

City of Sherwood, Oregon
Planning Commission Meeting
May 16, 1995

1. Call to Order/Roll Call

Vice-Chair Chris Corrado called the meeting to order at 7:00 PM. Commission members present: Vice-Chair Chris Corrado, George Bechtold, Susan Claus, Rick Hohnbaum (joined the meeting at 7:20 PM), Kenneth Shannon and Marge Stewart. Chairman Gene Birchill was absent and excused. Planning Director Carole Connell, Assistant Planner Lisa Nell and Secretary Roxanne Gibbons were also present.

2. Minutes of May 2, 1995 Meeting

Vice-Chair Corrado asked if there were any corrections or additions to the minutes of May 2, 1995. Susan Claus stated she had not had an opportunity to review the minutes and would probably abstain. It was the consensus of the Commission that approval of the minutes be deferred to the June 6, 1995 meeting.

3. Community Comments

Vice-Chair Corrado called for comments from the audience regarding any items not on the printed agenda. There being none, Vice-Chair Corrado moved to agenda item #6, Director's Report.

6. Director's Report

Carole Connell referred the Commission to the Monthly Planning Department Report for April 1995, a copy of which was included in the packets.

Ms. Connell reviewed the report on the status of the Allied Systems Site Plan. Allied Systems has resubmitted a third site plan for review. The application includes outside storage and parking. Ms. Connell reported a recommendation from staff will be forthcoming, probably some time in July 1995.

Ms. Connell stated the packets also included an article on trees entitled, "World of Trees" and a study which identified how trees may offer new social benefits. George Bechtold advised the Commission he would like to discuss the situation involving fir trees on his property and the adjoining Cinnamon Hills development. It was agreed that Mr. Bechtold would provide this information later in the meeting.

Ms. Connell referred the Commission to a letter in the packets from Weigel Development Company thanking the City for the time and effort in reviewing the master planning process for the Langer Property.

Ms. Connell referred the Commission to a letter from Cascade Columbia Distribution Company dated May 10, 1995, regarding the Cascade Chemical Sherwood site. The letter itemized all of the conditions and their status. Ms. Connell stated most of the City's conditions have been satisfied. One item not included was Gene Birchill's response regarding the TVFRD requirements. This report was provided at the Commission's request. Ms. Connell said

the applicant hopes to get started within ten (10) days.

In response to Ken Shannon's question, Ms. Connell reported the applicant for Wyndham Ridge will be requesting a modification of one of the conditions. This matter is scheduled to come before the Commission on June 6, 1995.

Mr. Shannon inquired about the status of the property located south of the Chevron Station on Highway 99W. Ms. Connell responded staff had received a call from McDonalds regarding partitioning the property. In reference to Highway 99W, Marge Stewart stated she hoped ODOT would be providing guidelines for development in this area.

Ms. Connell reported that ODOT will be scheduling a meeting with staff regarding Highway 99W access in terms of the Transportation Planning Rule (TPR) Grant. Ms. Connell said the meeting should be within the next 3 weeks and she will advise the Commission (Ken Shannon) of the time and date.

4. Public Hearing

Vice-Chair Corrado 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. Susan Claus stated that in reference to MLP 95-2 Rawlins, she and her husband have rental property close to this site. There being no further disclosures, Vice-Chair Corrado called for the Staff report.

4B. MLP 95-2 Rawlins

Lisa Nell reported this is a two (2) Lot Minor Land Partition request on NE First Street. Ms. Nell referred the Commission to the Staff Report dated May 9, 1995, a complete copy of which is contained in the Commission's minutes book. The applicant proposes creating two (2) lots from an existing parcel which is 3.3 acres.

Ms. Nell highlighted some of the main points contained in the staff report. The plat indicates there is an existing single-family dwelling, two accessory structures and a driveway access easement on the site. The applicant states that the proposed partition will retain the existing dwelling on Parcel 2 and there are plans to construct "between 20-25 units" on the new Parcel 1.

These dwelling units are planned to be single-family attached and multi-family dwellings. The lots will be accessed by a shared easement, which already exists. The applicant has also indicated that Parcel 1 could be aggregated with adjoining vacant land to the east for future development. A wetland is tentatively identified on the adjoining church property. The parcel is zoned Medium Density-Residential High (MDRH).

