



File # 21-014 SUB/TREE

# Deer Meadows Subdivision

Planning Commission  
September 27, 2021

# Vicinity Map



# Request

- Type II Subdivision
- Based on Section 17.12.20 the Director elevated this application to a Planning Commission hearing because of expected public interest.

# Notices

- Transmittal sent to agencies asking for comment on August 2.
- Notification was mailed to affected property owners within 300 feet of the subject property on August 10.
- A supplemental notice regarding the Planning Commission meeting was mailed to affected property owners within 300 feet of the subject property on August 24.
- A legal notice was published in the Sandy Post on September 15.

# Public comments

- At publication of the staff report five (5) written public comments were received. The main concerns:
  - Dubarko Road is not proposed to intersect with Highway 26.
  - More housing will increase congestion and exacerbate parking issues.
  - Deer Pointe Park is not proposed to be expanded.
  - Multifamily housing should not be approved.

# Agency comments

- Fire Marshal (dated August 10, 2021)
- ODOT (dated September 1, 2021)
- Parks and Trails Advisory Board (dated September 1, 2021)
- City Transportation Engineer (dated August 30, 2021)
- City Transit Director (dated August 30, 2021)
- City Public Works Director (dated September 2, 2021)

# Proposal

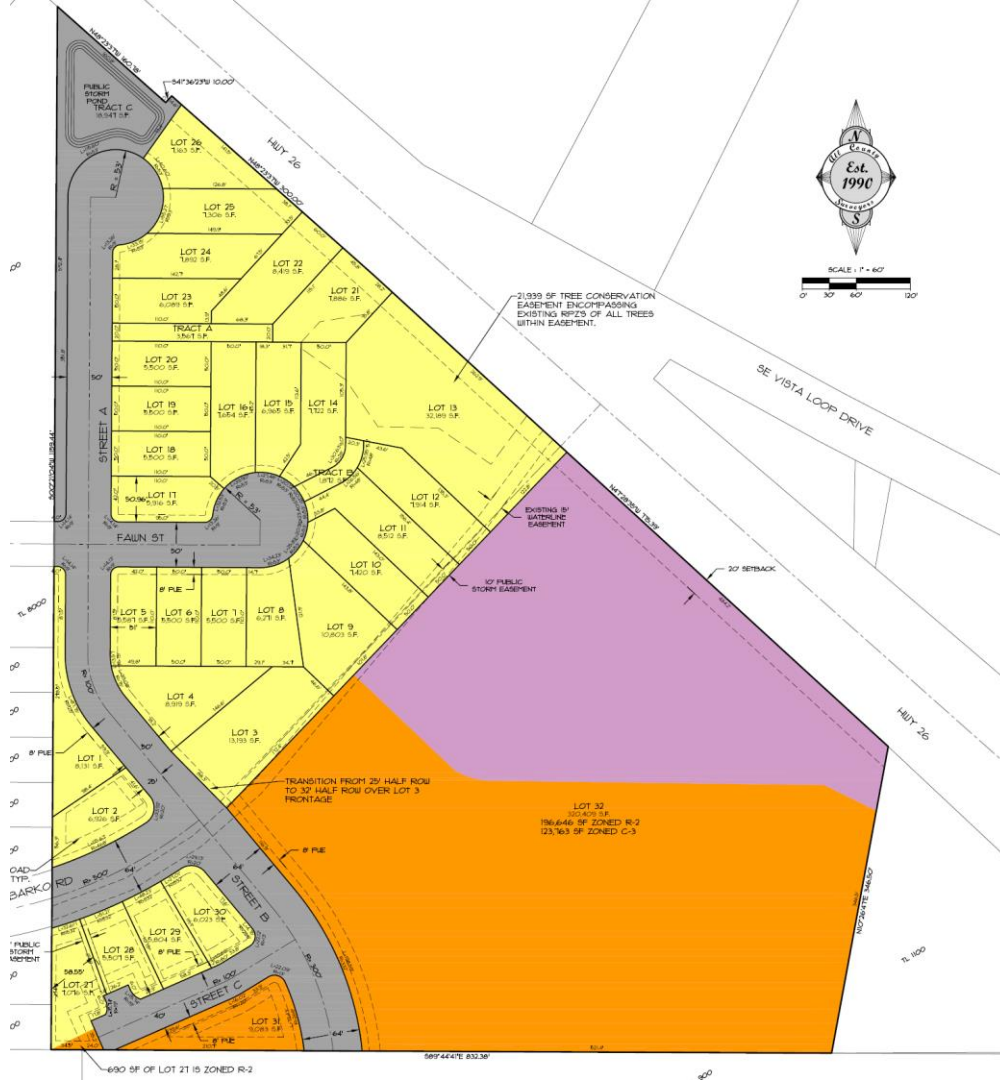
- 32-lot subdivision
- 30 lots of Low Density Residential (R-1) that will contain single family homes or duplexes
- one small lot (9,023 square feet) of Medium Density Residential (R-2)
- one large lot (7.35 acres) with a combination of Medium Density Residential (R-2) and Village Commercial (C-3)

