
City of Sherwood, Oregon
Draft Planning Commission Minutes
March 27, 2012

Commission Members Present:

Chair Allen
Vice Chair Albert
Commissioner Copfer
Commissioner Albert
Commissioner Clifford
Commissioner Cary

Staff:

Julia Hajduk, Planning Manager
Brad Kilby, Senior Planner
Zoe Monahan, Assistant Planner

Commission Members Absent:

Commissioner Walker
Commissioner Griffin

Council Liaison – Councilor Clark

1. **Call to Order/Roll Call** – Zoe called roll
2. **Agenda Review** – No changes were made to the meeting agenda.
3. **Consent Agenda** – Contained February Work Session. Commissioner Copfer made a motion to approve the consent agenda item. Commissioner Albert seconded the motion. A vote was taken and all present were in favor. The motion passed.
4. **Staff Announcement** – Julia announced that this year’s Arbor Day celebration would be held April 20th at 2:00 pm. The location is a wetland area near the corner of Handley and Cedar Brook Way. The public is invited. There will be a Tonquin Trail Master Plan open house, May 23rd. The Planning Commission held a work session on legal issues. Julia felt it was very informative for those that attended and feels it could be beneficial to have a few more. Julia also announced and congratulated Zoe for completing her Master’s Degree program in Public Policy and Administration.
5. **City Council Comments** – Councilor Clark reported that at the previous City Council meeting there was a continuance on the tree canopy discussion and it has been given back to staff to make revisions. Julia added that the revisions would be brought back to Council May 1st, 2012.
6. **Community Comments** – No community comments were given.
7. **Old Business** – There was no old business on the agenda.
8. **New Business** –
 - a. **Sherwood Community Center SP 12-01, CUP 12-01, VAR 12-01 and VAR 12-02**

Chair Allen opened the public hearing on the Sherwood Community Center SP 12-01, CUP 12-01, VAR 12-01 and VAR 12-02. Chair Allen asked for any Ex Parte contact declarations or conflicts of interest. None were given. Chair Allen also reminded everyone that the job of the Planning Commission in this process is to determine if the application meets the zoning and development code criteria. While there may be other interesting factors in the proposal, making a decision about them is not the responsibility of the Planning Commission.

Brad Kilby started his staff report by explaining that the project proposed is remodeling the Machine Works Building (13,050 sf building) and parking lot #1, currently owned by the Urban Renewal Agency, into a mixed use community center. He noted that parking lot #2 was in the process of being purchased from the railroad.

The proposed use includes 28% as commercial space rented to private tenants (not exceeding the 40% permitted through the PUD). The public portion will include a 400 seat auditorium, prep kitchen, dressing rooms, lobby, and rest rooms. The applicant is proposing 2 associated parking lots – 1) on the site, 2) Rail Road right-of-way.

The application requires that the applicant obtain a Site Plan review approval, final development plan approval for PUD 09-01, a conditional use approval for the public use building within a retail commercial zone and accessory parking within the high density residential zone. A variance for the parking lot dimension and parking lot landscaping for the Rail Road parking lot will be discussed in the future.

Brad explained the plan views of potential parking lots 1 and 2. Lot 1 has two proposed layouts: 23 spaces with a drive through or 29 spaces without a drive through. Lot 2 includes 41 spaces and approx. 14,944 sq ft.

Building space is a total of 43,787 sf. Total off street parking spaces between lot #1 and lot #2 range between 64 – 70 spaces depending on which option is used for lot 1. The site is located in the Cannery portion of Old Town overlay. Based on code they will need to provide a minimum of 98 parking spaces. 64 on street parking spaces will be counted within 500 feet. The applicant maintains that they will provide a minimum of 128 and a maximum of 134. Brad noted that future phases of the PUD will also be required to provide 65% of minimum parking as they are developed.

Brad reviewed the proposed two variances. The first variance is a request to modify the dimensional standards of the parking lot. They want to reduce the depth of the stalls from 20' to 17' and the width from 9' to 8'11" which would allow them to maintain the required drive aisle width of 23'. The second variance would be to the minimum buffer standards. It would allow the buffer along Washington St. to be reduced from 10' to 7'.

