
City of Sherwood, Oregon
Planning Commission Minutes
January 18, 2005

1. Call to Order/Roll Call

Vice Chair Patrick Allen called the Planning Commission hearing to order at 7:05 PM.

Commission Members present:

Patrick Allen
Dan Balza
Jean Lafayette
Adrian Emery
Matt Nolan

Staff:

Kevin Cronin, Senior Planner
Pam Beery, City Attorney
Heather Austin, Associate Planner

Commission Members absent:

Kevin Henry

Chair Emery called the meeting to order at 7:05PM.

2. Agenda Review – Chair Emery concurred with commissioners and staff that Item-A on the agenda, Sign Permit Appeals was extended and would not be on the agenda this evening.

3. Brief Announcements –

Chair Emery stated that the City Council would like to switch meeting dates with the Planning Commission so that the Planning Commission meets the 2nd & 4th Tuesday of each month, and the City Council meets on the 1st and 3rd Tuesday of each month. Effective date of transition would begin in March. Chair Emery asked if there were any conflicts with doing this, none was noted.

Kevin Cronin – stated on Feb. 10th when each of the boards and commissions are doing their work session goals, he would like Adrian Emery or Patrick Allen to attend the Council session on that date with him to present Planning goals which are already completed. Patrick Allen indicated that he would attend with Kevin. Kevin also stated that the Administrative Assistant interviews for Planning were completed on Friday, January 14th.

4. Community Comments *are not limited to items NOT on the printed agenda.* – No Community comments were noted.

Chair Emery passed the gavel to Vice Chair Allen due to not being present at the previous meeting on PA 04-04, the Hite Property Zone Change.

Vice Chair Allen opened the public hearing on PA 04-04, Hite Property Zone Change at 7:10PM.

Commissioner Lafayette read the public testimony disclosure statement.

Vice Chair Allen asked if there were any disclosures of ex parte contact, bias, or conflict. None was disclosed.

5. Public Hearing

Kevin Cronin reviewed materials and provided the staff report. Materials included:

- Cover memo from staff dated January 11, 2005
- Letter from Wechner Consulting, the applicant's representative
- Memo from the City Attorney's office
- Letter dated December 9, 2005 from GVA Kidder Mathews
- 2 conceptual plans for the circulation issue [aerials]

Kevin reviewed the staff report including issues that were brought up at the last meeting, which were also referenced in packet materials:

- How the Office Commercial [OC] zone came about
- Marketing analysis and value differential
- Types of uses that are allowed if proposed zone is OC
- Circulation issues
- Participation of City of Sherwood School District [Kevin received feedback from Rob Saxton, school district Superintendent, that he had no objection over the proposed zone].

Vice Chair Allen said that Pam Beery, City Attorney suggested conditions 5 & 6 [pg. 2 of her memo] regarding deed restriction and reciprocal access, and asked if Kevin supported those conditions also.

Kevin Cronin said yes.

Dan Balza said the value differential resulting from the proposed zone change was probably subjective, but he didn't find an answer on this issue in the referenced letter from GVA Kidder Mathews, dated January 9, 2005 and asked Kevin for feedback.

Kevin Cronin said he said that would be a question for GVA Kidder Mathews' representative Tony Reser who was present in the audience.

Vice Chair Allen asked if there were any other questions for staff. There were none.

Dave Wechner, 10975 SW Garden Park, Unit B – Tigard OR 97223 [Applicant's representative]:

Dave stated that Tony Reser's [from GVA Kidder Mathews] conclusions were based on an commercial appraisal done by Zell & Associates that was done in October 2003, which he summarized as recommending rezoning to OC to make most productive use of property. Also in the report by Zell & Associates it was stated that the existing home appeared to be of less value than the underlying land if vacant, further recommending rezoning to allow more appropriate use of property. Dave also referenced information provided in collaboration with AKS Engineering regarding the site indicating there presently is no sanitary sewer available to the site, but is actually behind the property.

Mr. Wechner said they presented 2 traffic circulation options; one, keeping the existing access points for the Hite House and adjacent properties linking them together in a large loop, and two, a circulation route that creates a longer access points for some adjacent properties, but aligns the driveway with the property across the street eliminating the offset intersection. Both options the existing driveway for the dental office on Tax Lot 7400 would remain the same. Development will likely create shared parking, access and loading zones between the tenants.

Dave stated they worked with the City Attorney's office in crafting both he reciprocal access easement conditions and deed restriction.

