

City of Sherwood, Oregon
Planning Commission Meeting

May 2, 1995

1. Call to Order/Roll Call

Chairman Birchill called the meeting to order at 7:30 PM. Commission members present: Chairman Gene Birchill, Vice-Chairman Chris Corrado, George Bechtold, Susan Claus, Rick Hohnbaum, Kenneth Shannon and Marge Stewart. Planning Director Carole Connell and Secretary Roxanne Gibbons were also present.

2. Minutes of April 18, 1995 Meeting

Chairman Birchill asked if there were any corrections or additions to the minutes of April 18, 1995. There being none, 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.

City Council and Planning Commission Informal Meeting

Sherwood City Councilmember Mark Cottle addressed the Commission. Mr. Cottle stated that as the Council liaison to the Commission, the Council asked him to speak to the Commission regarding scheduling an informal meeting or lunch this summer with Council and Commission members. Chairman Birchill polled the Commission members regarding having a Saturday meeting or an evening meeting during the week. It was the consensus of the Commission that an early evening meeting during the week would be most workable. Mr. Cottle explained that the Council would like to see a "blending" of the Commission and Council to assure that both Boards are on the same track.

City Manager Jim Rapp Resignation

Mr. Cottle reported that today, May 2, 1995, the Council accepted the resignation of City Manager Jim Rapp. Mr. Rapp will continue in his present position until July 5, 1995. The Council anticipates the search for a new City Manager will take 6 months. During the search process, the Council will be looking for an interim City Manager. Mr. Cottle said the Council and Mr. Rapp have worked through a resignation agreement as part of a resolution. Mr. Cottle stated that the process has been very amicable by both parties.

Chairman Birchill called for any further community comments. There being none, Chairman Birchill moved to the next Agenda item.

4. Election of Planning Commission Chair and Vice-Chair

Chairman Birchill opened the nominations for Commission Chair. Rick Hohnbaum suggested switching the Chair and Vice-Chair positions, Gene Birchill and Chris Corrado respectively. Mr. Hohnbaum nominated Chris Corrado. Susan Claus nominated Gene Birchill. Mr. Hohnbaum withdrew his nomination. Chairman

Birchill called for any other nominations. There being none, the nominations for Chair were closed. Chairman Birchill said he would not mind Chairing the Commission for another year. Mr. Corrado stated he was happy to hear Mr. Birchill would like to Chair the Commission for another year and that the status quo would be fine with him. This would give him an opportunity in the future to be nominated again after he had gained more experience.

By hand vote, the Commission elected Gene Birchill as Planning Commission Chair for one year.

Chairman Birchill opened the nominations for Commission Vice-Chair. Marge Stewart nominated Chris Corrado. Chairman Birchill called for any further nominations. There being none, the nominations were closed. Mr. Corrado thank the Commission for the nomination.

Chairman Birchill stated since there was only one nomination he would dispense with voting and declare Chris Corrado Planning Commission Vice-Chair for one year.

5. Public Hearing

Chairman Birchill 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. There were no disclosures.

Chairman Birchill announced that agenda Item 5C, Environmental Business Overlay Zone, had been postponed to a later date.

5A. SP 95-3 Sherwood Business Park Phase 4

Chairman Birchill called for the Staff report. Carole Connell reported this is a Site Plan review for Sherwood Business Park Phase 4, the last addition to an existing business park on the west side of Pacific Highway. Ms. Connell referred the Commission to the Staff Report dated March 28, 1995, a complete copy of which is contained in the Commission's minutes book. The applicant is requesting a 10,000 sf addition at the north end of the existing Sherwood Business Park. The addition duplicates the style and layout of the existing building.

Ms. Connell stated on April 11, 1995, the City Council approved the applicant's request to expand the Sherwood Business Park Phase 4 utilizing a septic drainfield system for sewage disposal.

