

SHERWOOD
PLANNING COMMISSION

JULY 18, 1978

AGENDA

- I. Reading and Approval of Minutes of June 20, and July 11, 1978
- II. PUBLIC HEARING - A request by Stan Adkins of Sherwood Plaza Inc. to:
 - 1) Amend the zoning map for a parcel located South of Highway 99W and West of No. Sherwood Blvd. from C-1 (Limited Commercial) and C-2 (General Commercial) to C-1-PD and C-2-PD (Office-Commercial Planned Unit Development)
 - 2) Approve a General Development Plan and Program for Phase I of a five phase development
 - 3) Approve the land uses and their general interrelationship for the remaining five phases
- III. Comprehensive Plan Update
- IV. Setting of August Meetings

STAFF REPORT

JULY 2, 1978

CASE NO: PD-78-01A
ZC-78-03
SUBJECT: Commercial-Office Planned Unit Development and Zone
Change
LOCATION: Six Corners (Tax Lot 2S 130D : 701)
APPLICANT: Sherwood Plaza Inc.

DESCRIPTION OF PROPOSED ACTION

The applicant is proposing development of a commercial-office planned unit development on a 10.88 acre site generally located south of Highway 99W and west of North Sherwood Blvd. near Six Corners. The applicant plans to mix retail commercial and office uses in a six stage development plan within present C-1 (limited commercial) and C-2 (general commercial) zoning districts.

Specifically, pursuant to Article III Sec. 3.09 of the Sherwood Zoning Ordinance, the applicant has requested that the City Council upon recommendation by the Planning Commission approve:

1. An amendment to the Sherwood Zoning Ordinance changing the present C-1 and C-2 to C-1/PD and C-2/PD.
2. A general development plan and program including proposed uses, access, and general site features for Phase I of the proposed six (6) phase development.
3. The general type and interrelationship of uses in the remaining five phases of the development.

Approval of items #2 and #3 above are contingent on the approval of the zone change.

Planning Commission and Council action shall constitute approval of the zone change and proposed use types and interrelationships only. Approval of the detailed site plan must be obtained from the Site Review Board prior to the preparation of the final development plan and program. Specific land uses not permitted outright in the prevailing zone, must be expressly approved by the Planning Commission and Council in each detailed plan phase.

APPLICABLE STANDARDS FOR REVIEW

A decision to recommend approval of a planned unit development district shall be based on required findings as set forth in Article II. Sec. 3.09 of the Sherwood Zoning Ordinance. They are as follows:

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1. That the proposed development is in substantial conformance with the Comprehensive plan or elements thereof to the extent adopted.
2. That exceptions from the standards of the underlying district are warranted by the design and amenities incorporated into the development plan and program.
3. That the proposal is in harmony with the surrounding area or its potential future use.
4. That the system of ownership and the means of developing, preserving, and maintaining open spaces is suitable.
5. That the approval will have a beneficial effect on the area which could not be achieved under other zoning districts.
6. That the proposed development or stage thereof can be substantially completed within one year of the date of approval.

BASIC FACTS

1. Current zoning is C-1 (9.13 acres) and C-2 (1.75 acres).
2. Parcel data: 2S 130D : 701 = 10.88 acres
3. Existing structures/uses
2S 130D : 701 - No existing use - vacant.
4. Access: Access is by No. Sherwood Blvd. (RW 60') NW 12th St. (RW 60') and Highway 99W (Single 30 ft. State access permit pending.)
5. Public Services
Water: Existing 12" line on No. Sherwood Blvd; 6" line on NW 12th.
Sewer: Existing 8" line on No. Sherwood Blvd; 8" line on N.W. 12th.
Drainage: Existing catch basin and 12" line on NW 12th and Gleneagle Drive; 18" storm sewer on No. Sherwood Blvd. (under construction).

FINDINGS

1. Compliance with the Sherwood Zoning Ordinance
 - a. Permitted Uses
Land uses and tenancies should conform to underlying zone requirements except as modified by an approved final development plan and program. Retail uses proposed in the por-

2. f. The Phase I site plan does not indicate provision for drainage. General written program comments indicate drainage to a proposed line along 99W. The use of the No. Sherwood Blvd. system should be considered.
- g. Detailed Phase I Improvement plans prepared by a registered engineer should be submitted with the final development plan and program. Proposed service lines serving remaining phases should be shown.
3. Access, Circulation and Parking
 - a. General site access is proposed from No. Sherwood, (2 egress/ingress); NW 12th St. (3 egress/ingress) and 99W (1 limited egress/ingress). Ingress and egress on 99W is limited to east bound traffic lanes. The State highway department has reviewed the plans and have tentatively approved the indicated access location. Detailed access design should be submitted with the final plan. Phase I access is proposed from No. Sherwood Blvd. at two points.
 - b. Phase I indicates 101 parking spaces. This is adequate assuming the combined employment on the site will be 30 employees at full occupancy. Parking will be approved on a phase by phase basis. Total parking indicated for remaining phases appears inadequate.
 - c. Vehicular circulation in Phase I appears adequate. Approval of circulation in the remaining five phases will be made , on a phase by phase basis.
 - d. Internal pedestrian circulation in Phase I is provided by a system of 10' walkways. A walkway connecting Phase I with the remaining development and the proposed bus stop appears to be of inadequate width to accommodate bus riders and other pedestrian traffic from No. Sherwood Blvd. A 4 ft. sidewalk is indicated along NW 12th St. and No. Sherwood Blvd. frontages. A 6' sidewalk is required.
 - e. Service delivery areas are not clearly marked. Turning and maneuvering areas are available but are adequate for small trucks only.
4. Site Features
 - a. The site as a whole varies in slope from flat to 5% toward the southwest. The Phase I site is essentially flat.

