

City of Sherwood, Oregon
Planning Commission Meeting

November 1, 1994

1. **Call to Order/Roll Call.** Vice-Chairman Corrado called the meeting to order at 7:30 p.m. Commission members present were: Vice-Chairman Chris Corrado, Marge Stewart, George Bechtold, and Rick Hohnbaum. Susan Claus, Gene Birchill and Ken Shannon were absent and excused. Planning Director Carole Connell and Secretary Kathy Cary were also present.

2. **Minutes of October 18, 1994 meetings:**

There being no corrections or additions, Mr. Hohnbaum moved, seconded by Ms. Stewart, that the minutes of the October 18, 1994, meeting be accepted as presented. Motion carried unanimously.

3. **SUB 94-5 Woodhaven Phase 1 Final Plat: request for a 166-lot subdivision on Sunset Boulevard:**

Vice-Chairman Corrado called for a staff report.

Ms. Connell reported that the Commission is reviewing Phase 1 of the Woodhaven Development, and pointed out that the review is not subject to a public hearing. Ms. Connell provided an in-depth review of the Staff report dated October 25, 1994, a complete copy of which is contained in the Commission's minute book.

Ms. Connell commented that as much of the floodplain as possible will be dedicated with Phase 1, however, Washington County will not allow any landlocked parcels to be dedicated at this time. Also, Ms. Connell stated that a letter dated November 1, 1994, had been received from OTAK which indicates that no lots in Phase 1 are in the 100-year floodplain. A copy of the letter is attached as part of these minutes.

Ms. Connell noted that one item still pending is the parking restrictions that are to be described in the CC&Rs of the development, and must be submitted to the City for approval. She directed the Commission's to Exhibit A, contained in their packets and pointed out that the streets on which restrictions will be placed need to be identified.

Ms. Connell indicated that the layout of Phase 1 has been slightly modified; however, the lots have the same dimension, some of the corner lots are larger, and the total number of lots remains the same. She commented that a change had been

made in the configuration of the tot lot to improve access, better vision to the street and the tot lot has been enlarged. Ms. Connell stated that the tot lot will only be graded and seeded until the City is able to buy equipment; further, the applicant will be responsible for maintenance of the park for one year after acceptance.

Ms. Connell explained that the landscaping adjacent to the QT Pub will occur in this phase, and some conditions are still pending ODOT approval: intersection improvements, sight distances, deceleration and acceleration lanes must have approval before any lots are sold.

Ms. Connell commented that some street names have been changed to comply with the City's requirements and reflect the heritage of the City. Ms. Connell stated that landscaping plans are very extensive and include a beautiful broad Japanese Velcova tree, which is a new species of tree in Sherwood.

In conclusion, Ms. Connell recommended that SUB 94-5 Woodhaven Phase 1 Final Plat be approved subject to the conditions outlined in the staff report.

Vice-Chairman Corrado opened the hearing for questions, comments and discussion among the Commission members.

Vice-Chairman Corrado noted that the Staff report is exhaustive and complimented Ms. Connell on a job well done.

There being no questions or comments, Ms. Stewart moved, seconded by Mr. Bechtold, that based on the findings of fact SUB 94-5 Woodhaven Phase 1 Final Plat be approved subject to the following conditions:

Prior to Final Plat recording provide:

1. ODOT approval of 1) the alignment and intersection improvements at Sunset Blvd. and Highway 99W; 2) construction plans for improvements on Highway 99W; 3) sight distance at all intersections with Sunset Blvd. and Highway 99W; and construction details for the east side of Sunset/Krueger/Elwert/Old 99W improvements.
2. Prior to abandonment of the one water well in Phase 1, provide a well abandonment plan to the City for approval.
3. Sign and execute a non-remonstrance agreement with the County for public improvements adjacent and contiguous

to the PUD on Middleton Road.

4. Provide the City with a copy of Attachment A and include in the CC&Rs for recording.
5. Provide bonding or other financial guarantee as approved by the City for 100% of the public improvements outlined in the approved construction plans.
6. Verify the boundaries of the 100-year floodplain.

