



**City of Sherwood  
PLANNING COMMISSION**

**Sherwood Police Facility  
20495 SW Borchers Drive**

**December 7, 2004**

**Regular Meeting - 7:00 PM**

**A G E N D A**

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Brief Announcements**
- 4. Community Comments** *are limited to items NOT on the printed Agenda.*
- 5. Sign Permit Appeals** *(pending settlement with applicant)*
- 6. Public Hearing**
  - A. Hite House Zone Change (PA 04-04):** The City of Sherwood is requesting a plan map amendment from MDRH to OC. Subject property is located at 995 N. Sherwood Boulevard and consists of two tax lots totaling 0.83 acres. *(Kevin A. Cronin, Planning Manager, Planning Department)*
- 7. Work Session**
  - A. Sherwood Transportation System Plan:** Staff and consultants will discuss the proposed Transportation System Plan (October 2004 Draft). A public hearing on a plan amendment (PA 04-03) to the Comprehensive Plan was continued to January 4, 2005. *(Kevin A. Cronin, Planning Manager, Planning Department)*
- 8. Comments from Commission**
- 9. Next Meeting** *(January 4, 2005)*
- 10. Adjournment**

# **APPROVED MINUTES**

---

---

**City of Sherwood, Oregon  
Planning Commission Minutes  
December 7, 2004**

---

---

**1. Call to Order/Roll Call**

Vice-Chair Patrick Allen called the Planning Commission meeting to order at 7:00 PM.

Commission Members present:

Patrick Allen  
Dan Balza  
Kevin Henry  
Jean Lafayette  
Matt Nolan

Staff:

Kevin Cronin, Senior Planner  
Heather Austin, Associate Planner  
Rob Dixon, Community Development Director  
Gene Thomas, Interim City Engineer

Commission Members absent:

Adrian Emery  
Dan King

**2. Agenda Review**

**3. Consent Agenda- 11/02/04 Planning Commission Minutes**

**Jean Lafayette moved the Planning Commission accept the November 2, 2004 Planning Commission minutes with corrections. Seconded by Dan Balza.**

**Vote for Passage of Motion: 3-Yes, 0-No, 2-Abstain**

**4. Brief Announcements**

Patrick Allen stated that the Planning Commission received a letter of resignation from Dan King who will serve on City Council beginning in January.

Kevin Cronin stated that there is an announcement in the Oregonian for the open Administrative Assistant III position in the planning department.

Area 59 Citizen's Advisory Committee meeting is December 16, 2005 at the YMCA teen center. Dan Balza is the Planning Commission representative for that committee.

**5. Community Comments**

**Eugene Stewart, PO Box 534, Sherwood, OR 97140, addressed the Commission:**

Mr. Stewart requested that Parts I and II of the Comprehensive Plan be uploaded to the City's website.

Kevin Cronin responded that Part II would be no problem, but Part I may need to be converted from paper to PDF because an electronic copy may not exist.

**6. Sign Permit Appeals-** Postponed to January 4, 2005 meeting per applicant's request.

**7. Public Hearing**

Jean Lafayette read the hearings disclosure statement and asked that Commission members reveal any conflicts of interest, ex-parte contact or bias.

There were no Commissioner disclosures.

**7a. Plan Amendment 04-04 Hite House Property Re-Zone**

Kevin Cronin gave an overview of the Hite House zone change materials and presented the Staff Report. The request is to change the zoning designation of the two parcels from Medium Density Residential High (MDRH) to Office Commercial (OC). Criteria for this zone change are found in the Sherwood Zoning and Community Development Codes, Section 4.203.02. Kevin Cronin stated that the major issues with this zone change are the traffic analysis for the type of use that occurs on the site and the loss of MDRH acreage in the City (which could be addressed within the current city boundaries or perhaps in UGB lands). Staff recommends approval based on the conditions of approval listed in the Staff Report.

Patrick Allen asked about the Staff Report, which states that OC land in the City is 25 percent vacant whereas MDRH land in the City is 2 or 3 percent vacant.

Kevin Cronin stated that the property has been on the market for awhile as MDRH and has not sold so OC may be more financially viable.

**Dave Wechner, 10975 SW Garden Place, Tigard, OR, applicant's representative, addressed the Planning Commission.** Mr. Wechner testified that this zone change is appropriate because the site is adjacent to Neighborhood Commercial (NC) zoned property and an office or mixed use development would be ideal for the site. Mr. Wechner asked the planning staff to recommend this proposal to the City Council.

Jean Lafayette pointed out that restaurants, taverns and lounges are permitted uses in the OC zone. Commissioner Lafayette asked if the zone change could be done so as to restrict those types of developments because this site is across from two schools. In addition, because this site is adjacent to the library, Commissioner Lafayette suggested a shared access.

