
City of Sherwood, Oregon
Planning Commission
January 13, 2015

Planning Commission Members Present: Staff Present:

Chair Jean Simson

Vice Chair Russell Griffin

Commissioner James Copfer

Commissioner Beth Cooke

Commissioner John Clifford

Julia Hajduk, Community Development Director

Bob Galati, Civil Engineer

Brad Kilby, Planning Manager

Michelle Miller, Senior Planner

Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:

Commissioner Lisa Walker

Council Members Present:

Councilor Sally Robinson

Legal Counsel:

Chris Crean

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 7:02 pm.

2. Consent Agenda

Chair Simson suggested the minutes in the Consent Agenda could be approved at once or individually when the following motion was received.

Motion: From Commissioner Beth Cook to accept the Consent Agenda, Seconded by Vice Chair James Copfer.

Chair Simson noted a scrivener error on the December 9, 2014 failing to list Connie Randall as staff.

Commissioner Clifford pointed to two locations where he was labeled as John Clifford instead of Commissioner Clifford in the September 9, 2014 minutes.

Chair Simson asked for vote approving the Consent Agenda with the changes.

All present Planning Commissioners voted in favor (Commissioners Walker was absent).

3. Council Liaison Announcements

Julia Hajduk, Community Development Director introduced Sally Robinson as a former Planning Commissioner and newly sworn in councilor and elected Council President.

Ms. Robinson said she had volunteered to continue meeting with the Planning Commission in the liaison capacity as she enjoyed the work before the Planning Commission.

Ms. Robinson commented on Ms.Hajduk's presentation at the Chamber of Commerce breakfast regarding long range growth in Sherwood and indicated that a City Council work session scheduled for the evening was cancelled due to Council Henderson and Commissioner Griffin's objections.

Commissioner Griffin asked for clarification and said he did not have any involvement in the meeting cancellation. Ms.Hajduk explained that there was a work session scheduled and there were comments raised about proper notice which resulted in rescheduling the meeting.

Commissioner Griffin asked to clear the record and objected to claims that he did something to sabotage the meeting. He explained that he had emailed the city recorder inquiring about an agenda for the work session and received a list of topics for the work session. Commissioner Griffin noted that the list of topics was also on a weekly email from the city manager to staff and board members and that he later received an agenda from the city recorder. Commissioner Griffin stated that he was upset by the accusation and that he was unaware that the meeting had not taken place.

4. Staff Announcements

Brad Kilby, Planning Manager, said there were several announcements.

- Sherwood West Preliminary Concept Plan
 - An informational meeting for Community Advisory Committee applicants on January 26, 2015.
 - There were 43 applicants for 13 open positions. This meeting is open to the public.
 - The first Community Advisory Committee meeting is scheduled for February 5, 2015 at Edy Ridge cafeteria at 6pm.
 - Discussion will include the project objectives, schedule, existing conditions, and how the buildable lands inventory for the housing needs analysis was being conducted.
- Joint Planning Commission and City Council Work Session on February 3, 2015
 - Topics include the Code Update recently recommended by the Planning Commission to City Council and Marijuana regulation. The city must have regulations in place on marijuana before a moratorium ends in May 2015.
- Planning Commission Vacancies
 - Subject to his appointment by the City Council, Mayor Clark and Chair Simson have chosen Dr. Alan Pearson to fill Sally Robinson's seat.
 - Commissioner John Clifford has decided not renew his term as a Planning Commissioner and hopes to serve on the Parks and Recreation Board.
 - Commissioner Cooke has registered to be on the ballot for the open City Council position.
- Tonquin Employment Area (Julia Hajduk) –
 - The City and Washington County received a grant for \$371,446 for large lot industrial site assessments throughout Washington County. The City's focus is an implementation and marketing strategy for the Tonquin Employment Area (TEA) to identify what is preventing the area from developing and what the city can do to assist.
 - The study may identify if there are adjustments that can be made to the development code and what can be done to bring the area and jobs online.
 - The consultants are nearly done with the large lot site assessments and will move to the TEA focus in the next few months. If changes to the code are recommended a public process will take place.

