



**City of Sherwood
PLANNING COMMISSION
Stewart Senior/Community Center
855 N. Sherwood Boulevard
October 5, 1999 - 7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes – Sept 21, 1999 will be available for October 19, 1999 PC Mtg**
- 3. Agenda Review**
- 4. Public Hearings: None Scheduled**
- 5. SP 99-10/CUP 99-5 New Elementary School Site Plan and Conditional Use (continued from September 21, 1999, public hearing closed)**
- 6. SP 98-12 Assisted Living Facility – request interpretation regarding the second access to the site.**
- 7. PUD 95-1 Sherwood Village PUD – Status Review**
- 8. Community Comments** are limited to items NOT on the printed agenda under Public Hearings.
- 9. Adjourn to Work Session to review Sign Code Definitions**

**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
October 5, 1999

1. Call to Order/Roll Call

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

Commission Members present:

Adrian Emery
Sterling Fox
Keith Mays
Jeff Schroeder
Ken Shannon
Angela Weeks

Staff:

Greg Turner, City Planner
Terry Keyes, City Engineer
Derryck Dittman, City Attorney
Roxanne Gibbons, Recording Secretary

2. Minutes of September 21, 1999

Chair Weeks announced that these minutes would be available at the October 19, 1999 Regular Commission meeting.

3. Agenda Review

There were no comments.

4. Public Hearings

There were no hearings scheduled.

Chair Weeks announced she had ex-parte contact in a meeting yesterday with Mayor Hitchcock, Greg Turner and Lee Weislogel regarding tonight's agenda. There were no conflicts and she would discuss any issues under the appropriate Agenda Item. There were no other Commissioner disclosures.

5. SP 99-10/CUP 99-5 New Elementary School Site Plan and Conditional Use (continued from September 21, 1999, public hearing closed)

Greg Turner said there was an issue brought up at the last meeting regarding drainage across the site. The application was originally sent to both Region 1 and Region 2 of ODOT. The City only received comments back from Region 1. ODOT has verified that all of the City of Sherwood is in Region 1 and any drainage issues would be reviewed by Region 1. Staff received an E-mail from Region 1 regarding their responsibility for maintenance and development review in the City of Sherwood. He recommended the Commission add a statement to the conditions regarding drainage. He specifically noted the condition referencing ODOT review (page 16 of the Staff Report, Condition #3n). The Staff Report dated October 5, 1999 included conditions of approval for this application.

Terry Keyes addressed the water issues with regard to this application. He noted:

- The City and School District have worked together to come up with a solution that would work for all parties. They determined what would be a fair share for the School District to contribute to help fund the off-site water improvements. He read the condition which would replace Condition 6b in the Staff Report:
 - “Provide to the City a contribution of \$189,000 to be used for construction of water system improvements in the southwest Sherwood area. This contribution includes the school’s water system development or improvement charge, but does not include the City meter and installation charge or the water administration fee. The contribution shall be paid at time of building permit issuance along with payment of other system development charges and fees.”
- It was determined that this condition would be just as binding as a “condition of approval”.
- The \$189,000 was arrived at by determining what the system development charge would be for this site if it were developed as zoned for single family residences. This seemed like the fairest method.
- Woodhaven has also set aside a letter of credit for \$200,000 to assist with the water system improvements in this area.
- The City will also contribute funds. By putting all of these funds together, the City will begin on a pipeline from the Wyndham Ridge booster station, across Highway 99W, to the YMCA and the New School Site. When completed, this will provide the necessary additional fire flow. The line will probably run from Wyndham Ridge in the existing streets to Elwert Road, be bored to run under Highway 99W and then along Old Highway 99W to the new school site.
- The problem is not having enough pressure at the high side in the City’s water system.
- Running a 12-inch water line from the pump station on the north side of 99W will supply additional water and additional water pressure.
- The City will be receiving proposals this week from the consultant for the design of the line. The design should take a couple of months and the City will go out for bids and hopefully construct the line beginning this winter and Spring of 2000.
- He could not guarantee that this water line will be done by the time school starts next year and it is a risk. He is 95% sure that it will be complete.
- The Fire District would determine if there is enough water pressure at the time of occupancy for the new school.
- In response to the Commission question, these funds will be very well spent. Next Tuesday the Council will be continuing their review of the new Water System Master Plan. The first priority of the Plan is a combination of constructing this line, plus a reservoir on Kruger Road. This line will be an integral part of the water master plan and greatly enhance the City’s water system.
- The estimate for the whole project is about \$550,000 and \$189,000 is just the School District share. There is the portion from Woodhaven and the City has funds in the system development charge account to help pay for these improvements. The School District civil engineering consultant thought it would be significantly less, based on their past projects.
- The developer has not asked for any pay back for using the Wyndham Ridge booster pump.

- The line under Highway 99W will be an 18-inch line. The pump station at Wyndham Ridge will pump water into the planned reservoir on Kruger Road during low periods. During high periods, the water will come down a 12-inch line on Kruger Road and go toward Wyndham Ridge and across the 18-inch line to Woodhaven. When it gets across Highway 99W, it splits to a 12-inch line on Sunset and a 12-inch line along Old Highway 99W.
- These improvements will provide a water loop on the west side of the system, across Highway 99W to the Woodhaven area. It will help the whole system as well as support some future development.
- The commercial land on the north side of Highway 99W in this area probably does not have enough water pressure or fire flow right now. This will probably give these commercial parcels the fire flow necessary as they develop.

