

SHERWOOD PLANNING COMMISSION AGENDA

December 8, 1983

7:30 PM

Sherwood City Hall

- I. Public Hearing - CU-83-02
Consideration of a Conditional Use request by the Tualatin Rural Fire Protection District to allow a 50 foot microwave tower located on city property on E. Division Street.
- II. Public Hearing - CU-83-03
Consideration of a Conditional Use request by the City of Sherwood to permit a Public Library to be sited and a building constructed on land owned by the City located on N. Sherwood Blvd. adjacent to the Senior/Community Center.
- III. Report from Planning Consultant.
- IV. Discussion of future agendas, Special Projects, Priority items, etc.
- V. Approval of minutes of the last Planning Commission meeting.

STAFF REPORT
December 8, 1983

CASE NO: CU-83-02

SUBJECT: Conditional Use Permit for a Microwave Facility in the LDR Zone
(Amendment of CU-82-02).

APPLICANT: Tualatin Rural Fire Protection District
8455 S.W. Elligsen Road
Tualatin, Oregon 97062

LOCATION: Adjacent to water storage tank in proposed Neighborhood Park,
N.E. Division Street

DESCRIPTION OF THE PROPOSED ACTION:

The Fire District seeks to construct a microwave relay tower **50** feet in height on city property, adjacent to the water tank. A tower **20** feet in height was originally approved by the Sherwood Planning Commission on Aug. 17, 1982 and by the Sherwood City Council on March 9, 1983 by Ordinance No. 787, and contained in Intergovernmental Agreement of April 25, 1983.

APPLICABLE STANDARDS FOR REVIEW:

Chapter 2, Section 6.00 of the Community Development Code.
(See Attached STAFF REPORT from CU-82-02)

BASIC FACTS:

See Attached STAFF REPORT dated August 4, 1982.
Basic Facts remain unchanged.

REQUIRED FINDINGS:

See Attached STAFF REPORT dated August 4, 1982.

- A. Adequacy of Services
Remains unchanged.

- B. Conformity with Planning Designation Area Standards
Remains unchanged.

C. Public Need

Remains unchanged

D. Suitability of Location

The suitability of this site has been strengthened in that the Fire District was unable to secure a site on Cooper Mountain to act as a mid-point relay between Sherwood and the Bald Peak tower. The additional 30 feet of tower height will assure that the direct line of transmission between Sherwood and Bald Peak will not be interrupted by the topography or vegetation on Cooper Mountain. See attached letter from John Schwartz, Division Chief, Support Services for the Fire District.

E. Impacts on Surrounding Property and Environment

Remains unchanged. The site is of sufficient size to permit the 50 foot tower to collapse wholly within the city owned property, without any infringement upon any surrounding properties. While the additional 30 feet of height may permit some additional visibility of the tower, this should have little impact on surrounding property, especially given the previously adopted conditions. A question may exist, however, regarding tower stability given the total 50 foot height. No information has been provided by the applicant on this issue.

STAFF RECOMMENDATION:

Based on the above facts and findings, and those of the previously approved Conditional Use Permit (CU-82-02), the staff recommends APPROVAL of the request subject to the previously adopted conditions, and the following additional conditions:

1. That the city be named as a co-insured for any insurance coverage carried by the Fire District to cover any loss or damages suffered as a result of the collapse of the tower or any other mishap which may directly or indirectly affect or involve the city and its property.
2. An engineering report be provided by the Fire District, for evaluation by the city, regarding the stability of the 50 foot tower and the need for guying the tower.

CITY OF SHERWOOD, OREGON

ORDINANCE NO. 787

AN ORDINANCE ADOPTING FINDINGS WITH RESPECT TO THE APPLICATION OF TUALATIN RURAL FIRE PROTECTION DISTRICT FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AND OPERATE A MICROWAVE DISH AND TOWER AT THE CITY RESERVOIR SITE ON S.E. DIVISION STREET, GRANTING APPROVAL OF SAID APPLICATION WITH CONDITIONS, AND FIXING AN EFFECTIVE DATE. (CU 82-02)

THE CITY OF SHERWOOD DOES ORDAIN AS FOLLOWS:

Section 1. The council adopts as its findings of fact the findings set forth in the Staff Report dated August 4, 1982, a copy of which is attached hereto marked Exhibit A, under headings "Basic Facts" and "Findings". The council finds the relevant criteria to be those specified in the Staff Report.