- Tannery Environmental Protection Agency Grant (Julia Hajduk)
 - The City received a \$200,000 grant from the federal government through the Environmental Protection Agency Grant (EPA) to do a site assessment on the orphan properties of the tannery site [on Oregon Street].
 - The properties are owned by Washington County due to foreclosure.
 - The site assessments will identify potential clean-up plans with the intent of helping the city decide about acquiring the property. One of the internal discussions has been to move the public works yard to that location and open the existing location to redevelopment that is more consistent with the Old Town vision.
 - The project is just starting and the City is beginning the contracting negotiation process with a consultant.
- To learn more about land use activities which include applications before the Planning Commission, Hearing Officer, and Staff decisions there is a new email service that will send weekly email with information about those activities on from the website. To sign up for the e-news list go to www.sherwoodoregon.gov/newsletter/subscriptions or find the link on the [Planning Department](#) or the [Planning Commission](#) websites.

Chair Simson indicated that the traffic calming process, as brought to light by Lynnly Way residents, has not been budgeted yet. Staff hopes to have a more formal policy and budgeting in place within the next budget cycle.

5. Community Comments

There were no community comments.

6. New Business

a. Election of new Chair and Vice Chair

Chair Simson indicated that per the Sherwood Zoning and Community Development Code a Planning Commission chair and vice chair should be elected in odd calendar years. She opened the floor for nominations.

Nominations were received, seconded and accepted for Commissioner Simson to continue as chair and for Commissioner Griffin to be vice chair. All present Planning Commissioners voted in favor (Commissioners Walker was absent).

b. Public Hearing – SP 14-03 Lam Research Major Modification

Chair Simson read the public hearing statement and asked for any ex parte contact, bias, or conflicts of interest. Commissioner Cooke and Clifford indicated they had visited the site, Vice Chair Griffin had Googled it, and Chair Simson indicated she drives passed it regularly.

Chair Simson revealed that the Planning Commission was the decision making body, any appeals would go to the City Council, and asked staff for a report.

Senior Planner, Michelle Miller gave a presentation (see record, Exhibit 1) and said the applicant, Lam Research, was proposing to add fifty four parking spaces to an existing industrial site by re-stripping the existing driveways around the perimeter of the building. She indicated that the review was a Site Plan

Major Modification, because Lam Research would be adding over one hundred average daily trips to the site; a criterion for a major modification. Ms. Miller explained that major modifications require the same decision maker as in the original decision which was the Planning Commission and the review entailed only the code criteria for the changes that the applicant was proposing; the parking lot and parking lot landscaping.

Ms. Miller showed aerial views of the site which is off of Tualatin Sherwood Road in the northeast portion of the city at 20551 SW Wildrose Place. She communicated that it was part of a development from 1998 and was the former distributions center for Pacific Foods. The site is just less than five acres with an existing 100,400 square feet building. Ms. Miller said the property is zoned General Industrial and surrounded by other General Industrial properties. She disclosed that the site currently has 21 parking spaces, a water quality facility and three large delivery bays.

Ms. Miller described Lam Research as a company in the semiconductor industry that wished to put warehousing and light assembly in the building. Lam Research is based in California with another building in Tualatin. Ms. Miller indicated they would run three shifts of twenty five employees arriving at different times of the day and most of the added traffic was for deliveries occurring during the course of the day. She said the City did not receive any citizen comments on the proposal.

Ms. Miller showed a site plan with the proposed parking which surrounded the perimeter of the building and explained that the applicant would convert the drive ways into one-way drive aisles and most of the recommended conditions of approval were regarding adequate signage, ensuring that the landscape islands were the proper size, and that the tree canopy requirements were met. The conditions were listed in the staff report.