Staff recommends approval of the proposal with the conditions noted in the staff report, but noted a few proposed revisions to conditions. Brad proposed modifying condition C6 to read: "The applicant shall provide plans showing a cross walk from parking lot 1 and 2 unless the City Engineer determines that it is not be feasible due to grading and ADA requirements." The applicant was required to make improvements to Washington Street and feel that they have done so. Related to the lighting plan, there was some fugitive lighting that was shining on residential property to the south. The applicant is proposing to shield the lights which will illuminate the light exiting the site, so Staff is comfortable removing the condition.

Jason Waters – Civil Engineering with the City of Sherwood spoke to the Commission and referred to condition C-6 which states that the applicant must provide half street improvements for the East side of Washington Street. Staff maintains that the conditions for the improvements will need to be kept.

Brad Kilby continued by saying the applicant has proposed changes to the façades and had given the changes to Staff on March 26, 2012. Staff has reviewed the proposed changes and their recommendations remain the same. Staff is not requiring that the entire building be bricked.

Chair Allen asked about clarification on parking. A discussion continued between Chair Allen, Julia and Brad. It was determined that on street parking within 500' is allowed to be counted as parking in this PUD. Parking within 500' counts, but the on street parking is generally adjacent to the development.

With no more questions of staff at this time Chair Allen opened the public hearing and asked the applicant to come forward for their testimony.

Jeff Sackett introduced himself as the applicant, with Capstone Partners LLC. He was in attendance with Keith Jones of HHPR the planner who prepared the application, Scott Wagner of Ankrom Moison who is the designer on the community center project and Jason Phifield of Ankrom Moison the project manager. Their team has a 4 year history with the City of Sherwood and its growth. The community center has been on everyone's mind for a great many years. This is a part of the Cannery Square PUD. Jeff extended many thanks to all who have participated in the planning. They are delighted to show you an actual real building that is almost funded and almost ready to build.

They were ready to discuss objections or concerns on some of the conditions but staff has worked with them cooperatively on adjusting some of the conditions that were appropriate and they agreed. They would like to waive their objection to C6 which had been voiced earlier. Our concern and confusion came from the PUD and sub-division process which had a long series of conditions attached to those approvals. They included constructing all the streets that have not been built, Columbia E & W, some work on Washington Street, some work on Willamette Street and Highland Drive. All of those were conditioned as a PUD. This also includes the Machine Works Building (Sherwood Community Center) frontage improvement on the East side of Washington Street but nothing beyond 3 foot of the gutter and curb line. The city wanted to recommend these conditions and therefore we wanted to waive our objections.

Mr. Sackett discussed that there is a "clash between vision and reality" and that the vision may be bigger than the URA has funds for. While the proposal for brick on the North and East sides is the vision, they have gotten a general contractor involved in the last couple of months to 1) flush out the design, 2) flush the true estimate of cost, (that has not been bid yet but will be soon), and 3) make a first class community center that works on the inside. He noted that the purpose of this building is on the inside where everything will be going on for the community so they were looking at places to trim the budget without diminishing the operations of the facility. What we asked our architects to do is to come up with options to reduce cost without hurting the functions of the inside of the building. We wanted to meet

both the letter and the spirit of the code and the architectural pattern book which was approved by this board as part of the PUD.

Scott Wagner, provided additional details on the building design and options for reducing the budget without diminishing the product

He referred to several illustrations which could reduce costs. He noted that use of these ideas could reduce the budget, but we have to keep in mind the codes; as an example, the number of windows is taken into account in the code.

- Option A (drawing) - existing north façade: lots of brick
- Option B (drawing) – removes or reduces several windows
- Option C (drawing)- entries are reduced in heights
- Option D (drawing)- do all of them

Other things to reduce costs: (pointing to illustration) planting and drainage with a less expensive idea. A tree and bench?, or a potted planter? Adding a 2nd story windows or storage? A corner entry?

Chair Allen asked for confirmation that Option D would have the least amount of brick and the least amount of window and so if we (the Planning Commission) find that this meets the code then all of the other options would meet the code. He also asked if the removal of the ticket kiosk, planter/drainage system would continue to meet the conditions of the original approval of the PUD. Mr Sackett indicated “yes” to both questions

Commissioner Clifford member asked if there would be anything for the roofline/rooftops (referring to the drawings). Mr. Wagner indicated “No”

Commissioner Carey asked how the different designs, would affect the design for future buildings and phases? Will the South and West side remain the same in design or are there any plans for “re-design”? Mr Wagner responded by stating that anything they build or remodel will blend in and not get in the way of the community vision. .