# Proposal

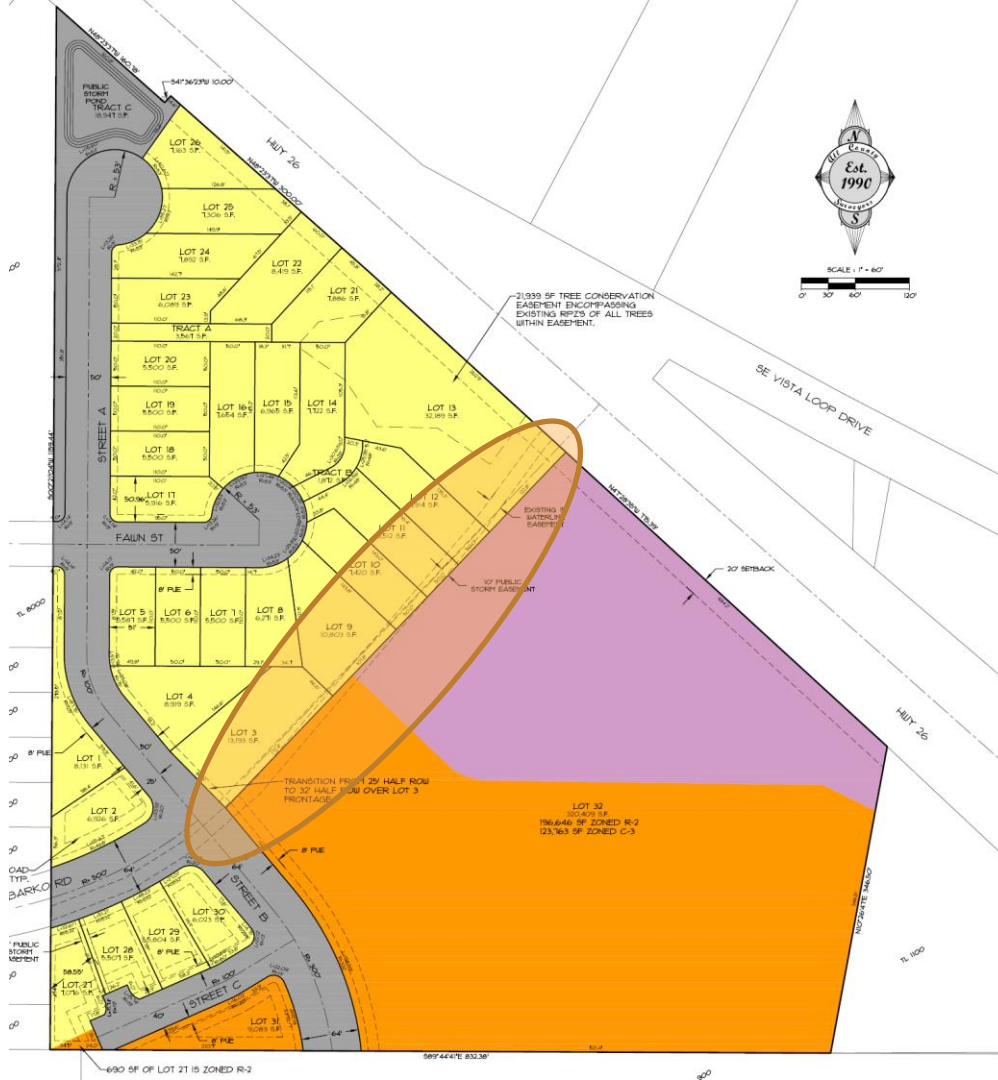
- The 30 lots of R-1 land range in size from 5,500 square feet to 32,189 square feet.
- The exact number of multifamily units will be determined with a subsequent design review application, but the applicant claims the number of multifamily dwelling units on the R-2 zoned land will be between 38 dwelling units and 66 dwelling units.
- The C-3 zoned land will likely contain a mix of commercial and residential development.



