



EXHIBIT FF

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)

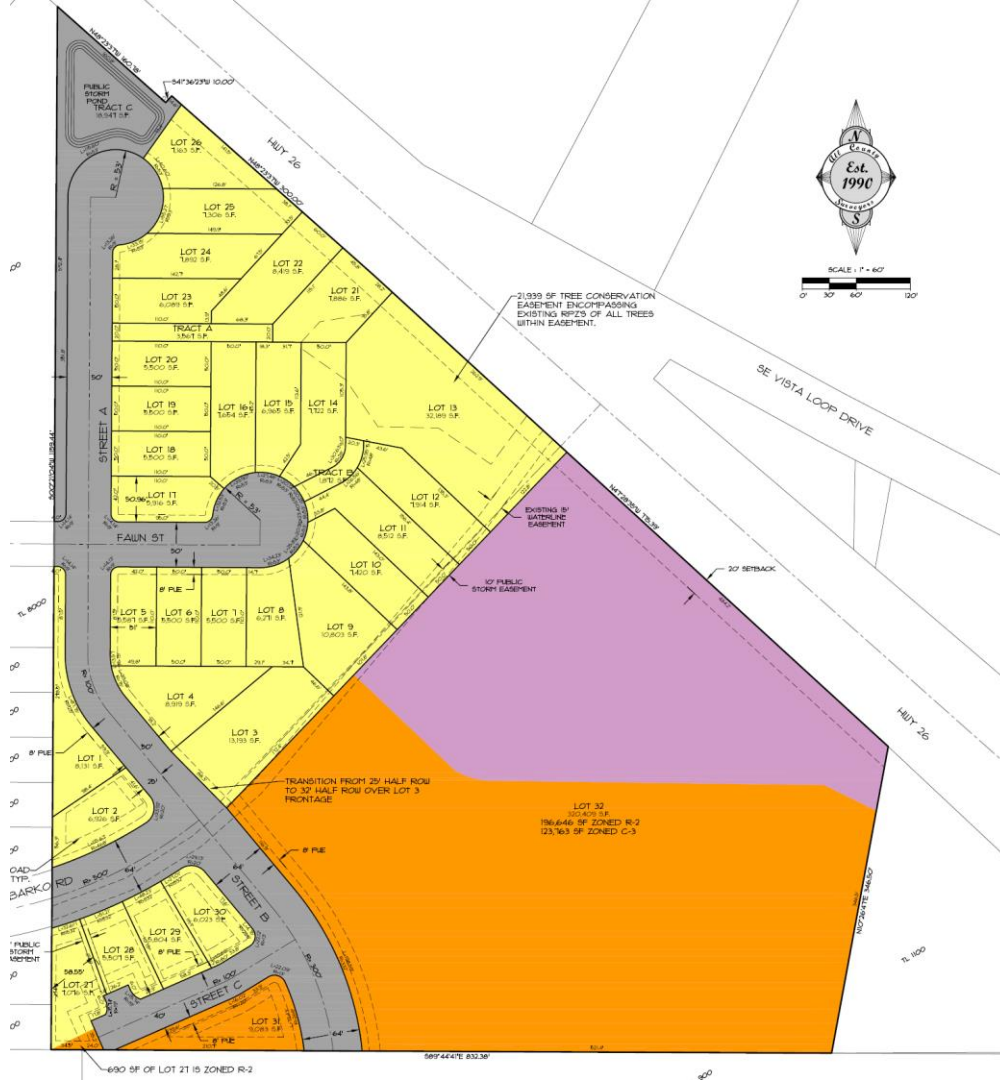


# Proposal

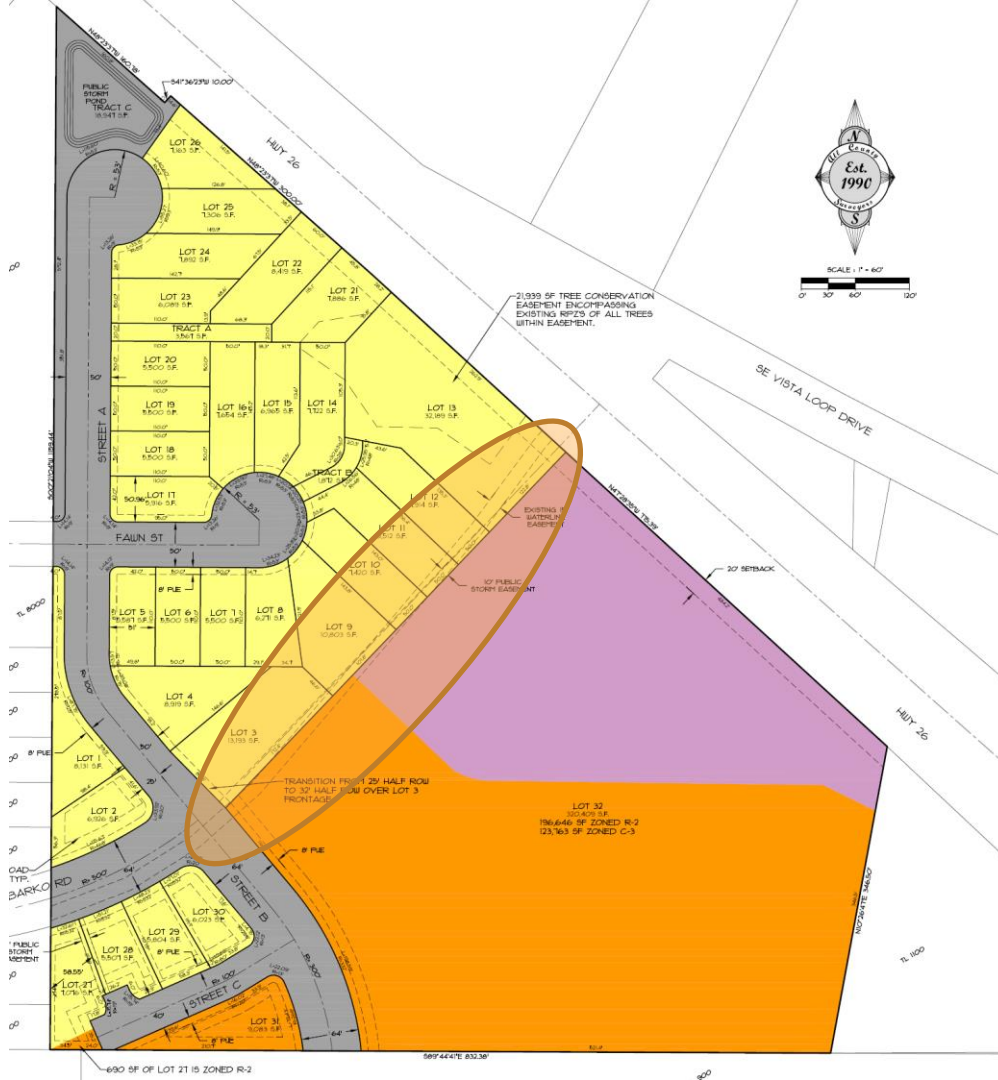
- The 30 lots of R-1 land range in size from 5,500 square feet to 32,189 square feet.
- The exact number of multifamily units will be determined with a subsequent design review application, but the applicant claims the number of multifamily dwelling units on the R-2 zoned land will be between 38 dwelling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



