

ANK-112

November 6, 2009

Julia Hajduk
Planning Manager
City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140



RE: Cannery Square PUD November 3, 2009 Staff Report Recommendation to the Planning Commission (PUD 09-01)

Dear Julia:

Thank you for your assistance on this project. This letter is to address recommended Condition E-13 of the November 3, 2009 staff report. Just prior to the staff report being issued it was discovered that Section 16.142.020, open space for multi-family dwellings, had not been addressed and may apply to the project. Therefore Condition E-13 is recommended by staff to address this standard if the Planning Commission determines that it does apply. However, the applicant believes that the provision should not apply to the project as the PUD open space requirements supersede this requirement and because the standard is not consistent with the Old Town Overlay. This judgment is based on the following:

1) The Old Cannery Design Standards did not contemplate a stand-alone multi-family building.

In review of the Old Town Overlay District permitted uses (Section 16.162), the code provides for mixed-use buildings and not stand-alone multi-family buildings. In particular, Section 165.162.080 states that these design standards are for commercial, institutional and mixed-use structures with no mention of multi-family structures. The standards even contemplated mixed-use buildings in the High Design Residential (HDR) zone as Retail Commercial (RC) uses are allowed on the ground floor near Columbia Street.¹ Since stand-alone multi-family buildings were not contemplated, exemption from the multi-family open space requirement was not provided. This is the case with newer projects in Old Town. The Old Town Lofts for example did not provide open space since it is a mixed-use project and not a stand-alone multi-family structure.

Although each proposed multi-family building when reviewed by itself does not meet this standard, the applicant finds that the desired mixture of uses as envisioned by the Old Town Overlay is being created at the neighborhood scale with this PUD. In other words, commercial and residential is being provided in the same project and the project is mixed-use when viewed as a whole. The flexibility of the PUD is only allowed on larger scale projects such as this one, as the minimum PUD site size is 5 acres.

2) The open space requirements have been met through the PUD standards.

The applicant has provided an extensive narrative citing how the proposal complies with various standards, criteria and policy. In particular page 22 and 23 of the applicant's

¹ Retail Commercial (RC) uses are allowed in High Density Residential (HDR) zones within 100 feet of Columbia Street per Section 16.162.030.H.

Exhibit F

narrative provide details on the PUD open space requirements. The applicant finds that the PUD standards that would not be required in a standard development should be required in place of the multi-family open space standard.

In addition to meeting the PUD open space standards, the applicant is proposing interior common areas within each multi-family building for the exclusive use of the residents. While building design is conceptual and will not be fully defined until the final development plan stage, the buildings will include space for use as lounges, meeting areas, recreation/fitness, and/or other uses based on then current market demand.

3) Provision is for suburban-type development and contrary to Old Town Standards and purpose.

The applicant believes that this provision is intended for areas of the City that are not as walkable or close to the amenities provided within Old Town. Certainly suburban areas attract families with children who would utilize this type of space. The intent of this project and the Old Town Overlay is to provide higher densities and create urban spaces that efficiently use limited urban land. The higher densities provide housing for more people downtown with the intent that they venture out from their residences and use the public plazas, coffee shops, library, restaurants, walking paths, community center, the proposed Cannery Square and other pedestrian-scale amenities of Old Town and surrounding parklands.

The applicant is requesting that this project be reviewed in its entirety as an overall neighborhood concept and PUD. In doing this we believe what is being proposed is consistent with the vision for Old Town and the intent of the PUD. Therefore the applicant respectfully requests that this standard not apply as part of the PUD approval and that Condition E-13 be removed from the Planning Commission recommendation to the City Council.

Thank you again for all your assistance on this project and we look forward to presenting it to the Planning Commission next Tuesday evening.

Sincerely,

HARPER HOUF PETERSON RIGHELLIS INC.



Keith B. Jones, AICP
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