

# 21304280



*Home of the Tualatin River National Wildlife Refuge*

## Pre-Application Conference Notes

**PAC 13-05**

**Meeting Date: July 1, 2013**

Planning Staff Contact: Michelle Miller

503-625-4242 or millerm@sherwoodoregon.gov

## Comprehensive Plan Map Amendment - Zone Change, Code Amendments and Subdivision

**PLEASE NOTE:** The conference and notes cannot cover all Code requirements and aspects related to site planning that should apply to the development of your proposal. Failure of the staff to provide information required by the Code shall not constitute a waiver of the applicable standards or requirements. It is recommended that a prospective applicant either obtain and read the Community Development Code or ask any questions of City staff relative to Code requirements prior to submitting an application.

### Proposed project name: Brownstone Development

**PROPOSAL DESCRIPTION:** Proposal to change the zoning from General Commercial to High Density Residential (HDR) in order to construct 92 alley loaded single-family homes.

**OWNER:** Pacific Continental Bank  
911 Main St. #100  
Vancouver WA 98660  
503-358-4460

**Applicant:** Brownstone Real Estate Group  
P. O. Box 2375  
Lake Oswego, OR  
Contact: Randy Myers 503-3584460

**PROPERTY LOCATION:** 22015 SW Pacific Hwy

Identified potential constraints/issues (wetlands, steep slopes, easements, etc?) wetland, steep slopes  
verify easement locations

Based on the information provided, NECESSARY APPLICATIONS: Plan Amendment,  
Subdivision, possible PUD?

**PROPOSED ZONING DISTRICT DIMENSIONAL REQUIREMENTS** (Refer to Code Section 16.12 Residential Land Use Districts) would need to Use PUD standards if requesting single family homes as they require 5,000 sq. ft. minimum. Given the housing type, the applicant would need to request a to amend the minimum lot sizes for single-family homes within the HDR district. The Information below is based on multi-family (attached) rather than detached. May want to consider proposing a new cottage home lot size and setback set of standards.

Density is calculated by the number of dwelling units per NET buildable acre HDR density is between 16.8 and 24 DU per acre

MINIMUM LOT SIZE: 5,000 sq. ft.

LOT WIDTH AT FRONT PROPERTY LINE: 25 ft

LOT WIDTH AT BUILDING LINE: 50 ft.

MINIMUM LOT DEPTH: 80 ft.

MAXIMUM HEIGHT: 40 ft. or three stories

Setbacks: Front 20 ft. Side 5-7 ft.(depends on height) Rear 20 ft. Corner Side 15 ft.

**NARRATIVE**  
The applicant shall submit a narrative which provides findings based on the applicable approval standards. Failure to provide a narrative or adequately address criteria would be reason to consider an application incomplete and delay review of the proposal. The applicant should review the code for applicable criteria. This housing type is an entirely new concept for Sherwood, and standards would need to be addressed through the code amendment.

**CLEAN WATER SERVICES SERVICE PROVIDER LETTER**  
The applicant shall submit a CWS Service Provider Letter at time of application submittal. An application will not be deemed complete without a CWS Service Provider Letter or a CWS prescreening noting that a Service Provider Letter is not required.

## Code Provisions

16.40.020 - Preliminary Development PUD

### A. Generally

A PUD Preliminary Development Plan shall be submitted for the review and approval in accordance with Chapter 16.72. PUDs shall be considered: a.) on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of: natural features such as floodplains, wetlands, and extreme topography, or man-made features, such as parcel configuration and surrounding development; b.) on parcels of land within the Urban Renewal District where flexibility and creativity in design may result in greater public benefit than strict adherence to the code; or c.) in other areas deemed appropriated by Council during the adoption of a concept plan required by a Metro UGB expansion.