Ms. Connell continued to review the findings of fact and referred the Commission to the map on the board. The applicant does have a permit for a second driveway that goes off the site to the next piece of property to the highway. Ms. Connell stated ODOT required a traffic study be completed because the access permit the applicant had already received combines the property from the north as well as this site. ODOT wanted a report on the full impact of that combined driveway.

The Traffic Study was just received today and a copy was distributed to the Commission. As a result, Ms. Connell prepared additional new recommended conditions which would provide for safety improvements on Pacific Highway. Ms. Connell continued to review the traffic report.

Ms. Connell stated the landscaping plan is a continuation of what is currently at the site and it meets the Highway 99W corridor requirements. However, in accordance with the Code, an additional ten (10) foot wide landscape strip along the northern property line is needed. Ms. Connell recommended this be included as Item #9 in the conditions of approval.

Ms. Connell explained that any outdoor display requires approval of a conditional use permit by the Planning Commission. The applicant is not requesting a permit for outdoor display, however, the City continues to monitor this because based on the nature of the tenant's businesses, they tend to want to display things. Display is not allowed in the rental agreements.

Ms. Connell stated that since the original septic drainfield sanitary sewer system approval by the Commission, Staff has directed any questions concerning sanitary sewer and water to the City Council.

Ms. Connell advised the Commission that the property is maintained by the owner, Mr. Gary VanderSanden and he will continue to manage the site.

In conclusion, Ms. Connell said Staff recommended approval of the application subject to a new Condition #1 referencing safety improvements on Pacific Highway and Condition #9 referencing landscaping.

Chairman Birchill asked if the Commission had any questions for Staff. There being none, Chairman Birchill continued the public hearing. He explained the hearing process in which testimony from proponents, then opponents and rebuttal by proponents would be heard. At that time the public hearing would be temporarily closed unless/until a Commission member ask that it be reopened for specific testimony to be entered into the public record.

Chairman Birchill asked whether the applicant wished to testify.

Brian Keicher, 3801 SW Olson Court, Lake Oswego, Oregon 97034, addressed the Commission. Mr. Keicher said in the 1992 application the sewer was basically designed to accommodate 70,000 square feet of building. The application, at that time, showed some future buildings on the rear of the property, drainfields and calculations for sizing of the drainfield. In the development of the first three phases the applicant constructed the infrastructure of that system to accommodate 70,000 sf. With the addition of Phase 4, the applicant would extend the drainfield and

this would be done under Washington County sanitation permits.

Mr. Keicher provided background information on the traffic study. GVS is the tenant on the property to the north. The applicant realized there was some common interest in establishing an access to the upper ground of the adjoining tax lot. Mr. Keicher said a joint access agreement with the adjoining property owner to the north for driveway access and maintenance was agreeable. The property owner wanted to see how a traffic study would treat their property as did ODOT. In turn, ODOT requested a traffic study be completed. The traffic study analyzes the three potential uses that would use the access point. The report also identifies a possible mini-storage in the rear of the property. This application had not been made to date, but it is likely this will occur in the future. Mr. Keicher stated on the property to the northwest they identified between 8 and 11 acres of potential upland light industrial property which could be developed. This is a different ownership and is not yet developed. Mr. Keicher said the purpose of the traffic study report is to establish parameters and improvement requirements should all of the potential development occur. The traffic report has been submitted to ODOT and they have not yet had an opportunity to respond.

Mr. Keicher concluded by stating that all of the recommendations in the traffic report seem reasonable to the applicant and they agree to those conditions as a function of this phase of the project. In addition, the applicant has no objections to the recommendations by the City of Sherwood.

Mr. Keicher asked if the Commission had any questions.

