

City of Sherwood, Oregon
Planning Commission Meeting

January 16, 1996

1. Call to Order/Roll Call

Chairman Gene Birchill called the meeting to order at 7:05 PM. Commission members present: Chairman Gene Birchill, Susan Claus, Chris Corrado, Rick Hohnbaum, Kenneth Shannon and Marge Stewart. Commissioner George Bechtold was absent and excused. Planning Director Carole Connell, Assistant Planner Lisa Nell, and Secretary Roxanne Gibbons were also present.

2. Minutes of December 5, 1995 Commission Meeting

Chairman Birchill asked if there were any corrections, additions or deletions to the minutes of December 5, 1995. There being no comments, corrections or additions, Chairman Birchill accepted the minutes as presented.

3. Community Comments

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

4. Public Hearings

Chairman Birchill reviewed the public hearing process, 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.

Chris Corrado announced he had contact with Mike Purcell, the applicant's contractor (SP 95-13), through his business, but did not feel this would affect his decision process. Gene Birchill announced he had 3 or 4 telephone conversations to discuss SP 95-13 Tercek (Agenda Item 4B) relative to fire codes, but he did not feel this would affect his decision process. There were no other Commissioner disclosures.

Chairman Birchill announced Agenda Item 4C PUD 95-2 Arbor Lane was requested by the applicant to be continued to the February 6, 1996 Planning Commission meeting.

4A. MLP 95-10 Edy

Chairman Birchill called for the Staff Report. Carole Connell reported this application is a three-lot Minor Land Partition on Division, Pine and Lincoln Streets. Ms. Connell referred the Commission to the Staff Report dated January 10, 1996, a complete copy of which is included in the Commission's minutes book.

Ms. Connell reviewed the main points of the report and criteria for a minor land partition. She clarified that the 1.18 acre parcel is proposed to be divided into three residential lots. The property is in two different zones, Medium Density Residential

Low (MDRL) and Low Density Residential (LDR). Ms. Connell referred the Commission to the map identifying the property. Vista Avenue is not a City right-of-way and the City does not want a public street here. This street will remain a driveway which will provide access for fire and life safety protection. The City has purchased land on the applicant's Division Street frontage for street widening and improvements. There are no designated parks or floodplains on the site. Sewer and water are available. Parcels A and B are large, however, due to the area needed for the private driveway, further division will not be likely.

In conclusion, Ms. Connell reported based on the findings of fact and agency comments, Staff recommends approval of MLP 95-10 subject to the recommended conditions of approval. She reviewed the recommended conditions of approval including one additional condition for a nonremonstrance agreement.

Chairman Birchill asked if the applicant wished to testify.

Bruce Vincent, Bedsaul Consulting, Inc., 180 E. Main Street, Suite 215A, Hillsboro, Oregon 97123, representing the applicant, addressed the Commission. Mr. Vincent stated the applicant had no objections to the conditions of approval as stated and revised. He pointed out that the Lincoln Street utility easement would be a 20 foot wide easement. Mr. Vincent asked that the application be approved as presented and that he would be happy to answer any questions.

Chairman Birchill asked if there was anyone else wishing to speak in favor of the application. There being no further proponent testimony, Chairman Birchill asked if there was anyone wishing to speak in opposition to the proposal. There being no opponent testimony, Chairman Birchill dispensed with the rebuttal portion of the hearing and closed the public hearing on this agenda item, unless a Commission member asked that it be reopened for additional testimony, for discussion and comments by the Commission.

Susan Claus asked for clarification regarding the different street widths on Division Street. Ms. Connell responded that the various topography on Division Street, as well as an existing structure, does not allow for a consistent 40-foot width. Marge Stewart said she was concerned that the surrounding apartments have adequate access for the fire department. Ms. Connell responded there will be adequate access and the driveway will be all-weather surface. The Commission discussed the right-of-way on Division Street. Ms. Stewart said she was opposed to the City not doing a more comprehensive plan for street connections.

The Commission asked Ms. Connell to verify whether the Edy residence being used as a triplex (20 SE Division Street) is a zoning violation. The applicant stated the residence has been a triplex since 1941. There being no further comments,

Chris Corrado moved the Planning Commission approve MLP 95-10 Edy Minor Land Partition based on the findings of fact,

Staff recommendations, and applicant comments. The motion was seconded by Kenneth Shannon and carried with Commissioner Stewart voting no, subject to the following conditions of approval:

1. Dedicate to the City an additional five (5) feet of right-of-way for Lincoln Street to provide a total of 25 feet from the centerline of the street. Verify with City Public Works if additional right-of-way is needed for the Division/Pine Street intersection.
2. Provide an all-weather surface driveway and a driveway easement including a maintenance agreement whereby all parcels (including Parcels A and B and Tax Lots 1600, 1808, 1809 and 1810) utilizing the driveway will have legal access by easement and will participate equally in maintaining the driveway.
3. Provide a twenty (20) foot public utility easement in the roadway easement between Lincoln and Pine Street for City maintenance areas to sewer and water lines.
4. Enter into a nonremonstrance agreement with the City for future public road and utility improvements.