## B. Content

The Preliminary Development Plan application shall include the following documentation:

1. Existing conditions map(s) showing: All properties, existing uses, and zoning districts within three hundred (300) feet, topography at five (5) foot intervals, floodplain, significant natural vegetation and features, private and public facilities including but not limited to utilities, streets, parks, and buildings, historic and cultural resources, property boundaries, lot lines, and lot dimensions and area.
2. Listing of all property owners adjacent to the PUD as per Section 16.72.020, including names and addresses, and a listing of all persons, including names and addresses, with an interest in the property subject to the PUD application.
3. Proposal map(s) showing: Alterations to topography, floodplain, natural vegetation, trees and woodlands, and other natural features, all streets, utility alignments and easements, parks and open space, historic and cultural resources, other public and utility structures, and any other dedicated land features or structures, the parceling, lot consolidation, adjustments, or subdivision of land including basic parcel dimensions and areas, the phasing of the PUD, siting and orientation of proposed new structures, including an identification of their intended use.
4. Narrative describing: the intent of the PUD and how general PUD standards as per this Chapter are met, details of the particular uses, densities, building types and architectural controls proposed, form of ownership, occupancy and responsibility for maintenance for all uses and facilities, trees and woodlands, public facilities to be provided, specific variations from the standards of any underlying zoning district or other provisions of this Code, and a schedule of development.
5. If the PUD involves the subdivision of land, the proposal shall also include a preliminary subdivision plat and meet all requirements of Chapter 16.122. The preliminary subdivision shall be processed concurrently with the PUD.
6. Architectural Pattern Book: A compendium of architectural elevations, details, and colors of each building type shall be submitted with any PUD application. The designs shall conform to the site plan urban design criteria in Section 16.90.020(G) or any other applicable standards in this Code. A pattern book shall act as the architectural control for the homeowner's association or the commercial owner. An Architectural Pattern Book shall address the following:

## C. Commission Review

The Commission shall review the application pursuant to Chapter 16.72 and may act to recommend to the Council approval, approval with conditions or denial. The Commission shall make their decision based on the following criteria:

1. The proposed development is in substantial conformance with the Comprehensive Plan and is eligible for PUD consideration per 16.40.020.A.
2. The preliminary development plans include dedication of at least 15 percent of the buildable portion of the site to the public in the form of usable open space, park or other public space, (subject to the review of the Parks & Recreation Board) or to a private entity managed by a homeowners association. Alternatively, if the project is located within close proximity to existing public spaces such as parks, libraries or plazas the development plan may propose no less than 5% on-site public space with a detailed explanation of how the proposed development and existing public spaces will together equally or better meet community needs.
3. That exceptions from the standards of the underlying zoning district are warranted by the unique design and amenities incorporated in the development plan.
4. That the proposal is in harmony with the surrounding area or its potential future use, and incorporates unified or internally compatible architectural treatments, vernacular, and scale subject to review and approval in Subsection (B)(6).
5. That the system of ownership and the means of developing, preserving and maintaining parks and open spaces are acceptable.

6. That the PUD will have a beneficial effect on the area which could not be achieved using the underlying zoning district.
7. That the proposed development, or an independent phase of the development, can be substantially completed within one (1) year from date of approval.
8. That adequate public facilities and services are available or are made available by the construction of the project.
9. That the general objectives of the PUD concept and the specific objectives of the various categories of the PUDs described in this Chapter have been met.
10. The minimum area for a Residential PUD shall be five (5) acres, unless the Commission finds that a specific property of lesser area is suitable as a PUD because it is unusually constrained by topography, landscape features, location, or surrounding development, or qualifies as "infill" as defined in Section 16.40.050(C)(3).

#### D. Council Action

Upon receipt of the findings and recommendations of the Commission, the Council shall conduct a public hearing pursuant to Chapter 16.72. The Council may approve, conditionally approve, or deny the Preliminary Development Plan. A Council decision to approve the Preliminary Development Plan shall be by ordinance establishing a PUD overlay zoning district. The ordinance shall contain findings of fact as per this Section, state all conditions of approval, and set an effective date subject to approval of the Final Development Plan as per Section 16.40.030.

#### E. Effect of Decision

Approval of the Preliminary Development Plan shall not constitute final acceptance of the PUD. Approval shall, however, be binding upon the City for the purpose of preparation of the Final Development Plan, and the City may require only such changes in the plan as are necessary for compliance with the terms of preliminary approvals.