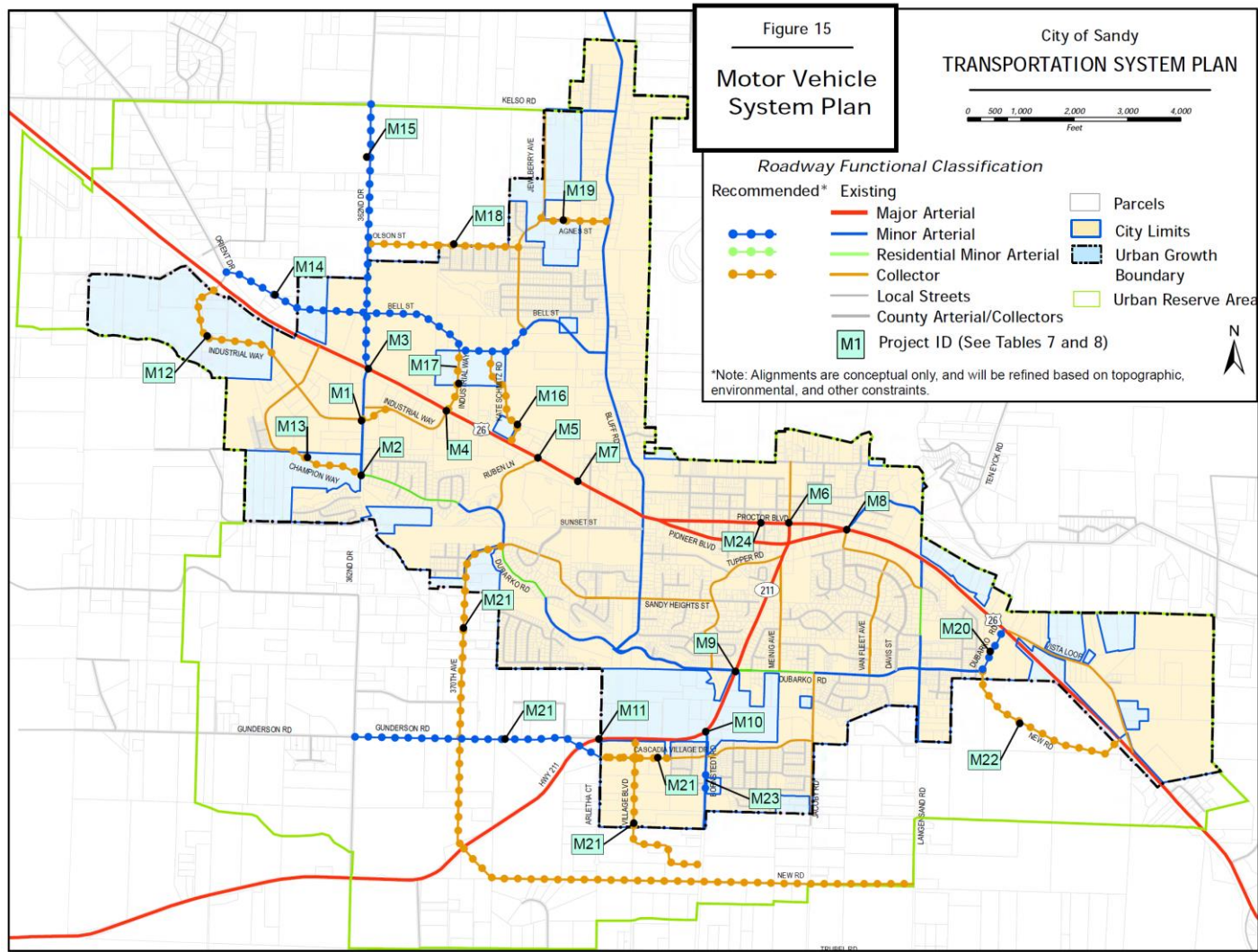
# Plat Map



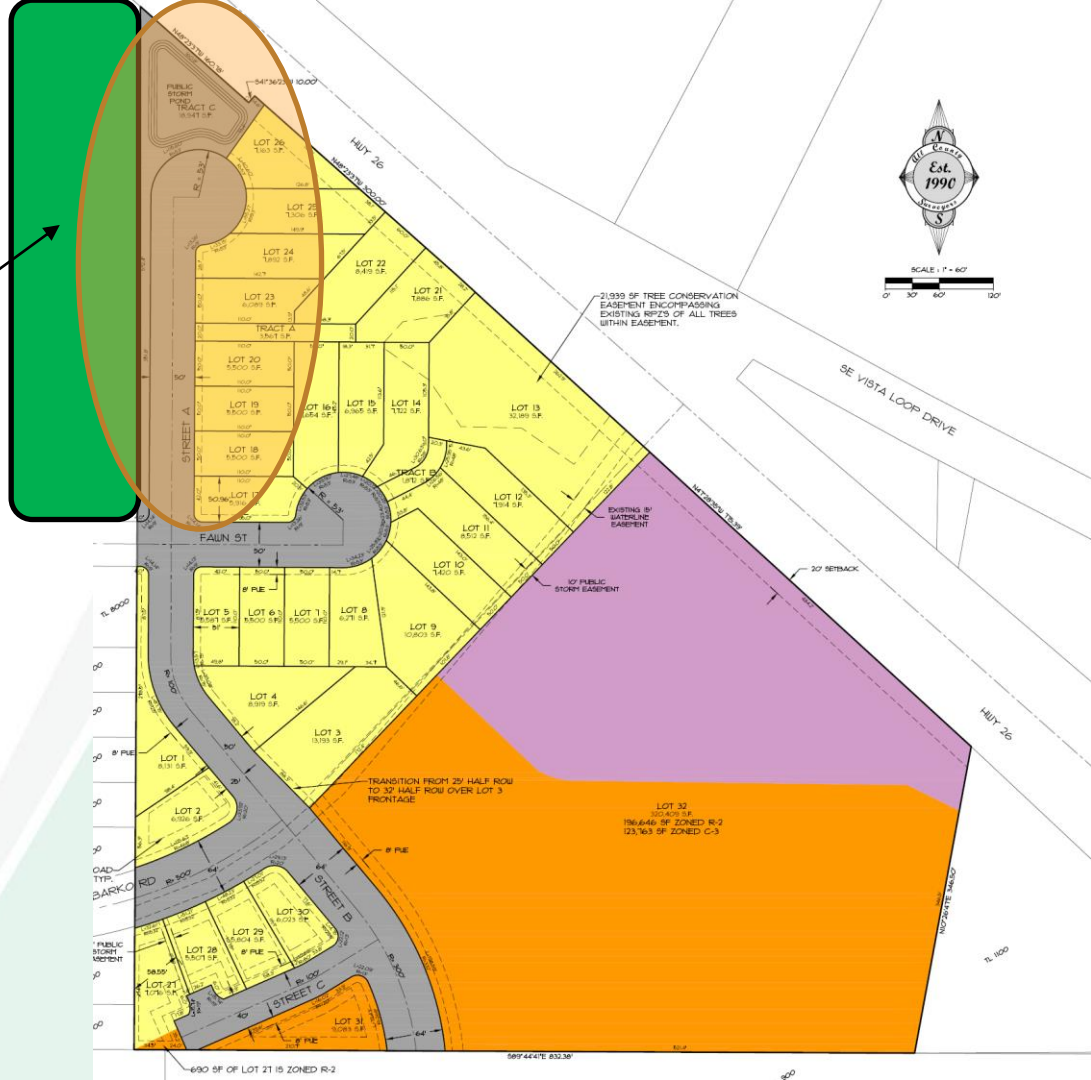
# No Dubarko Road



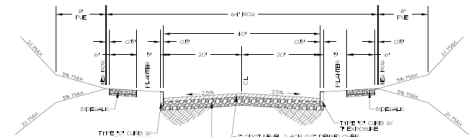
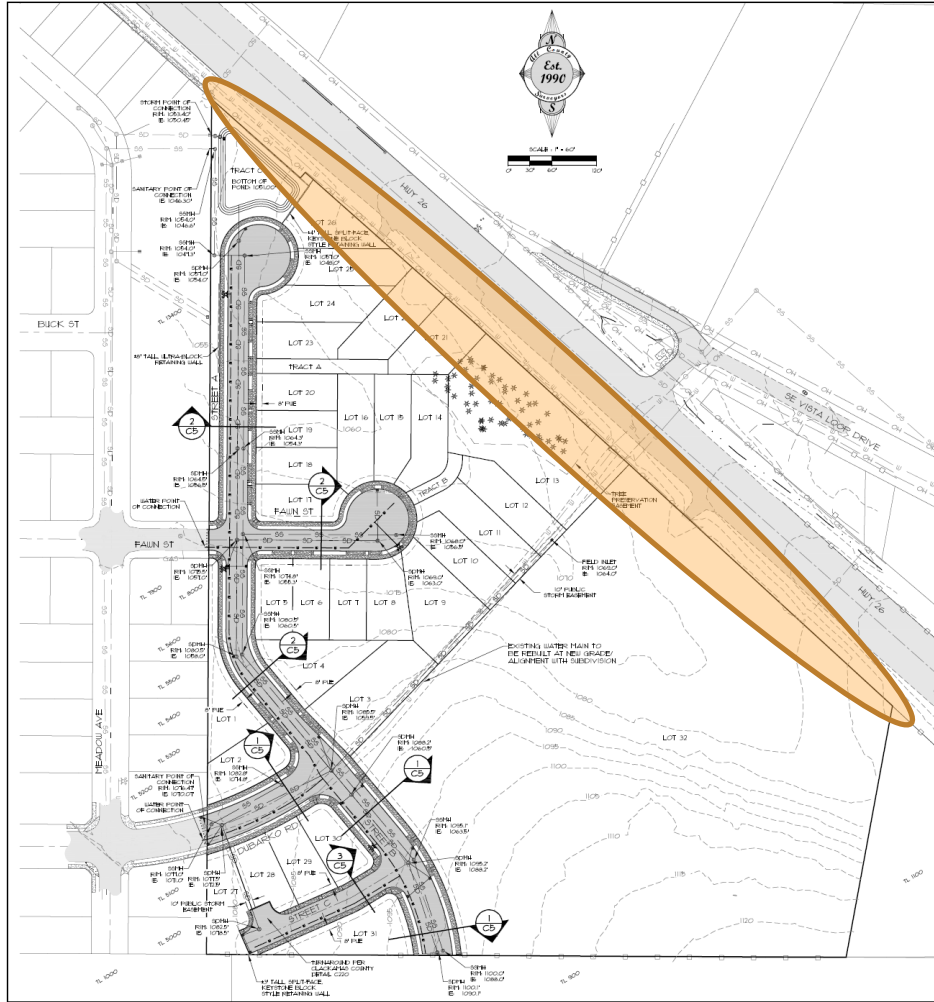
# TSP Plan (M20)



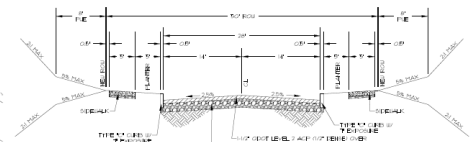
# No Park Expansion



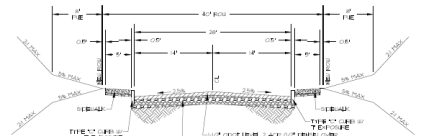
No  
HWY 26  
Frontage  
Improvements



SECTION 1 (64' ROW - FULL STREET IMPROVEMENTS)



SECTION 2 (50' ROW - FULL STREET IMPROVEMENTS)



SECTION 3 (40' ROW - FULL STREET IMPROVEMENTS)

**NOTES**  
 1. EACH OF THE PROPOSED CAL DECAYS  
 HAVE LESS THAN 50% OF THEIR  
 CAPACITY COVERED BY DRIVEWAY  
 ENTRIES.