Section 2. The council further finds that the application for conditional use permit was the subject of review and public hearing held on August 17, 1982 by the Planning Commission. Subsequent to that hearing the Planning Commission voted to recommend approval of the application, a copy of said recommendation being attached hereto marked Exhibit B.

Section 3. The council further finds that after due and legal notice a public hearing was held on August 25, 1982 before an impartial council, and at said hearing all interested parties were afforded an opportunity to be heard and to present and rebut evidence. At said hearing the Council received in evidence the Planning Commission's decision, Exhibit B.

Section 4. After due consideration of the application, the action of the Planning Commission, the Staff Report, and evidence adduced, the council finds that the facts and findings set forth in the Staff Report should be adopted as the findings of the council and that the following conditions to approval are reasonable and necessary to carry out the pur

a.

- g. Tualatin Rural Fire Protection District shall provide a channel for city police communication use.

Section 5. The application is approved, subject to the conditions set forth in section 4 for a conditional use permit to construct and operate a microwave dish and tower at the city reservoir site on S.E. Division Street

Section 6. This ordinance shall become effective on the 31st day after its enactment by the city council.

PASSED:

By the council by unanimous vote of all members present after being read by caption three times this 9 day of March, 1983.

Polly Blankenbaker
Polly Blankenbaker, City Recorder

APPROVED:

Mayor

EXHIBIT A

STAFF REPORT

August 4, 1982

CASE NO: CU-82-02
SUBJECT: Conditional Use, Microwave Facility, LDR Zone
APPLICANT: Tualatin Rural Fire Protection District
LOCATION: Adjacent to Sherwood Water Tank, in proposed Neighborhood Park N.E. Division St.

APPLICABLE STANDARDS FOR REVIEW:

Chapter 1, Section 4 of the Community Development Regulations.

BASIC FACTS

Land Use - Existing City Water Reservoir and Proposed Neighborhood Park.

Plan Designation - LDR.

Topography - Hilltop, Elevation 358'

REQUIRED FINDINGS

- A. "Adequacy of Service."
Not Applicable
- B. "Conformity with Planning Designation Area Standards"
Radio and television towers are permitted by Conditional Use in LDR zones.
- C. "Public Need"
The applicant cites two proposed benefits of the microwave facility - increased public safety and greater economy.

The present communication system is hampered by poor quality, unreliable radio communications which endanger firefighters' and civilian lives and properties. Emergency Medical unit teams face similar communication problems. Applicant claims that the proposed microwave facility would greatly increase communications and save public money at the same time through decreasing the fees paid to telephone companies for leased lines. Estimated savings for the next 10 years could exceed \$250,000.00

- D. "That the public use is best served by allowing the conditional use for the particular piece of property in question as compared to other available property."

The applicant's feasibility study points to the Sherwood water tower site as the best based on two main factors:

- 1) Since microwave facilities require lines of sight pathways between transmitter and receiver, the transmission facilities must be elevated sufficiently to beam signals over the surrounding terrain. The Water Tower site is an elevation that permits line of sight to the receiver facility on Cooper Mountain.

ATTACHMENT C
REQUIRED FINDINGS

CONDITIONAL USE

No conditional use request shall be granted unless each of the following is found.

- A. That all public facilities and services to the proposed development, including but not limited to sanitary sewers, water, transportation access, storm drains, electrical distribution, park and open space and public safety are adequate or that the construction of any required improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the developer and the City.
- B. Approval is in conformity with applicable planning designation area standards.
- C. There is a demonstrable public need for the use of the type and kind in question.
- D. That the public need is best served by allowing the conditional use for the particular piece of property in question as compared to other available property.
- E. That surrounding property will not be adversely affected by approval of the request, or that the adverse effects of the use on the surrounding uses, the neighborhood or the City as a whole, are sufficiently ameliorated by the conditions imposed. Air, land or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety or welfare must meet the environmental performance standards contained in Section 4.02. of this Chapter.