### **16.40.050 - Residential PUD**

#### A. Permitted Uses

The following uses are permitted outright in Residential PUD when approved as part of a Final Development Plan:

1. Varied housing types, including but not limited to single-family attached dwellings, zero-lot line housing, row houses, duplexes, cluster units, and multi-family dwellings.
2. Related NC uses which are designed and located so as to serve the PUD district and neighborhood.
3. All other uses permitted within the underlying zoning district in which the PUD is located. (Ord. 86-851, § 3)

#### **SITE PLANNING (16.90)**

##### **Site Plan Review Design Criteria**

Except for single and two family uses, and manufactured homes located on individual residential lots, but including manufactured home parks, no building permit shall be issued for a new building or structure, or for the substantial alteration of an existing structure or use, and no sign permit shall be issued for the erection or construction of a sign relating to such building or structure until the proposed development has been reviewed.

No site plan approval shall be granted unless each of the following is found:

1. The proposed development meets applicable zoning district standards and Design Standards in Division II, and all of the provisions of Divisions V, VI, VIII and IX.
2. The proposed development can be adequately served by services conforming to the Community Development Plan, including but not limited to water, sanitary facilities, storm water, solid waste, parks and open space, public safety, electric power, and communications.
3. Covenants, agreements, and other specific documents are adequate, in the City's determination, to assure an acceptable method of ownership, management, and maintenance of structures, landscaping, and other on-site features.
4. The proposed development preserves significant natural features to the maximum feasible extent, including but not limited to natural drainage ways, wetlands, trees, vegetation (including but not limited to environmentally sensitive land), scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code.
5. For a proposed site plan in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), **Retail Commercial (RC)**, General Commercial (GC), Light Industrial (LI), and **General Industrial (GI) zones**, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section **16.106.070 Highway 99W Capacity Allocation Program**, unless excluded herein.
6. For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant shall provide adequate information, such as a traffic impact analysis or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be required to mitigate for impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.
7. The proposed commercial, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards shall include the following:
  - a. Primary, front entrances shall be located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.
  - b. Buildings shall be located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.
  - c. The architecture of buildings shall be oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding shall be prohibited. Street facing elevations shall have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain shall be installed unless other architectural elements are provided for similar protection, such as an arcade.

**LANDSCAPING (16.92)**

All areas not covered by buildings, required parking and/or circulation drives shall be landscaped with plants native to the Pacific Northwest. Perimeter and parking lot landscaping is required. A landscaping plan must be submitted with every development proposal application.

**PARKING AND CIRCULATION (16.94 and 16.96)**

No building permits shall be issued until plans are approved providing for off-street parking and loading space as required by this Code. An off-street parking and loading plan shall accompany requests for building permits or site plan approvals.

Improved hard surface driveways are required in all commercial, industrial and multi-family developments.

Ingress and egress shall be shown from existing or planned local or collector streets, consistent with the Transportation System Plan and Section VI of the Community Development Plan. Joint ingress/egress is strongly encouraged.

The minimum number of bicycle parking spaces for this development is based on the minimum required bicycle parking in section 16.94.020. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance

A private pathway/sidewalk system extending throughout the development site shall be required to connect to existing development, to public rights-of-way with or without improvements, to parking and storage areas, to all building entrances in the development, to transit facilities within 500 feet of the site, to future phases of development and to parks and open spaces.

**ON-SITE STORAGE (16.98)**

External material storage must be approved as part of a site plan. Storage areas must be designated and screened appropriately. **Garbage and recycling facilities are required to meet the standards of Pride Disposal.**

**SIGNS (16.102)**

A separate permit is required for all permanent signs. Sign permits may be applied for through the Sherwood Building Department. Banner sign permits are issued through the Sherwood Planning Department.

**PUBLIC IMPROVEMENTS (16.104) CAREFULLY REVIEW ENGINEERING COMMENTS FOR THESE SPECIFIC REQUIREMENTS.**

**TRANSPORTATION FACILITIES (16.106)**

**SANITARY SEWER (16.110)**

Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains.

**WATER (16.112)**

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be connected to existing water mains or shall construct new mains appropriately sized and located in accordance with this Code, the Water System Master Plan, the City Design and Construction Manual, and with other applicable City standards and specifications, in order to adequately serve the proposed development and allow for future extensions.

STORM WATER (16.114)

Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage systems consistent with the Comprehensive Plan and the requirements of the Clean Water Services water quality regulations contained in their Design and Construction Standards R&O 04-0, or its replacement.