This approval is valid for one (1) year.

4B. SP 95-13 Tercek

Chairman Birchill called for the Staff Report. Lisa Nell reported this application is a Site Plan for Tualatin-Sherwood Automotive Center on the north side of Tualatin-Sherwood Road. Ms. Nell referred the Commission to the Staff Report dated January 10, 1996, a complete copy of which is included in the Commission's minutes book.

Ms. Nell distributed copies of the revised recommended conditions of approval, a December 27, 1995 letter from TVFRD and January 11, 1996 letter from Pride Disposal regarding the application.

Ms. Nell discussed the main points of the report. The request includes construction of a 55,983 sq ft building to include a warehouse with machine shop, oil and lube shop, repair shop, auto body shop and car wash. A revised site plan has been provided which illustrates changes to the car wash location and traffic flow, and the size and location of oil and lube building. A significant change is the removal of the central driveway onto Tualatin-Sherwood Road. A new access is located on the southeast side of the parcel utilizing the Bonneville Power Administration property. Staff needs more information regarding the ingress-egress easement through the BPA property. The Division of State Lands is reviewing the wetland determination and their report is pending.

Ms. Nell reported there are two trees located on the site, but the trees do not seem

worthy of saving. She identified and described the site accesses on the map. The applicant has worked very hard to design buildings which are compatible with the Gramor development, Sherwood Market Center. All vehicle work will be done inside the building.

In conclusion, Ms. Nell reported based on the findings of fact and agency comments, Staff recommends approval of SP 95-13 subject to the recommended conditions of approval. She reviewed the revised conditions which were distributed to the Commission at the meeting.

Chairman Birchill asked if the applicant wished to testify.

Rory Antis, Rory Antis Designs, 24495 NE Highway 240, Newberg, Oregon 97132, representing the applicant, addressed the Commission. Mr. Antis said the applicant has reviewed the recommendations for site approval and they are in agreement. He pointed out that they have hired a traffic engineer and have worked out the car wash area circulation concerns. Mr. Antis reviewed the site access from the east and west sides. They spoke with Darrell Goodrich regarding purchasing additional property or providing an access easement. This is currently being negotiated and things do look favorable. They have an ingress/egress agreement with PGE and the Bonneville Power Administration. Mr. Antis said the site flows real well and they have tried to blend the building into the neighborhood. Additional lighting will be provided in the rear and front parking area. The wattage on the building has been increased. They will provide access (man-doors) to the building as required by the TVFRD.

Mr. Antis provided photographs of the existing building site in Portland. All parts are stored inside the building. There will be no combustible materials stored above 12 feet.

Chairman Birchill asked if there was anyone else wishing to speak in favor of the application. There being no further proponent testimony, Chairman Birchill asked if there was anyone wishing to speak in opposition to the proposal. There being no opponent testimony, Chairman Birchill dispensed with the rebuttal portion of the hearing and closed the public hearing on this agenda item, unless a Commission member asked that it be reopened for additional testimony, for discussion and comments by the Commission.

Mr. Hohnbaum asked if the 20-foot access or appropriate easement should be made a condition of approval. Ms. Connell agreed and responded there is a need to provide additional land for an easement from Tax Lot 400 to develop the entry as shown on the site plan. The Commission discussed the access requirements of the fire code.

In response to Mr. Corrado's question, the applicant stated the retail outlet would be leased to individuals from the Tualatin-Sherwood area who would have an interest in the community. Mr. Corrado stated for the record that the surrounding homeowner's be taken into consideration when developing the lighting, e.g., direction/distance of

lighting. The applicant stated the hours of operation would be during the normal work day, (8:00 AM to 5:30 PM) with no swing or night shift hours. There will be no outdoor storage and the drop off access will be at the back portion of the site.

Following further discussion and review,

Rick Hohnbaum moved the Planning Commission approve SP 95-13 Auto Center based on the findings of fact, Staff recommendations, and applicant comments. The motion was seconded by Chris Corrado and carried unanimously, subject to the following conditions of approval:

Prior to issuance of a building permit:

