

City of Sherwood, Oregon  
Planning Commission Meeting

September 21, 1993

1. **Call to Order/Roll Call.** Chairman Birchill called the meeting to order at 7:30 p.m. Commission members present were: Chairman Eugene Birchill, Vice-Chairman Marty Ruehl, Marge Stewart, Rick Hohnbaum, and Glen Warmbier. Chris Corrado was excused. Planning Director Carole Connell and secretary Kathy Cary were also present.

2. **Minutes of previous meetings.**

Minutes of August 17, 1993 Meeting:

Ms. Stewart moved, seconded by Mr. Hohnbaum, that the minutes of the August 17, 1993, meeting be approved as presented. Motion carried unanimously.

3. **Public Hearings:**

Chairman Birchill read the hearing disclosure statement and requested that Commissioners declare any ex-parte contact or conflict of interest. Mr. Birchill determined there were no conflict of interest or ex-parte contacts.

**A. PUD 92-1 Sherwood View Estates Preliminary Development Plan and Preliminary Plat for a 76-lot single family development on Murdock Road.**

Chairman Birchill announced that PUD 92-1, Sherwood View Estates Preliminary Development Plan and Preliminary Plat, had been continued from the August 17, 1993, Commission meeting and called for a Staff report.

Ms. Connell reported that the Commission had initially reviewed the report for PUD 92-1 at their August 3rd meeting, and continued the hearing until the August 17 hearing, at which time the Planning Commission requested a wetland delineation. She commented that at the August 17th hearing, Staff had advised there would be additional information regarding the Sunset/Murdock realignment. Ms. Connell noted that she and City Manager Rapp had met with the City Engineer, David Evans and Associates (DEA), and had received a sketch which illustrated that a connection from Sunset to Murdock can be made and the City has decided to proceed with the design provided by DEA. Ms. Connell pointed out that the timing and costs are still unknown, but the Sunset/Murdock

realignment project is rated No. 1 on the transportation capital improvement list along with the improvements at the Oregon Street and Murdock Road intersection. Ms. Connell explained that with the preliminary design, Staff believes the Commission can proceed with review and approval of PUD 92-1, keeping in mind the priority rating of City improvements at Sunset Boulevard and Murdock Road intersection.

Ms. Connell directed the Commissioners' attention to the Supplemental Staff report dated September 13, 1993. She noted that the location of Lots 66-76 adjoining the wetlands had been discussed at length. Ms. Connell recommended that no private land be extended westerly beyond the ridgeline, and pointed to a map delineating contours nearest the ridgeline. Ms. Connell noted that the applicant feels the requirement is too restrictive. She pointed out that the Division of State Lands and the Unified Sewerage Agency have no requirement other than a 25-foot buffer for lots adjoining wetlands and natural areas. Ms. Connell indicated that a wetland delineation had been prepared by the A.G. Crook Company and submitted by the applicant which illustrates that the wetlands are between 75 and 260 feet from those lots, well over the required 25-foot buffer zone. Ms. Connell stated that Staff still recommends that no private property extend beyond the ridgeline, at least for Lots 71-76 since Staff is concerned with maintaining the integrity of the area, and it is unknown what activities will ensue; i.e., home owners building fences and the possibility of the area becoming a weed patch, or dumping area for grass, fertilizers with chemicals, etc. Ms. Connell pointed out the intent of the VLDR Zone and that the City is charged with the responsibility of protecting and preserving wetlands and natural resources on the site.

In conclusion, Ms. Connell recommended that PUD 92-1 be approved subject to the recommendations in the Staff report dated September 13, 1993.

Chairman Birchill opened the hearing for comments from the applicant.

Jerry Reeves, J.C. Reeves Corporation, 4850 SW Scholls Ferry Road, No. 302, Portland, addressed the Commission. Mr. Reeves stated that he had no problem with the alignment of the Sunset/Murdock intersection and will work with Staff to assure proper grade and alignment. Mr. Reeves remarked that he had applied to Washington County for a traffic impact statement and presented a copy of that request to Ms. Connell. Mr. Reeves inquired whether the water looping had

been clarified in the Staff report to assure that the lines do not extend

into the wetlands. Ms. Connell responded that looping across the wetlands has been deleted by a revised Item 6 (b) since looping will now occur internally by the new street layout.

