



**City of Sherwood
PLANNING COMMISSION
855 N. Sherwood Blvd
Tuesday, January 21, 1997
7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Approval of Minutes of January 7, 1997**
- 3. Community Comments:** *Community comments are limited to items NOT on the printed agenda.*
- 4. Consent Agenda - No applications scheduled.**
- 5. Public Hearings:** (Hearing Disclosure Statement. Also, declare conflict of interest, ex-parte contact, or personal bias)
 - A. SP 97-1/CUP 97-1 Nextel:** a request by Nextel Communications for a Conditional Use Permit and Site Plan to install an unmanned radio telecommunications facility consisting of a 150 foot lattice tower and an 11 ft x 20 ft concrete shelter enclosed in a 40 ft x 40 ft fenced area at 20475 SW Cipole Road, a portion of Tax Lot 601, Map 2S 1 28A. **Staff is recommending this application be continued.**
 - B. PUD 93-3 Woodhaven Final Development Plan Changes:** a request by Genstar Land Company NW for modifications to the approved Woodhaven PUD Final Development Plan and conditions of approval, located south of Meinecke Road and east of Pacific Highway 99W.
- 6. Other Business**
- 7. 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
January 21, 1997

1. Call to Order/Roll Call

Chairman Bill Whiteman called the meeting to order at 7:05 PM. Pat Salisbury asked permission to video-tape the meeting and Chairman Whiteman approved this request.

Commission Members present:

Allen Baker
Susan Claus
Chris Corrado
Rick Hohnbaum
Angela Weeks
Bill Whiteman

Staff:

Jon Bormet, City Manager
Sue Engels, Development Director
Greg Turner, City Planner
Jason Tuck, Assistant Planner
Jan Youngquist, Planning Intern
Roxanne Gibbons, Recording Secretary

Commission Members absent:

George Bechtold

2. Minutes of January 7, 1997 Commission Meetings

Chairman Whiteman asked if there were any corrections, additions or deletions to the minutes of January 7, 1997. There were no comments.

Susan Claus moved the Planning Commission accept the January 7, 1997, Planning Commission meeting minutes as presented. Seconded by Allen Baker.

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

Mr. Hohnbaum noted that his absence from the January 7, 1997 Commission meeting should be unexcused.

3. Community Comments

Chairman Whiteman called for comments from the audience regarding any items not on the printed agenda. There were no community comments.

4. Consent Agenda

There were no land use applications scheduled.

5. Public Hearings

Chairman Whiteman read the hearings disclosure statement and requested that Commission members reveal any conflict of interest, ex-parte contact or bias regarding any issues on the agenda.

5A. SP 97-1/CUP 97-1 Nextel

Chairman Whiteman advised the Commission that Staff is recommending this land use application be continued. The applicant is aware of Staff's recommendation and has no objection to this continuance. The 120-day rule is not in jeopardy at this point in time.

Chris Corrado moved SP 97-1/CUP 97-1 Nextel be continued to the February 4, 1997 Planning Commission Meeting. Seconded by Susan Claus.

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

Chairman Whiteman announced he has bought some property which is adjacent to the Woodhaven PUD and could be affected by this application. He has talked briefly to persons who own properties adjacent to the Woodhaven PUD and could also be affected by this application. He has spent a lot of time reviewing the map for Woodhaven to familiarize himself with the application. He holds no bias and planned to fully participate in the hearing for this application.

Susan Claus announced she had talked to several people in the community regarding this application and advised them of this public hearing. She and her husband own some property on the other end of Villa Road, but she did not see this as having any kind of an impact. She planned to fully participate in the hearing for this application.

Rick Hohnbaum announced that as former Mayor of Sherwood he was involved when the whole process for the Woodhaven PUD began. He has talked to various parties during the last 4 years, but did not feel this would impact his decision. He planned to fully participate in the hearing for this application.