- 2) The Sherwood facility requires a high grade communication line (a hard line) between transmission site and the Sherwood Fire Station. It is important to minimize the length of the hard line to ensure a high quality signal. The proposed Water Tower Site is the nearest facility to the Fire Station that also meets #1, above.

E. "Proposed Conditional Use will not adversely affect surrounding property nor be injurious to public health."

While it is generally accepted that exposure to microwave radiation can be harmful to human health, it is not evident that the proposed facility would present a health danger.

A microwave transmission produces signals aimed at a specific receiver, as contrasted with AM, FM, and television towers that broadcast signals to many dispersed receivers. The transmitter dish at the Water Tower will be pointed up at a fifteen degree angle above the horizon. It will send a concentrated signal to the receiving facility on Cooper Mountain. The signal will not exceed 15 feet in diameter and then only at several hundred feet above ground. Most of the potentially harmful radiation will be concentrated in a very narrow beam high above tree level although a small amount of dispersed emissions can occur. The public health and safety question revolves around the amount of dispersed emissions that can occur from the Sherwood dish.

On July 23rd, 1982, the Multnomah County Board of Commissioners amended the County's zoning ordinance to regulate radio, television, and microwave towers and transmissions. This ordinance is the most restrictive in the country in limiting microwave radiation remission. Based on the performance criteria submitted by the Tualatin Rural Fire Protection District and on phone conversations with Multnomah County personnel who had researched and drafted the ordinance, the emissions from the proposed Sherwood microwave facility will be well within the Multnomah County standards.

STAFF RECOMMENDATION

Based on the above facts and findings, the staff recommends approval of the request subject to the following conditions:

- 1) That the proposed tower or pole that will support the transmitting dish be of a compatible color and design so as to blend in with reservoir improvements.
- 2) That the proposed tower or pole be non-climbable.
- 3) That the groundline to the Sherwood Fire Station be installed in accordance with City of Sherwood public improvements approval process.
- 4) That the applicant test emissions from the microwave facility and present same to the Sherwood Planning Director for approval prior to system implementation.



P.O. Box 167
Sherwood, Oregon 97140
625-5522 625-5523

TAX LOT: 32D : 401

CASE. NO: CU-82-02

NOTICE OF DECISION

DATE: 8-18-82

To: City Council Tualatin Rural Fire Protection District
P.O. Box 127
Tualatin, Ore. 97062
Attn: Ken Morss

The Planning Commission of the City of Sherwood, Oregon decided to recommend approval of your application for a microwave antenna and tower on 8/17/82.

The decision was based on the following major findings:

The findings contained in the attached staff report dated August 4, 1982

The following conditions were placed on approval of the application:

1. That the proposed tower or pole that will support the transmitting dish be of a compatible color and design so as to blend in with reservoir improvements.
2. That the proposed tower or pole be non-climbable.
3. That the groundline to the Sherwood Fire Station be installed in accordance with City of Sherwood public improvements approval process.
4. That the applicant test emissions from the microwave facility and present same to the Sherwood Planning Director for approval prior to system implementation.
5. That the applicant and City reach an agreement on the ongoing operation, maintenance and liability resulting from the siting of the facility on City property.

Gene Starnett *li*

STATUS OF PLAN COMPLIANCE REVIEW

X Additional Required Action

X City Council Meeting date August 25, 1982



TUALATIN RURAL FIRE PROTECTION DISTRICT

P.O. BOX 127 • TUALATIN, OREGON 97062 • PHONE 682-2601 • RUSSELL WASHBURN, CHIEF

November 10, 1983

City of Sherwood
City Hall
90 N.W. Park Ave.
Sherwood, OR 97140

Attn: Todd Dugdale

Re: Conditional Use Request for antenna support height extension
from 30 to 50 feet

Dear Todd:

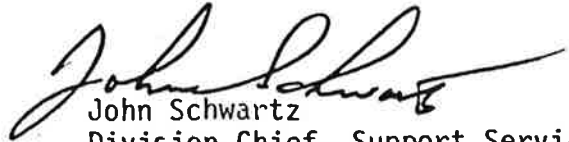
Please find attached our application for land use action and supporting documents. I will address Attachment C, Required Findings in this letter.