SHEET	C5
OF	8
DATE	10/27/2019
SCALE	1\"/>
DATE	11/20/2019
SCALE	1\"/>
DATE	12/10/2019
SCALE	1\"/>
DATE	01/28/2020
SCALE	1\"/>

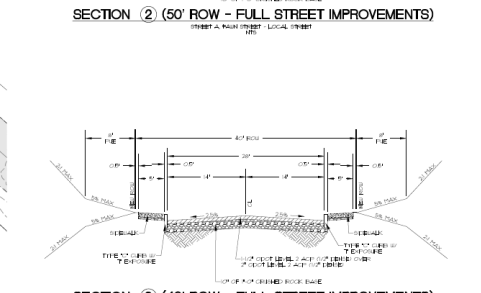
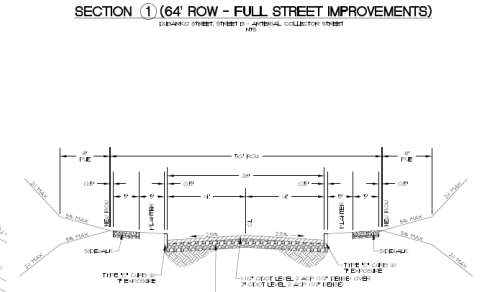
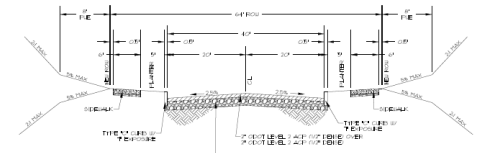
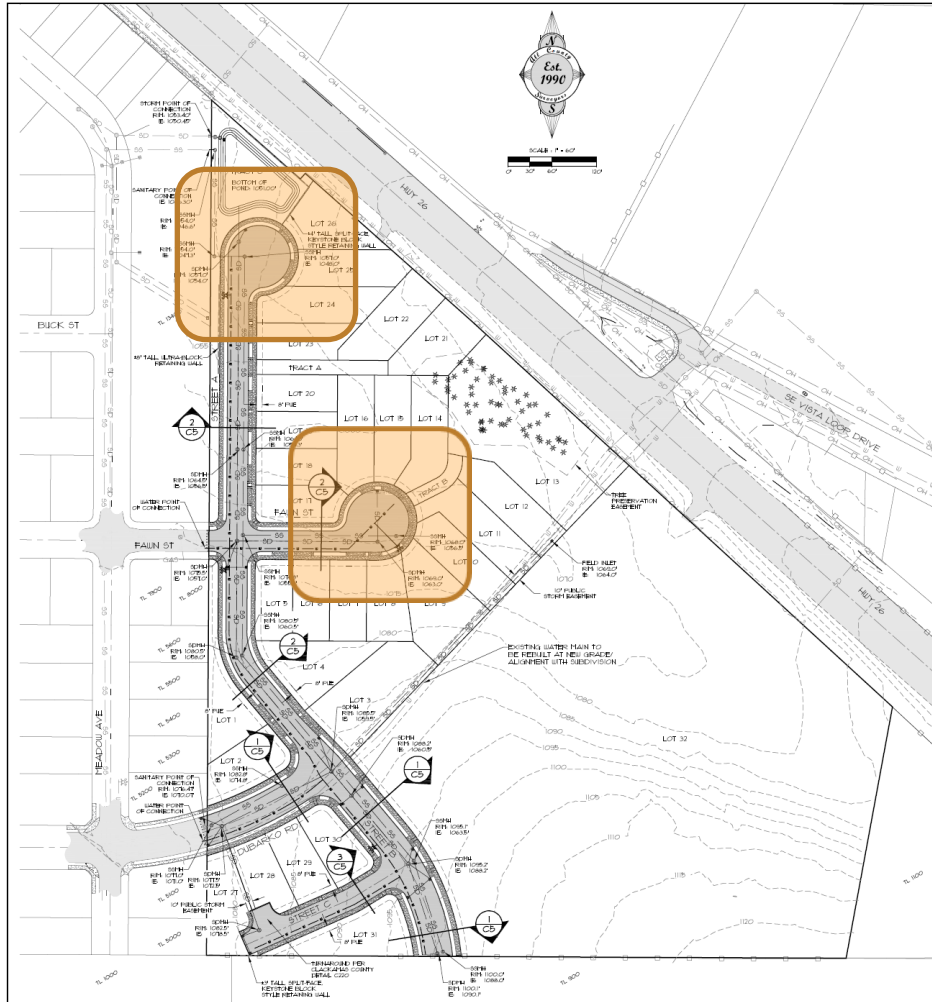