5B. PUD 93-3 Woodhaven Final Development Plan Changes

Chairman Whiteman called for the Staff Report. Sue Engels referred the Commission to the Staff Report dated January 21, 1997, a complete copy of which is contained in the Planning Commission's minutes book. She presented background information on the application and noted:

- There are three aspects to the request:
 - a Phasing Plan Update,
 - both the City and the Applicant are recommending changes to the original Conditions of Approval. The changes would update the conditions and make them more streamlined, as well as remove those conditions which have already been met, and
 - some uses within the PUD are changing, or being proposed to be changed.
- Several of the uses within the PUD are driven by the City. She noted the areas on the Woodhaven PUD map. Near Meinecke Road there is a portion of the PUD which was originally planned for single family housing. It is bounded by the high school on the east and Woodhaven Drive on the south. The City is proposing this parcel for a neighborhood park. The PUD would need to be changed to accommodate this proposal. This request has also resulted in some re-arrangement of phases to add, where possible, some single family lots to compensate the developer for the loss of the lots in the proposed park site.
- The site which was originally approved for 140 multi-family units has been bought by the City and will be used for the future YMCA. The designation for this property will need to be changed from multi-family to institutional/public.
- The City has requested some modifications to the bikepaths to facilitate alternative transportation. The City would like to have the option for people to get to the YMCA from the downtown area or Stella Olsen Park. To accommodate this proposal, the route of the bikepaths will need to be changed. The City would like to see a bridge which would go more directly across the wetlands to the YMCA. She identified the areas on the map.

- The applicant is requesting some changes to the two multi-family sites in Phase 5 so that they could be developed either as apartments or townhomes with single ownership.
- The applicant is requesting another change to Phase 5 so that the Neighborhood Commercial (NC) site would have an option to be developed as multi-family or townhomes, not to exceed 24 dwelling units, or developed as NC.
- The applicant is requesting a change to the townhome site in Phase 1 with the option to develop it as a townhome site or as a single family site.
- In all cases, except for the Neighborhood Commercial (NC) site, the applicant is not asking for more density or a reduced density. The PUD amendments do not change the boundaries of the Woodhaven PUD.
- Staff's recommendation regarding the Neighborhood Commercial site is that the applicant make a determination regarding the zoning, commercial or residential.
- The newest version of the phasing plan shows Phase 9 with a certain number of single family sites. Realizing how close it is to Highway 99W, considering the proposed parallel access, the applicant has shown some of the single family sites as being removed. The road network has been revised accordingly.
- As of October 1995, the City Council determined that the total dwellings in the PUD would not exceed 1,287 dwelling units. This proposal does not increase this number.

In conclusion, Staff recommends approval of PUD 93-3 Woodhaven PUD Final Development Plan changes as identified in the Staff Report and the recommended revised conditions of approval.

In response to Mr. Hohnbaum's question, Ms. Engels said the original condition stated that the Ponderosa Pine natural area will be left in a natural state, except the applicant could do a tree survey and perhaps remove some of the less important trees, not taking more than 5% of the trees from this area. Now, it is being proposed that the applicant be given some additional single family lots, a total of five (5) lots, that would be located on the edge of the Ponderosa Pine natural area and still subject to the original condition. The condition has not changed, but the proposal has changed that possibly five additional single family lots would be located in the area. Tree mitigation was not addressed in the original conditions.

Chairman Whiteman stated that the proposal seems to necessitate all vehicles come out to Sunset Boulevard to get out of the Woodhaven development. He asked if any type of traffic study had been done to address the new YMCA and redesign of some of the streets in the Woodhaven PUD. Ms. Engels responded that at present there is no direct connection to Meinecke Road. There are two street stub-outs in the direction of Meinecke Road from the development. However, no further traffic study has been done.

Jon Bormet said because the development will be constructed over several years, the connection to Meinecke Road could be handled in the future. With regard to the proposed neighborhood park, the City is trying to increase the amount of adequate park land in the City. The site is about 500-600 feet wide along Meinecke Road. The current street widths in this area are 26-28 feet wide or 50 feet wide with the right-of-way.