In response to Ms. Stewart's question, Mr. Keicher said the pressure line has been installed and is part of the private system (tanks, pumps). The sewer flows into a tank in the parking lot area and at that point there is a private pumping system that pumps to the drainfield. This is an on-site, private, subsurface system that is entitled and regulated by Washington County. Mr. Keicher said that the Council concluded there is not enough usage along the 4000 feet of new sewer line across the onion flats to this area. As part of that discussion with Council, it was concluded that technically there is no way to get, in terms of gravity flow, the sewer from this site to the shopping center area. The City Engineer concluded there was no reasonable way to do a gravity sewer from the site.

Ms. Stewart said she was concerned that there is other property which could be developed and this needs to be connected to the Unified Sewerage Agency line. If it is not taken care of now, it could create more problems in the future. She suggested that the Commission should be looking at an improvement district.

Mr. Keicher responded that as part of the 1992 application, the property developer signed a Waiver of Remonstrance which states if

the sewer district forms, the property owner would participate. Ms. Stewart said the non-remonstrance language should be included in the conditions. Considerable discussion followed relative to the possibility of future sewer system development and expansion.

Ms. Connell explained that the Council has directed Staff to report on future sewer requirements for possible development in this area. She also noted that the recorded non-remonstrance agreement covers all of the business park property. This report will probably be ready for Council review by the end of May 1995.

Chairman Birchill called for any additional proponents wishing to testify. There being none, Chairman Birchill called for anyone wishing to speak in opposition to the proposal. There being none, Chairman Birchill dispensed with the rebuttal portion of the hearing and temporarily closed the public hearing until the next agenda item, unless a Commissioner requests the hearing to be re-opened.

Chairman Birchill asked for questions and comments from the Commission.

In response to Ms. Claus's question, Ms. Connell reiterated that one of the conditions include approval of the traffic report. Ms. Claus said she would like to have time to review the traffic report. Ms. Claus asked if Staff knew when ODOT may approve the traffic study. Ms. Connell responded there is no set timeline. In response to Chairman Birchill's question, Mr. Keicher said the applicant has a permit for this access from ODOT which was issued for the original building phases. Discussion followed regarding access to the site and future development on the property.

Mr. Keicher said the applicant plans to look at developing the mini-warehouse portion of the property in the near future, but not prior to ODOT responding to the traffic report. He believed the owner had the right to develop up to 70,000 square feet on the 1992 application. Mr. Gary VanderSanden, property owner, stated they would come back before the Commission for approval of the mini-warehouse development.

In reference to signage, Mr. Keicher stated the owner is doing all they can with the tenant leases to assure that all stipulations are being adhered to.

Chairman Birchill asked if there was any further discussion. There being none,

Rick Hohnbaum moved that based upon findings of fact, the staff report, testimony provided, including the recommended addendum of conditions, that SP 95-3 Sherwood Business Park Phase 4 Site Plan be approved with the conditions as presented. The motion was seconded by Chris Corrado.

Susan Claus stated that any recommendations from ODOT regarding

the traffic report need to be monitored by Staff, even if it is in the form of a memo to the Commission. Ms. Connell stated this would be dealt with administratively and she would keep the Commission apprised. Chairman Birchill responded it was his understanding when the applicant goes to develop the next phase the Commission would have an opportunity to review the application. Ms. Connell concurred that Chairman Birchill's assumption was correct.

Chairman Birchill asked if there were any further questions or comments. There being none, Chairman Birchill called for the question,

The motion was voted on and carried with 6 yes and one no vote (Marge Stewart) subject to the following conditions of approval:

Prior to issuance of a building permit:

1. Provide the following safety improvements on Pacific Highway:
 - a. Maintain the southern access point as a right turn in/out access point.
 - b. Improve the northern access point with paving and curb returns. A sidewalk shall be provided on the west side of ORE 99W adjacent to the proposed project. One entering lane and two exiting lanes (one through and one right turn only) shall be provided at the northern project access point.
 - c. The northern access point shall be constructed to accommodate 80 feet of vehicle storage for exiting vehicles.
 - d. Landscaping removal and/or earthwork is required to meet the 1000 foot sight distance requirement for the northern access point.
 - e. A northbound left turn lane/deceleration lane (75 feet in length) shall be provided on ORE 99W at the project site northern access point.
 - f. Signage and pavement markings shall be provided at the northern project access point to warn vehicles not to block the intersection.
2. Provide City, USA, TVFRD and ODOT approval of detailed street and utility construction plans.
3. Enter into a joint agreement with the adjoining property owner to the north for driveway access and maintenance. (Sample attached)