Ms. Miller revealed that comments from Clean Water Services were received; they were satisfied with the existing water quality facility on site and Tualatin Valley Fire and Rescue had made recommendations found in the staff report. She said one of the main issues with the project concerned the Traffic Impact Analysis (TIA) that indicated failed traffic wait times or mobility targets on Wildrose Place at the intersection with Tualatin Sherwood Road. Ms. Miller explained that the mitigation proposed was to install a traffic light at Wildrose Place, but it was too close the traffic lights at Cipole Road and Oregon Street to install a light at Wildrose place. She said another option that was discussed in the transportation study was to restripe Wildrose Place to add a left turn lane on (towards Tualatin). Ms. Miller suggested that Bob Galati, City Engineer, could answer questions, but in weighing that alternative he found that restriping would not meet the mobility targets and it would be problematic for trucks turning, because they would use both lanes anyway. Ms. Miller stated that the mitigation measure would not achieve the desired result and the recommendation was to look at a long term solution instead; there is property to the east that may develop and amend the traffic patterns as the area develops over time. Ms. Miller pointed to a letter from Washington County (see planning record, Exhibit G, SP 14-03) and said the County recommended the Planning Commission consider the restriping because of mobility targets, but that was the County's standard answer.

Ms. Miller indicated that Staff recommended approval of the site plan modification with the conditions of approval identified in the staff report, offered to answer questions from the Planning Commission, and asked the Commission to hold a public hearing.

Commissioner Clifford commented that during high traffic time the left turn signal onto Oregon Street backed up and said it would likely interfere with traffic turning left from Wildrose Place. Bob Galati responded that most of the traffic from the development was towards Tualatin as the site will be used as a storage warehouse and packaging assembly for the Tualatin location. He said most of

their turning movements were in the left hand lane from Wildrose onto Tualatin Sherwood Road and, based on conversation with the traffic engineer and Washington County, congestion at Oregon Street would not be affected as much. Mr. Galati expressed that the concern involved fifty foot long trucks making a right hand turn onto Wildrose Place from Tualatin Sherwood Road and encroaching into the left turn lane should the striping occur. If a car were in that lane waiting to turn left on to Tualatin Sherwood Road the truck would have to wait until there is room; congestion would be towards Cipole Road. He pointed out that the big issue was traffic backing up on Wildrose Place, which is a dead end street coming onto a major road without a signal. Mr. Galati said congestion at Cipole Road and Oregon Street will basically remain the same. He said the long term solution was to mitigate for the future by getting a route through development towards Cipole Road along the back of the property, allowing for a right in/right out at Wildrose Place by diverting traffic to Cipole Road. Mr. Galati recommended not providing the left turn lane on Wildrose Place, because it will be an issue with backing up on Tualatin Sherwood Road for the right turn into the development.

Chair Simson commented that the letter from Washington County calls for the restriping of Wildrose Place, but the restriping was not in the conditions of approval nor was it in agreement with staff's recommendation. She asked if the City could ignore the County, because Wildrose Place was a city road. Discussion followed regarding exiting Wildrose Place onto Tualatin Sherwood Road, with a reminder that shifts would be staggered and most of the truck traffic from Lam Research would be toward Tualatin.

Lance Forney, All County Surveyors & Planners, PO Box 955, Sandy Oregon came forward and said All County Surveyors had been hired by the owner, Brad Picking, to complete the planning, surveying, and on site civil engineering portions of the project and had teamed up with Makenzie for the traffic analysis.

Mr. Forney thanked staff for the conditions of approval and said everything on site was straight forward and would be easy to complete through the final engineering and design process. He stated that changing the use of the existing warehouse would create added average daily trips and the only obstacle faced onsite was fire department access. Mr. Forney indicated they had come up with a plan that the fire chief had agreed upon regarding aisle widths and offered to answer questions.

Chair Simson asked for confirmation that Mr. Forney was in agreement with the conditions of approval, as written by staff and that the fire lane would be around the entire perimeter of the property. Mr. Forney confirmed.

Commissioner Clifford asked if approval from the fire department was before or after the addition of wheel stops which added three feet of parking stall space. Mr. Forney responded that the design was standard, the length of the spaces was taken into consideration, and he did not see any issues. He added that it was up to the client to ensure that the fire lane stayed clear.

Commissioner Clifford asked if All County would take care of the landscape island dimensions. Mr. Forney confirmed and said they were laid out on the site plan to meet code. Commissioner Clifford asked regarding the tree canopies and encroachment of the trees selected. Mr. Forney replied that one of the proposed trees would hinder parking and they were working with a landscape architect to select a tree that would not hinder movement.