Angela Weeks asked if any consideration had been given to connecting a bikepath to Meinecke Road. Mr. Bormet said there will be a bikepath in Woodhaven which will run directly to the

YMCA. There will be a bikepath from Stella Olsen Park, across a bridge, to the YMCA. There will be an 8-foot wide bikepath along Sunset Boulevard in Woodhaven to the YMCA. The proposed park would be a community park for everyone to use. There is an open area which could be converted to a parking lot or an area off of Meinecke Road which could be used as a parking area. This would be a part of the City's Parks Master Plan.

Rick Hohnbaum said it sounded like the City would be doing the planning and development of this park plan. If the applicant were doing the plan, he would expect to see the plan as a part of this application. Mr. Bormet responded the park location is being presented tonight as a proposal. If approved, it would be sent to the Parks Board and they would take the lead in the design process. This process would include the neighborhood and the citizens of the community, and should not be left to just the Woodhaven developers. Financing for the infrastructure of this park is still to be determined. Either the City would be writing the check or the City would allow the applicant some systems development credits. The City is still discussing final systems development charges with the applicant. It would be a good idea to have a street going out to Meinecke Road somewhere near the proposed park site.

The Commission discussed at length the circulation in Woodhaven in relation to the proposed changes to the PUD.

Angela Weeks asked what effect the proposed frontage road would have on the Woodhaven development and whether they are jumping the gun by even talking about the proposal before a solid frontage road plan is in place. Mr. Bormet responded he did not think this was the case. They are months away from coming up with a plan for the frontage road or killing the plan for the frontage road. They are trying to keep all of the options open and not make any decisions until necessary. If the proposed amendments are approved, it would not mean there will or will not be a frontage road. The recommendations are frontage road "neutral".

Chairman Whiteman opened the public hearing on PUD 93-3 Woodhaven Final Development Plan Changes and asked if the applicant wished to provide testimony.

Phil Nachbar, Genstar Land Company NW, 11515 SW Durham Road, E-9, Tigard, Oregon 97224, addressed the Commission. Mr. Nachbar showed the Commission slides of the Woodhaven PUD with the proposed changes. He would like to add to the discussion rather than go over what has already been discussed. He indicated where Genstar is asking for changes or modifications to the conditions and specifically noted:

- The streets that are being designed in the newer sections, which include Phases 4, 6 and 7, will be designed with 26-foot standards. There will be planter strips adjacent to the street. This is at the request of the City. The applicant has accepted this as a design element. This design will create a more intimate and friendly neighborhood.
- The updated plat shows more open green space. A lot of the tot-lot parks have been removed in favor of the larger neighborhood park. This also resulted in a redesign to put lots which would be lost in the park area in other phases. They tried to balance the lots to come up with the same number of lots they originally had; which was 934 single family lots.
- They worked closely with the City in trying to make the bikepath work. The City wanted a bikepath which would start at Villa Road and come down along the development. The

bikepath is placed outside the development on a specially dedicated space. This creates a more segregated bikepath through the wetland. He identified the crossing. The bikepath will function for the City as a community to use the YMCA. There are different connections throughout the development which would connect the bikepath to the park, Ponderosa Pine area and YMCA.

- One of the new conditions is the placement of a bridge for crossing Cedar Creek from Villa Road. This will allow the bikepath to be used in the winter. It will be a raised path, approximately 8 feet wide. The bridge will be an additional cost, but when looking at the whole picture, the applicant is willing to accept this condition.
- The applicant would like to see some flexibility on the neighborhood commercial site. In all likelihood, with everything they know now, they believe that site will actually be developed as townhomes. They are reluctant to commit to this plan at this time for several reasons. Currently, commercial land is worth more than townhome land. They do not know the acceptance of the market for townhomes. They believe it will be fairly strong. They are trying to avoid future PUD amendments which would further delay the project. In exchange for all of the changes they are being asked to provide, they are asking for the flexibility to work with the site as they see fit, but still meeting the intent of the PUD.
- The other two requests of the applicant deal with multi-family dwellings for townhomes. The densities would remain the same, but they would like to see the option for townhomes on what was formerly multi-family dwellings.
- They are asking that the townhome site in the lower half of the development have an option for single family dwellings.
- In the Ponderosa Pine area, the applicant has tried to keep a fairly broad area open so that it can be enjoyed and used by the neighborhood. They have requested the addition of five lots in this area, subject to the tree surveys. This would make up for the loss of lots in the whole redesign process.