With the applicant’s initial testimony over, Chair Allen asked for testimony on the issue.

Eugene Stewart, PO Box 534, Sherwood OR, testified that he owns the building across the railroad tracks from the building in question. He has 7 tenants but with visitors, that equates to 14 cars. He is concerned about the 400 seat auditorium. He would like to see a parking study completed to make sure that there is enough parking for this project and would not encroach on his tenants or any other resident or shop owner. As for Fire Department, he asked if fire hydrants would be located strategically so that hoses are not going across the railroad tracks. He also asked about where light rail would go if it came to town. He questioned how a drive thru for a bank would affect parking for this project. He is concerned that it is going to look like a “hodgepodge” if we approve this now and looking back on it later.

Frank Dorn 17427 SW Arbutus Drive, Beaverton OR, indicated that he owns multiple properties in Sherwood; 2 4-plexes on Washington street. He feels that Sherwood should stay in its Robin Hood type town and questions how this building is going to be part of old town if

there is a fence going all away across the rail road tracks that people can't get across unless you go down Pine street and go down Main street. He also raised questions about parking on Washington Street and whether this project would overload one side of the downtown community with parking, or 1 hour parking on Washington Street. His main concern is between Pine and Washington and how it will be connected to Old Town.

With no one else signed up to testify, Chair Allen asked for staff comments

Brad responded to the comments from Mr. Stewart and Mr. Dorn stating that there was no plan to provide a parking study. Parking was based on the 65% allowed in the Cannery portion of Old Town and approved through the PUD. If parking becomes an issue, then implementing timed parking with 15 minute to 1 hour in some areas might be reviewed but based on the proposal, it does not warrant a parking study.

As the SW Corridor planning is some way out we would not know where a light rail station would go.

ODOT would likely not allow putting separate pedestrian crossings crossing the Rail road crossing. People must cross where vehicles cross. At this time it is at Pine Street and Main Street connecting Old Town to the South Side.

Regarding the building design, the PUD has an approved architectural pattern book which stated specifically called out that this building was not going to being able to meet a lot of the Old Town design standards but try to bring it into compliance with the spirit of the code.

Jason Waters provided clarification on the Washington Street improvement conditions. He referred to Staff Report page 11 and 12, Condition E12, item A, stating that it does not affect this phase of the development.

Chair Allen asked how many parking spaces are there in Old Town Sherwood and if you don't know, what data is known on the supply of parking? What are the patterns of usage; time of day, day of week, that sort of thing? He indicated that he was persuaded by the public testimony to be concerned about the parking issue and given that there was no parking standard in Old Town, we should look into this issue. What would the spill over impact be? Should there be a condition to have a parking study performed as part of approval process?

Brad indicated that he was not sure if a parking study has ever been done and explained what a parking study would entail. He cautioned that the 65% parking requirement is in the code and was imposed at the time of the PUD and he was not sure if findings support a study as 65% meets the standards old cannery portion.

Julia agreed with Brad and added that there are no parking standards in the Smockville portion of Old Town and was not sure how to make a condition without findings since they are already meeting the standards.

Chair Allen noted that the general principle of 500 people accessing the facility raises concern if they don't know the impacts that would go outside the Cannery area. Could have a concern with an impact on parking beyond the boundaries of PUD and the Cannery overlay for Old Town and they do not know what those impacts would be and what the supply and demand

would be.

Brad recommended against imposing as a condition but considering a recommendation to council as an action item to discuss before other phases of the PUD are considered.

Commissioner Clifford questioned whether there had been any studies on the traffic and parking on Music on the Green since that is also a community event that somewhat replicates what we have going on here.

Julia indicated that no formal study had been done. Brad pointed out a memo from DKS (Exhibit C in packet), which summarized the land use and vehicle trip generation that was soon to develop west of Pine Street. The Cannery PUD traffic analysis included a conceptual site plan with 8100 sq foot of retail space and 8700 sq foot of community center west of Pine Street. Traffic studies are usually based on an event or an am vs. pm peak traffic time.

Commission Carey questioned future phases and whether allowances had been made for completely off street parking and no on street parking.

Brad indicated that the applicants will need to address this in future phases. The applicant can make the joint parking argument. The west phase would be a catalyst to create a need for parking.