The Commission reviewed the conditions of approval. In response to the Commission's question, Mr. Turner said the Code allows for half-street improvements. The owners of the property across from the proposed new elementary school have applied for annexation into the City. Mr. Turner said Staff is recommending approval of this application with the conditions as revised.

Sterling Fox moved the Planning Commission approve SP 99-10/CUP 99-5 New Elementary School Site Plan and Condition Use with the conditions as revised. Seconded by Adrian Emery.

Adrian Emery said he would like to see a three-quarter street improvement. Mr. Shannon asked how the pay back agreement would be set up as the property on the other side of Old Highway 99W is developed. Half-street improvements are more standard. The Commission agreed that three-quarter street improvements would be a benefit to the school for more parking. Mr. Keyes said the Commission could require a full pavement width with no curbs on the east side of Old Highway 99W. The District would be eligible for some type of reimbursement as the property on the east side of Old Highway 99W develops.

Mr. Keyes read the condition, "3o. Provide pavement on east side of Old Highway 99W to full pavement width according to Sherwood Street Standards. Additional pavement on east side of Old Highway 99W shall be eligible for reimbursement when adjoining property develops."

The Commission discussed placing a condition regarding a fence around the perimeter of the new elementary school. The architect for the School District said a 6-foot chain link fence is shown on the plans.

Sterling Fox amended his original motion to include a condition for a six-foot chain link fence on the south, west and north sides of the property and a condition for street improvements on the east side of Old Highway 99W to full pavement width according to Sherwood Street Standards. Seconded by Adrian Emery.

Vote for Passage of Motion: 6-Yes, 0-No, 0-Abstain

Chair Weeks announced that Items 6 and 7 of the Agenda are not public hearings and no public testimony would be heard.

6. SP 98-12 Assisted Living Facility Site Plan – Interpretation of Second Access to Site
Chair Weeks advised the Commission that the City is in the process of securing a land use attorney to help the Commission with land use matters. Mr. Turner said this individual should be hired some time next week.

Chair Weeks said the issue at hand is to interpret the second access for the Assisted Living Facility. She referred the Commission to the two maps included in the packets.

Mr. Turner said the map identified as A1 was approved with a fire truck access gate and proposed fire truck break through exit on the north side. The sheet labeled as A2-1 is what the Fire District has approved as far as a turnaround at the end with no access going through to the neighboring property. Based on the fire district needs, they could service the whole site with this turnaround. The Commission is dealing with the Code provision that states if you have more than 50 units, you need two accesses into the site.

Chair Weeks said the applicant was aware in January of this year that the adjoining property owner would not allow the second access. She referenced the letter dated January 6, 1999 from Mercury Development included in the packets. The application the Commission reviewed and approved showed a second access in to the site. She would suggest that Staff prepare a letter to the developer, NSP Development, requesting a formal request from the applicant regarding the change to the access. She asked if this request would be in the form of a variance request.

Mr. Turner said if there were not two driveway accesses to the property, this would require a variance to the Code requirements. Chair Weeks clarified that the Code requires 49 units or less to have one access and 50 units or more require two accesses. This site has 65 units proposed.

Mr. Turner asked if the Commission wanted the applicant to come back with a formal request for public hearing with the Commission. Chair Weeks said if the Code requires a public hearing for a variance, this is what the applicant should do. Mr. Shannon said he understood a variance for a driveway width or lot line adjustment, but this is just a second access for an assisted living facility. He thought the Code requirement was for apartments and this is an assisted living facility. Mr. Schroeder said he could not believe how far the construction had gone and now the Commission is dealing with something like this. It is a little frustrating.

Chair Weeks said the Code requires a second access and they probably would not be able to get an occupancy permit without this access.

Mr. Turner referred to the Code regarding “Changes to an Approved Site Plan”. The requirement is the applicant submit what the changes are and if these are found to be substantial from the original submittal, then the applicant needs to submit for a supplemental review. The fee would be one-half of the original site plan review fee.

The Commission directed Staff to prepare a letter to the applicant. The applicant needs to be aware that any further construction on the site is done at their own risk. No occupancy permits would be issue until the second access issue is resolved.

7. PUD 95-2 Sherwood Village PUD – Status Review

Chair Weeks announced that this item would be deferred until the City has the land use attorney on board. The Commission concurred.

8. Community Comments

Chair Weeks asked if Mr. Gregory Miller wished to provide comments, as stated on his sign-in card.

Mr. Miller did not state his address for the record because he said his comments would be better served when a public hearing is held regarding the Assisted Living Facility Site Plan. He thought the Commission's understanding as to what was presented is not quite accurate. He looked forward to the opportunity to present this information to the Commission.

9. Adjourn

There being no further business to discuss, the meeting was adjourned at 8:00 PM. The Commission did not hold a work session as stated on the printed Agenda.

Respectfully submitted,

Planning Department