In response to Mr. Bechtold's question, Ms. Nell stated there is a pallet business (Bilet) to the east and their graveled parking area has resulted in storm runoff pooling on the church property.

Ms. Connell stated these are preliminary findings and staff will be contacting Bill Blakeslee of Bilet regarding this matter.

Ms. Nell continued that no new streets are created by this partition request. Both the new and existing dwellings will share the existing driveway easement access to NE First Street. When the land is developed, if the private shared driveway is not already constructed of an all weather surface, the applicant will need to improve the driveway. Adequate turnaround will also need to be provided. Plans for connection to City water must be approved by the City at the time of a building permit request.

In conclusion, Ms. Nell said Staff recommended approval of the application subject to the conditions of approval as stated.

Vice-Chair Corrado 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.

Vice-Chair Corrado asked whether the applicant wished to testify.

Ernie Rawlins, 575 First Street, Sherwood, Oregon 97140, addressed the Commission. Mr. Rawlins stated he is one of the co-applicants and he did not have much to add in that Staff pretty well laid out the proposal. Mr. Rawlins said he would be glad to answer any questions from the Commission.

Vice-Chair Corrado called for any additional proponents wishing to testify. There being none, Vice-Chair called for anyone wishing to speak in opposition to the proposal. There being none, Vice-Chair Corrado 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.

Vice-Chair Corrado asked for questions and comments from the Commission.

In response to Rick Hohnbaum's question about including a condition relative to water, Ms. Nell stated at this time the applicant has no plans to develop the parcel.

In response to Mr. Shannon's questions regarding the expired City's water payback agreement with the St. Francis Catholic Church, Ms. Nell stated the applicant will need to negotiate with the Church for access to the water line in the church driveway.

There being no further questions,

Rick Hohnbaum moved that based upon findings of fact, the staff report, testimony provided, including the recommended revised condition #3, that MLP 95-2 Rawlins two-lot minor land partition on NE First Street be approved. The motion was seconded by Marge Stewart and carried unanimously subject to the following conditions of approval:

Prior to partition recording:

1. The applicant shall record the partition at Washington County.
2. When the land is developed, the roadway shall comply with TVFRD standards in terms of width, surface and turnaround improvements.
3. The owners shall enter into an access easement and maintenance agreement for both parcels to be recorded with the partition plat.

This approval is valid for one (1) year. The applicant is responsible for recording the partition at Washington County in compliance with their standards.

4A. SP 95-4 DEQ Emission Test Center (Continued from May 2, 1995)

Vice-Chair Corrado called for the Staff report. Carole Connell referred the Commission to additional information received since the last meeting which included the March 27, 1995 memo from Doug Norval, Traffic Analyst, to Tom Harry, Associate Planner, Washington County; a letter to the City from Tom Harry regarding the traffic staff report for the DEQ Vehicle Test Station; a legislative update regarding the DEQ testing boundary expansion; and additional information from the DEQ regarding the application.

Ms. Connell also distributed a copy of City and Metro's 2040 population projections to the Commission.

Ms. Connell also reviewed a new letter dated May 10, 1995 from Robert Gray Partners, Inc. summarizing the key issues and mitigating conditions. In response to some of the Commission's concerns relative to traffic backing up onto Tualatin-Sherwood Road, the letter proposed two gates at the site; one located where 30 cars can be contained and another gate at the entry where another 10 cars could be waiting. The letter also contained rewording of Condition #7 and proposed deleting the requirement for a refuge lane on Tualatin-Sherwood Road. Ms. Connell said Staff felt the applicant had made a concerted effort to address the Commission's concerns, that DEQ must be publicly accountable and manage the site in the most appropriate manner to alleviate any potential traffic problems, that a fast food restaurant would generate 2-3 times the traffic as this facility, therefore the application is acceptable.

Ms. Connell stated the management agreement between the City and the DEQ needed to be very specific regarding how the site will be managed. Vice-Chair Corrado said his main concern was the question of traffic.

Vice-Chair Corrado 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 advised the Commission that Ed Woods and Stan Sumich (SP?), DEQ, were in attendance to answer any questions regarding management of the facility and population statistics. Mr. Leach stated the applicant has drafted suggested wording which would provide the City assurances that if the DEQ Test Station does have a problem in the future that these would be addressed. The language contained four elements. At this time DEQ does not have any iron clad plans for additional stations, but DEQ will respond to increasing demands.