Commissioner Cooke complemented the applicant on the design given the constraints of the site and the number of spaces required.

The applicant had twenty eight minutes of rebuttal time remaining.

Chair Simson acknowledge that bringing these jobs into Sherwood would increase the number of average daily trips by three hundred, said there would be three staggered shifts, and said she assumed there would be consideration of shift change time and rush hour traffic times. Mr. Forney responded that Lam Research was familiar with the traffic patterns on Tualatin Sherwood Road and should take that into consideration.

Chair Simson asked if there were any questions for Makenzie and commented that the executive summary was easy to understand. None were received.

Chair Simson asked for any citizen testimony. Seeing none, Chair Simson closed the public comment portion of the hearing and asked if there were any questions for staff.

Commissioner Cooke asked if there were any potential issues if the City decided not to accept the County's recommendation to create a left turn lane on Wildrose Place. Ms. Miller answered that the impacts were not on the County road and the County's comments were a recommendation based on the transportation study.

Motion: From Commissioner James Copfer to approve the application, SP 14-03 Lam Research Major Modification, based on the applicant's testimony, public testimony received, and the analysis, finding and conditions in the Staff Report. Seconded by Commissioner Beth Cooke. All present Planning Commissioners voted in favor (Commissioners Walker was absent).

Chair Simson called for a recess at 7:50 pm and reconvened at 7:55 pm.

c. Public Hearing – PUD 14-01/SUB 14-01, Cedar Brook PUD Final Development Plan

Chair Simson read the public hearing statement and asked for any ex parte contact, bias, or conflicts of interest.

Chair Simson disclosed that she works for a company that distributes building materials for new construction and those customers at some time may sell to DR Horton, but the company does not sell directly to DR Horton. She said she did not think it would affect her ability to make an impartial decision. She asked if anyone in the audience wished to challenge the any Planning Commission member's ability to participate. None were received.

Senior Planner, Michelle Miller gave a presentation (see record, Exhibit 2) and said the issue before the Planning Commission was the approval of the Final Development Plan for the Cedar Brook Planned Unit Development to ensure that it was in compliance with the preliminary approval of the Planned Unit Development (PUD). She gave some project background and said the Planning Commission forwarded a recommendation of approval to Council of the project in June 2014 which they approved in August 2014. Ms. Miller stated that the hearing would determine if the final development plan was in compliance with all of the conditions that were set forth in the original notice of decision and said all of the conditions in that approval were still in effect.

Ms. Miller explained that the final development materials had been submitted by the applicant and the evaluation would include the CCR's, the architectural details found in the architectural pattern book and the proposed elevations. She said the Planning Commission should ensure the housing design fit with the community's standards. Ms. Miller indicated that the applicant's final plat was also included as a reference against the original preliminary approval. She added that the final plat was currently in

review by city staff through a Type I review process which will be forwarded to Washington County for their review and approval.

Ms. Miller showed an aerial view of the site and said it was on the north side of 99W, located next to the Woodhaven Crossing II development (Creekview Crossing) near the roundabout on Meinecke Road. The proposal was for a 65 lot residential development with a mix of single family attached and detached homes. Ms. Miller showed a layout of the site plan and said it would be a combination of two story, two car garage town homes in the interior of the site with single family detached on the outside of the site along Cedar Brook Way. She said Street A where the front loaded single car garage townhomes were located would be named Berkshire Terrace and along Meinecke Parkway were the single garage townhomes.

Ms. Miller stated that parking would be allowed on both sides of Cedar Brook Way and on one side of SW Berkshire Terrace which accounted for 77 parking spaces. Combined with the on-site parking it totaled 261 parking spaces with an average of four parking spaces per dwelling unit.