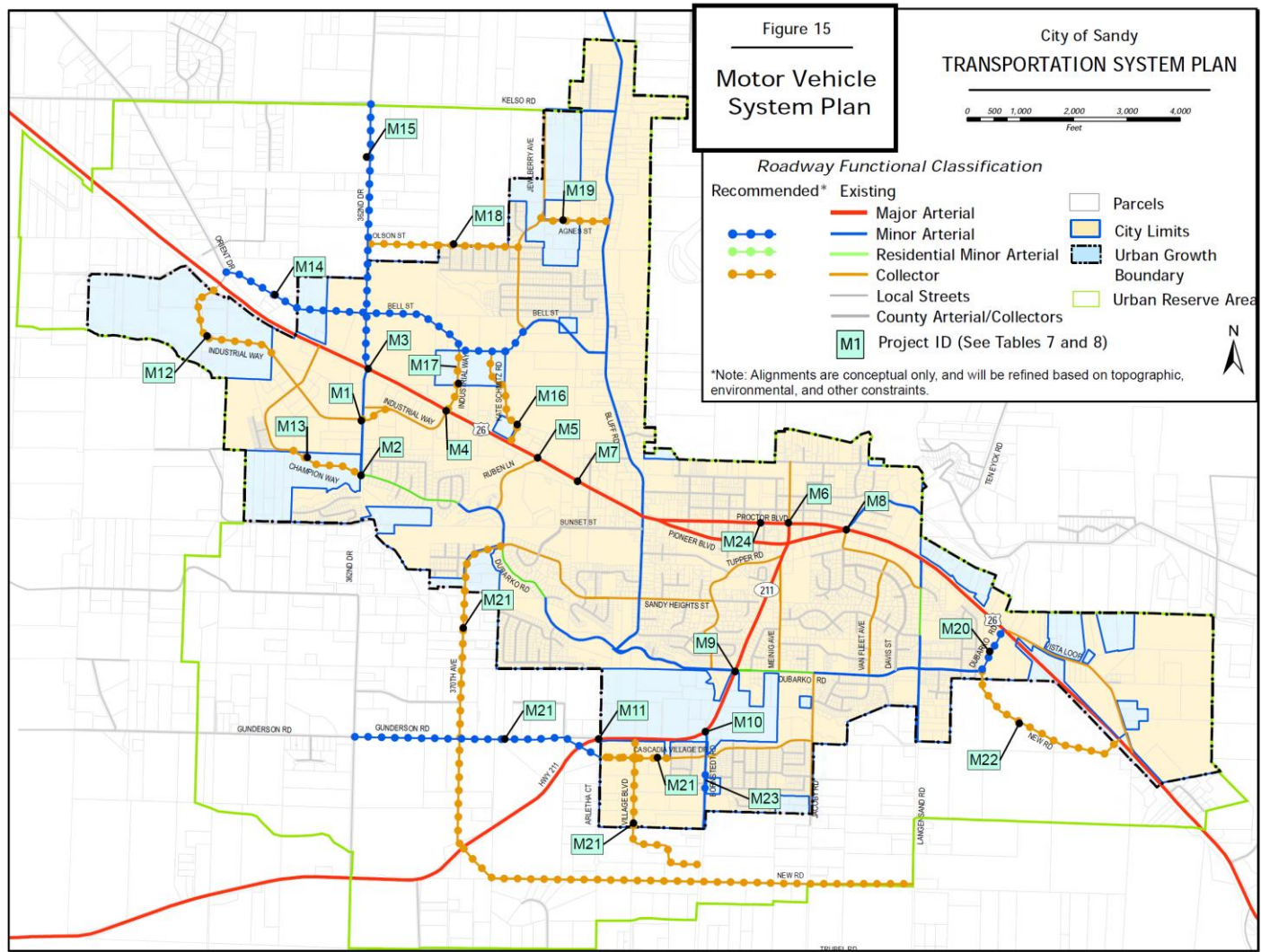
# Plat Map



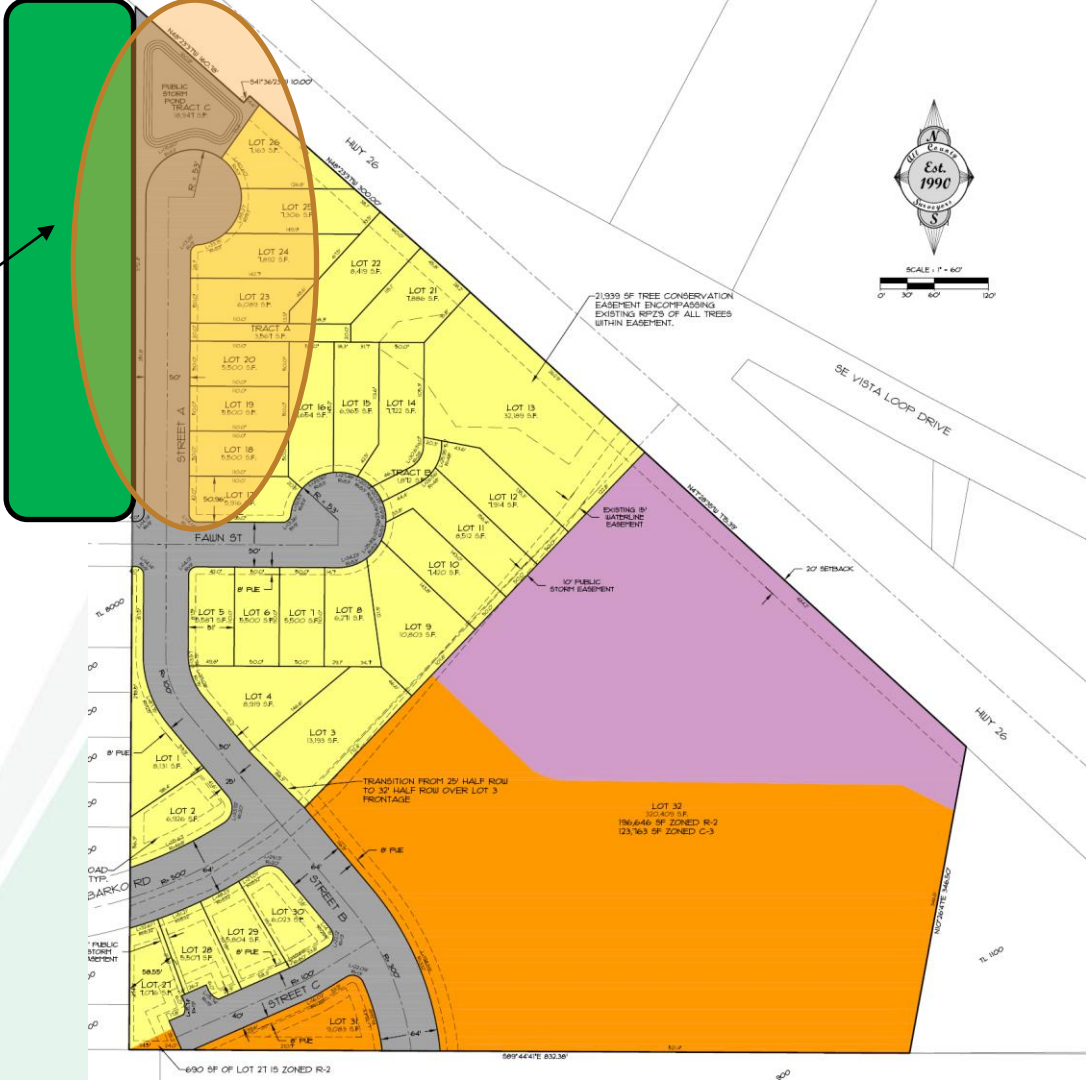
# No Dubarko Road



# TSP Plan (M20)

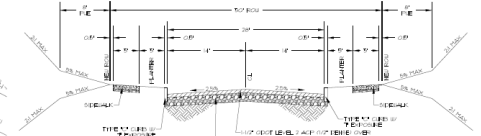
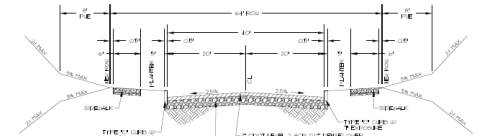
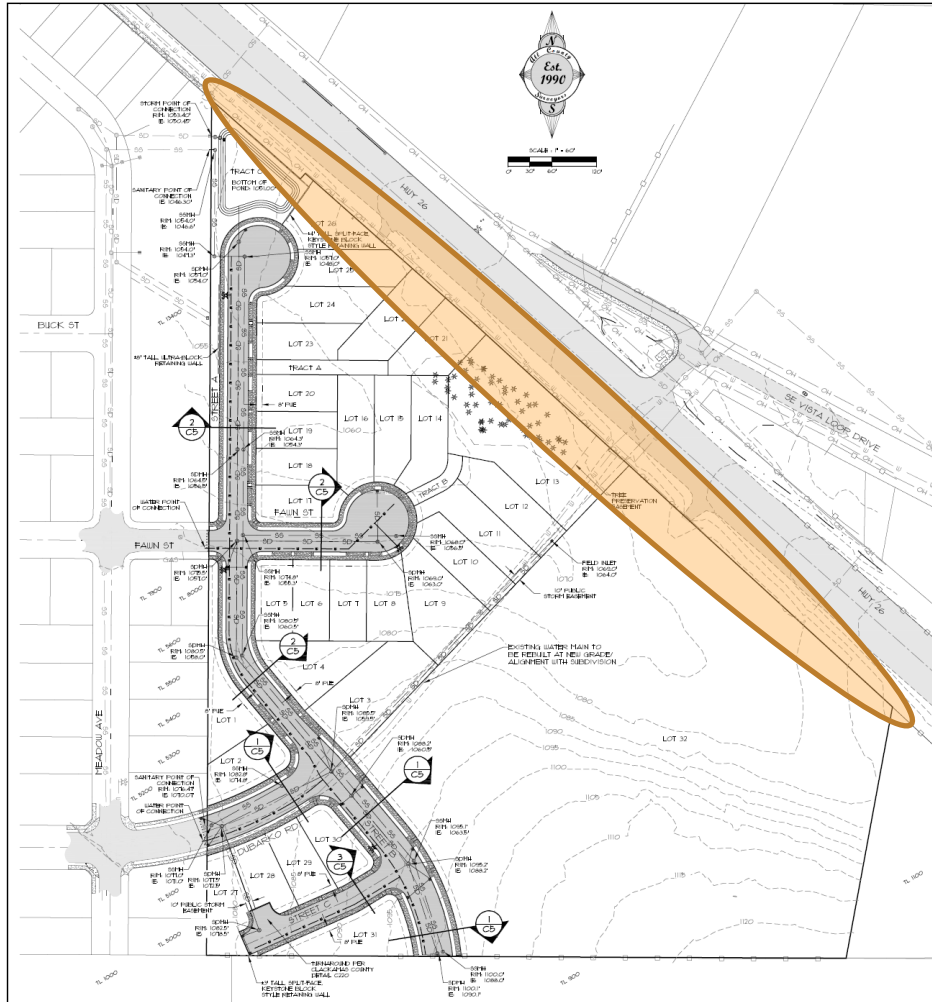