- A. No additional services or facilities are required in addition to the original Conditional Use Permit.
- B. This would not require any change in planning designation area standards.
- C.
 1. This link into the Fire District's communications system is vital to resolve our radio propagation problem.
 2. The site would provide the City of Sherwood with radio and intercom communications with the County Sheriff's Dept. in Hillsboro.
 3. The site will substantially reduce operating costs for telephone lines for the taxpayers of the District.
- D. As a microwave system is by line-of-sight and we were not able to secure a site on Cooper Mountain the height increase is absolutely necessary to be able to line up with the Bald Peak site. This system has been researched in the past and the Sherwood Water Tank site is the only workable location to complete the system. If we cannot make contact with Bald Peak it would require us to leave the Sherwood area off the communications system which would not solve our radio and communication problems in that area and would not enable the City of Sherwood to have the needed communications to the Hillsboro Sheriff's Department.

- E. There should be no additional adverse affect upon the surrounding property as the only change in the system is the height extension. The District would be using a 6 ft. graded type dish rather than a solid dish.

If you or your planning staff need any additional information or clarification, please do not hesitate to contact me. Thank you very much.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Schwartz".

John Schwartz
Division Chief, Support Services

JS/rg

Encl.

STAFF REPORT
December 8, 1983

CASE NO.: CU-83-03

SUBJECT: Conditional Use Permit for a Public Library in the MDRH Zone

APPLICANT: City of Sherwood

P.O. Box 167

Sherwood, Oregon 97140

LOCATION: Southwest of No. Sherwood Blvd. adjacent to the Senior/Community Center

DESCRIPTION OF THE PROPOSED ACTION:

The City desires to construct a new library building adjacent to the recently completed Senior/Community Center off No. Sherwood Blvd. The new library may be constructed in phases, with Phase I being approximately 3,500 square feet in floor area and Phase II anticipated to be approximately 2,500 additional square feet.

APPLICABLE STANDARDS FOR REVIEW:

Chapter 2, Section 6.00 of the Community Development Code for Conditional Uses.

BASIC FACTS:

1. Land Use:

Legal Description: 2S1-29C, Tax Lots 1402 and 1403

Current Plan Designation: MDRH - Medium Density Residential High

Area: 2.49 acres

Buildable Area: approximately 2.24 acres

Existing Structures: The Senior/Community Center, approved by the City Council on September 10, 1980 as a Conditional Use, occupies the easterly two-thirds of the total site area.

2. Environmental Resources:

Topography: Westerly 3-7% with a small swale traversing the site, bearing east-west.

Soils:

Type: Hillsboro Silt Loam

Land Use Limitations/Soil Characteristics

Natural Drainage is good

Moderate permeability

Slow run off with slight erosion hazard

Agricultural Capability Class

Class II

Flood Plain:

Not applicable

Recreation Resources:

The site is adjacent to Glen Park and an acquired portion of the planned Cedar Creek Greenway, and 1,000 feet from the Stella Olson Community Park.

3. Community Facilities and Services:

Water:

12" main in No. Sherwood Blvd.

Sewer:

8" Lateral in No. Sherwood Blvd.

Drainage:

Natural drainage westerly to Cedar Creek.

12-15" storm sewer in No. Sherwood Blvd.

Public Safety:

Fire Protection: Tualatin Fire District

Police: City of Sherwood

4. Transportation:

Vehicle Access:

Access is via a 60 foot wide accessway onto No. Sherwood Blvd. (60' RW, 40 PV)

A private access street section (50' RW 32' PV) connects No. Sherwood Blvd. with the parking area for the Senior/Community Center.

Bike and Pedestrian Access:

An 8' combination bike and pedestrian way is located on No. Sherwood linking the site with Six Corners and Old Town. The site will have direct access to the planned trail system in the adjacent Cedar Creek Greenway.

Transit:

The site is served by Tri-Met along No. Sherwood Blvd.

REQUIRED FINDINGS:

The following address the five (5) Required Findings contained in Section 6.04 on page 122 of the Community Development Code.