Mr. Leach explained the type of gate or barriers have not yet been determined. The key issue will be the management agreement between the City and DEQ which will be more specific. Mr. Leach stated the four elements; two gates, a provision to evacuate at "escape lane" and a written management agreement, should ensure there are no problems on Tualatin-Sherwood Road.

In response to Mr. Hohnbaum's questions, Mr. Leach said the gate would be more than just a chain, something like an "arm" or barrier would be appropriate.

Vice-Chair Corrado asked the applicant to elaborate on expansion of the current DEQ testing area.

Ed Woods, Manager Vehicle Inspection Program, Department of Environmental Quality (DEQ), 1301 SE Morrison, Portland, Oregon 97214, addressed the Commission. In response to Vice-Chair Corrado's question, Mr. Woods said the DEQ Commission did pass the expanded boundaries. The legislature could override this decision, but this has not yet happened. The DEQ is moving forward on this basis, however, this particular site is not contingent upon that expansion. Mr. Woods stated there is a bill which has passed the House and is in a different form in the Senate which would exclude the portions of Marion, Yamhill and Columbia Counties that are inside the expanded boundary (basically Newberg and Scappoose).

In response to Susan Claus's questions, Mr. Woods said the signage would identify the site for people coming from either direction and the signs on Highway 99W would be similar to the Sherwood DMV sign. The main purpose of the gate right next to Tualatin-Sherwood Road would be to close the site at night. The other gate inside the site would be used for traffic control by someone operating the site. This site will probably have eight inspectors. When the inspectors see the cars backing up they will take action relative to site access. Mr. Woods said people coming from either direction on Tualatin-Sherwood Road will be able to see the number of cars in line to be tested. Anyone who is in line at closing time will be tested.

In reference to the landscaping, Ms. Connell advised the condition requiring a higher hedge be removed.

Vice-Chair Corrado asked if there were any further proponents wishing to give testimony. There being none, Vice-Chair Corrado

asked if there was anyone wishing to testify in opposition to this project. There being none, Vice-Chair Corrado dispensed with the rebuttal portion of the hearing and temporarily closed the public hearing, unless a Commissioner requests the hearing to be re-opened.

There being no further questions,

Rick Hohnbaum moved that based upon findings of fact, the staff report, recommendations and revised conditions, that SP 95-4 DEQ Vehicle Emission Test Facility be approved. The motion was seconded by Ken Shannon and carried with 5 yes and Susan Claus voting no, subject to the following conditions:

Prior to issuance of a building permit:

1. Complete a Minor Land Partition of the parcel in compliance with the approved site plan and City standards.
2. Provide three additional Sweet Gum trees surrounding the parking lot.
3. Provide the following road improvements to Tualatin-Sherwood Road:
 - a. Dedicate road right-of-way adjoining Tualatin-Sherwood Road to provide a total of 49 feet from the centerline of the street.
 - b. Submit construction plans to Washington County for public improvements to Tualatin-Sherwood Road for approval.
 - c. Verify adequate sight-distance at the driveway intersection with Tualatin-Sherwood Road.
 - d. Provide a one-foot non-access reserve strip along the Tualatin-Sherwood Road frontage, except at the driveway.
 - e. Close all existing driveways to Tualatin-Sherwood Road.
4. Provide extruded curbs adjoining all landscaped areas and parking stalls.
5. Modify the three-car parking area so that no cars are backing into the exit driveway.
6. Provide public infrastructure construction plans for sewer, water, streets, storm water, fire protection, erosion control, lighting, landscaping, easements and other utilities for City, USA, TVFRD and Washington County review and approval. Improvements shall be bonded for prior to issuance of a building permit. If applicable, comply with any water

or payback agreements.

7. In order to ensure no cars back up or stack onto Tualatin-Sherwood Road:
 - a. Provide 30 on-site standing spaces with gate control.
 - b. Provide an additional 10 on-site refuge spaces with provision to evacuate at "escape lane".
 - c. Provide driveway gate/chain control at property line to "close" test facility.
 - d. Enter into a written management agreement with the City of Sherwood to ensure that no standing occurs beyond the 10 space refuge lanes.

This approval is valid for one year.

Vice-Chair Corrado thanked the applicants for their timely response in addressing the Commission's concerns.

