

SHERWOOD PLANNING COMMISSION
AGENDA

October 5, 1982
7:30 p.m., City Hall

- I. Reading and approval of minutes of August 17, 1982
- II. Announcements and Correspondence.
- III. PUBLIC HEARING-PMA-82-01-A request by the Sherwood Planning Commission to amend the Planning Map portion of The Comprehensive Plan to change the Planning designation of 100 acres in the southwest corner of the UGB from LDR (Low Density Residential) to LI (Light Industrial)
- IV. Discussion of the possible modification of the proposed Plan Amendment by Washington County.
- V. Discussion of County Planning Issues
 - A. Area of Meinecke Road intersection with Hwy. 99W.
 - B. Urban Planning Area Agreements with Washington County.
- VI. Status of Old Town Revitalization Project.
- VII. Select a new Vice Chairman for the Planning Commission.
- VIII. Discuss changing the meeting nights of Planning Commission.
- IX. Next meeting agenda.

APPROVED MINUTES

MINUTES
Sherwood Planning Commission
October 5, 1982

In attendance at the meeting were Gene Stewart, Chairman; Norma Borchers, Norma Oyler and Diane Gothie, members; and Todd Dugdale, City Administrator.

- I. The minutes of the September 7, 1982, meeting were approved.
- II. There were no announcements or correspondence brought before the meeting.
- III. Public Hearing PMA-82-04. A request by the Sherwood Planning Commission to amend the Planning Map portion of the Comprehensive Plan to change the planning designation of 100 acres in the SW corner of the UGB from LDR to LI.

Chairman Stewart opened the hearing and factual questions arose from the floor. Todd Dugdale responded to a question as to what area was under consideration by explaining that the specific area being considered at this hearing is west of the SP railroad tracks and south of Wilsonville Road; he said that the County proposal, currently in second draft, included land east of the railroad over to the Cedar Creek greenway, but that area was not under consideration at this public hearing. Responding to a question as to who had initiated the amendment, Mr. Dugdale said that it had evolved out of the County planning process at the three County Town Hall Meetings that had been held. At the initial meeting the issue of the need for additional industrial land in the Sherwood area to balance non-residential land inventory with residential land use had been raised. As a result of that meeting, together with discussion between the County and City Staff, a proposal had gone to the first draft of the County land use plan, and at the second Town Hall meeting it was determined that notice be given to the affected property owners and that public hearings on the Planning Commission and City Council levels be held to adequately hear the proposal. Mr. Dugdale stated that City action on the matter is only advisory as it does not have jurisdiction over land outside the City boundaries, but that the County has said it would look very hard at decisions coming out of the City hearings. County planner, Richard Meyer, said that the County considers the hearings at the local level to be very important as the land is suited to either residential or light industrial use due to good road access and topography, and that it could be designated a combination of LDR and LI. Mr. Dugdale said that the State land use plan goals and guidelines require that the City and County reach agreement for plan designations on areas outside the City limits and as a practical matter, when the area is annexed to the City, the City plan will presumably control. In response to a question regarding estimated time frame for annexation, Mr. Dugdale said that historically annexation has been by property owner petition to the Metropolitan Boundary Commission through the City and that the City cannot decide the matter but can adopt resolutions or neglect to act, which expresses opposition. The City is involved in extension of services to an area, i.e., the

recent action by the City Council to provide urban sanitary sewer services to the area in question. In answer to a question regarding the percentage of residential to nonresidential land Mr. Dugdale said the City's comprehensive plan goal is 60% residential to 40% nonresidential; that the current ratio is 80% to 20%; and that the proposed amendment would bring the ratio to 74% residential and 26% nonresidential. There was further discussion regarding City, County and State land use planning procedures.

Proponent Testimony.

Fred Anderson, property owner in the affected area, spoke in favor of the plan designation being amended from LDR to LI. He said that he could only project interest in it through his offspring and grandchildren and for their best interests he was in favor of the amendment. He said that he has seen the history of the area, that the land is ultimately industrially suited, and that based on observation of other industrial land and the economic impact of an industrially zoned area on building a city he was in favor of it to sustain taxes and otherwise. He also said that the land would be worth more if designated industrial rather than residential.