A. Adequacy of Services:

1. **Water:** Available from 12" line in No. Sherwood Blvd.
2. **Sewer:** Available either by 8" line in No. Sherwood Blvd. or 8" line northwest of site in Gleneagle Subdivision.
3. **Drainage:** Natural drainage to Cedar Creek is adequate with on site conveyance to an outfall through Glen Park.
4. **Park/Open Space:** The facility can be linked via planned trails through the Cedar Creek Greenway to Stella Olson Park. The Greenway is directly available from the facility.
5. **Public Safety:** Fire protection is adequate in a fire zone 3. City Police will provide security.

6. Private utilities are adequate to the site. All necessary services are in place and adequate for the proposed use.

B. Conformity with Applicable Planning Designation Area Standards:

The proposed library use is allowed as a "Use Permitted By Conditional Use Permit" under Section 2.09 C (5). The Senior/Community Center and Library complex is indicated for the proposed site on the Comprehensive Land Use Plan Map and is the site selected by the City Council after public testimony. Therefore, the proposed library facility is consistent with the Land Use Element of the Comprehensive Plan for the City of Sherwood.

C. Public Need for the Proposed Use:

The very active and well organized library function was, for many years, located in the basement of the Sherwood City Hall. The 800 square foot space was cramped and provided no room for expansion. Many planned programs could not be implemented due to the severe space limitations. In July, 1982, the library moved into a 3,300 square foot storefront location at the northeast corner of Rail Road Street and Main. The city must pay rent on the present library location. The current facility has provided the opportunity for additional books, programs and other learning equipment. However, additional space must be provided in order to accommodate all materials and programs available through the library.

D. Suitability of the Location:

The library is extensively used in Sherwood and should be centrally located in relationship to the population. The relationship to the Senior/Community Center will provide an excellent base for a group which will use the library extensively, as will the proximity to the school area. The creation of an expanded community center development to serve the citizens of the area will create an excellent dual purpose area. The specific site was chosen by the city after a complete site search and public review of the three best alternative sites.

E. Impacts on Surrounding Area and the Environment:

The site location, in close proximity to the Senior/Community Center, the adjacent senior apartment complex, the school area on No. Sherwood Blvd., the Six Corners Commercial area and the downtown area of the city will result in positive impacts, especially on surrounding properties. Positive impacts will also result in terms of the general neighborhood and the city.

During the course of site selection for the Community Center, environmental assessments were completed for all final sites including the subject site. The assessment for this site is on file at the office of the City Recorder at City Hall, and illustrates no significant adverse environmental impacts.

ADDITIONAL COMMENTS:

Although the Comprehensive Plan identifies the specific site for a Community Center, a Conditional Use Permit, as was obtained for the Senior/Community Center, is required for the library as well. Design Review for the library has already been completed, citing only the need for a landscape plan.

Construction of the library, at least the first phase, is guaranteed through the availability of LCSA funds and in-kind donations raised by the city and Friends of the Library. The project is scheduled to receive bids in February and for construction to begin in the spring of 1984.

STAFF RECOMMENDATION:

Based on the above facts and findings, the Staff recommends APPROVAL of the Conditional Use Permit, with the following condition:

1. Submittal and approval of a final landscape plan for the library site.

APPROVED
MINUTES

Sherwood Planning Commission
Minutes
December 8, 1983

The meeting was called to order by the Chairman, Gene Stewart. In attendance at the meeting were Clarence Langer, Dwight Minthorne, Arthur J. Horne, Jr., Sally Howard and Cathy Navarra.

Mr. Bob Price introduced himself to the commission members. He stated that he was an associate with Benkendorf & Associates, a consulting firm, and that they had been retained by the city to act as planning consultants. He stated that he was in the office on Wednesdays in Sherwood and was otherwise available at his office in downtown Portland.

Mr. Price explained the request of Orland Villa for a final plat approval. He stated that they are requesting final plat approval of the subdivision. Everything is in compliance except for the landscaping plans. The landscaping requires design review which is scheduled for December 19, 1983, and in order to facilitate the process on behalf of Mr. Cardinal we suggested that the final plat could be presented to the planning commission at this meeting and if they found it to be satisfactory they could give conditional approval subject to the design review. The commission members reviewed the plat maps. Clarence Langer made a motion that Orland Villa subdivision final plat be approved subject to the contingency that design review approve the landscaping plan at which time the chairman will be authorized to sign the final plat. Dwight Minthorne seconded the motion and the same was unanimously carried.