7. Timing of Development

The first phase of the development could be substantially completed within one year.

STAFF RECOMMENDATIONS

The staff recommends approval of zone change, general development plan and program for Phase I and the general type and interrelationships of the uses in the remaining five phases with the following conditions.

1. That the covenants attached as "Exhibit A" be adhered to in the preparation of the final development plan and program.
2. That the applicant submit with the final plan and program a written description of the proposed office retail use mix concept including 1) a table indicating the square footage of office and retail areas proposed for each phase; 2) a description of the retail marketing concept to be employed and why the applicant believes it to be justified according to the proposed development schedule; 3) a generalized development schedule for each phase.
3. That the cumulative percentage of retail use in the development as a whole not exceed 60% by square footage of floor area.
4. That Phase I retail tenancies and any retail tenancies not indicated in the final development plan and program are submitted for review and approval by the Planning Commission prior to the issuance of an occupancy permit and business license. 2)
5. That the following be submitted with the final development plan and approved by the Planning Commission and Site Review Board.
 - a. A detailed Phase I utilities plan and a generalized utility plan for the remaining five phases prepared by a registered engineer
 - b. A generalized access, circulation parking and loading plan for the overall site including the design of the 99W access and proposed service loading maneuvering areas, bus stop area. Plans showing a 10 ft sidewalk between phases 1 and 2 connecting the interior site with the bus stop area. A table indicating parking for each phase which meets ordinance standards with an assumed employee count indicated.

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6. That items 5a and 5b above be submitted as a part of the General Development Plan and Program to the Site Review Board for their review and approval.
7. That the General Development Plan and Program for Phase I and the general type and interrelationship of uses for the remaining five phases be submitted and approved by the Site Review Board.



P. O. Box 167
Sherwood, Oregon 97140
625-5522 625-7377

June 28, 1978

Mr. Jack Harper, Mayor
City Council
Sherwood, Or.

Dear Jack:

I am sorry to inform you that for a variety of reasons I am resigning from the Planning Commission, effective immediately.

I do not feel that it would be fair to continue to be a member if I cannot participate fully and attend meetings.

Thank you for appointing me to this position which I have enjoyed.

Sincerely,

Bill Pajari
Bill Pajari *Byg*

APPROVED MINUTES

PLANNING COMMISSION MINUTES

July 18, 1978

The Sherwood Planning Commission was called to order by Chairman Marsha Taylor at 7:30 p.m. Planning Commission members Lloyd McFall, Clyde List, Jim Bareinger, and Paul Clayton were present. Stan Adkins, Bob Kearns, Marjorie Stewart, Todd Dugdale, Polly Blankenbaker and other interested citizens were also present.

Mrs. Taylor read the minutes of June 20, 1978. Mr. Clayton moved to approve the minutes, Mr. Bareinger seconded the motion. The motion carried.

Mr. List stated he felt he had a conflict of interest in the public hearing items due to the proximity of his residence to the property being considered for development. Commission members and Mr. Adkins agreed there was no conflict of interest.

City Planner, Todd Dugdale, explained that there had been a preliminary development plan and program review by this commission. The applicant has formally applied for the PUD (Planned Unit Development), and has submitted a development plan and program. The applicant intends to mix retail and office in a six stage development.

Mr. Dugdale explained that underlying zoning district standards apply except where modified. The intent is to provide more flexibility on the site than capable of under the regular zoning districts. Mr. Dugdale explained the applicant is seeking approval of Phase I of a six phase development; and the general type and interrelationship of uses in the remaining five phases of the development. Items two and three are contingent upon acting favorably on the zone change.

Mr. Clayton stated that the zoning committee had wished no zone changes until the comprehensive plan was adopted. Mr. Dugdale said the PD ordinance does not come under the conditional use procedure because it has built into it intensive review procedures; along with the amendment we do what amounts to a conditional use review. The current zoning on the site is a mixture of C1 and C2. Mr. Dugdale explained basic facts on the staff report.