# No Park Expansion





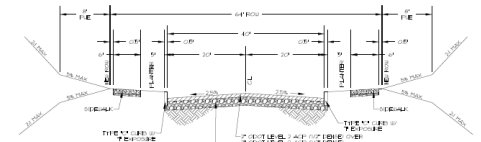
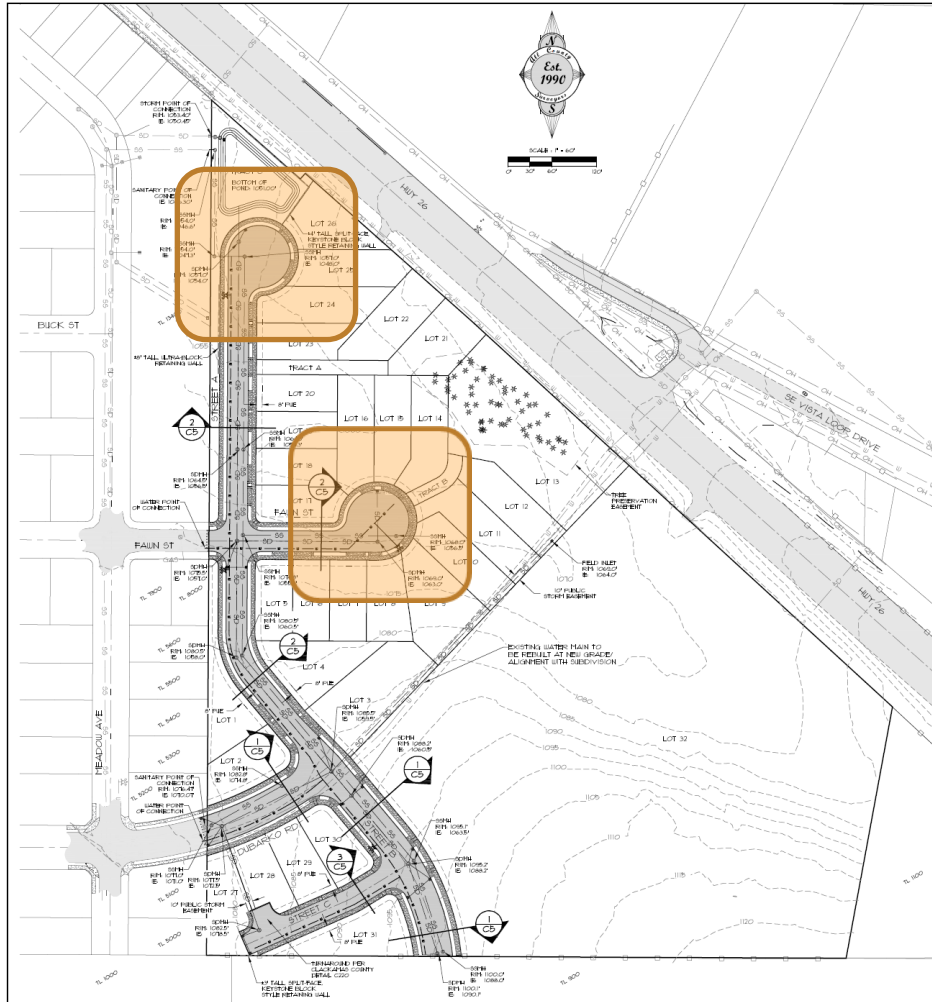
No  
HWY 26  
Frontage  
Improvements



