which may alter the plan slightly. The trees shall be two (2) inches in diameter at Breast Height (DBH- 4.5 ft. above mean ground level) and at least six (6) feet in height. Kwanzan Cherry trees shall be planted on along the interior street. Autumn Purple Ash shall be planted along Sunset Blvd. Red Sunset Maple shall be planted in the median strip within Sunset Blvd. Street trees shall be planted along Sunset Blvd. The interior street trees shall be planted by the developer prior to the occupancy permit of 75% or more of the houses.
 5. Street names need to be in accordance with City standards and approved by Washington County.
 6. Submit 15 copies of the Subdivision Final Plat for the Planning Commission consent agenda approval prior to recordation with Washington County.
 7. The landscape corridor and street trees shall be completed prior to occupancy with an extension as allowed by Staff.
 8. The setback between the cluster of units shall be as indicated on the preliminary Plan. In no case shall the cluster of units be closer than 5 feet from the side property line. The front yard and rear yard setback shall comply with the setback requirements for the PUD.
 9. Fences, walls and hedges along pedestrian accessways adjoining open spaces shall be limited to three and one-half (3 ½) feet in height for solid fencing and six (6) feet for chain link or other "see-through" fencing. Street lighting shall be located so as to illuminate the entry to all pedestrian pathways between lots. Lighting is not required along pathways in floodplains and wetlands. (see revised conditions of approval 1. F.)

10. All open areas within the PUD will be maintained by homeowners' associations even though these areas may have been dedicated to the City. These areas include, but are not limited to, the landscape corridors, tracts of open space including wetlands, floodplains and buffers, and drainage swales and water treatment facilities. Excluded from this requirement will be the hard surface of bikepaths, the bridge that will be part of the bikepath across Tract A, and the technical (not routine mowing/maintenance) portions of the water quality/quantity facilities.
11. The townhomes shall be built according to the elevations and materials list submitted by the applicant. Provide an exterior treatment package (Package 1 or 2, or both) to be submitted prior to final plat. Provide a uniform fencing package which is complimentary to the building design, if fencing is allowed.
12. The Visual Landscape Corridor shall be built according to the plans submitted by the applicant.

This approval is valid for one (1) year.

6. Other Business

Jason Tuck referred the Commission to the information provided regarding the MSTIP 3 program of Washington County. Mr. Franklin said Measure 50 could have an effect on these proposed road improvement programs.

Mr. Tuck reviewed a list of other planned minor road improvements by Washington County. These included road surface improvements for 1997-98 at Edy Road from Elwert Road to Highway 99W and 1.01 miles of improvements; and Scholls-Sherwood Road at Elwert Road intersection, 0.2 miles of improvements.

Chairman Whiteman announced he would not be at the June 17, 1997 Commission meeting.

There being no further business to discuss, the meeting was adjourned at 11:25 PM.

Respectfully submitted,

Planning Department