Ms. Miller displayed illustrations of the single family front loaded garage units and said the applicant submitted an architectural pattern book which described the material the applicant was proposing to use. Sample material boards were available along the wall in the community room that included siding and stonework. She commented that the color palate used in the overall design of the site was called "Northwest" cottage style. The buildings will have at least three different materials, porches will be covered, and there will be three different colors with no repeated colors next to each other. Ms. Miller said the architectural pattern book contained a checklist that would be submitted with each building permit application. She explained that the checklist included setback requirements for each of the different lots; varied setbacks were approved by the Planning Commission in the preliminary approval. The checklist will aid with the plot plan review for each building permit application and ensure that the townhome standards were met.

Chair Simson asked about the front yard setbacks for lots 29-38 showing a 15 feet setback. Ms. Miller reminded the Commission that a text amendment changed the front yard setback in the Medium Density Residential High and High Density Residential zones to a minimum of 14 feet.

Ms. Miller showed a rendering of the rear loaded townhomes and a single family detached unit. She showed the fencing plan with perimeter fencing at the multi-family development, side yard fencing along the Cedar Brook Way properties, and rear fencing along SW Meinecke Parkway. Ms. Miller said the applicant had agreed to break up some of the wooden fencing along SW Meinecke Parkway with masonry pillars to make it a little nicer for the pedestrian view and as part of the visual corridor requirement. She stated that there are easements over all of the pathways for public access.

Ms. Miller explained that the Covenants, Conditions and Restrictions (CCR's) discussed how the property is to be maintained, about the open space areas, as well as the condition requested by the Planning Commission to ensure that garages would be used exclusively for parking. Ms. Miller noted that the CCR's noted that the garage receptacles would need to be kept out of view, so one of the recommended conditions was to account for room in the garages for those types of extra items in the garages.

Ms. Miller showed open space areas, known as tracts E and F in the center of the site. She said the tracts included activity centers and garbage receptacles.

Ms. Miller showed tract K which was proposed to be a fenced in dog park area with landscaping. She said she had questions about the materials that the applicant has proposed and contacted Tualatin Hills Park and Recreation District (THPRD) about the material they use. Ms. Miller discovered that bark mulch is a good material instead of grass because grass can be overused by the dogs, but THPRD indicated that the proposed bark mulch was problematic to the dogs' paws. She asked the Planning Commission to review.

Ms. Miller indicated that staff was recommending approval with conditions; the applicant should provide dimensions of the one and two car garages to show there was adequate space for garbage/recycling receptacles, a Landscape Plan showing the types of trees to ensure the tree canopy requirements were met, open space maintenance and irrigation schedules, continue to receive Final Plat approval and comply with the preliminary Planned Unit Development conditions of approval. Ms. Miller offered to answer questions from the Commission.

Chair Simson asked for clarification on the height of fences along Meinecke Parkway. Ms. Miller replied that the houses along Meinecke Parkway faced the interior alleyway without access on to Meinecke and the fences would be six foot tall. Ms. Miller added that there would also be a visual corridor on Meinecke Parkway and the portion of the fencing in the corridor was allowed. Chair Simson commented that the fencing would create visual breaks using different fencing materials and asked if there would be shrubbery for screening as well. Ms. Miller confirmed and explained that there would be landscaping and street trees.

Commissioner Clifford asked regarding the water quality facility. Ms. Miller commented that there had been some changes to storm water management that took place at the City Council level and referred to the City Engineer. Mr. Galati Galati responded that site development requires management of storm water runoff and the plan presented to the Planning Commission was rough in design and changes were made make it fit better. He said the design changes would account for requirements and constructability; the final plan reflects a more refined design pattern to the storm water facility based on the City's criteria, Clean Water Services' criteria and constructability. Commissioner Clifford asked if the storm water would be treated first in this water quality facility and any overflow would go into the existing water quality facility or if it was designed for a certain area of the project. Mr. Galati responded that the area would be treated for the two year storm flow where everything would go to the water quality facility for the two year level. At a twenty five year storm event the water quality facility would discharge. Mr. Galati said he did not think it discharged to the existing system, but into the stream corridor, which was allowed and the engineer of record could confirm.

Chair Simson noted the City Council had approved a few minor changes from what the Planning Commission had recommended and asked if there were any other significant changes. Mr. Galati replied that the storm water was the only major change and commented that the changes were refinements made during the process of development to layout the site, design storm water management, and confirm constructability.