Mr. Reeves indicated that he is strongly resisting the suggestion that some of the lots be moved. He pointed out that there are no clear and objective standards to support such a move and doing so would make the project financially impossible. Mr. Reeves noted that a wetland delineation had been prepared by A.G. Crook Company, which clearly illustrates that the lots are significantly farther from the wetlands than the required 25-foot buffer, the acceptable standard in the industry. He urged that the Commission not include a condition to shift the lots farther east from the wetlands. Mr. Reeves offered to answer any questions the Commissioners may have.

Ms. Stewart inquired if Condition No. 1 intended to eliminate any lots. Mr. Reeves responded that if the lots are shifted as required in Condition No. 1, it will cause more problems and the development simply will not work. He stated that his intent is to nest the homes in the existing trees, at the start of the slope.

In response to a question regarding the time frame for obtaining traffic impact reports, Mr. Reeves indicated it may take 120 days.

There being no further proponent or opponent testimony, Chairman Birchill closed the public hearing and opened the meeting for questions and comments among the Commissioners.

Mr. Ruehl stated that with a 75-foot minimum distance from the wetlands as illustrated on the plan submitted by the applicant, he was not comfortable with elimination of private ownership across the ridgeline. He pointed out that the condition was excessive, and felt the 75-foot buffer would be adequate.

Mr. Warmbier pointed out that the Commission could only be concerned with the first four lots (Nos. 73-76), which are so steep that the runoff will drain into the wetlands. He noted that generally the 25-foot buffer is acceptable, but felt the four lots in question were so steep that additional protection of the wetlands is necessary. Mr. Warmbier stated that the homes which are to be built are good homes; however, there are no controls over what can be dumped over a fence to wash down into the wetlands.

Mr. Warmbier inquired if the one-half street improvements on Murdock Road which do not affect the wetland are subject to TIF charges? Ms. Connell said there may not be enough frontage for a half-street improvement, and then full TIF would be paid.

In response to Ms. Stewart's questions regarding access for Tax Lots 2100 and 2200, Mr. Warmbier noted that access is off of an old gravel road across the subject site. Ms. Connell pointed out that access to those lots is an easement, which should be widened and only extended across Lot 37.

Chairman Birchill inquired whether the easterly corner of Lot 63 could be straightened to run parallel with the street in lieu of building a cul-de-sac, and if necessary stubbed, as a possible future access? Ms. Connell responded that the possibility of using the proposed cul-de-sac as an access had been ruled out because the adjoining property owners did not want emergency access through their driveway. Mr. Reeves commented that the adjustment could be easily made. Ms. Connell recommended that the modification be included as Condition No. 9.

After further discussion, Mr. Ruehl moved that based on the findings of fact, PUD 92-1 be approved with revisions to delete that portion of the second sentence of Condition No. 1 restricting building lots west of the ridgeline, and the addition of Condition No. 9 to require straightening of the easterly lot line of Lot 63. The following conditions were placed upon the approval:

1. Illustrate the wetlands and at least a twenty-five (25) foot wetlands buffer on the final development plan.
2. Provide a tree survey of all Madrone trees and large evergreen trees with the final development plan. Modify the plat to preserve significant trees where feasible.
3. Prior to final development plan submittal, provide a traffic access report for review by the County Traffic Analyst in accordance with R&O 86-95. The report shall address sight distance at Murdock Road, trip generation, intersection design at Murdock Road incorporating the planned realignment of Sunset Boulevard and Murdock Road intersection (dated 8-18-93), and access spacing on Murdock Road. Submit plans, obtain engineering approval, obtain a facility permit and provide financial assurances for all Murdock Road improvements deemed necessary for the intersection.

4. Dedicate ten (10) feet of frontage to Murdock Road right-of-way, and dedicate sufficient right-of-way to align with the Planned Sunset Boulevard/Murdock Road intersection. Include a landscape corridor plan for the intersection.
5. Prepare a twenty (20) foot wide easement for access to the adjoining Tax Lots 2100 and 2200.
6. Prepare engineered facility plans, including maintenance provisions and improvement costs, for the following public facilities, all of which must be bonded for:
  - a. Location of fire hydrants within 500 feet of the remote side of each house.
  - b. Water line extension plans and upper zone pumping improvements, including participation in the installation of a 25-horsepower water pump and controls beside the reservoir.
  - c. Sewer line extension plans from the Bowen easement and Murdock Road.
  - d. Interior street design in accordance with City local street standards. Street lighting, street names and street trees in accordance with City standards shall be included. Provide engineering details of the split-road entry.
  - e. Erosion control in accordance with standards of DEQ, USA and the City.
  - f. Stormwater quantity and quality consistent with USA's letter dated April 6, 1992, and the City Stormwater Management Master Plan.
  - g. An improved six (6) foot wide pedestrian trail in the open space between Lots 65 and 66, or in that vicinity.
7. Each lot shall be a minimum of 10,000 square feet, and so noted on the final development plan. Illustrate lot phasing on the final plan.
8. Dedicate the floodplain/wetland/buffer acreage to the City in the Phase 1 final plat.

