



**City of Sherwood
PLANNING COMMISSION
Masonic Hall, 60 NW Washington Street
Tuesday, February 3, 1998
7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes - January 20, 1998**
- 3. Agenda Review**
- 4. Community Comments:** are limited to items NOT on the printed agenda under Public Hearings.
- 5. PUD 92-1 Sherwood View Estates Final Plat:** a request by J.C. Reeves for final plat approval of 76-lot subdivision located off of Murdock Rd. Tax Lot 1800, Map 2S 1 33.
- 6. Public Hearings:** (Hearing Disclosure Statement. Also, declare conflict of interest, ex-parte contact, or personal bias)

No hearings scheduled.
- 7. Other Business**
- 8. Adjourn**

**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
February 3, 1998

1. Call to Order/Roll Call

Chairman Whiteman called the meeting to order at 7:00 PM.

Commission Members present:

George Bechtold
Susan Claus
Scott Franklin
Angela Weeks
Bill Whiteman

Staff:

Greg Turner, City Planner
Jason Tuck, Assistant Planner
Jon Bormet, City Manager
Roxanne Gibbons, Recording Secretary

2. Minutes of January 20, 1998 Regular Meeting

Chairman Whiteman asked if there were any corrections, additions or deletions to the minutes of January 20, 1998. There were none.

**Scott Franklin moved the Planning Commission accept the January 20, 1998
Planning Commission minutes as presented. Seconded by Angela Weeks.**

Vote for Passage of Motion: 3-Yes, 0-No, 1-Abstain (Whiteman)

3. Agenda Review

Greg Turner referred the Commission to a request from Joe Cantanese for an exemption to the site plan review process for a minor remodel of the Sherwood Peddler. The Commission placed this item under Other Business.

4. Community Comments

Chairman Whiteman called for comments from the audience. There were none.

5. PUD 92-1 Sherwood View Estates Final Plat

Scott Franklin advised his employer, CES, Inc, represents the applicant. He did not plan to participate in the discussion of this final plat application.

Greg Turner reviewed the letters which had been placed on the table. There is an easement which goes from Murdock to the properties located to the east of the subdivision. A minor modification was approved by the City Council which would relocate the street stub to the adjoining properties. Two property owners, Esther Huh and Stephen and Darlene Lind, were concerned about the relocation of this easement. As stated in a February 3, 1998 letter from Eric Bosse, General Counsel for J.C. Reeves Corporation, an agreement has been reached between J.C. Reeves and the two property owners regarding this easement. Mr. Turner identified the location on the map.

Mr. Turner said the Commission's action on this final plat would not have any adverse effect on the adjoining property owners. The Commission did not have any further questions.

Susan Claus moved the Planning Commission approve the Final Plat for PUD 92-1 Sherwood View Estates, a 76-lot subdivision located off of Murdock Road with the conditions contained in the Staff Report. Seconded by Angela Weeks.

Vote for Passage of Motion: 4-Yes, 0-No, 1-Abstain (Franklin)

Susan Claus asked what the applicant's proportion of the Murdock Road alignment would be. Mr. Bosse, General Counsel for J.C. Reeves, said their share of the off-site improvements would be about \$162,500. This is a base figure and it could be more or less. There have been some unusual circumstances during the construction of these off-site improvements. In particular, the drawings have been changed several times and there has been a great deal of delay in the Murdock Road project. The applicant may receive a credit for some of the expense incurred by their engineer.

6. Public Hearings

There were no public hearings scheduled.

7. Other Business

Chairman Whiteman referred to the request from Joe Cantonese for an exemption to the site plan review for a minor remodel of the Sherwood Peddler. Mr. Turner reported the request is to enclose an outdoor eating area on the north end of the building. The total area is about 400 square feet. Staff has made an initial determination that this would not be a substantial alteration, thereby exempting them from the site plan review requirement. The Commission looked at photos of the project. Susan Claus said she had ex-parte contact with Joe when he explained to her what he planned to do, but she did not see this as a conflict of interest. Chairman Whiteman said he had ex-parte contact with Mr. Cantonese in November regarding this project, but he did not see this as a conflict of interest.

Susan Claus moved the Planning Commission accept the Staff recommendation and approve a site plan review exemption for SP 98-1 Sherwood Peddler Site Plan, a 400 sf enclosure to the existing structure. Seconded by Scott Franklin.

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

The Commission briefly discussed the status of the Act III Site Plan appeal. Mr. Turner said at this time there has been no official request from the applicant to change the original application. The applicant has requested a delay in the appeal. The City Council would determine when the appeal would be heard. Mr. Bormet advised that the applicant is working with the citizen appellants and Washington County. Chairman Whiteman asked what the process would be if the applicant submits a modified proposal. Mr. Bormet said it is the intent to allow the City Council to handle this, but it would ultimately depend on the type of changes. There has been no formal

submittal from the applicant at this time. Mr. Franklin said the application was approved with conditions and these conditions were very specific regarding access and traffic. If the applicant cannot meet the access requirements from the County and ODOT, they would not be able to build the project. Mr. Bormet said the applicant could go ahead without the 99W access, as long as they meet the access standards for the County off of Tualatin-Sherwood Road. Chairman Whiteman said the conditions dealt with the two accesses. Mr. Bormet said the applicant could ask to build the project in phases, with the first phase being a 10-screen theater and no building pads. If the first phase could be served off of Tualatin-Sherwood Road, they could begin construction. The applicant is working to meet everyone's needs. Chairman Whiteman said he opposed the original application because of the traffic situation. He would look at the precedence which would be set if this project was allowed to be built in phases without further Commission review. Mr. Bormet said the Commission has made their recommendation to the City Council and the final decision would be from the City Council. The Council could amend the conditions.

The Commission asked for an update regarding Pacific Lumber and the conditions of approval. Mr. Turner said no further action had been taken. Mr. Bormet discussed how Staff deals with changes in approved plans and how these are enforced. He did not think the system would work if the Commission begins to investigate or prosecute changes in plans. This should be handled by the Staff. The City is not in a position to go back and review all of the projects to see if the conditions have been met. An appeal of a Staff enforcement decision would be heard by the Commission.

Susan Claus asked if Staff could provide her with a copy of the Metro Wetlands Policy.

Mr. Bormet discussed the upcoming voter-approved annexation ballot measure which would be by a vote-by-mail election in March, 1998.

Chairman Whiteman asked that the TSP review by the Commission be scheduled to coincide with the election of a new Planning Commission Chair. There are three vacancies on the Commission, one unexpired term and two positions have terms that will expire in March 1998. Applications are being accepted by the City for these vacancies.

There being no further business to discuss, the meeting was adjourned at 8:00 PM.

Respectfully submitted,

Planning Department