Ms. Miller added that besides the addition of the water quality facility, the percentage of open space was reduced near the SW Cedar Brook Way on the east side of the property, but still met the requirement and City Council expressed concern regarding signage for the proposed use of tract K, the Dog Park and the dedication of the pedestrian pathways.

Vice Chair Griffin asked if the dog park would be exclusive use for the residents. Ms. Miller clarified that the dog park would be exclusive, but the pedestrian pathway would be public so people could walk from Meinecke Parkway and Cedar Brook Way to the school or along the trail.

With no other questions from the Commission, Chair Simson called for applicant testimony.

Andy Tiemann, Project Manager for DR Horton came forward and gave a presentation (see record, Exhibit 3). He indicated he read and agreed with the staff report and the conditions of approval and would satisfy those conditions when they go through the remainder of the development with building permits and other plan approvals. Mr. Tiemann showed the proposed site plan, what the three, four, and five-plexes looked like, as well as the single family detached homes.

Mr. Tiemann stated that the architect was making revisions to the plans for the single car garage townhomes to ensure that the garbage receptacles had room in the garage and the detached homes would store garbage receptacles in the side yard. He said the change would be reflected on the plans when building permits were applied for. The garage door would be shifted about a foot for the front loaded townhomes (the proposed elevations showed the garage doors centered).

Commissioner Clifford asked if the receptacles could be removed from the garages while a car was parked inside the garage. Mr. Tiemann responded that the car would have to be outside the garages and indicated that the townhomes had been built in other jurisdictions and homeowners did it on a regular basis. He communicated that the open spaces would be irrigated and maintained by the homeowners association and a detailed maintenance plan would be provided describing the homeowner's responsibilities. Chair Simson asked if the all of the pocket parks in the project would be maintained and owned by the homeowners association. Mr. Tiemann confirmed.

Commissioner Cooke stated that the illustrations were beautiful, but she did not think they were an accurate representation. She said the amount of space illustrated did not show how close the buildings were, they were not representative of the reality and she would like the industry to show a more accurate representation when testifying before planning commissions of how the neighborhoods would impact each other and how the homes are set next to each other. Commissioner Cooke conveyed her struggle after the initial approval, which she voted for, because she felt the Commission was constrained by Metro's guidelines. She commented that it felt like a tight development and she was concerned about the livability it would bring to our community.

Mr. Tiemann responded that the property was zoned High Density Residential and they tried to implement detached homes, but it was a very difficult project to design and it would be a dense community.

Commissioner Copfer commented that this was why the city had codes in place and the applicant had met the code requirements.

Chair Simson stated that the Planning Commission would not revisit the PUD, but look to see if the applicant had met the code. She said in the Townhomes code Section 16.44.010E.4.b it specifically stated that *the roofs of each attached townhome must be distinct from the other through either separation of roof pitches or direction, variation in roof design, or architectural feature. Hipped, gambrel, gabled, or curved roofs are required. Flat roofs are not permitted.*

Chair Simson stated she had looked at the building designs and expressed concern for two buildings not meeting the criteria. She commented that she was not a structural engineer, but what was shown in the pictures with the split roof looked like two homes even though it represented four or five homes. Chair Simson acknowledged that creating five distinct roofs would look busy and she could appreciate the compromise between a roof design that created distinct features and a busy design. She pointed to the three-plex facing SW Berkshire Terrace had no roof distinction and the five-plex at lots

58-62. Chair Simson noted that one of the four-plexes had three distinct roof lines with architectural interest that met the intent of the code.

Mr. Tiemann said roof breaks could be added to the interior units. Discussion followed. Staff was asked to draft a condition of approval.

Commissioner Clifford asked regarding the landscape plan provided and commented that there was a conflict between the renderings and the landscape plan. He said the renderings had a number of plants and the landscape plan had only lawn and he would like to see more ground cover or shrubs at utility box locations, not rock, gravel, or fake plants. Commissioner Clifford suggested there should be something in the CCR's that prohibited things in the yard that would not be cohesive with the rest of the neighborhood. Mr. Tiemann responded that certain materials could be restricted, but the intent was to have grass, ground cover and shrubs in the front yard.