4. Provide a street light at the northern driveway intersection with Pacific Highway.
5. Provide a connecting sidewalk from the highway sidewalk to the building.
6. Extend underground irrigation to the landscaping in Phase 4.
7. All units in Phase 4 shall use the previously approved uniform signage plan.
8. Outdoor storage and display is prohibited in the Sherwood Business Park.
9. In accordance with Code Section 5.203.03C, provide a ten (10) foot wide landscape strip along the northern property line extending west to the existing cluster of trees, and plant sight obscuring plant materials.

This approval is valid for one year.

5B. SP 95-4 DEQ Emission Test Center

Chairman Birchill called for the Staff report.

Carole Connell reported this is a Site Plan request for a DEQ Vehicle Emission Test Facility on Tualatin-Sherwood Road. It is located on a portion Tax Lot 200, Map 2S 1 29D, including 1.89 acres. This is the same tax lot as Triple S Sales. Ms. Connell referred the Commission to the Staff Report dated April 25, 1995, a complete copy of which is contained in the Commission's minutes book. Ms. Connell directed the Commission's attention to two letters dated April 25, 1995 from Robert Gray Partners, Inc. relative to compliance with Chapter 8, Environmental Resources and the DEQ Site Plan modification because of BPA requirements.

Ms. Connell continued to highlight the findings of fact contained in the Staff Report. The applicant is seeking approval for a one-story building, paving, parking and landscaping on 1.89 acres on the south side of Tualatin-Sherwood Road. The request includes a 7,250 sf building (9%), 42,520 sf paving (51%), and 32,560 sf landscaping (40%). DEQ is considering expanding the geographic boundary that is subject to emission testing. The purpose of the facility is to improve regional air quality. The proposed Sherwood site would relieve congestion at the Beaverton DEQ test location. The centers conduct about 460,000 tests annually and the boundary expansion will add an estimated 48,000 new tests, according to DEQ.

Ms. Connell explained that the site is zoned Light Industrial (LI). Staff and the applicant believe the use is permitted and similar to other permitted uses. The site plan must be compatible with the existing natural and manmade environment, existing community activity patterns and community identity. The hedging around the circulation areas is supposed to be 6 feet high and the

plants the applicant has chosen are 3 feet high, designed not to totally obscure cars. The Commission may decide the full screen is more important.

Ms. Connell stated an issue of Staff concern is the on and off site circulation. The site has a capacity for an estimated 31 vehicles (using average of 20 feet per car length). There is an existing left-turn refuge lane on Tualatin-Sherwood Road for westbound traffic entering the site. There is no refuge lane for eastbound traffic to slow down and enter the site. Since these facilities can exceed the on-site storage capacity from time-to-time, a right-in turn refuge lane should be constructed for the safety of the customers, as well as to minimize the negative impact of periodic traffic congestion on Tualatin-Sherwood Road. Further, cars overflowing onto Tualatin-Sherwood Road waiting to enter the site should be prohibited and must be provided for on-site. Ms. Connell continued to discuss the traffic flow, on site capacity and the potential for creating a safety hazard.

Ms. Connell said DEQ will maintain the building. The applicant has proposed additional landscape screening on the site. In conclusion, Ms. Connell stated a Minor Land Partition of the parcel in compliance with the approved site plan and City standards is still needed, there needs to be additional trees in the parking lot and the hedge needs to be higher than those plants chosen, the applicant should provide certain road improvements to Tualatin-Sherwood Road such as a right-in refuge lane at the intersection of Tualatin-Sherwood Road to County road specifications. Vehicles entering the site are not permitted to wait in refuge lanes. If and when such backing-up of vehicles occurs, the City will temporarily close the facility until the problem can be resolved.