Mr. Wechner responded that a recommended easement for eventual ingress and egress would be more appropriate than a shared access point because it is not known how the site will develop. In addition, Mr. Wechner stated that a conditional zone change undermines the intent of the

code. However, because the city owns the property, they can decide who to sell it to or place deed restrictions. As is, this property has been on the market as MDRH and there are no takers.

### **Public Testimony**

#### **Eugene Stewart, PO Box 534, Sherwood, OR 97140 addressed the Planning Commission.**

Mr. Stewart asked about the impact to the Senior Center if the zoning of this site were changed. Mr. Stewart expressed concern about the traffic impacts of OC in this site and asked if there are other sites in the city that would be more appropriate for OC or RC development. Mr. Stewart recommended that the Planning Commission deny this proposal and study it further.

#### **Susan Claus, 22211 SW Pacific Highway, Sherwood, OR 97140 addressed the Planning Commission.**

Ms. Claus asked the Planning Commission if the Senior Center and School District received notice of this proposal. Ms. Claus stated that she believes this is a piecemeal proposal being heard because it is city-sponsored and that a zone change concurrent with a site plan would be more appropriate. Ms. Claus also stated that she is glad the city is trying to maximize its assets without trumping the planning process for money. Ms. Claus stated that the senior center is an asset and more research should be done to see the effects of a zone change on the senior center. Ms. Claus stated that she does not think this proposal should be accepted at this time.

#### **Dave Wechner, 10975 SW Garden Place, Tigard, OR, applicant's representative, addressed the Planning Commission.**

Mr. Wechner, the applicant's representative, responded to the public testimony given. Mr. Wechner stated that good points were raised, and without a site plan there is some ambiguity. However, with this zone change, there is also opportunity for some more medical offices near the existing dental office and the senior center, which could be a draw for this population. Also, it is unlikely that a tavern would locate near a senior center and a school.

Patrick Allen asked if the City would be willing to come back with a zone change request for this property combined with the library property.

Mr. Wechner stated that the IP and OC zones are significantly similar in vehicle trips and are compatible uses. The City could retain ownership of the library and rent it out for another IP use.

Jean Lafayette pointed out that if another use were proposed for the library, it would go through the Conditional Use Permit process and decisions could be made at that time.

Dan Balza asked Mr. Wechner to respond to Patrick Allen's question of the City's willingness to come back with a zone change of this property and the library site combined.

Mr. Wechner stated that at this point he would like to stick to the application as proposed.

Patrick Allen asked if more OC is really needed based on 25 percent vacancy of OC now.

Mr. Wechner responded that more professional/medical office space is needed that is not specifically aligned with Providence and that it this site is near a large senior population.

**Vice-Chair Allen closed the public hearing for Commission deliberations.**

The Commission discussed the need for more OC property (per Section 4.203.04B) as well as the possibility of a restaurant, tavern or lounge being located near the schools. The Commission looked at possible conditions of approval or requirement of concurrent site plan and zone change proposals. Limiting trips to the site could ensure an office rather than a restaurant, lounge or tavern. There has not been a case in recent history where a zone change was approved without a site plan proposal being reviewed concurrently.

**Vice-Chair Allen re-opened the public hearing for additional applicant and public testimony.**

**Dave Wechner, 10975 SW Garden Place, Tigard, OR, applicant's representative, addressed the Planning Commission.**

Mr. Wechner stated that he wanted to respond to two issues that were raised. The first is any assurances that can be given that an undesirable use will not be located at this site after a zone change. This can be done through deed restrictions because the City owns the property. The second is the issue of reviewing a site plan and a zone change concurrently. This would require a developer to propose this zone change with a site plan and because this is not the case, the deed restriction may be the way to go. Mr. Wechner stated that a preliminary site plan could be developed but the City was not looking to develop the property and it would probably not be detailed.

**Further Public Testimony**

**Eugene Stewart, PO Box 534, Sherwood, OR 97140, addressed the Planning Commission.**

Mr. Stewart stated that all the parcels surrounding this site should be taken into consideration and the zone of this one piece should not be rezoned for a quick sale. A better plan could be made with more research and preparation.

**Susan Claus, 22211 SW Pacific Highway, Sherwood, OR 97140 addressed the Planning Commission.**

Ms. Claus stated that a marketing expert should be involved in this process to give a real estate perspective to the process.

**Vice-Chair Allen closed the public hearing for Commission deliberations.**

No further staff comments. No further Commissioner comments.

**Jean Lafayette moved the Planning Commission continue PA 04-04 Hite House Zone Change to a date certain of the January 18, 2005 Planning Commission meeting date. Seconded by Kevin Henry.**

**Vote for Passage of Motion: 5-Yes, 0-No, 0-Abstain**

**7. New Business**

None.

**8. Adjourn**

There being no further business, Vice-Chair Allen adjourned the meeting at 8:25 PM and stated the Transportation System Plan Work Session would begin after a 5-minute break.

**End of Minutes**