9. Straighten the easterly lot line of Lot 63 so that it is perpendicular to the edge of the development.

The motion to approve PUD 92-1 was seconded by Ms. Stewart and carried unanimously.

- B. PA 93-5 Handley: A Plan/Map Amendment designating 45 acres of recently annexed property Low-Density Residential (LDR) and General Commercial (GC), located on Pacific Highway.**
- C. Continued MLP 93-6 Handley: A three (3) lot Land Partition on Pacific Highway.**
- D. PUD 93-2 Wyndam Ridge PUD: Preliminary Development Plan and Preliminary Subdivision Plat for a 123-lot single-family development on the Handley property on Pacific Highway.**

Chairman Birchill noted that the agenda contained a request to table hearings on Items B, C and D.

Ms. Connell reported that the notice of hearing had been sent 20 days prior to tonight's hearing and that ODOT requested the City not move on the hearings until ODOT had the opportunity to assess the impact of the development on Pacific Highway. Ms. Connell indicated that the design of the partition of the Handley property is based on access to the highway. Ms. Connell pointed out that the Plan Map Amendment is piggy-backed onto the partition because the recently annexed parcel does not yet have City zoning. Therefore, Staff is requesting that the Partition, Planned Unit Development, and Plan/Map Amendments be delayed until a recommendation has been received from ODOT. Ms. Connell advised that the applicants are well aware of the delays. She reported that she had met with ODOT's staff and expects to receive their recommendation within 30-45 days. Ms. Connell commented that ODOT is in the process of deciding whether their study will be done in-house or by an outside consultant; and, if the study is assigned to an outside consultant, the delay will be longer. Ms. Connell stated that ODOT is overwhelmed with the number and complexity of developments in Sherwood and wishes to take a better look at the impact of the developments, especially with regard to Highway 99 and Meinecke. Ms. Connell noted that Meinecke Road has been a traffic hazard for some time and ODOT is considering moving the intersection. Ms. Connell recommended that PA 93-5 Handley, MLP 93-6 Handley and PUD 93-2 Wyndam Ridge PUD be continued until ODOT has completed reviews and made their recommendation.





Mr. Warmbier moved, seconded by Mr. Hohnbaum that PA 93-5 Handley, MLP 93-6 Handley, and PUD 93-2 Wyndam Ridge PUD be tabled until ODOT has completed their review and provided their recommendations to Staff. Further, staff will renotify all residents. Motion carried unanimously.

4. **Planning Director's Report**

Chairman Birchill advised that he had received notification from City Manager Rapp that a "Speed Committee" had been formed and a volunteer from the Planning Commission was needed to serve on that Committee. Commission members concurred that Chairman Birchill should represent the Commission.

Ms. Connell advised that the TVFRD had been advised of the changes to the Foothill Estates Preliminary Plat and had been advised that they had no further comments on the project. Ms. Connell noted that a copy of the TVFRD's comments were provided to Mr. and Mrs. Moody, who had several concerns with the roads in the development.

Ms. Connell directed the Commissions' attention to an announcement of two positions which were open on the Washington County Land Use Ordinance Advisory Commission and urged that any one having an interest participate.

Ms. Connell advised that future meetings of the Planning Commission are scheduled for October 5, 19 and November 2 and 16. She noted that Cascade View Estates No. 3 Final Plat (20 lots), Cinnamon Hills Revised Preliminary Plat and Final Plan (86 lots), and Meadow View Heights (176 lots) are on the October 5th agenda. Additional projects to be heard are Woodhaven (1268 lots); Highpointe (81 lots); Wyndam Ridge (123 lots), and a Car Wash at the Chevron Station.

5. **Adjournment:**

There being no further items before the Commission, Chairman Birchill adjourned the meeting at 8:30 p.m.

Respectfully submitted,

Kathy Cary  
Secretary