Commissioner Carey asked “Where it says 30 on there in the West Phase, are we including parking lot for that potential commercial site?”

Brad replied yes, the applicant can make a joint parking argument as the community center is not in continued use

Commissioner Copfer asked for staff to put up the slide that shows the three conditions they were proposing to revise. It was confirmed that C-6 would stand as proposed, C-4 would be amended as written in the slide and C-10 would be removed.

Chair Allen proposed to add a parking study condition: C13 prior to final site plan approval completion of a parking study, identify supply and demand for parking in Old Town and projecting parking impact of the proposed development in Old Town outside the cannery overlay. He commented that there should be more study on the parking situation.

Commissioner Carey and Clifford agreed with Chair Allen

Commissioner Albert commented that he would have a hard time conditioning that. It is going against the code and putting more burden on the requirements.

Julia questioned what the study would mean to the project; after a study, what then, what happens then? She reiterated that she recommends against conditioning a parking study as it already meets standards.

Commission Copfer commented that it is better to get a study done now then find out down the road that there is a major impact after its implemented.

Chair Allen called a Break

After calling the Commission back into session, Chair Allen made a motion to amend the conditions of approval to add condition C13 – :Completion of a Parking Study Identifying Supply and Demand for Parking in Old Town, Projecting Impact of the Proposed Development in Old Town outside the Cannery Overlay.” He stated that this is needed to be able to identify impact outside the overlay. Seconded by Commissioner Copfer. If the parking study is negative, then we would know what the patterns of demands are and this would inform us for the future.

Commissioner Carey asked what the action would be as a result of the study. And what if it’s a negative result?

Chair Allen responded that it would be informative for future phases.

Commissioner Albert commented that this project is already meeting the requirements and we are going overboard with this condition. He asked if the applicant doesn’t like this, they can appeal it to the City Council? Julia confirmed this was correct.

Chair Allen called for the vote and the motion passed 3 to 2

Chair Allen asked if there were any other changes to the conditions, after first confirming there were no fundamental concerns with the project:

- Commissioner Clifford commented that he would like to see enhanced landscaping due to the limited landscaping. He would like to see it enhanced more, adding shrubs, landscape boulders, shading, etc. Commissioner Carey asked for classification on the lots. After discussion of whether there was a specific condition he proposed to amend, he stated that he did not proposed changes to the conditions.
- Chair Allen reviewed the issue of which elevation option they needed to review. The Commissioners discussed that if they can find Option D meets the standards, that meant the other options would also meet the standards. After discussion of whether Option D would require a variance. Brad read from the pattern book that addressed the Commission’s questions. If the Commission does not feel they meet the standards in the pattern book, the Commission should impose a condition for the north façade. Brad noted that, as proposed, they met the standards, so if the applicant wants other options to be considered, they should be conditioned to demonstrate compliance with the pattern book. After much discussion, Chair Allen summarized that they could be supportive of options up to and including Option B. Leaving the application as-is but if they determined to change the materials it would have to comply with the pattern book
- The Commission discussed whether they had to make a decision on the drive thru option. Brad reviewed that parking lot – 1A – without drive thru had 29 spaces and 1B with drive thru with 23 spaces. Both options meet the standards. Chair Allen asked if they need to approve one option or could they approve both since they both meet the standards. Brad confirmed that they could approve both and reminded the Commission that they would still need to go through final site review. Commissioner Clifford asked how Pride Disposal is effected with the options. Brad noted that they could have the roll out bins for pick-up but they would need to meet Pride Disposal standards.
- The Commission reviewed the slide with the conditions and confirmed:

- Elevation, no need to deal with elevation options as part of approval process
- Amends condition C4
- Removes condition C10
- Addition of condition C13 as discussed

Commission Copfer made a motion that the Sherwood Planning Commission approve the application for the Sherwood Community Center and Rail Road parking lot upgrade. Site Plan 12-01, Conditional Use Permit 12-01, Variance 12-01, and Variance 12-02, based on the applicant testimony, public testimony received and the analysis, findings and conditions in the staff report with the following modifications: Amendment to condition C4, removal of condition C10 and addition of condition C13 as discussed at the hearing. Commissioner Clifford seconded

The motion passed 3 to 2

Chair Allen asked if there was any other business to discuss. With none, **Chair Allen closed the meeting.**