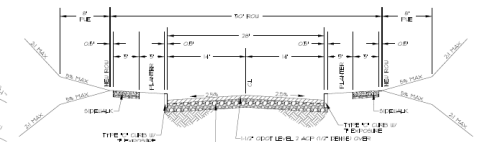
**NOTES**  
1. EACH OF THE PROPOSED CAL DECS HAS A WIDTH LESS THAN 50% OF THEIR CIRCUMFERENCE COVERED BY DRIVEWAY ENDS.

SHEET		C5	
OF		8	
DATE	SCALE	DATE	SCALE
10/10/2018	AS SHOWN	10/10/2018	AS SHOWN
BY	DATE	BY	DATE
W. J. HARRIS	10/10/2018	W. J. HARRIS	10/10/2018
CHECKED BY	DATE	CHECKED BY	DATE
J. HARRIS	10/10/2018	J. HARRIS	10/10/2018
APPROVED BY	DATE	APPROVED BY	DATE
W. J. HARRIS	10/10/2018	W. J. HARRIS	10/10/2018
<b>DEER MEADOWS SUBDIVISION</b> <b>MASTER STREET AND UTILITY PLAN</b> 4800 S. 4600 HWY 26, SANDY, OR 97056			
PROJECT: DEER MEADOWS SUBDIVISION DRAWN BY: W. J. HARRIS DATE: 10/10/2018 SCALE: AS SHOWN SHEET: C5 OF 8			
CLIENT: W. J. HARRIS & ASSOCIATES, INC. 1000 N. W. 10TH AVE., SUITE 200 WESTLAND, MI 48090 PHONE: (313) 487-7210 FAX: (313) 487-7211 WWW: WJHARRIS.COM			

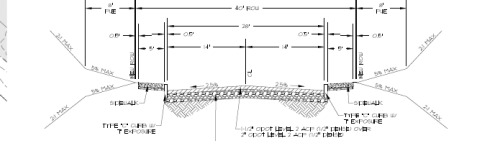
No  
Pedestrian  
Connectivity  
From  
Cul-de-sacs



SECTION 1 (64' ROW - FULL STREET IMPROVEMENTS)



SECTION 2 (50' ROW - FULL STREET IMPROVEMENTS)