FIRE (16.116)

All developments are required to comply with the regulations of Tualatin Valley Fire & Rescue. TVF&R regulations can be found on their website at: [www.tvfr.com/Dept/fm/const/index.html](http://www.tvfr.com/Dept/fm/const/index.html).

OVERHEAD UTILITIES (16.118)

All existing and proposed utilities must be placed underground, unless specifically authorized for above ground installation, because the points of connection to existing utilities make underground installation impractical, or for other reasons deemed acceptable by the Commission.

**ENVIRONMENTAL RESOURCES (16.132).** The applicant will need to confirm that CWS does not have any environmental resources on or near the site through the provision of a Service Provider Letter.

STREET TREES (16.142.060) Minimum spacing based on canopy spread and based on the tree selected

TREES ON PRIVATE PROPERTY (16.142.070)

New developments are required to achieve minimum canopy requirements, and may be required to inventory any existing trees. 30 % for multi family and 40% single family

**APPLICABLE CODE CRITERIA**

(These sections **must** be addressed in the narrative submitted with the land use application)

<input checked="" type="checkbox"/> Division II (Zoning Districts)	<input checked="" type="checkbox"/> 16.92 (Landscaping)	<input type="checkbox"/> 16.122 (Land Partitions)
<input checked="" type="checkbox"/> 16.40 (Planned Unit Development)	<input checked="" type="checkbox"/> 16.94 (Off-Street Parking and Loading)	<input type="checkbox"/> 16.124 (Property Line Adjustments)
<input type="checkbox"/> 16.44 (Townhomes)	<input checked="" type="checkbox"/> 16.96 (On-Site Circulation)	<input checked="" type="checkbox"/> 16.128. (Land Division Design Standards)
<input type="checkbox"/> 16.46 (Manufactured Homes)	<input checked="" type="checkbox"/> 16.98 (On-Site Storage)	<input checked="" type="checkbox"/> 16.142 (Parks and Open Space)
<input type="checkbox"/> 16.48 (Non-Conforming Uses)	<input checked="" type="checkbox"/> 16.102 (Signs)	<input checked="" type="checkbox"/> 16.146 (Noise)
<input type="checkbox"/> 16.50 (Accessory Uses)	<input checked="" type="checkbox"/> 16.106 (Transportation Facilities)	<input checked="" type="checkbox"/> 16.148 (Vibrations)
	<input checked="" type="checkbox"/> 16.106.030(D) (Additional Setbacks)	
	<input checked="" type="checkbox"/> 16.108.040.D (Clear Vision Areas)	<input checked="" type="checkbox"/> 16.150 (Air Quality)
<input checked="" type="checkbox"/> 16.80 (Plan Amendments)	<input checked="" type="checkbox"/> 16.110 (Sanitary Sewers)	<input checked="" type="checkbox"/> 16.152 (Odors)

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> 16.82 (Conditional Uses)               | <input checked="" type="checkbox"/> 16.112 (Water Supply)         | <input checked="" type="checkbox"/> 16.154 (Heat and Glare) |
|   | <input checked="" type="checkbox"/> 16.114 (Storm Water)          | <input type="checkbox"/> 16.162 (Old Town Overlay District) |
| <input type="checkbox"/> 16.86 (Variances)                      | <input checked="" type="checkbox"/> 16.116 (Fire Protection)      | <input type="checkbox"/> 16.166 (Landmark Designation)      |
| <input type="checkbox"/> 16.88 (Interpretation of Similar Uses) | <input checked="" type="checkbox"/> 16.118 (Private Improvements) | <input type="checkbox"/> 16.168 (Landmark Alteration)       |
| <input checked="" type="checkbox"/> 16.90 (Site Planning)       | <input checked="" type="checkbox"/> 16.120 (Subdivisions)         |   |

**ADDITIONAL CONCERNS OR COMMENTS:**

**Subdivision:**

**Over 50 Lots is a Type IV process.**

**5% of area is required for open space (more if a PUD or considered multi-family)**

**PUD Open space:**

**Plan Amendment Criteria**

**Map Amendment:**

The proposal must be consistent with the applicable provisions of the Comprehensive Plan, the Transportation System Plan, the Transportation Planning Rule, and the Sherwood Development Code.