Mr. Nachbar said he would answer any questions. In response to Ms. Claus's question, Mr. Nachbar said the applicant would go through the appropriate review process for commercial property. If they decided to go to the townhome option, they would still go through the appropriate land use application process. They are asking for an either/or option regarding the neighborhood commercial site.

Chairman Whiteman asked if there was any kind of traffic report or study relative to this redesign plan. Mr. Nachbar responded they have asked that same question. They do not want to have traffic jams or the feeling of being enclosed in the development. Most of Sunset Boulevard was designed to accommodate a fairly large amount of traffic flow. In addition, the light at Sunset and Highway 99W is scheduled to be permitted and issued by January 28, 1997, pending signing by all parties. He referred to a January 21, 1997, letter from Robert Schmidt, District Engineering Coordinator, Oregon Department of Transportation to Genstar, which was distributed to the Commission. The intention is to still have a major connection in the development through to the north at the appropriate time. None of their traffic engineers have indicated upon build-out that without a road through that there will be a major problem. They do see a need for a northern exit/entry point in the development.

Susan Claus asked if the Commission felt a connection to the north was necessary, would the applicant be receptive to participating? Mr. Nachbar said it was his understanding the

connection is not now continuing in a northerly direction, but essentially it is not the applicant's vocation at this point to punch the road through. From this standpoint, the applicant would prefer not to have to punch the road through at this point in time. They were prepared to do it previously, but that was when the development was continuous all the way up to Meinecke Road. They have designed for the eventual extension. He believed with the new traffic light, the bulk of the traffic would use Sunset. The extension to the north was never contemplated to be a direct connection. They never wanted to have a road there which would encourage a lot of traffic flow through the development.

Ms. Claus said it was her feeling that the Commission needed to see a traffic study which addressed specific issues associated with the redesign of the PUD. When the PUD was originally approved there was a north-south collector that was to service the entire area. Now they are cutting this off and within the context of the Staff Report, they are saying that Woodhaven is not responsible for any type of improvements to the Meinecke Road interchange. Originally, there was a financial obligation and Woodhaven was punching the north-south collector through. There are some important transportation and circulation issues which need to be addressed.

Mr. Bormet said a portion of Sunset was probably designed to carry 15,000 cars per day. Chairman Whiteman said this may be the case, but getting the vehicles on and off of Sunset from all of the arterial streets may be the problem. This includes not only the Woodhaven development, but other developments along Sunset Boulevard.

Jerry Offer, OTAK, Inc, 17355 SW Boones Ferry Road, Lake Oswego, Oregon 97035, addressed the Commission. Mr. Offer said both Pinehurst Drive and Woodhaven Drive are minor collectors and designed larger than any of the other streets in the area. These streets are designed to collect traffic. The entire circulation plan is designed to collect traffic and circulate it to Sunset Boulevard.

Mr. Corrado asked how many homes or people would be living in the top half of the Woodhaven PUD between these two streets, Sunset and Meinecke Road. Mr. Nachbar said there are two major exits to Sunset, Pinehurst and Woodhaven Drives. Mr. Hohnbaum said at one time there were four exits and now there are only two streets for this purpose. Mr. Nachbar said the build-out for this area would be approximately 2-3 years. He explained the build-out for the particular phases identified on the map.

Angela Weeks said there are already traffic problems on Sunset Boulevard. Mr. Bormet said he had not heard there is a traffic problem on Sunset, with the exception of the four corner intersection by the Archer Glen School for 10 minutes every day. Ms. Weeks said she was referring to Sunset and 99W. Mr. Bormet said the signal should alleviate this traffic problem. The City and applicant agree, in principle, that there will need to be an exit to Meinecke Road.

Mr. Nachbar said the question is when it happens, who pays for it, who gets the benefit of it and does the person who gets the benefit of it pay for it. One option would be to approve the PUD as is, and allow the applicant to come back to the Commission with a traffic study, at some point in the future, indicating when an appropriate time for a connection would be. The applicant would be more than willing to do this. In terms of the financing, the applicant has been contributing continually towards the systems development charges for these improvements. The City has, by

this PUD amendment, indicated that they are not concerned about the applicant paying for this improvement.