1. Provide engineered construction plans for public and private improvements including costs, maintenance and bonding provisions in compliance with City, USA, WCDLUT and TVFRD standards. The plans shall include provisions for streets, on-site sidewalks, sanitary sewer, water, fire protection, storm water runoff, erosion control, grading, street lighting, landscaping, and signage.
2. Provide a revised landscaping plan which indicates a minimum six (6) foot high sight-obscuring fence or plantings along both the east, north and west sides of the property to provide a buffer between the site and adjoining properties. Provide a total of 10 feet along adjoining properties for buffering purposes.
3. Comply with any recommended safety improvements as a result of the Washington County Traffic Analyst's report dated November 20, 1995 regarding Tualatin-Sherwood Road. Comply with the WCDLUT letter dated December 4, 1995. Provide WCDLUT approval of the eastern, off-site driveway. If approved by the County, improve the two driveways into the BPA easement and the driveway to Tualatin-Sherwood Road to City standards.
4. Apply for and obtain an administrative sign permit prior to any sign installation.
5. Outdoor display and storage is prohibited.
6. Provide a lighting plan illustrating sufficient lighting throughout the site, along pathways, within the planned parking areas and the driveway to ensure safety for employees who are entering and exiting the buildings.
7. Provide a four (4) foot connecting sidewalk from the site to the existing five (5) foot public sidewalk along Tualatin-Sherwood Road. Construct the pedestrian pathway to the site from the parking lot with a different material as the parking lot. The pathway should be raised and have a grid pattern in accordance with the Transportation Planning Rule standards.

8. Provide verification from the Division of State Lands that there is not a wetland on the site.
9. Provide verification of necessary DEQ permits.
10. Provide solid waste facilities as approved by the City and Pride Disposal.
11. If approved by the WCDLUT, verify BPA, PGE and the owner of Tax Lot 600 (Map 2S1 28BD) approval of the driveway use and obtain an access easement. Enter into a shared maintenance agreement with all users of the driveway.
12. Provide additional land or an easement from Tax Lot 400 to develop the entry as shown on the site plan.

This approval is valid for one (1) year. Building expansion will require an additional site plan approval.

The Commission complimented the applicant for their efforts in building design and welcomed them to Sherwood.

4C. PUD 95-2 Arbor Lane

At the request of the applicant, this application was continued to February 6, 1996 Planning Commission meeting.

5. Director's Report

Carole Connell reviewed the list of pending planning projects. Jon Bormet and Carole have tentatively prioritized the list. The Transportation Planning Rule, including skinny streets, park land acquisition, downtown plan, bike path plan, limited and expedited land decisions, Meinecke Road/Highway 99W zoning, and 2040 Plan amendments were included in the top seven priorities. Other items are the Green Tweaks, grading rules/tree removal, facility planning at UGB, Pacific Highway corridor plan, sustainability project plan amendments, Old Town industrial area rezoning, visual master plan, historic resources, sign code rewrite, upgrade Adams Avenue to an arterial street, minimum density, multi-family incentive/SDC credits, and Environmental Business Overlay Zone. The Commission made some recommendations for additional items to be included. City Manager Jon Bormet discussed concepts for 99W access, city parks, bike paths and walking trails.

In response to a Commissioner question about the lowered status of historic resources, Ms. Connell advised that the City Council will have a work session on January 20 to discuss goal setting. This session could include historic resources and "owner consent" with the theory behind historic preservation which should be directed toward economic development with incentives and programs. Mr. Bormet said he thought Council was saying that it was the perception of a lot of the people in the community or affected property owners that when discussing historic districts that people wondered what was being done "to" them, not what was being done "for"

them. There is no better economic development mechanism than an historic district.

Susan Claus suggested the Meinecke Road/Highway 99W Zoning and Pacific Highway Corridor Plan be discussed at the same time or coordinated. Ms. Connell said the Pacific Highway Corridor Plan will be a recommendation from ODOT. Marge Stewart said she would like to see something regarding light rail transportation. Another issue would be to ensure Oregon Street is raised to prevent possible flooding. Ms. Connell said the City has a capital improvement plan for Murdock and Oregon Street intersection improvements. Chris Corrado asked if the City had any formal plan for attracting the types of businesses that could provide jobs or if Sherwood had the capacity or wanted to do this. The type of parcel needed would be 30-40 acres. Ms. Connell responded there is no firm organizational approach and the Langer parcel is the only one left for this type of scenario.

Ms. Stewart said if the City does not plan for the things they want or do not want, when the times comes, the City may not have a say in it. Chairman Birchill said the limited and expedited land decisions should be done as soon as possible. Ms. Connell said the final plats will be placed on a consent agenda, unless a Commissioner wished to review further. Staff is also reviewing the staff report format for land use applications and hope to have some streamlining changes in the near future. Jon Bormet said Staff is spending so much time on the zoning side of the equation that it is hard to find enough time for the planning side of the equation. This would include more of a summary-type of minutes and less cumbersome staff reports. The Commission agreed with this concept and thought it would be more effective.

Ms. Stewart said it would be helpful to see larger section maps when reviewing applications. This would better identify the surrounding properties. Mr. Shannon said the Commission's decisions have become more consistent.

There being no further business to discuss, the meeting was adjourned at 9:35 PM.

Respectfully submitted,

Roxanne Gibbons
Planning Commission Secretary