



**City of Sherwood
PLANNING COMMISSION
Stewart Senior/Community Center
855 N. Sherwood Boulevard
September 19, 2000 - 7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Consent Agenda - Approval of August 15, 2000 PC Minutes**
- 3. Agenda Review**
- 4. Community Comments** *are limited to items NOT on the printed Agenda.*
- 5. Public Hearings:** (Commissioners declare conflict of interest, ex-parte contact, or personal bias) **Public Hearings** before the City Council and other Boards and Commissions shall follow the following procedure (Resolution 98-743, adopted June 9, 1998):
 - Staff Report--15 minutes
 - Applicant--30 minutes(to be split, at the discretion of the applicant, between presentation and rebuttal.)
 - Proponents—5 minutes each (applicants may not also speak as proponents.)
 - Opponents—5 minutes each
 - Rebuttal—Balance of applicant time (see above)
 - Close Public Hearing
 - Staff Final Comments—15 minutes
 - Questions of Staff/Discussion by Body—no limit
 - Decision (Note: Written comments are encouraged, and may be submitted prior to the hearing, at the hearing, or when the record is left open, after the hearing for a limited time. There is no limit to the length of written comment that may be submitted. Recognize that substance, not length, determines the value of testimony. Endorse rather than repeat testimony of others.)
- A. PA 00-02 US Bank Zone Map Amendment (TL 3100) (continued from 08-15-00):** a request by US Bank Trust for a plan map amendment to rezone Tax Lot 3100, Map 2S 1 30D located at 21650 SW Pacific Hwy from Medium Density Residential Low (MDRL) to Office Commercial (OC). (*Keith Jones, Associate Planner*)
- 6. New Business**
 - A. Report from Council Liaison** (*Ken Shannon*)
- 7. Adjourn to Work Session**
 - A. Confirm Work Program, as amended by City Council** (*Keith Jones*)
 - B. Metro 2040 Titles 2, 5 & 6 Compliance** (*Carole Connell*)

**ITEMS NOT COMPLETED BY 11:00 PM WILL BE CONTINUED
TO THE NEXT REGULARLY SCHEDULED MEETING**

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
September 19, 2000

1. Call to Order/Roll Call

Chair Angela Weeks called the meeting to order at 7:08 PM.

Commission Members present:

Adrian Emery
Jeff Fletcher
Sterling Fox
Keith Mays
Jeff Schroeder
Angela Weeks

Staff:

Keith Jones, Associate Planner
Carole Connell, Planning Consultant
Shannon Johnson, Legal Counsel
Roxanne Gibbons, Recording Secretary

Commission Members absent:

Ken Shannon

2. Minutes of August 15, 2000

Chair Weeks asked if there were any additions or corrections to the minutes of August 15, 2000. Adrian Emery noted that a correction should be made to page 11, 4th paragraph, 3rd sentence, by removing the word “not”. The sentence should read, “He said if this Plan was being presented by anyone but the City, he would vote against it.”

Adrian Emery moved the Planning Commission accept the August 15, 2000 minutes as corrected. Seconded by Keith Mays.

Vote for Passage of Motion: 5-Yes, 0-No, 1-Abstain (Weeks)

3. Agenda Review

There were no comments.

4. Community Comments

Chair Weeks asked if anyone wished to provide comments.

Robert J. Claus, 22211 SW Pacific Highway, Sherwood, Oregon 97140, addressed the Commission. He noted:

- The City is looking at finishing the interchange system in Sherwood. The Commission needs to be aware that they may be facing a “de facto” zoning change on all parcels adjacent to Highway 99W. Property owners may not be able to get permits for what their property is zoned.

- We have gone to a “trip generation” formula. The reason this becomes serious is because the most valuable properties have now lost the highest and best use, even if the property is zoned for it.
- He could not verify all of this because ODOT does not want to release their study.
- The Commission needs to watch this at it relates to the Meinecke Road/99W intersection improvements. He cited examples of how some properties along 99W would be affected by this new formula.
- His thought is that ODOT believes Sherwood cannot follow their own comprehensive plan, so ODOT is going to follow it for us and make us meet certain trip generations along 99W.
- He said that the Home Depot application triggered this action from ODOT.