Chairman Birchill said the same public hearing process would be followed as in the previous agenda item and he asked if the applicant wished to testify.

Russ Leach, Architect, Robert Gray Partners, Inc, PO Box 1016, Sherwood, Oregon 97140 addressed the Commission. Mr. Leach said he would like to approach the presentation by reviewing with the Commission a color graphic of the site, Condition #7 the right-in refuge lane and then have Mr. Ed Woods from DEQ address the Commission. He stated the Beaverton DEQ problems would be discussed specifically. Mr. Leach referred the Commission to the map. This project is on the west half of the Triple S Project. In that particular hearing, it was established by the County that there would only be two driveway accesses on this street. The BPA easement is 250 ft wide, the edge of the driveway has been moved 12 feet and both lanes have been moved, and it is still a double lane.

Mr. Leach stated the applicant concurs with the first six recommendations. However, the applicant is particularly concerned about recommendation #7 and would like to discuss ways to mitigate

that recommendation. A "Discussion of Recommendation #7" prepared by Robert Gray Partners, Inc. was distributed to the Commission. In response to this condition, Mr. Leach said the applicant is willing to gate and close the entrance if and when cars begin to back up onto the Tualatin-Sherwood Road.

Mr. Leach advised the Commission there is a report from Tom Harry, Washington County's Traffic Department. A memo dated March 27, 1995, from Doug Norval, Traffic Analyst, sent to Mr. Harry stated that the traffic generated on this project at this location in the analysis showed that in the peak hours it would generate 31 cars in one hour. Relative to that, the DEQ time for testing vehicles is between 3-1/2 and 5 minutes. At this rate, during peak hours, this facility would have a capacity to process 48 cars per hour. It has been identified by the County, with information DEQ has provided, that the maximum peak hour traffic into this project would be 31, so on that basis this facility at its maximum operating capacity should have 155% of any anticipated peak hour traffic.

In response to Ms. Claus's question regarding stopping traffic with a gate, Mr. Leach responded that type of situation needs to be mitigated and there is obviously a concern and that concern is based on something that has happened in Beaverton. DEQ has a number of other test facilities that do not have this type of problem. Ms. Claus asked if the Commission had a copy of Mr. Norval's March 27th memo. Ms. Connell responded it was not included in the packet, but is in the file. Mr. Leach stated Mr. Norval is the Traffic Analyst and the Chief Engineer at Washington County, and their response to 31 cars at peak hour traffic is that they would not consider requiring a refuge lane or deceleration lane unless they were working on a project with peak hour capacity over 100 cars. Mr. Leach said in paraphrasing what the Washington County memo included was that they did not think the impact was very big from a traffic peak hour in/out.

In response to Mr. Shannon's question about proposed additional DEQ testing sites, Mr. Leach deferred to Mr. Ed Woods of DEQ.

Ed Woods, Manager Vehicle Inspection Program, Department of Environmental Quality (DEQ), 1301 SE Morrison, Portland, Oregon 97214 addressed the Commission. In response to Mr. Bechtold's question, Mr. Woods stated the legislature is considering some changes to the DEQ testing boundary. Mr. Woods reported the boundary expansion is expected to add about 11% to the number of vehicles DEQ currently tests. Mr. Woods referred to a map showing the current and proposed boundary expansion. There are currently six test stations, Beaverton, Hillsboro, NW Portland, NE Portland, Gresham and Clackamas. The proposed Sherwood site is in the existing boundary and regardless of how the legislature deals with the boundary expansion the DEQ still wants this station to provide service for the existing area as well. This is the only station being added to accommodate any boundary expansion. Recently the DEQ has expanded the number of hours the stations are open, six

days a week and a couple more hours a day.