DEER MEADOWS SUBDIVISION  
 MASTER STREET AND UTILITY PLAN  
 48808 S. 4600 HWY 26, SANDY, OR 97055



CLIENT: JAMES B. PERRY & ASSOCIATES, INC.  
 PROJECT LOCATION: DEER MEADOWS SUBDIVISION  
 CORRELATION TO SHEET C5

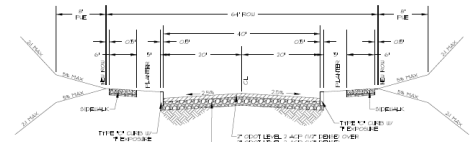
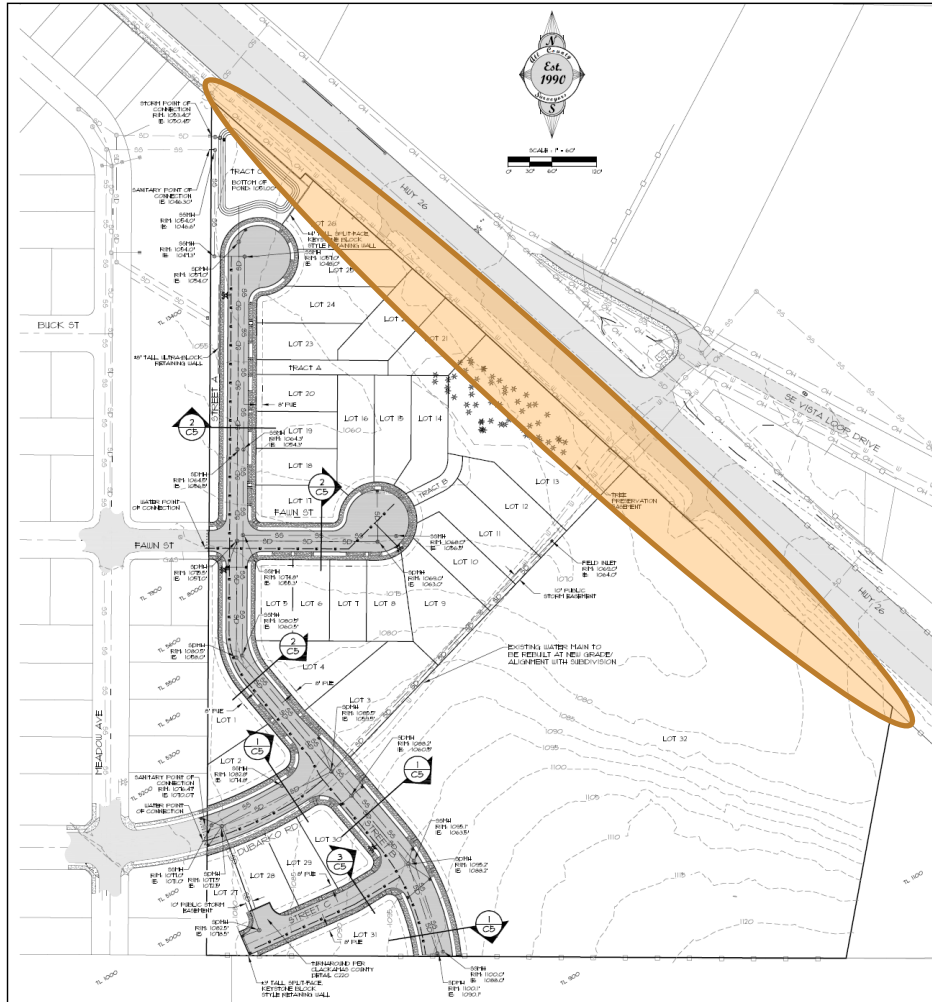
No  
Pedestrian  
Connectivity  
From  
Cul-de-sacs