Commissioner Clifford conveyed his understanding that DR Horton would maintain the project site until the last house or townhouse was sold and asked if a management company would oversee maintenance of the development along with the homeowners association. Mr. Tiemann confirmed and indicated that a property management company would be contracted as soon as the open spaces were landscaped and the management company would hire landscapers to maintain the areas during construction. Mr. Tiemann said the management company would be retained until the last home was sold and at that point the board will be turned over to the community.

Commissioner Clifford disclosed that he lived in a community with CCR's and the original purchaser of the home was required to live in the home for a year before it could be rented. He asked if there was anything preventing a person from buying a number of townhomes and rent them. Mr. Tiemann replied that he was not aware of any restrictions, that it was not a typical restriction, and that he did not think DR Horton sold to a high number of investors; their typical buyer was a home buyer, not an investor who would buy a whole block or subdivision. Mr. Tiemann commented that about forty percent of the population rents, so in general there may be forty percent of the development in rentals.

With no other questions for the applicant, chair Simson asked how much time the applicant had for rebuttal. She was told there was approximately 23:30 minutes left prior to questions from the commission. 1:30

Chair Simson asked for public testimony.

Bill Sweet, Sherwood resident came forward and asked for the plat map to be shown on the screen. Mr. Sweet said the trail going passed the dog trail went down a hill, crossed the wetlands and came back and connected to the trail that runs behind the Vineyards subdivision. He asked who would maintain that portion of the trail and said it was right behind his backyard. Mr. Sweet expressed concern because he already had people on the trail late at night smoking, drinking, and going off into the trees. He revealed that he could be out on any summer night at one or two o'clock in the morning as just happened on New Year's. Mr. Sweet asked if the trail would be patrolled.

Mr. Sweet expressed concern regarding the dog park, said it should not be exclusive, and that he owned two Siberian Huskies that should be able to use the dog park. He asked if the trail was going through regardless, because he saw the city there doing some flagging. Chair Simson asked staff to respond.

Ms. Miller replied that this trail was mislabeled and the Cedar Creek Trail was a different project. She said the trail Mr. Sweet was referring to was a local connection to the school and the current local trail. They are public trails owned and maintained by the City. Ms. Miller recommended that he contact the authorities for issues he was having so activity in the area can be monitored. She advised that when there are more trail users there is less crime, because there are more eyes on the trail, similar to a public street. Ms. Miller indicated that the hope was that the trail will be used by people in the neighborhood.

With respect to the dog park, Ms. Miller reported that the Parks and Recreation Board made the decision that the dog park would be owned by the homeowners association because the City did not want to take on the maintenance responsibility. They saw the site as too small for more than just the neighborhood to use. Some of the smaller parks are harder for city staff to maintain.

Commissioner Copfer asked regarding the trail marked as the Cedar Creek Trail. Ms. Miller responded that the trail for this project was a “spur” and the main corridor of the trail followed the Cedar Creek corridor and this wetland was a tributary to the creek. She indicated that people could use this trail and connect along Meinecke Parkway to 99W and connect to the trail or in the future it might be a connection through the Vineyards and cross over to connect with main Cedar Creek Trail. Ms. Miller said at this point it was not part of the federal grant project known as the Cedar Creek Trail.

Chair Simson added that this trail was part of the City’s Transportation System Plan for pedestrian street connectivity. Mr. Sweet asked if the connection was part of the project and if it was in that location so the children could walk to the school.

Chair Simson explained that this local trail was part of the master plan through the Transportation Plan which included transportation for pedestrians, bicycles and vehicles and in this location there was a connection identified. As development occurs it is the responsibility of the developer to provide services deemed appropriate as part of the master plan; roads, trails, bike and pedestrian pathways have to connect. Mr. Sweet pointed out that it was being used even as a dirt trail.

Bob Galati, City Engineer, added that it was being located there because there is an existing access. Mr. Sweet said if the connection was to make it easier for the kids to get to school it would make more sense to put it at the other end where it comes out by a park that has a sidewalk that goes right to the school.