Allen Baker asked for clarification regarding who was originally responsible for punching the street through to Meinecke Road. Mr. Nachbar responded it was his understanding that the street going through was for future development and not particularly the responsibly of the applicant.

Chairman Whiteman asked if there was anyone else who wished to speak in favor of the application. There was no further proponent testimony. Chairman Whiteman asked if there was anyone who wished to speak in opposition to the application.

Steve Weeks, owner, The Cherry Tree Market, 21970 SW Pacific Highway, Sherwood, Oregon 97140, addressed the Commission. Mr. Weeks said in 1987 he was in the same position the Commission is in now. He helped approve the original plans for Woodhaven. He helped approve the entrance and exits out of Woodhaven onto Meinecke Road. He felt then as he does now, it is essential that there be an exit from the Woodhaven development to Meinecke Road. One of the biggest questions which has not been brought up is, what about an emergency situation. How is the fire department going to get in and out of the back side of the Woodhaven development. What if there was an earthquake, how are the people going to get out? You have approximately 1,000 people that are going to be driving out of that area. He asked the Commission consider placing the road up to Meinecke Road. When the PUD was originally approved, they also had the applicant participate in the cost of the light at Meinecke, when it is put into effect, along with other property owners who wanted the light. He is one of these owners. Why can't the road be put along the proposed neighborhood park, on either side? This would also give street side parking for business. These were his concerns.

John & Laurie Jones, 18286 SW McConnell Street, Sherwood, Oregon 97140, addressed the Commission. They are new residents of Woodhaven. Mr. Jones said they have the same concerns about getting in and out of Woodhaven on Sunset, as well as emergency situations. They like the idea of the new park with a road on either side connecting to Meinecke Road. They also liked the site for the proposed YMCA and it will be used a lot which will create more traffic. There seems to be some vagueness about the road connecting to Meinecke Road and the use for the neighborhood commercial site. He turns right onto 99W from Sunset when going to work. However, trying to cross 99W is very hazardous and he has seen three accidents at this intersection.

Steve Weeks, again addressed the Commission. He stated that you want to keep Woodhaven residents patronizing Sherwood businesses. When this was originally approved, it was Phase 3 when the signal was to be installed or the road built to Meinecke was to be in place. He knows there have been a lot of changes, but it should be implemented soon.

Mr. Bormet stated the changes being proposed will not increase the density of the Woodhaven PUD. The current project proposal is at 1145 dwelling units. It is approved for 1287 dwelling units.

Chuck Actor, 18041 Parrish Lane, Sherwood, Oregon 97140, addressed the Commission. Mr. Actor said he lives in Phase 1 of Woodhaven, about 4/10ths of a mile from 99W. He thinks the

requests by the City and the developer for these changes seem very reasonable. He is concerned about the transportation and punching through with a road north onto Meinecke Road. He did not intend to testify, but he does have some concerns because they really do not know who is going to punch the road through, what the costs will be and there seem to be other issues which are unanswered and unresolved. He encouraged the Commission to put this on a timetable to get these things resolved as soon as possible so the citizens have some information.

Bob Salisbury, Meinecke Road, Sherwood, Oregon 97140, addressed the Commission. Mr. Salisbury stated he was concerned about the location of the road to Meinecke. He identified the area where he lives and owns property. He was concerned about the road going along his property. He has many large trees on his property line which would be killed if a road was put in. This will also influence how he could develop his property in the future. The placement of the road has changed from when it was originally approved with the PUD. He did not feel good about either one of the stub streets being extended to Meinecke along his property.

Phil Nachbar addressed the Commission. With respect to the connection to the north to Meinecke Road, what makes the most sense. They are not suggesting that this does not need to happen. They recommend that the applicant be allowed to perform a traffic study and indicate when it would be needed. This would provide some guidance. Determining the responsibility would be primarily the responsibility of the City and Genstar. They have established a good working relationship with the City and they are just asking for some flexibility. He asked that the Commission approve the amendment at this time with that condition.

