



Date: 9/23 Non-Agenda Topic: \_\_\_\_\_

Agenda Item: 7 (SP 08-09)

*I have read & understand Rules for Mtgs, Resolution 98-743*

Applicant:  Proponent:  Opponent:

Name: Garrett Stephenson

Address: 2411 NW Northrup St.

City/State/Zip: Portland, OR 97210

Email Address: ghs@grpmack.com

I represent:  Myself  Other

# **APPROVED MINUTES**

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**City of Sherwood, Oregon**  
**Planning Commission Minutes**  
**September 23, 2008**

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**Commission Members Present:**

Chair Allen  
Jean Lafayette  
Todd Skelton  
Raina Volkmer  
Adrian Emery  
Todd Skelton

**Staff:**

Julia Hajduk, Planning Manager  
Heather Austin, Senior Planner  
Karen Brown, Recording Secretary  
Lee Harrington,

**Council Liaison** – Absent

**Commission Members Absent:** - Lisa Walker, Matt Nolan

**City Attorney** – Pam Berry

1. **Call to Order/Roll Call** – Chair Allen opened the meeting at 7:05. Karen Brown called roll.
2. **Agenda Review** – **Chair** Allen reviewed the agenda. He removed the Commercial Industrial Design Standards from the agenda, to be heard at a future date.
3. **Staff Announcements** – Julia announced that the City has hired a new City Engineer named Bob Galati from his previous position with Happy Valley. This should free up Tom Pessemier to concentrate on Community Development issues rather than being torn between his City Engineer responsibilities and those of Community Development Director.  
She went on to address sign issues. She explained that based on the sign discussion and presentation from the last meeting held September 9<sup>th</sup>, and comments from the Mayor and the work session, it was decided that updates need to be moved on rather quickly. She has prepared a resolution for Council consideration at the October 7<sup>th</sup> meeting to temporarily prohibit the acceptance of new free standing sign applications for 90 days. This should allow staff to work on new standards without adding any more non-conforming signs while the standards are worked out.  
Another item she wanted to discuss was the access reservations along Pacific Hwy. and that is not very well known. Staff had a meeting with ODOT Monday, September 22 and were given a very detailed map showing by tax lot where they have access reservations. Chair Allen asked about the potential to post that map to our web site. Julia and Heather will look into making that map available.  
Several Staff members recently attended the OPI conference in Eugene. Julia will prepare a memo to share some of the things learned in the meetings.

Lastly, Julia had been given information from Tom Pessemier that the TSP scoped that was discussed several weeks ago will be going before the council at the end of October. The decision to hold off was made to ensure continuity in personnel once the new City Engineer was on board.

4. **Consent Agenda** – Chair Allen reverted back to the consent agenda which had originally be item #3 on the meeting agenda. He asked for any comments on the draft minutes from September 9<sup>th</sup> meeting. Commissioner Lafayette made a motion to approve the minutes, motion seconded and voted on. All in favor. Motion passed.
5. **City Council Comments** – Mayor Mays not present, no comments made.
6. **Community Comments** – None given.
7. **New business** – Chair Allen opened the public hearing on SP 08-09 Oregon-Washington Lumber, Sherwood Industrial Park Phase I. He read the disclosure statement and asked for any exparte' contact. Commissioner Lafayette declared that she had been on the Planning Commission during the previous hearings on this site and has visited. No one challenged the exparte contact.

Staff report given by Heather Austin. She began by entering exhibits F & G to record. They are public comments provided by Washington County and Bonneville Power Administration that were received after the staff reports had been delivered. Neither agency had concerns about the site. This application is for 60,000 sq. ft. of light industrial flex-type space in two buildings. Staff has reviewed the proposals and with conditions would recommend approval. Heather walked the Commission through the proposed changes one by one. The first change would be on page 4, to add comment E from the City of Sherwood's building department. The Building Official has expressed concern of the possibility of soil liquefaction in the event of an earthquake event based on areas of sand found previously. He stated that geotechnical reports specific for each proposed building pad will be required on any building permit submittal. Heather went onto say that even if the applicant has a base geotechnical report for the site that it would be great base information, however the building official will still require pad specific borings to ensure the stability of the soils. There is no condition written since it is not a Planning Code requirement, but mentioned more as a heads up from the Community Development Division as a whole.

The next addition is to page 11 regarding wheel stops. Heather had talked with the applicant earlier in the day about the wheel stops being required. Due to the cost of maintenance and liability issues associated with wheel stops, the applicants prefer alternate methods. Heather added additional information for alternatives that would be allowed. Condition D-6 on page 22 will also be changed to reflect these alternatives. On page 21, section C, verifies a previously requested pedestrian access easement of the sensitive area buffer along the wetlands. She would like to add a statement: this pedestrian easement shall not conflict with DSL requirements to post no trespassing signs on the wetland area, more specifically the buffer area not the wetland area itself. Staff recommends approval with the findings and conditions as amended.