Upon call of the question, Mr. Hohnbaum requested the Commission delay approval since approval of Phase 1 will approve four lots, which means the Commission is approving the width of lots on which townhomes will be construction. He commented that he felt the width is not sufficient for two accesses to the Boulevard, and will require an access onto Harrison Street, which is not designed to serve the population expected.

In response to Mr. Hohnbaum's questions, David Bantz, Quinkster, 11535 SW Durham Road, Suite C-1, Tigard, addressed the Commission. Mr. Bantz commented that the existing property line of the lot in question lines up with the existing houses and by approving the four lots, the circulation pattern does not change. Mr. Bantz pointed out that by terminating the road at Middleton, the access is not restricted, and it is not desirable to have homes fronting on Harrison.

Vice-Chairman Corrado commented that the width in question seems to be per the design regardless of whether there are two or four lots and if that is the case, maybe the issue is how does the Commission deal with this after the fact since the Preliminary Plat has been approved. Ms. Connell responded that the issue could be resolved during the site plan review for the townhouses, and further the preliminary plat in question has already been approved by the City.

In response to Mr. Bechtold's question, Mr. Bantz stated that the plat being reviewed by the Commission will actually be platted in two steps. He noted that the City is still in the midst of street vacation at Old Highway 99W and Sunset, which are still County roads, and until the vacation is complete, the applicant is unable to plat or build on the lots on Old Highway 99W. Mr. Bantz described the proposed landscape plan and minor revisions to the CC&Rs, which will be submitted to City Staff for approval.

Upon call of the question, the motion to approve SUB 94-5 subject to the conditions outlined in the Staff report carried unanimously.

4. **Public Hearings:**

A. SUB 94-7 Copenhagen Preliminary Plat: a 15-lot industrial subdivision on Tualatin-Sherwood Road:

Vice-Chairman 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.

Mr. Hohnbaum stated that one of the owners of the project is a firm with which he had dealings in a former occupation.

There being no other disclosures, Vice-Chairman Corrado next called for a staff report.

Ms. Connell advised that a letter dated November 1, 1994, signed by John D. Galbreath, for himself, John J. Galbreath and Tamara Green, had been received immediately prior to the meeting, a copy of which is attached as part of these minutes. Ms. Connell pointed out that the property owners are objecting to: a proposed road termination rather than a cul-de-sac, they have no interest in a road on their property, and pointing out that the land is already crisscrossed with utility easements. As of part of the record, Ms. Connell distributed a modified version of the plan, which indicates where the road comes out to Gerda Lane.

Ms. Connell next provided an in-depth review of the Staff report dated October 25, 1994, a complete copy of which is contained in the Commission's minute book.

Ms. Connell noted that the project consists of 39 acres on Tualatin-Sherwood Road, which had been logged; however, many trees remain on the property. Ms. Connell commented that the parcel had been previously identified by the City Parks and Open Spaces Plan as a significant natural site because of the trees. She noted that the status had changed because of the removal of the trees and for that reason a memorandum had been sent to the Parks Advisory Board requesting that they consider purchase of the site. Ms. Connell stated that only two members of the Parks Board responded and there is no interest in retaining the designation of significant natural area or to purchase the site. Ms. Connell pointed out that a landscape corridor plan is also required and should be included in the conditions of approval along with a

requirement for a temporary turn-around at the end of the road. Ms. Connell noted that construction drawing have not been submitted and there may be additional questions; and requested that Staff be directed to work with the applicant to resolve any issue. In conclusion, Ms. Connell recommended that SUB 94-7 Copenhagen Preliminary Plat be approved subject to the conditions outlined in the Staff report.

Mr. Hohnbaum commented that he is concerned with water looping back to Cipole Road since the water line in the vicinity does not belong to the City. Ms. Connell responded that the looping of the water line will occur as the project is constructed, and the applicant has been provided with the information necessary to comply.

Vice-Chairman Corrado inquired if the proposed development is within the proposed Environmental Business Overlay Zone? Ms. Connell responded that she was not certain, but would check.