Mr. Woods agreed that the boundary expansion area is large, but the number of cars is not that large based on the census tracts. In response to Ms. Claus's question, Mr. Woods stated they used the 1990 Census figures.

Mr. Woods stated the Beaverton site, for a various number of reasons, attracts about 25% of the total gross traffic within the boundary (based on 500,000 tests a year) through the six stations.

The DEQ is in the process of getting more information to the public regarding the new expanded hours at the test stations. Mr. Woods said it is not good for DEQ to have people wait in line and that is one of the reasons they have expanded the hours. It has taken a while to get the information on expanded hours out to the public. They are just now starting to see a change in the habits after so many years of being open Tuesday through Saturday. As the people become more aware of the expanded hours, DEQ expects the problems at Beaverton to be dealt with.

Ms. Claus asked if the DEQ had done any trending information from the 1990 census figures for how many vehicles will be coming through the Sherwood station. Mr. Woods responded DEQ has looked at the number of people in each of the census tracts as well as projections for the next 10-15 years. Ms. Claus asked what they were using for these projections. Mr. Woods responded that he did not know. Discussion continued regarding the westside population and the growth of Sherwood and Yamhill County in the last 5-6 years. Ms. Claus said it was a real concern to the Commission regarding what data DEQ is using in arriving at certain projections for the Sherwood station. Mr. Woods responded he understood the Commission's concern.

Mr. Woods continued that the DEQ tries to locate stations on main arterials that people travel from outside towards the center of town.

Ms. Claus asked how much the DEQ felt the Sherwood station would help alleviate the Beaverton station problem. Mr. Woods responded he did not have a specific number. He said the DEQ looked at it on a peak basis and the given the number of hours and speed with which the DEQ stations process cars, they are looking at a maximum of about 600 cars per day. Mr. Woods said at the Sherwood station, there is no reason to believe they will have any more traffic than other areas.

In response to Mr. Shannon's question, Mr. Woods said the Beaverton station has a holding capacity for approximately 30 cars. What Beaverton does not have that the Sherwood station will have, is an escape lane where they can turn people away. This is a significant improvement.

Mr. Leach said the key number is the analysis of the peak one hour traffic because this is what is going to impact the stacking

lanes. There is a solution to turning those cars around so they cannot stack in the street. Mr. Bechtold suggested rewriting recommendation #7 to say vehicles entering the site are not permitted to wait on Tualatin-Sherwood Road. If and when backing up of vehicles occurs, the City will temporarily close the facility until the problems can be resolved. Mr. Bechtold said this would give the City an opportunity to close the station if there is a problem with cars backing into the road and it gives DEQ the opportunity to run the facility as they project and if there is a problem then it puts that problem in their playing field to resolve.

Mr. Corrado said he was not convinced that this is the right site for the station. He said rather than trying to amend the recommendations, he suggested the Commission should first try to determine if this is the right site.

In response to Ms. Connell's question, Mr. Woods said the Sherwood site has more space than the Beaverton station.

Ms. Claus said she felt Mr. Woods could get the feeling from the Planning Commission that they felt the Sherwood station would already be at capacity the minute the doors are open. Sherwood has a lot of growth to deal with. The Beaverton station has been in operation for about 12 years and it is over capacity. If the Sherwood station is being built as a safety valve, the DEQ is going to need other sites very quickly, but DEQ does not have any additional stations planned at this time. The boundaries are being expanded to take in Yamhill County and potentially the Sherwood station will also be getting cars from Tigard and Tualatin as well. She said it is hard to believe the Sherwood site is serviceable for what the needs are going to be. Mr. Woods reiterated that DEQ has just started to publicize the expanded hours. The DEQ feels the Sherwood site is a good one because it is located close to a main corridor and it can service people from Newberg and Tigard, as well Tualatin. The Sherwood station is a four lane station and this facility and site is what DEQ is looking for. If they wanted a larger site they would have chosen one.