Commissioner Lafayette asked if the outdoor storage mentioned in the agency (Pride Disposal) comments needs to be addressed. She also suggested changing the wording on page 17, under Fire Protection. She would like to have the recommended conditions on page 17 match the conditions of approval. Heather agreed.

Chair Allen wanted to make the record clear that the outdoor storage was not considered “proposed” at this time and was not considered as a part of this site plan.

Chair Allen called Garrett Stephenson to speak on behalf of the applicant.

Garrett Stephenson of Group Mackenzie introduced himself and continued on to say that his client concurs with the most everything Heather has proposed in her staff report as far as conditions. As a company Group Mackenzie and Oregon/Washington Lumber prefer not to use wheel stops as an option. Instead they prefer curbs with additional landscaping or curbs and wider pedestrian pathways. They have found through experience that those options increase the amount pedestrian pathways and landscaping on the site, it also makes for a cleaner parking area. Regarding the outdoor storage units, they are not proposing to put it in at this time. They do plan to pave it as indicated at this time. Garrett had talked with Lee Harrington from the City’s Engineering department about one of the conditions regarding water services. The condition states that all water service coming from existing water lines on SW Century Drive do not require cutting into the streets or asphalt. His client is in full agreement with that condition. There are existing water stubs that they are happy to tap into rather than cutting in the right-of-way. Another issue they would like to discuss is their proposed new driveway. They would like to request that the conformance with spacing standards be evaluated when an actual development goes in on that side of the street. They would prefer to shift their existing curb cut which is not currently being used pursuant to a future site plan approval.

Heather suggested amending the recommendation to say “alternatively revise site driveways on the final site plan submittal meeting access spacing requirements and all other code requirements.

Garrett agreed that as long as the site plan is kept as proposed, they would be in agreement. They are willing to show plans with the curb cut across the street being eliminated pursuant to a future site plan review that would actually use that property.

Lee Harrington remarked that what the applicant has proposed is that be left alone until further development. What they have stated is that there is only a curb cut there and not actually a driveway. That does propose a concern to staff, in that often curb cuts are used to access the site by landscapers or others and that would not meet the intent of the code. What Engineering staff would like to see conditioned would be to have a full height curb be place where the curb cut currently exists.

Heather believes that staff’s wishes are already being met by saying it has to meet the access and spacing and code requirements and it leaves the alternative to use the existing driveways or curb cuts that are there. She continued to say that C1-E will be revised to reflect the language of the recommended condition.

Chair Allen asked from comments from the public, staff and commission. None were asked. He then closed the public testimony portion of the hearing.

Heather read from the code book about what is allowed for outdoor storage. Since the outdoor storage was “future proposed” she suggested adding a finding that states future potential storage is not being considered by the Planning Commission with this land use action and is not approved at this time.

Further discussion continued on the future proposed storage. Chair Allen re-opened the public testimony to give the applicant a chance to address the suggestion. Garrett from Group Mackenzie would prefer to have the storage issue addressed during this meeting to avoid the need to come back through the process for something.

Chair Allen granted a two minute recess to allow the applicants to discuss the options given.

Chair Allen reconvened the meeting.

Garrett from Group Mackenzie stated that the applicant is in agreement with the proposal to continue the public hearing the 20 days required for re-noticing the proposal. He would ask that the notice be written clearly enough to state that the proposal is for “Potential” future storage and that it is not being proposed at this time. They also agree to the 20 day extension on the 120 day deadline.

Chair Allen summarized the new proposal which would be to: Re-notice the project for the 20 day notice period for the proposed “future” storage to a date certain of October 14<sup>th</sup>, 2008. The record will remain open for any written testimony during that 20 day period.

Chair Allen closed the Public Hearing again. Commissioner Lafayette proposed to continue SP08-09 Oregon/Washington Lumber Phase I and re-notice for the date certain meeting of October 14<sup>th</sup>, as well as hold open the written record for any further written testimony. The motion was seconded and all were in favor. The motion carried.

8. **Commission Comments** - Commissioner Lafayette talked about an item that had brought up at the previous meeting which is the “purpose statement”. Attorney Pam Berry had suggested that a policy statement be derived or approved by the Commission. Commissioner Lafayette proposed that the Commission create that statement and make a recommendation to Council. Chair Allen suggested allowing Staff some time to work with Pam Berry on staffing that topic and then come back to the Commission with some recommendations, then proceed from there.

Chair Allen brought up an issue about interpretation of what “the commission” means. He suggested considering a global “search and replace” action. Julia agreed that there is an issue with the code and how it uses “the commission” sometimes in places where the “decision maker” would be more appropriate.

9. **Next Meeting: October 14 , 2008**

Chair Allen closed the meeting at 7:50.

End of minutes.