Vice-Chairman Corrado next opened the hearing for comments from proponents:

James Busch, L.D. Copenhagen, Inc., 10090 SW Highland Drive, Tigard, addressed the Commission. Mr. Busch advised that he is one of the owners of L.D. Copenhagen. In response to Vice-Chairman Corrado's question, Mr. Busch advised that the division of the lots are arbitrary and will be determined by the market. He commented that it would be difficult to determine the exact industry use and layout of the park until the needs of the businesses are known.

There being no further testimony, Vice-Chairman Corrado closed the public hearing and opened the meeting for comments, questions and discussion among the Commissioners.

Vice-Chairman Corrado suggested that Staff determine whether the project is within the Environmental Business Overlay Zone.

Mr. Hohnbaum suggested that temporary turn-around facilities be provided with each phase of construction and that looping of water be a minimum of two connections.

Mr. Hohnbaum moved, seconded by Ms. Stewart, based on the findings of fact in the Staff report that SUB 94-7 Copenhagen Preliminary Subdivision Plat be approved subject to the following conditions:

1. Modify the plat so that the internal street intersects with Gerda Lane south of the adjoining flag lot (Tax

- Lot 100), in compliance with City intersection standards.
2. Submit a tree survey by a licensed forester or arborist to the City. As recommended by the arborist and as agreed upon by the City, determine which trees can be preserved and so note on a plot plan for prospective parcel buyers.
 3. Comply with the following Washington County road requirements:
 - a. Establish a non-access reserve strip along the site's frontage of Tualatin-Sherwood Road.
 - b. Provide certification of sight distance (450 feet in both directions) at the intersection of Gerda Lane and Tualatin-Sherwood Road.
 4. Provide a street name to City standards ending in "Lane."
 5. Provide engineered construction plans and estimated costs for all public improvements including water, fire protection, sanitary sewer, storm water runoff, erosion control, site grading, street lighting and steel signage for City, USA, and TVFRD approval. Enter into a subdivision compliance and maintenance agreement with the City, including bonding for 100% of the improvements. Specifically provide:
 - a. Water line looping providing two connections and associated easements.
 - b. Local street improvements including 50 feet of ROW, curbs, gutters and 5-foot sidewalks on the internal street.
 - c. Half-street improvements to Gerda Lane along the site's frontage.
 6. Submit a 15-foot wide landscape corridor plan for the Tualatin-Sherwood Road frontage, including street trees and groundcover.
 7. Provide a temporary turn-around to City standards at the end of the internal street for each phase.

The motion carried unanimously.

5. **Director's Report:**

Ms. Connell advised that City Staff and each member of the Planning Commission had received a letter from Ms. Renette Meltebeke regarding the loss of trees at the Allied System facilities, a copy of which is attached as part of these minutes. After a brief discussion, Staff was directed to respond to Ms. Meltebeke, thanking her for her interest and comments, advising that the Commission agrees with her concerns, that Allied is not in violation of the City's codes, and that the City will work with Allied to mitigate the removal of the trees.

Mr. Bechtold suggested that the Planning Commission also make a recommendation that staff advise Allied of the Commission's concern and advising that the Commission will make a recommendation that the City Council investigate the issue and pursue alternatives.

Ms. Connell commented that Allied will be submitting a request to the Planning Commission and it is possible to mitigate the removal of the trees at that time.

Vice-Chairman Corrado suggested that some accountability be obtained from Allied in a formal forum as to what happened and the procedures with which they must agree at the time of their proposed building expansion.

With regard to the draft of the proposed Environmental Business Overlay Zone, Ms. Connell advised that City Manager Jim Rapp is still working on the draft.

Ms. Connell directed the Commission's attention to a memorandum from Mr. Rapp and noted that based on the comments and recommendations of the Commission, Mr. Rapp cancelled his earlier directive that developers and contractors hold neighborhood meetings with the affected property owners.

Ms. Connell advised that the Western Bypass is coming back with a strong recommendation from Metro 2040 to connect from I-5 to Sherwood via a new route which avoids Tualatin. She pointed out that there will be a joint meeting with the City Council on November 15, at which Metro 2040 will be the only item on the agenda.

6. **Adjournment:**

There being no further items before the Commission, the meeting adjourned at approximately 9:40 p.m.

Respectfully submitted,

Kathy Cary
Secretary