Walt Hitchcock, owner of property east of the proposed area, spoke in favor of the amendment as the need for industrial land does exist and the necessity of balance between residential and industrial land can't be overstated. He said cities with a preponderance of residential land pay the penalty regarding schools, government agencies, transportation to jobs, inadequate tax base, and that the impact is on everybody in the area. He said the proposed area has good road access and the only remaining railroad access without negative impact on adjoining land use within the City. He said there are two criteria involved -- services, and the Cedar Creek LID addresses that issue; and compatibility with adjacent land uses. He noted that the west and south boundaries are buffered by agricultural land, the north by the Wilsonville Road designation of four lane arterial, and the east buffered by the railroad tracks and that the County proposal to include the area east of the tracks provides a natural buffer of the greenway along Cedar Creek. He spoke further to the advantages of including his property in the area and noted that if it is designated LI there could be a significant impact, downward, on the cost of the sewer. He stated that industrial users are traditionally lower sewer users than residential users. He strongly encouraged the Planning Commission to modify the plan from LDR to LI.

Merle Pennington, property owner in affected area, spoke in favor of the change to LI and noted the following: that the State has plans to bring 99W through to that general area with probable access to I5 at what will be the Norwood Interchange; that something will be needed to relieve truck traffic if it becomes industrialized; and that comparing Sherwood to Wilsonville is good idea -- we have to have more urbanized view or Sherwood will die on the vine. He stated industrial land is needed.

Nels Anderson, property owner in affected area, said he agreed with everything the others had said in favor of amendment to LI and it has his okay.

Opponent Testimony.

Jack Peterson, home owner on west buffer of proposed area, said that in the next 20 years he hopes to raise his family there. That he bought the property 6 years ago with no guaranty that the adjacent land would be industrial or rural. He said he was incredulous that the proposal included his property, with the 7 or 8 other home owners in the area, for light industrial designation. He said nice homes have been built there in the last 10 years and he wants his property to remain LDR and the residential property in the area should not be included in the industrial designation. He said there was other property available between Sherwood and Tualatin for LI, suggested the rock quarry area, Tonkin area. He said that access to 99W for easy transportation was questionable and that 99W into Tigard was not good route. Said industrial area in Tualatin had access to I5. He questioned the need for industrial designations, stating that the balance mentioned is arbitrary.

Bob Norton, home owner in affected area, said that there is a proper industrial area between Sherwood and Tualatin on Edy Road, that it is within the boundaries, has big flat fields that render it suitable for industrial use. Said SW corner has scenic value, rolling hills, view and is a nice residential area. Said to keep business on the other end of town. He agreed about 99W route through Tigard into Portland being a slow route. He said he was in favor of leaving the area designated LDR.

Mrs. Alfred Horn, home owner in affected area, agreed with the foregoing two opponent speakers and opposed amendment of the plan to LI.

Ted Swenson, home owner in affected area, spoke in opposition to amendment from LDR to LI. He said that more traffic would create problem and that 99W is no comparison to I5; that route over Parrot Mountain to Wilsonville Road would be tough engineering project to straighten the road out. He said that coupled with the proposal to designate area LI, the County plan proposed that the land between Wilsonville Road and the swale be designated high density residential. Richard Meyer, County planner, was asked to clarify the question and he indicated that if the area in question were designated LI, the land between the road and the swale would be designated for higher density residential because of employee housing needs for the area. He said that residential density is generally reduced as land is more remote from areas of activity. There was further discussion concerning residential designations and meeting traffic needs for the area.

Discussion was held concerning the proposed sanitary sewer for the area.

Chuck Kennerly, property owner in affected area, said he was on the fence regarding the proposed amendment. Said if area designated LI it would not enhance his residential property.

Mary Drill, home owner in affected area, said she is raising family and would like the area to stay the way it is.

Diane Gothie raised a question as to whether 75% of the people affected had the vote, or 75% of the land owners had the vote. A question was raised concerning where the 75% vote margin had originated. Gene Stewart said the decision should be made based on facts presented, if they warrant change to LI, and what is best for whole town of Sherwood. Todd Dugdale indicated findings that must be made are conformance with plan, adjacent development, etc., and is public interest best served by granting an amendment.

There was discussion concerning criteria for a proposed amendment, the effect on the already planned sewer system, noise control and site performance, i.e., landscaping and maintenance. Todd Dugdale said there were provisions in the code for noise control and site performance but that these were not always easy to enforce. A question was raised regarding impact on taxes on the property and it was indicated that as services approach the area and make it more marketable, the taxes would increase. It was noted that there is a tax deferral for houses within industrial areas that allows payment of taxes as residential until developed, then the difference in back taxes are paid.

Todd Dugdale said he had a phone conversation with Bob Luden, a property owner in the area, who indicated he felt the area should be developed for higher income homes and that it was the last area in Sherwood that could be so developed.

There was further discussion among the Planning Commission as to whether there are other campus areas that large that could be designated LI.

Diane Gothie made a motion to oppose amendment of the Comprehensive Plan for the area in question from LDR to LI; the motion was not seconded.