Ms. Claus asked if Mr. Woods had any idea when another westside location was going to be built. Mr. Woods responded, if down the road, the DEQ goes to "enhanced testing" then they will need to put in a number of locations around the area to accommodate the cars because this would be a more detailed process and it could add a couple of minutes to the test time. Mr. Woods said that with the number of lanes they have available now, the hours and days they are open, DEQ will have no trouble handling the additional expanded boundaries, as well as the existing growth. The existing six stations and the Sherwood station will easily handle all of the traffic in the expanded boundary for the foreseeable future, at least 10 years.

Mr. Woods said DEQ prefers to build another location rather than

expand an existing station. This way, instead of having one big station such as Vancouver, the stations will be more spread out and closer to the people, which in turn would cause less traffic problems.

Chairman Birchill asked if there were any further proponents wishing to give testimony. There being none, Chairman Birchill asked if there was anyone wishing to testify in opposition to this project. There being none, Chairman Birchill dispensed with the rebuttal portion of the hearing and temporarily closed the public hearing, unless a Commissioner requests the hearing to be re-opened.

Chairman Birchill asked for questions and comments from the Commission.

Mr. Hohnbaum asked Carole Connell if the partition had adequate distance from the property lines for the building as well as the proposed driveway area, setbacks. Ms. Connell responded there are adequate setbacks.

In response to Ms. Claus's question, Mr. Leach responded the right of way has been taken, although the dedication may not have been completed at this point in time. Chairman Birchill asked that this be verified. Mr. Leach said the easement has already been recorded.

Mr. Corrado asked that rather than dealing with design review type issues, that the Commission address whether the site selection was satisfactory. There seemed to be a fair amount of unknowns regarding the number of cars that will be using this site and the question is what happens if the site is at capacity the day it opens.

Mr. Shannon said he would rather see the correct site now, rather than the City having to shut down the proposed site because of too many vehicles. Ms. Stewart said those using Beaverton would be more than what the Sherwood site would use. Mr. Bechtold said he was glad that the Commission was showing concern for the amount of traffic this site could potentially generate. Mr. Bechtold said it was his feeling that the Commission could state the conditions to alleviate any traffic overflow problems that over capacity could create.

Discussion followed regarding the site selection, when it would be at capacity and number of cars that could potentially use it.

Bob Gray, Robert Gray Partners, Inc., stated that one of the things discussed with DEQ was they were willing to place a sign at the station which would say "Lot Full" and the wait time.

John Fettig, the real estate agent who found the site for the project asked to speak. Chairman Birchill reminded Mr. Fettig that the public hearing was temporarily closed and his comments

would not be part of the official record. Mr. Fetting said that was fine.

Mr. Fetting discussed why a larger site was not proposed at this time and how the DEQ is interested in providing customer service and a facility that will lend itself to meeting the needs of the people.

The Commission concurred that they would need to see more specific numbers relative to the 11% growth with the boundary expansion.

Mr. Woods said he would provide this information for the next meeting, and that the DEQ has the same goals as the Commission in terms of managing the traffic to the site.

Ms. Claus stated that everyone is concerned that this is a regional facility. The Commission is looking for the trade area the DEQ feels will be impacted and the growth projections, not just based on the 1990 census, but current and future. Mr. Shannon said the Commission is not against the DEQ facility being in Sherwood, but would like to see more specific numbers, elaboration on the type of sign notifying motorists the lot is full, planning for future sites if and when the facility is working at peak capacity, and some type of substantiation of the DEQ projections that this will be an adequate facility to meet the public needs.

Susan Claus moved that SP 95-4 DEQ Emission Test Center be tabled until the May 16, 1995 Planning Commission meeting. The motion was seconded by George Bechtold and carried unanimously.

Chairman Birchill reminded the Commission members to bring the blueprint and printed information regarding this application to the May 16th meeting.