Other Business

George Bechtold discussed the situation involving four fir trees on his property (1185 South Pine) and the adjoining Cinnamon Hills development. The first house in the development behind Mr. Bechtold's is at a lower level and would require some grading. The Bechtold's were concerned about preserving the four fir trees on their property and asked the contractor to stop grading/excavation until a report could be obtained from an arborist. At the Bechtold's request, the City of Sherwood put a stop work order on excavation at this site until the report was received. However, the contractor excavated against this stop work order. Mr. Bechtold said he was bringing this matter to the Commission's attention for informational purposes. Mr. Hohnbaum asked what the penalty was for disobeying a work order. Ms. Connell stated a tree survey was not required for the subdivision and that ignoring a stop work order was a UBC violation.

Mr. Bechtold said today the City Building Official advised him that he had talked to the developer and the contractor was going to comply with the arborist's recommendations. Mr. Hohnbaum suggested this be brought to the Commission's attention to get a perspective on what is happening in some of these developments. Discussion followed regarding the City's Tree Ordinance and its effectiveness. Ms. Connell said the Bechtold's situation is a good example for future reference. Ms. Stewart suggested there needs to be protection for both the property owner and adjoining developed property.

Vice-Chair Corrado recessed the Planning Commission meeting at 8:15 PM and reconvened the work session on the Transportation Planning Rule at 8:30 PM.

5. Transportation Planning Rule Draft Policies and Implementation Strategies

Keith Liden and Jeff Mitchem, McKeever/Morris, Inc., the Consulting Team which is developing the report on implementation of the Transportation Planning Rule for Sherwood, made a presentation to the Commission.

Mr. Liden referred the Commission to the information included in the packets for review. Following this work session, the proposed next step will be to make any recommended changes, put together a refined alternative draft that would be presented at a formal public hearing on June 20, 1995. The results of the hearing will determine whether to continue to another hearing or make recommendations to the Council. Ms. Connell responded that the appropriate City Council meeting will probably be June 27, 1995.

Mr. Liden provided copies of the Transportation Planning Rule amendments made April 14, 1995 by the Land Conservation and Development Commission (LDCD). Mr. Liden highlighted the changes which included General Changes - deadline for transportation system plans extended to May 8, 1997 for most local governments and May 8, 1996 for metropolitan planning organizations (MPO's), TPR sets minimums, not maximums; Street Planning - reduce excessive street standards, block perimeters out, local street planning, street connection provisions changed; Development at or Near Major Transit Stops - changes in building orientation requirements, definition of major transit stops, pedestrian districts added; Other Changes - lower SDC's for pedestrian-friendly development, rule applicability and LCDC to evaluate parking plan requirement.

Jeff Mitchem reviewed the modified transportation concepts and the four corridor analysis defined on the map. Based on their evaluation, there are four distinct corridors or potential corridors based on build out of the area with some of the growth concepts. The transportation corridors have been combined with pedestrian and bicycle links. The next level will be to put this information on a base map for the entire City. Corridor #4 on Tualatin-Sherwood Road is based on the assumption that some rail transit will be developed in the future. Mr. Mitchem said the Commission would probably want to orient things towards a more north-south direction. The Commission made several changes to the map to show additional streets and major links.

Mr. Liden stated that a discussion with Tri-Met regarding plans for future routes established it would be at least 1-1/2 years before Tri-Met would be reviewing future routes due to the West Side Light Rail project.

Mr. Liden continued to review the preferred alternative draft. Each category included applicable TPR provisions, a summary of City policy, comments from the April 18th work session, recommended policy amendments and recommended code amendments. Mr. Liden stated that one of the key parts of the road system is to work with ODOT to provide safe and convenient crossings along Highway 99W for pedestrians and working with Tri-Met to improve transit facilities.

Referencing the Community Development Code, the report included language for cul-de-sacs not being more than 600 feet, whether or not to have a cul-de-sac and private streets shall only be permitted to serve a maximum of 3 separate parcels.

In response to Ms. Claus's question, Mr. Liden stated the TPR discourages cul-de-sacs, particularly cul-de-sacs that do not have pedestrian and bike connections. Ms. Claus questioned the proposed language which seemed to advocate no cul-de-sacs. Considerable discussion ensued regarding cul-de-sacs. The Commission had varying views on this subject. Vice-Chair Corrado suggested tying the use of cul-de-sacs into pedestrian and bike paths as a condition. Ms. Claus said it is important to build a sense of community. Mr. Liden said they would further review this matter.