Steve Weeks addressed the Commission. In June 1996, there was a letter sent by Genstar to the City Manager stating they were against the proposed frontage road which Mr. Bormet is now proposing. Why aren't they coming down on a frontage road, rather than Meinecke Road. It looks like Genstar is running the City, not the City running Genstar.

Chairman Whiteman said the map provided tonight by Genstar shows the road coming out to the north and west from Woodhaven merging with the proposed frontage road before it even gets to Meinecke Road.

Chairman Whiteman asked if there was anyone else who wished to testify, proponent or opponent.

Doug Draper, General Manager, Genstar Land Company NW, 11515 SW Durham Road, E-9, Tigard, Oregon 97224, addressed the Commission. Mr. Draper stated Phil covered a lot of the issues very well. He takes exception with the last comment because Genstar goes through the process in their office and they do not think they are running the City. They follow the same rules and guidelines as other applicants. They have undergone a fairly major change to the PUD plan, essentially at the request of the City to address some issues. They did write a letter stating they were not in favor of the frontage road because at that particular point in time it had some impacts on their property which they had concerns. Since then the City and the applicant have worked together on the frontage road and the PUD which resulted in the PUD essentially being neutral on the subject of the frontage road. You can put it in or you don't have to put it in. They have no ax to grind on the frontage road either way. The frontage road is a decision of ODOT and the City. The applicant does not benefit from the frontage road.

Angela Weeks asked if the frontage road was to service the Woodhaven community. Mr. Draper said they do not access onto the frontage road. This is why they consider Woodhaven to be frontage road “neutral.”

Mr. Bormet said he did not know what conspiracy there is out there, but if the Commission wanted to see the before and after numbers on the systems development charges, he would provide them. The frontage road is not a firm plan; it may or may not happen. He explained that the YMCA property was purchased from GSL Properties which is not a part of Genstar.

Mr. Weeks said if the frontage road is put in it will affect the Genstar development.

Chairman Whiteman said the Commission has heard a lot of things tonight as well as public testimony. He suggested the Commission may wish to consider continuing the hearing to receive further information and testimony. What is being discussed will have a big impact on the community in the future.

Susan Claus moved the Planning Commission continue PUD 93-3 Woodhaven Final Development Plan Changes to the February 4, 1997 Commission meeting. The public hearing will remain open for additional written and oral testimony. Seconded by Bill Whiteman.

A roll call vote was taken.

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

Chairman Whiteman explained that PUD 93-3 Woodhaven Final Development Plan Changes will be the first agenda item at the February 4, 1997 Commission meeting. The public hearing will continue to that meeting. At that time the public hearing will be closed and the Commission, based on information and testimony, will make a decision concerning this request.

Chairman Whiteman asked if there was anyone else who wished to testify.

Conrad Claus, Attorney representing Jim Claus, 22211 SW Pacific Highway, Tigard, Oregon 97224, addressed the Commission. Mr. Claus said the property line dispute in Phase 7 with Mr. Salisbury is an issue which needs to be reviewed. The other issue is the two north/south street stubs. Passing some of the burden of the Woodhaven developers to property owners for the continuation to Meinecke Road would cause a serious proportionality problem. He suggested the City needed further review and counsel regarding this issue.

Chairman Whiteman asked if there was anyone else wishing to speak in favor or opposition to this application. There was no further testimony. Chairman Whiteman temporarily closed the public hearing, for discussion by the Commission.

Mr. Hohnbaum said he remembered someone from ODOT saying the frontage road would be on a “fast track”. This would include potential routes, properties involved and process deadlines. He asked Staff for clarification.

Mr. Bormet explained the City will continue to move forward with deliberations and public input regarding the frontage road. It would be a mistake to rush this issue through the planning process. He continues to meet with a citizens group regarding the frontage road plan. With regard to the YMCA soccer/ball fields, approximately 40 acres will be needed. This land will, in all likelihood, be outside the UGB.

Mr. Hohnbaum asked if the proposed neighborhood park was discussed with School District officials. Ms. Weeks said she understood a traffic study was going to be done by ODOT regarding the frontage road.