Mr. Adkins spoke in favor of a retail mix. Mr. Dugdale explained that any retail uses not permitted in C1 zone could be expressly approved in the final development plan and program. However, he may not know all the leasing arrangements at the time of the final

development plan and program, also this would not cover releasing space. The other major option would be to write into the restrictive covenants enough language that would limit the retail uses that he could make use of. Of, the Planning Commission could add an amendment that the retail use not exceed 70% by square footage of floor area. Mr. Dugdale also suggested that a section be added to the covenants stipulating 1) that Phase I retail tenancies and any retail tenancies not indicated in the final development plan and program are submitted for review and approval by the Planning Commission prior to the issuance of an occupancy permit and business license, or (2) uses permitted be specified and those uses not permitted also be specified.

Mrs. Taylor opened the public hearing at 8:25 p.m. to Amend the Zoning Map for a Parcel located South of Highway 99W and West of No. Sherwood Blvd. from C-1 (Limited Commercial) and C-2 (General Commercial) to C-1-PD and C-2-PD (Office-Commercial Planned Unit Development).

Mrs. Taylor called for testimony in favor of the zoning amendment.

Mr. Stan Adkins, owner and developer, said he couldn't give alot of information on what will happen in all the phases. Some of the businesses showing an interest in leasing have been a title company, a medical center, realtors, and restaurant. Also planned is a small shop area. Businesses facing 99W would be retail oriented to the highway traffic. The total project may take as much as 5 years to develop. The first phase would be a mix of retail and commercial. He explained they are not catering to a shopping center type of tenant.

Mrs. Taylor commented if you don't know who's going in there, how do you know you need a zone change. Mr. Adkins pointed out it was needed for the overall plan.

Mr. Dugdale stated some of the amenities the City stands to gain under the PD zone. Open space would be more under the PD zone. The Site size and crucial location of the site could benefit from a unitary design concept.

Mr. Kearns inquired about the open space requirement. He was informed the requirement under conventional zoning is about 10%. This PD plan allows 30%. The 30% does not include parking. Parking is about another 35%.

Mr. Kearns asked if Mr. Adkins had done something similar to this in phases. Mr. Adkins said the Gresham Center was phased. JAFCO changed some design, but the overall concept is the same.

Mr. List asked if the 6 corners traffic was considered. Mr. Lee said they had relocated an entrance off of 99W to eliminate the through traffic problem.

Mrs. Taylor questioned the staff report statement that the proposed development or stage thereof can be substantially completed within one year of the date of approval. Mr. Adkins said a lot depends upon the sewer. He said they are assuming that sewer permits will be available. Mr. Dugdale said the scope of Phase I could be completed in one year from the date of the building permit. He suggested the applicant provide the City with more detail on the timing of the remaining phases.

Mrs. Stewart informed the commission members that originally the PUD amendment to the zoning ordinance was initiated by the City in order to have a better plan. She felt the City would have better control over a PUD than over a subdivision development.

The public hearing on the zone change request was closed.

Mr. McFall moved to approve the zone change as stated in the staff report. Mr. Bareinger seconded the motion. The vote was 3 for and 2 against. The motion carried.

Mrs. Taylor opened the public hearing to approve a General Development Plan and Program for Phase I of a Six Phase Development.

The general development plan and program presented included proposed uses, access, and general site features for Phase I. Phase I is located in the northeast corner of the parcel. It abuts No. Sherwood Blvd. and is across from the shopping center. Tenants scheduled for Phase I include a title company, insurance offices, and realty offices. Mr. Dugdale said the commission could require the applicant to divulge the precise mix by phase, or could allow the applicant an overall mix on site.

Mrs. Taylor inquired about parking. Mr. Adkins stated that if the parking was not adequate, more parking would be put in. Restroom facilities would effectively limit the number of employees in each phase.

Mr. Kearns inquired if a restriction could be made on the number of 500 sq. ft. of less tenants. Mr. Dugdale said any covenant restriction could be made.

Mr. Dugdale read through the covenants.

Mrs. Taylor closed the public hearing.

Mr. McFall moved to accept the staff recommendations on the covenants with the exception that #1 would be reworded to expressly set forth permitted and nonpermitted uses. Mr. Bareinger seconded the motion. The vote was three for and two against. The motion carried.

Mrs. Taylor opened the public hearing to Approve the Land Uses and Their General Interrelationship for the Remaining Five Phases.

Mr. Lee, architect for Mr. Adkins, said he attempted to provide a unified development that will benefit the City and the developer.

Mr. Dugdale explained the commission needed to approve the general mix and use concept and their relationships. Also, general site features such as access and major circulation features.

Mrs. Taylor called for comments from the floor.

The public hearing was closed.

Mr. Bareinger moved to approve the land uses and general interrelationship for the remaining five phases. Mr. List seconded the motion. The motion carried.


Mr. Bareinger amended his motion to approve the land uses and their general interrelationship for the remaining five phases and to incorporate staff findings and conditions to the remaining five phases of the development. Mr. McFall seconded the motion. The vote was 3 for and 2 against. The motion carried.

The covenants will be reviewed again at the meeting of August 1.

Mr. Dugdale invited everyone to attend the neighborhood workshop meetings.

A letter received from Richard Scott was read.

Planning Commission meetings were set for August 1 and August 15.


Polly Blankenbaker
Recorder-Treasurer