5. Public Hearings

Chair Weeks announced that PA 00-02 was continued from the August 15, 2000 Commission meeting. The Commission opened the public hearing and allowed testimony at that meeting and subsequently continued the hearing to tonight.

Chair Weeks referred to a letter from LDC Design Group dated September 19, 2000 which was received by Staff at about 3:00 PM. The applicant is requesting a continuance of the hearing for 30 days in order to gather more information and evaluate their position. The letter also serves as a waiver of the 120-day deadline. The Commission has the option to continue or hold the public hearing on the application tonight.

Shannon Johnson presented the opening announcement, “The nature of the application is set forth in the Staff Report and the criteria set forth are in the Sherwood Planning Code Section 4.203.02 and Administrative Rules OAR 660-12-060 with regard to transportation uses. All testimony should address those criteria or other criteria which you believe apply to that issue. Failure to raise an issue at the hearing in person or by letter or failure to provide statements or evidence sufficient to afford the Planning Commission an opportunity to respond to that issue precludes appeal to the Board based on that issue.”

Mr. Mays asked the applicant what they had done since the first continuance.

Jim Lange, LDC Design Group, 3300 NW 211th Terrace, Hillsboro, Oregon 97124, addressed the Commission. He said they do not like to ask the Commission for a continuance because of lack of information. He explained that the applicant was surprised by the original Staff Report that raised two issues - traffic impact and the impact of the loss of residential units. During the last 30 days the applicant had a pre-application meeting with City Staff to look at another use for the same site. They received feedback from this meeting in an attempt to get further information on another use for the site. The applicant would appreciate an opportunity to either address the issues that Staff has raised or move on to some other plan. This is going to take them some time and he did not feel that 30 days would be enough time. The applicant has waived the 120-day deadline and would be more than happy with an indefinite continuance.

Mr. Mays said it appeared that the applicant was not prepared when they first submitted the application and he would be in favor of hearing the applicant tonight. An application for a plan map amendment or zone change should address transportation with the original submittal.

Chair Weeks said the criteria for a zone change is very straight-forward and should not take a long period of time to address.

Mr. Fox said the applicant has stated that they do not feel 30 days is enough time and seemed to be asking for an indefinite continuance.

Mr. Lange said he wanted City Staff to feel comfortable with the application and have enough time to review the information prior to the applicant coming before the Commission. With this particular property, they are dealing with a Trust that is being managed by bank and there are a lot of people involved. They would like more time and it would be a good business practice on the City's part to allow a continuance. They may find out that the issues Staff has raised result in this application not being an appropriate use for the property.

Mr. Johnson said the Commission has the discretion to continue the application and he would advise that the continuance be to a date certain. This would alleviate any noticing problems. The waiver of the 120-day deadline can be indefinite and this is how he interprets the applicant's request.

Mr. Schroeder said he did not want to review an application that seemed to have a bunch of "what ifs". He said the applicant seems to want to review some options prior to having a public hearing.

The Commission discussed the upcoming public hearing schedule, in particular their review of the Metro 2040 Function Plan. Public hearings are scheduled beginning with the October 17, 2000 meeting through December, 2000.

Adrian Emery moved the Planning Commission continue PA 00-02 US Bank Zone Map Amendment to the January 16, 2001 Regular Commission meeting and accept the applicant's waiver of the 120-day deadline. Seconded by Sterling Fox.

Vote for Passage of Motion: 4-Yes, 2-No (Weeks, Mays), 0-Abstain

There was no one in the audience who wished to provide testimony.

6. New Business

There was no new business.

7. Adjourn to Work Session

There being no further business to discuss, the Regular Commission meeting adjourned at 7:40 PM. The Commission held a Work Session to review Metro 2040 Titles 2 and 5 compliance. Title 2 is the Regional Parking Policy and Title 5 is Neighbor Cities and Rural Reserves.

The Work Session adjourned at approximately 9:30 PM.

Respectfully submitted,

Keith Jones
Associate Planner