Vice Chair Allen referred to the GVA Kidder Mathews letter at the bottom of the 1st page and top of the 2nd , and stated that the letter said it would be better to rezone the property to OC allowing commercial outright that would also provide a residential zone through a PUD, rather than leave it at residential requiring a conditional use to allow commercial. Vice Chair Allen it read like this option was easier, but he felt the opposite and given the choice between a PUD or a CUP he would rather do a CUP – and asked for feedback.

Tony Reser [GVA Kidder Mathews] stated that he felt that people would generally rather not go through a conditional use process.

Vice Chair Allen asked Mr. Reser that given a mixed use project with options for a PUD or a CUP did he really feel that people would prefer a PUD, and Mr. Reser said Yes. Vice Chair Allen asked for Dave Wechner's thoughts on the issue.

Dave Wechner referred to the nearby Senior Center and City Library property potentially being rezoned to OC, and said if this were to happen it would open up a bigger piece of property with existing natural areas behind it to protect. Dave said that a PUD would be a better option with mixed uses. He also said that jurisdictions in general find that CUP are difficult to get.

Tony Reser addressed Dan Balza's previous valuation question. Mr. Reser stated the medical office building next door lends support to the Hite House being an excellent candidate for office redevelopment, as well as a possible future integrated development with the library property. Mr. Reser said that the difference going to OC could be \$1.50 per sq. ft. with about 36,000 sq. ft. which could be a \$50,000 valuation swing, asking \$375,000 for the property that equates to about \$10.37 per sq. ft. Not an unsubstantial amount.

Vice Chair Allen asked if there were any other questions for Dave Wechner or Tony Reser, there were none. No one in the audience wanted to testify. Vice Chair Allen closed the public hearing on PA 04-04, Hite House Zone Change at 7:25PM, and moved to discussion and deliberation.

Vice Chair Allen said that the big issues 5 & 6 were well addressed and took off the table risk of incompatible access issues.

Jean Lafayette agreed, and said the Planning Commission just needs to add items 5 & 6 to the conditions of approval.

Vice Chair Allen agreed as did remaining . Vice Chair Allen suggested that the Planning Commission recommend to City Council PA 04-04 based on the findings of fact, public testimony, staff recommendations, agency comments, applicant comments and the proposed conditions 5 & 6 per Pam Beery's memo.

Jean Lafayette so moved.

Matt Nolan seconded.

Vice Chair Allen asked if there was any discussion. None.

Vote taken: Yes-4, No-0, Abstain-0 Motion carried.

6. Comments from Commission

Vice Chair Allen asked if there was any further business.

7. Next Meeting -

Kevin Cronin stated that prior to the next regular Planning Commission meeting on February 1st, staff has scheduled an open house on the TSP from 4-6, followed by a TSP work session from 6-7 and the PC meeting at 7PM. Kevin said the only item on the agenda for the Planning Commission meeting to date is the continuance of the Sign Code.

Matt Nolan said that he will be out of town the next two meetings.

Vice Chair Allen asked Kevin if any of the TSP open houses could be held in the community room at the fire station instead of the YMCA – stating that the fire station is an important location to hold something if possible.

Kevin Cronin said that he would take a look at that location and confirmed that the next open house is at the police facility.

Vice Chair Allen confirmed that Kevin would like 2 or more commission members to attend the open house, which Kevin confirmed. Vice Chair Allen said the legislature is in session and is called away regularly and may not make it.

Jean Lafayette said she would be at both upcoming open houses.

Dan Balza said he would check his work schedule.

Kevin Cronin asked if staff should contact Commissioner Kevin Henry. Vice Chair Allen confirmed.

Vice Chair Allen asked if there were any other issues.

Jean Lafayette said she had Code books Part 2 & 3, but not 1 and didn't find them on the website.

Kevin Cronin confirmed that Part 2 & 3 can be downloaded and that Part 1 is background analysis and has been scanned as a PDF file and he will get a copy of that for that need them. Kevin also encouraged to drop off their Code book in Planning so that staff can evaluate them against any changes made to the Code. The Sign Code is the only item that changed last year.

Jean Lafayette said that it would be good to see if City Council still has the PUD small lots, single family issues on their radar.

Vice Chair Allen asked if there were any other comments from Commission members. There were none. Vice Chair Allen asked if there was a motion to adjourn.

8. Adjournment –

Dan Balza moved to adjourn.

Jean Lafayette seconded.

Vote taken: Yes-4, No-0 Motion carried.

Vice Chair Allen adjourned the meeting at 7:34PM.

End of Minutes