Mr. Liden said the TPR encourages narrower streets and more of a grid pattern for blocks. Also, from a policy standpoint, it was their recommendation that regardless of the situation that arterials and collectors, whether there is parking or not, shall have bike lanes. The TPR requires that there be bike lanes on all arterials and major collectors, but not minor collectors. The consulting team is recommending that bike lanes be on all of the minor collectors as well because they also provide important connections.

Mr. Mitchem reviewed the proposed West Linn and City of Portland street standards and compared these to the City of Sherwood. At a policy level, it was the consulting team's recommendation that the City explore the direction for rewriting the standards keeping in mind the pedestrian and automobile environment. Mr. Liden said they would include some recommendations on street widths from a policy standpoint only.

Mr. Liden continued the discussion reviewing the pedestrian/bike access. One recommendation would be that the City shall consider alternative modes of transportation to the automobile to be of equal importance when transportation facilities are funded, constructed, improved or maintained. In addition, the City shall adopt all applicable American Association of State Highway and Transportation Officials (AASHTO and Oregon Department of Transportation (ODOT) design standards for bicycle and pedestrian facilities. These standards should address both on-street, off-street, and special situations. The standard should be incorporated into the Transportation Plan Update and the City public works standards. The standards are illustrated in the 1992 Oregon Bicycle Plan. There are three standards that ODOT recognizes for bicycles, e.g., bike lanes, shoulder bikeway and shared roadway.

Mr. Liden next moved the discussion to a review of transit facilities. Recommended policy amendments would include identifying transit routes in the City which are related to the four corridors, Pacific Highway, Sherwood Boulevard, downtown loop and Tualatin-Sherwood Road east of Oregon Street. The Commission suggested including Sunset Boulevard as one of the transit or

pedestrian routes. Another section of the code should include working with Tri-Met to provide transit facilities and service which promote transit use. In response to Mr. Hohnbaum's question, Mr. Liden explained the definition of transit street/route and corridors. The consulting team will assure that the language is consistent with both identities. The Commission made several additions to the identified pedestrian corridors, one being in the Murdock Road/Rock Creek area. The consulting team will come up with some more ideas for pedestrian corridors.

Mr. Liden moved the discussion toward development that is adjacent to the transit routes/streets. One recommended policy amendment would be that the City shall establish a "Transit and Pedestrian District Overlay" zone which provides certain criteria within the corridor within 1/4 mile of bus transit routes in the City, e.g., mix of residential and commercial land uses, minimum residential density standards for residential zones that is 80% of the maximum permitted by the base zoning district and building orientation standards (guidelines) which provide a more convenient and pleasant walking environment. The City also might consider incentives to meet the plan density such as SDC incentives or charging SDC's based on the density. Mr. Liden will discuss this issue with Ray Bartlett. The consulting team will prepare language relative to SDC's for the next presentation.

Mr. Liden stated that with regard to transit supportive land use the consulting team recommended language for special requirement of the TPD Overlay Zone for multi-family housing permitted above the ground floor in any non-residential zoning district subject to the requirements of the MDRH (Medium-High Density Residential) zone, minimum residential density, ground floor windows, maximum setbacks and building siting and reduction of parking requirements language. The Commission suggested the consulting team explore uses for industrial and commercial as well.

Considerable discussion followed regarding Highway 99W and surrounding development. Mr. Liden said a concern of ODOT is that Highway 99W not be used as a local access street.

Ms. Connell asked if the 2040 Plan is incorporated in the TPR relative to land use and mixed use areas. The consulting team will address this issue.

The Commission thanked Mr. Liden and Mr. Mitchem for their presentation.

Division Street

Rick Hohnbaum announced the City Council will be meeting with neighbors in the Division Street area prior to the May 23, 1995 Council meeting. They will be discussing speed bumps, speed trenches, street narrowing and other issues.

Advanced Commissioner's Training - May 20, 1995

Carole Connell announced George Bechtold will be attending an advanced planning commission training session which will be held Saturday in Portland, Oregon.

There being no further business to discuss, the meeting was adjourned at 10:20 PM.

Respectfully submitted,

Roxanne Gibbons
Planning Commission Secretary