6. Planning Director's Report - Wyndham Ridge PUD

Carole Connell referred the Commission to the information included in the packets. A couple of things happened following the Commission's original approval of the Development Plan and Phase I Plat. It was discovered that the original highway access condition #4 was not in the recommended conditions. The applicant recently requested modification to the first two sentences of the original condition #4. The request deletes the need for alternative access and replaces it with an approved highway intersection permit from ODOT. The wording appears to link the second phase approval specifically to highway improvements, not to fire or other access concerns. However, on April 18, 1995, the Planning Commission narrowly recommended to Council that Phase 2 not be allowed to commence until there is an alternative access to the development, in addition to the highway access. The Commission also erroneously added a new condition related to this matter. However, the Commission cannot add new conditions to a PUD previously approved by Council, by Ordinance. This was not made clear by Staff. Staff omitted the condition in the Final

Decision Notice to the applicant. The City Council was planning to hold a public hearing on this wording change on May 9, 1995, but the applicant withdrew the request. The Council may determine the request is a "Major" PUD change, not a "Minor" PUD change in which case the request is treated the same as a new petition and must return to the Planning Commission for a hearing.

Ms. Connell stated another issue was the pathway needs to accommodate bicycles. This was placed in the construction plan approval. By putting the condition #4 back in, the applicant does not have approval for Phase I. Following a review by Ms. Connell, Chairman Birchill, Mayor Hitchcock and City Manager Jim Rapp, it was agreed that if the applicant wants the ODOT plan, it is not the same as what the City believed would occur as improvements to the Meinecke Road intersection, it was a "Major" change to the PUD and the applicant needed to come back before the Commission for a recommendation to the Council. As a result, in a letter dated April 25, 1995, the applicant requested that the minor change to condition #4 be withdrawn.

Ms. Connell said the Council felt strongly that the Meinecke Road intersection is an important crossing.

Ms. Connell asked that the Commission accept administratively the placement of the original condition #4 and removal of the new condition about fire access in the Decision Notice. It was the consensus of the Commission to accept the modifications of the conditions.

Ms. Claus asked where this leaves the applicant. Ms. Connell responded the applicant has their final PUD and final on Phase I, but they have to meet, as well as the other conditions, the highway access condition.

Chairman Birchill stated for clarification, Ms. Connell will notify the applicant that by the Code they need to go to City Council for a change to the PUD Ordinance. However, because the Commission knows the Council will probably send this back to the Planning Commission, Ms. Connell will recommend to the applicant that they come straight to the Commission first for deliberation and recommendation to City Council. Ms. Connell will notify the applicant by formal letter or verbally when this item can be heard by the Planning Commission.

Beyond Basics - Advanced Training for Planners, Elected Officials and Planning Commissioners

Carole Connell referred the Commission to the information included in the packets regarding the May 20, 1995, Advanced Commissioner's Training in Portland, Oregon conducted by the Planners Training Team and encouraged attendance.

7. Other Business

Rick Hohnbaum asked if it would be appropriate to have a standing policy state that any new project involving a state and/or county

road require the application come to the Commission with a traffic study. Ms. Connell responded she does do this, but it is not that standardized because Washington County will do a traffic impact analysis for \$150.00 which is sometimes done in advance with the application. Mr. Hohnbaum said it should be standard Staff practice to advise the applicant if their project involves a state and/or county road they can expect some kind of requirement regarding a traffic impact study. Ms. Connell responded this is being done administratively.

Ms. Claus asked for a copy of Mr. Norval's memo dated March 27, 1995. Ms. Connell will provide a copy of the memo for the Commission.

Ms. Connell said she and Chairman Birchill will be meeting with Cascade Chemical tomorrow to review the application. The Commission agreed that any exceptions to conditions regarding timing be approved by the Commission.

There being no further business to discuss, the meeting was adjourned at 10:37 PM.

Respectfully submitted,

Roxanne Gibbons
Planning Commission Secretary