Public Hearing on Case No. CU-83-02, Consideration of the Conditional Use request by the Tualatin Rural Fire Protection District to allow a 50 foot microwave tower located on city property on East Division Street. The hearing was opened by Gene Stewart. Mr. Stewart stated that he had a relative living in the area in question but felt that he had no conflict of interest. John Schwartz, Division Chief for the Tualatin Fire District, gave proponent testimony. Mr. Schwartz stated that the Tualatin Rural Fire District had previously gone through the process and received permission to construct a 20 foot tower on the site on East Division Street. He stated that at that time they had anticipated using a site on Cooper Mountain to relay to a site on Bald Peak. They have subsequently lost the site on Cooper Mt. and through an engineering process have determined that they need to increase the tower height from 20 feet to 50 feet to be able to by-pass Cooper Mt. and go directly to Bald Peak. There is some concern from residents in the area about satellite communications for television. They have checked with engineers and have been assured that

there will be no interference in satellite dishes. He stated there was no change in the original proposal except for the height of the tower. The 50 foot tower does not require any guy lines as it is a free standing tower. Mr. Schwartz made available a report on the tower design and construction for the members to review.

The hearing was then opened for opponent testimony.

Mr. Al Olson asked why the Cooper Mt. site was lost. Mr. Schwartz explained that Wolf Creek rescinded the site because of public sentiment in that residents were unhappy with the water district because some landscaping had not been done and the Tualatin Fire District was not a part of their area. Mr. Olson expressed concern that when the water reservoir was put in they were promised landscaping and a park which has not been done and if they should agree to this tower would more promises be made that are not taken care of.

Sally Howard asked what the tower looked like. Mr. Schwartz made available a sketch. Sally Howard asked what the sentiment of the residents was in the area of the proposed tower. Mr. Olson stated that it was mixed.

Mr. Schwartz stated that the communications in the area has been bad because of the hills and valleys. One of the purposes of a microwave system is to enhance radio communications and this proposal will provide the city with better radio communications to the City of Hillsboro. Ron Postman explained how the system will improve communications.

Chief Laws stated that the police department has an interest in this project in that they will have improved communications and the tower will give them complete contact with Hillsboro. The trade off was that if the fire district were given the site they would install equipment for communications.

Gene Stewart questioned what would happen if Washington County went to a central dispatch system. Would this tower be a waste? Mr. Schwartz explained that if this were to happen they would still need the microwave system.

Mr. Terry Tollen asked if a landscape plan had been approved. Ron Postman explained that the tower would only require an eleven foot square of concrete.

Cathy Navarra expressed concern about health hazards from the microwave tower. Ron Postman explained that this was a nonionization type of radiation and that it is below the acceptable standards set of OSHA. He explained this in terms of home use.

Virginia Hite asked what trade offs the city will receive if they allow this tower. Mr. Postman explained that they would

receive better police and emergency communications.

Mr. Stewart asked what would happen if the tower should be knocked down. Mr. Postman stated that there is a battery back-up and an emergency generator plus a back-up phone system.

The hearing was closed to the public. Dwight Minthorne asked if all people in the area had been given notice of this meeting and the proposed tower. Mr. Price stated that all the required notices had gone out.

Mr. Stewart asked if the tower was going into the same spot as the 20 foot tower and if not, if a new site plan had been submitted. Ron Postman stated that all requirements had been submitted.

Mr. Price suggested that three more conditions be added to the conditional use. (1) a non-climable security fence be provided, and that this fence be approved by the police department; (2) landscaping which would be reviewed and approved by the Sherwood Park Department and Design Review Board; and (3) staff review of the entire conditional use permit within one year to make sure of compliance.

Mr. Stewart was concerned that the tower was going up in an area that was slated for the development of expensive homes and wondered if there was a way to bring the height of the tower down and possibly use a relay system. Mr. Postman explained the need for the tower which they were requesting. Mr. Horne expressed concern over the type of finish of the tower.