1. Must be consistent with the provisions of these documents.
2. Demonstrate the need for the uses and zoning proposed taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.
3. Amendment is timely considering the pattern of development in the area surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment and the availability of utilities and services to serve uses
4. Other lands are unavailable or unsuitable for immediate development due to location size or other factors.

**Transportation Planning Rule Consistency**

1. Review for effect on facilities
2. "Significant" means that the transportation facility would change the functional classification of an existing or planned transportation facility, change the standards implementing a functional classification, allow types of land use, allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility, or would reduce the level of service of the facility below the minimum level identified on the Transportation System Plan.
3. Per OAR 660-12-0060, Amendments to the Comprehensive Plan or changes to land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:
  - a. Limiting allowed uses to be consistent with the planned function of the transportation facility.
  - b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses.
  - c. Altering land use designations, densities or design requirements to reduce demand for automobile

travel and meet travel needs through other modes.

NOTE: Not all of these fees will apply, but wanted to make you aware.

**Estimated fees for initial land use application**

Map amendment - \$5,330

Subdivision - \$6,222 plus \$20 per lot

possible PUD - \$2,205

Type III and IV \$6,222 (Additional \$100 for every 10,000 sq. ft. or portion thereof over the first 15,000 sq. ft.;

Publication/distribution of Notice Type 3 & 4 \$466 **CONFIRM FEES WITH STAFF PRIOR TO SUBMITTAL. WE WILL HELP YOU TO CALCULATE THE FEES.**

**PROCEDURE**

**Hearing Authority is the Planning Commission AND City Council**

- Type III- Public hearing before the Hearings Officer, Planning Commission for any appeals.
- Type IV- Public hearing before the Planning Commission, City Council for any appeals.
- Type V- Public hearing before the Planning Commission with the Commission making a recommendation on the proposal to the City Council. An additional public hearing shall be held by the City Council. Any appeals shall be heard by the Land Use Board of Appeals (LUBA).

**Notes:**

This could proceed in a couple of different ways depending on the desires of the applicant. If the applicant wants SF homes on individual lots, this may be a very large hurdle because of the minimum lot size requirements for single family homes (5k). If successful in rezone, may want to consider other changes in language that support this concept ie.

Applicant could consider a PUD where everything is on one lot and they are SF dwelling units-come up with standards for separation and areas of open space.

**APPLICATION SUBMITTAL PROCESS**

**The following materials must be submitted with your application or it will not be accepted at the counter.** Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 \* copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- CWS Service Provider Letter.**
- At least 3 \* folded sets of plans**
- At least 3 \* sets** of narrative addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)

**Signed checklist** verifying submittal includes specific materials necessary for the application process

**PDF Electronic version of all submittal items broken down by item on a disc. Not a single PDF**

\* **Note** that the required number of copies must be submitted when the application is deemed complete; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, required number of copies and one updated full electronic copy will be required to be submitted.

The Planning Department will perform a preliminary review of the application and will determine whether an application is complete within 30 days of the counter submittal. Staff will notify the applicant if additional information or additional copies of the submitted materials are required.

The administrative decision or public hearing will typically occur approximately 45 to 60 days after an application is deemed complete by the Planning Department. Applications involving difficult or protracted issues or requiring review by other jurisdictions may take additional time to review. Written recommendations from the Planning staff are issued seven (7) days prior to the public hearing. A 14-day public appeal period follows all land use decisions.

**Information/Handouts provided at Pre-app:**

- Application form
- CWS pre-screen form
- Copy of CAP worksheet
- Copy of maps including: \_\_Sanitary lines, \_\_Storm lines
- Other **Neighborhood Meeting Packet, Notes from Building Official, Engineering, ODOT and TVFR.**

**Service Provider Contacts**

**Electric:** PGE

**Cable:** Comcast/Verizon/Century Link

**Telephone:** Comcast/Verizon/Century Link

**Trash and Recycling:** Pride Disposal

**Planning Staff Contact:** Brad Kilby, AICP (503)625-4206 – [kilbyb@sherwoodoregon.gov](mailto:kilbyb@sherwoodoregon.gov)