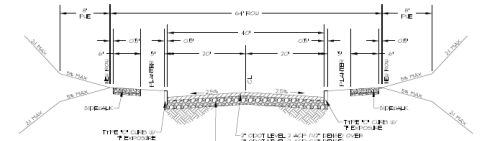
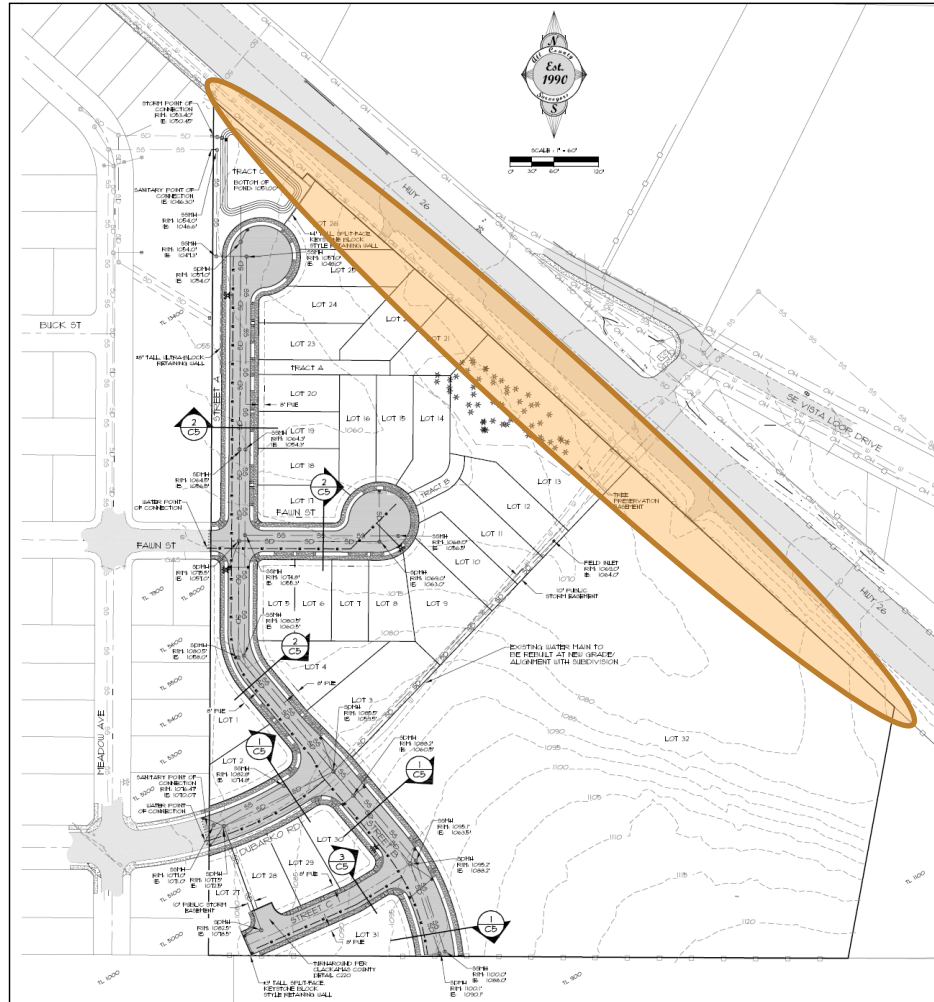


SECTION 3 (40' ROW - FULL STREET IMPROVEMENTS)

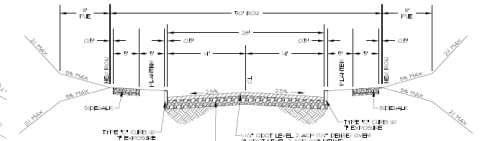
**NOTES**  
 1. EACH OF THE PROPOSED CUL-DE-SACS  
 HAVE LESS THAN 50% OF THEIR  
 CIRCUMFERENCE COVERED BY DRIVEWAY  
 ENDS.

SHEET		C5	
OF		8	
DATE	NO.	REVISION	BY
SCALE	DATE	SCALE	DATE
DEER MEADOWS SUBDIVISION MASTER STREET AND UTILITY PLAN		4800 S. 4600 HWY 26, SANDY, OR 97055	
PROJECT DEER MEADOWS SUBDIVISION MASTER STREET AND UTILITY PLAN 4800 S. 4600 HWY 26, SANDY, OR 97055 PROJECT NO. 2017-001-001-010 DATE: 2.14.18		CLIENT PROPOSED DEVELOPER CORP./LLC/JOINT VENTURE	

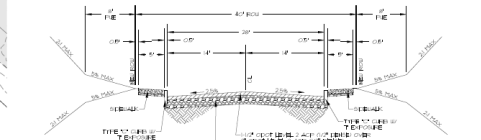
Lack of  
Utility  
Extensions



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 DECAYS  
HAVE LESS THAN 50% OF THEIR  
CIRCUMFERENCE COVERED BY DRIVEWAY  
ENCLOS.

SHEET		C5
OF		8
DATE	REVISED	BY
SCALE	DATE	SCALE
FILE NUMBER	DATE	FILE
PROJECT	DATE	PROJECT
<b>DEER MEADOWS SUBDIVISION</b> <b>MASTER STREET AND UTILITY PLAN</b> 4800 S. 4600 HWY 26, SANDY, OR 97055		
CLIENT: PROPOSED DEVELOPER CORPORATION CORPORATION		



# 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.