Mr. Bormet said ODOT is studying the 99W Corridor. At this time no plans exist for the Meinecke Road intersection. This is one of the things ODOT is working on.

The Commission discussed the wetlands in the Woodhaven PUD. Jerry Offer, OTAK, Inc., explained that after completing the wetlands delineation, which was certified by the Division of State Lands, there is less acreage of wetlands than was originally shown. Mr. Bormet said the corridors are consistent with what is in the City's Master Plan.

Chris Corrado asked for clarification regarding what part the Commission should play in the discussions and development of the proposed frontage road. He has been approached several times regarding this issue. He suggested that the Planning Commission be provided with information so that they could answer some of these questions.

Mr. Bormet said the Commission has a very important role in the process. The City has tried to work with those people who are directly impacted before beginning the public process. He would be glad to share with the Commission the thought process, but at this time there are no definitive plans for the frontage road.

Chairman Whiteman stated it is important for the public to know the process. It was the consensus of the Commission that somehow they be advised so that they are better able to answer questions from the public. Mr. Bormet said he would hope that there would be public forums on the frontage road plan. He noted:

- The Commission will be kept apprised on the progress of the frontage road plan.
- The Commission will receive information regarding the Meinecke Road connection and whether or not it is needed now or later.
- The Commission will receive information on the impact of the Meinecke Road connection from a traffic point of view and how the City makes sure it is a workable plan.

Susan Claus stated when the Woodhaven PUD was initially approved, they were also supposed to be participating in the Meinecke Road/Highway 99W signal. She suggested that this should remain a part of the PUD. Mr. Bormet said with all the changes to the Woodhaven PUD the percentage of participation is now very small. Ms. Claus said she did not necessarily agree with this.

Greg Turner, City Planner, distributed a copy of the Decision Notice dated March 28, 1994 regarding PUD 93-2 Wyndham Ridge PUD Preliminary Development Plan and Preliminary Plat. This notice contained information regarding the Highway 99W and Meinecke Road intersection.

Allen Baker stated if the City is taking away land for the neighborhood park, and the applicant would need to make the improvements, they are saving a lot by squeezing houses in other phases which are already serviced. He thought these savings should go toward the Meinecke Road connection. Chairman Whiteman stated that when Woodhaven is built-out there will be enough traffic for everyone.

The Commission discussed the proposed condition regarding the Neighborhood Commercial (NC) site. Mr. Bormet said from his perspective he would recommend the parcel be zoned residential for multi-family dwellings and not neighborhood commercial. The applicant is requesting an either/or flexibility to use the parcel as residential or commercial. Mr. Draper said one of the possible commercial uses they have received inquiries for is a day care type facility. They would like to preserve this option, but if the commercial does not happen they would like to use the parcel for residential housing. Mr. Nachbar suggested using the either/or flexibility with some type of time frame to make a decision. This property could be developed within 1-1/2 years. There was no consensus from the Commission that placing a time-frame type of deadline for selecting the particular zoning was appropriate.

6. Other Business

Sue Engels reported that Washington County Circuit Court Judge Gayle Nachtigal ruled on January 9, 1997, to uphold the City's decision to deny the Texaco application to build a gas station in the City's General Commercial (GC) zone. The parties will prepare the appropriate orders for the Court. Texaco has thirty (30) days after the date the Order is filed to file an appeal. The appeal would go to the Court of Appeals.

Rick Hohnbaum asked how Cascade Chemical was able to be in business without a hard surface driveway. Sue Engels said this was one of the conditions they have to meet. The City is aware of the situation and will require that all conditions of approval be met.

Mr. Hohnbaum asked how many units were approved in Abney Revard (Whistler) development. Susan Claus said she thought 102 lots were approved with one road going into the development. She thought there was another emergency access along the Steel-Tek property. He was on an emergency response to a house fire on Greengate Drive and the question was asked how did this happen, referring to how there was only one road into the development. Sue Engels said Staff would review the conditions of approval for this development.

There being no further business to discuss, the meeting was adjourned at 9:50 PM.

Respectfully submitted,

Planning Department