Dwight Minthorne made a motion to approve the request as conditioned by Bob Price. Clarence Langer seconded the motion. Mr. Price reviewed the conditions for the members. (1) That the city be named as co-insured for any insurance coverage carried by the Fire District to cover any loss or damages suffered as a result of the collapse of the tower or any other mishap which may directly or indirectly affect or involve the city and its property; (2) an engineering report be provided by the Fire District, for evaluation by the city, regarding the stability of the 50 foot tower and the need for guying the tower; (3) that a non-climable security fence be provided around the tower site and that security fencing be approved by the Sherwood Police Department; (4) a landscaping plan be reviewed and approved by the Parks Department and the Design Review Board and be implemented by the Fire District upon approval; and (5) that staff review the approval and conditions of this permit within one year to insure compliance.

Discussion was held as to the problem of the city not fulfilling its commitment in failing to landscape the site.

Motion carried with 4 yes and 1 no. Gene Stewart abstained.

Public Hearing on Case No. CU-83-03, Consideration of a Conditional Use request by the City of Sherwood to permit a public library to be sited and a building constructed on land owned by the city located on North Sherwood Blvd. adjacent to the Senior/Community Center. The hearing was opened by Gene Stewart. Mr. Stewart reviewed the conditional use procedure with the commission. Mr. Terry Tollen explained that a permit was not applied for earlier because a permit had previously been issued for the senior center. He then explained the design of the proposed library. Discussion was had as to the parking problem in the area. Mr. Ron Garand felt more parking could be put between the two buildings. Mr. Stewart felt that a sidewalk should be put in. Cathy Navarra questioned the landscaping of the library. Mr. Tollen explained that a landscaping plan must be made before the library can be built.

Mr. Ron Garand made a request that the following conditions be added to the conditional use permit: (1) Furnish the agreed on 10' wide, heavy planting along the existing fence, extending from the back west corner of the Garand property to the Heater's driveway; and (2) complete the proper weather treating of both sides of all existing wood fence on the site. Mr. Garand stated that this had been promised when the senior center was built two years ago. Mr. Garand felt the City of Sherwood had a problem in enforcing conditions. Discussion was held as to whether this problem should be dealt with as a part of a conditional use permit or enforced in some other way. Mr. Garand stated that since the city was the applicant they should be willing to put an attachment on this permit to force a follow through on their promise.

Mr. Tollen stated that the Parks Department did not have enough money to do all landscaping that is needed. He added that he had received donations of plants and other materials to start the planting. Mr. Garand felt that he had received too many promises and that his request should be made a part of the conditional use permit of the library.

Mr. Stewart closed the hearing.


Mr. Price explained that a conditional use permit can be called in for review if certain conditions are not being met and the planning commission can take that action.

Dwight Minthorne made a motion to approve the conditional use permit for the library as the staff recommends. Arthur Horne seconded the motion. Cathy Navarra made a motion to amend the motion to add the following conditions: (2) that a sidewalk be installed from the library to North Sherwood Blvd.; and (3) that the city fulfill its commitment to complete the landscaping and fence painting at the senior center by the time the building is completed. Sally Howard seconded the motion to amend. Motion carried with 4 yes and 1 no. Mr. Arthur J. Horne, Jr., abstained.

Mr. Garand asked that his request be made a part of the record.

Mr. Stewart stated that two positions will be open on the planning commission in January, 1984. At the January meeting a new chairman will need to be elected as he will not be renewing his term. The minutes of the previous meeting of November 3, 1983 were approved as presented.

Meeting adjourned.



Mary L. Holland
Minutes Secretary

THIS IS A REQUEST TO ADD THE FOLLOWING STATEMENT TO THE
CONDITIONAL USE PERMIT.

The commitments, as listed below, originally made as a prerequisite
to building on this site two years ago, be completed no later than
June 1, 1984.

1.) LANDSCAPING

Furnish the agreed on 10' wide, heavy planting
along the existing fence, extending from the back
west corner of the Garand property to the Heater's
driveway.

2.) FENCE

Complete the proper weather treating of both
side of all existing wood fence on the site.

Ron S. Garand

825 N. Sherwood Blvd.

December 8, 1983