Commissioner Copfer said that there was a connection to Sherwood High School through Meinecke Parkway specifying that the trail does not go through the new development, but alongside it.

Mr. Sweet commented that he was the one that lived in the area and would have to deal with problems. He suggested that he should have paid more attention or someone should have knocked on his door to inform him of the new path. Mr. Sweet asked if the pathway would have lighting. When the answer was no he asked how that would deter crime and people going down there and doing what they do now. He said it would still be a dark hole and the illicit activity would continue.

Commissioner Copfer commented that the walking trails through the Woodhaven subdivision were not lit. Mr. Sweet said he had lived in Sherwood for over twenty years. Sherwood has changed a great deal, and was not very different from Orange County, California. The city was so big and congested.

With no other public comments, Chair Simson asked if the applicant would care to provide rebuttal. The applicant declined.

Chair Simson closed the public hearing and the Commission began deliberation. She asked staff for the condition of approval that was requested.

Ms. Miller asked for clarification on which units the Planning Commission would like the condition to apply to. Commissioner Copfer commented that there should not be more than two units without a roof break. Commissioner Cooke said she was most concerned about the five-plex. Chair Simson said the code called for each roof being distinct, but in looking at the other design elements (gables and glazing on the end) she felt the other criteria had been met. By providing the roof breaks at least every two units in conjunction with the gables and architectural features, they would be in compliance with a distinct roof per unit.

Chair Simson asked for any other discussion points while staff drafted language.

Vice Chair Griffin asked to talk about the dog park. Chair Simson commented that the Commission was not dismissing the citizen's concerns, but that the local trail was part of the master plan. Vice Chair Griffin said he had questions about the proposed materials for the dog park and asked what materials might be used instead. Commissioner Cooke commented that the dog park in Tualatin used bark chips and users were discovering that bark chips were not good for the dog's paws, but smaller dog parks have a hard time with grass.

Commissioner Copfer added that he understood Mr. Sweet's concerns about the trail in his backyard and said Woodhaven had trails go behind people's backyards. Chair Simson said trails added to livability so people could walk to schools and exercise. Commissioner Copfer said a lot of communities would love to have the trails that Sherwood has.

The following sixth condition of approval was drafted as part of the approval. *Prior to issuance of building permits, submit plans that show that there is at least one roof break at a minimum of every two townhome units.*

With no other discussion, the following motion was received.

Motion: From Vice Chair Russell Griffin to approve the application for Cedar Brook PUD Final Development Plan (PUD 14-01/SUB 14-01), based on the applicant's testimony, public testimony received, and the analysis, finding and existing conditions and new condition now in the Staff Report. Seconded by Commissioner James Copfer.

Commissioner Beth Cooke stated that while she felt the applicant had met the code requirements she had concerns about how the development impacted the livability of the community. She said she recognized that there was a zoning change to the property, she would not vote against it, but could not cast a yes vote and would abstain.

All other present Planning Commissioners voted in favor (Commissioners Walker was absent).

7. Planning Commissioner Announcements

Chair Simson commented that when the Commission moves forward with code amendments and other community wide actions a citizen had suggested having a note in the utility bills. She explained there are sometimes notifications in a big red font on the bill and it would be nice if the Planning Department could use the utility bills as an additional way to say code amendments were coming.

Ms.Hajduk responded that staff had looked into the option and there was a cost associated with it adding flyers to the utility bills, but she would talk to other managers about the feasibility of adding a note on to the bills.

Vice Chair Griffins reported that, Mary Poppins, the first official show in the new cultural center, would be the first two weekends of March, Thursday through Saturday. He said casting took place the week previous and rehearsals had begun. He commented that it would be a great way to open up the brand new center. The auditorium can seat almost four hundred people and the stage is forty feet wider than the one at Stella Olsen Park. Vice Chair Griffin said there would be about seventy five people on stage, singing, at the same time.

8. Adjourn

Chair Simson adjourned the meeting at 8:56 pm.

Submitted by:

Kirsten Allen

Kirsten Allen

Planning Department Program Coordinator

Approval Date: March 24, 2015