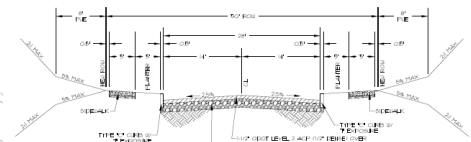
**NOTES**  
1. EACH OF THE PROPOSED CUL-DESACS  
HAVE LESS THAN 50% OF THEIR  
CIRCUMFERENCE COVERED BY DRIVEWAY  
ENDS.

SHEET		C5	
OF		8	
DATE	10/1/2018	SCALE	AS SHOWN
BY	W. J. BROWN	PROJECT	DEER MEADOWS SUBDIVISION
CHECKED	W. J. BROWN	FILE NUMBER	2018-000000000
APPROVED	W. J. BROWN	DATE	10/1/2018
		DEER MEADOWS SUBDIVISION MASTER STREET AND UTILITY PLAN 4800B & 4800 HWY 26, SANDY, OR 97056 PROJECT NO. 2018-000000000 DATE: 10/1/2018	
CLIENT: THE PROPOSED DEVELOPER CORP. 12345 SW 12345 ST SANDY, OR 97056			

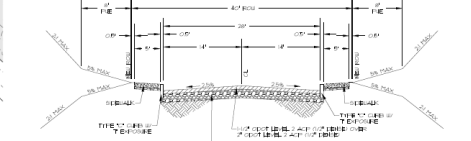
Lack of  
Utility  
Extensions



SECTION ① (64' ROW - FULL STREET IMPROVEMENTS)



SECTION ② (50' ROW - FULL STREET IMPROVEMENTS)



SECTION ③ (40' ROW - FULL STREET IMPROVEMENTS)

**NOTES**  
1. EACH OF THE PROPOSED CAL DECS HAS  
A WIDER THAN 50% OF THEIR  
CIRCUMFERENCE COVERED BY DRIVEWAY  
ENCLOSURES.

SHEET	C5		
	OF	8	
DATE	10/1/2019	BY	WJL
SCALE	AS SHOWN	CHECKED	WJL
FILE NO.	20190000000000000000	DATE	10/1/2019
PROJECT	DEER MEADOWS SUBDIVISION		
CLIENT	WATSON & PARTNERS, INC.		
PROPOSED DEVELOPMENT	MASTER STREET AND UTILITY PLAN		
APPLICANT	4800 S. 46TH HWY. 26, SANDY, OR 97055		
PROJECT			
DATE	10/1/2019		

# Subdivision approval criteria

- Based on findings 17 – 23 (pages 5 – 8) in the staff report the subdivision proposal is not meeting 6 of the 7 approval criteria.



# Legal arguments from the applicant

- Based on the applicant's submission materials and letters from their attorney they are arguing that large portions of the Sandy Development Code are not clear and objective and do not properly incorporate the Transportation System Plan.
- The applicant's attorney also wants rough proportionality and nexus tests completed for the parkland and Dubarko Road.

# Staff responses to the applicant's arguments

- Staff does not agree with the applicant on the majority of their clear and objective arguments, and believes the TSP is properly incorporated into the subdivision criteria.
- Rough proportionality and nexus tests will need to be completed by the City Attorney and City Engineer, neither of which can be addressed on Sep. 27.

# Staff responses to the applicant's arguments

- Take the applicant's arguments with a grain of salt! The applicant's attorney is hired to try and limit construction costs and argue on behalf of the developer.
- The applicant admitted that Dubarko Road is needed per the TSP and development code in their previous subdivision proposal for this same site.
- Applicant completed a records request of staff emails in search of a smoking gun.

# Recommendation

Staff recommends that the Planning Commission deny the Deer Meadows Subdivision based on the findings of fact in the staff report and the reasons as listed on page 28 of the staff report.