Norma Oyler made a motion to accept the amendment as outlined in the Staff Report of September 29, 1982; the motion was seconded and carried; Diane Gothie opposed.

IV. Discussion of possible modification of proposed Plan Amendment by Washington County. The property in question is 30 acres east of railroad tracks over to Cedar Creek greenway owned by Walt Hitchcock. Todd Dugdale said if the Planning Commission reached a consensus and recommended the property for inclusion in the proposed light industrial area and if proper notice requirements were met the City Council could hear the proposal at a future hearing. The County proposal has included this land in the area proposed for LI. Norma Borchers made a motion that the area directly east of the railroad tracks down to the greenway be considered by the City Council for inclusion in the proposed LI area and the staff will prepare a recommendation. The motion was seconded and carried; Diane Gothie opposed.

V. Discussion of County Planning issues. The County has discussed and asks the Planning Commission for comment on the possibility of a small scale commercially designated area at the intersection of Meinicke Road and Highway 99W. It was stated that if the area were annexed right now, the Cherry Tree market would have a nonconforming use status. Mr. Dugdale said Steve Weeks wants to expand the Cherry Tree; Norma Borchers pointed out that the intersection there is dangerous with cars coming off the highway into the market in front of cars pulling up to the intersection on Meinicke Road. Mr. Dugdale said the intersection would have to be redesigned. Mr. Dugdale said further that the LCDC Goal II requires City and County agreement, even though the City decisions are only advisory on land outside the City limits. The County is considering the area for neighborhood commercial. Mr. Dugdale said the area was not suitable for residential on a busy corner right at the light although it could be designated for multi-family use. It was the consensus that the Planning Commission has a policy of siting neighborhood commercial uses as the need is shown on a neighborhood basis when someone comes forth with a proposal and that this property might be suitable and could be considered upon annexation.

Todd Dugdale said the County is proposing to adopt a new Urban Planning Area Agreement. The agreement basically provides for notification of any plan actions by the City or County so that each will have an opportunity to counter. The County wants to standardize according to LCDC requirements. Mr. Dugdale will provide copies of the proposed agreement for review by the Planning Commission. He said that the City Council will have to adopt the Urban Planning Area Agreement soon in order for the County to comply.

VI. Status of Old Town Revitalization Project. Mr. Dugdale said there was an all day meeting on October 5, starting with a City Council meeting in the morning with merchants and consultants attending. The merchants' points of view were discussed, where Old Town is now, where it is headed. There was a luncheon meeting with major property owners and a different perspective was gained from discussions. There will be a meeting on Tuesday, October 12, to present preliminary data and findings. An evening meeting on November 29 will be for major presentation of findings, inventory and analysis. Todd will keep the Planning Commission up to date and indicated direct involvement is welcomed. He said they want to bring together all affected parties, merchants, owners and the City, and come out with realistic goals for the Old Town area and the role it will play.

VII. Selection of new Vice Chairman for the Planning Commission. There was discussion concerning various members of the Commission performing the office, attendance at meetings was considered, as was duration of term of members. Subsequently, Norma Borchers moved that Clarence Langer, Jr., be nominated; the motion was seconded and carried.

VIII. Change of Planning Commission meeting nights. It was discussed that if the meeting night for the Planning Commission was changed to the first and third Thursday of each month, the staff would then have 6 to 7 days to prepare items to go before the City Council at their meetings on the second and fourth Wednesday of each month. It was decided to make the next Planning Commission meeting Thursday,

October 21. Todd Dugdale said he would be on vacation the last two weeks in October and that Jonathan Block would attend the meeting in his stead.

Diane Gothie brought up the proposal to combine Planning Commission and Design Review Board meetings. The staff will prepare the proposed amendment for consideration and will prepare a list showing what kind of actions take place presently and how things flow through the Commission and the Review Board. Mr. Dugdale said he recalled there had been a consensus at the September 7 meeting that Planned Unit Developments should be reviewed by the Planning Commission and the Design Review Board at the same time so developers could leave the meeting knowing where the City stands.

Mr. Dugdale said he will put together a proposal for process amendment regarding Planning Commission powers of approval of certain actions. He has also calculated the actual cost to the City for certain actions, such as planning review fees, and will make those figures available to the Planning Commission for consideration.

Mr. Dugdale said the housing and population projections were being revised and at the next meeting areas to be updated will be pinpointed.

Marge Stewart, City Council member, asked the Commission to consider the size of trees planted on developments. She said the tall, spindly trees often don't do well and that smaller, healthy trees would grow right. She asked that size not be stipulated. Chairman Stewart indicated that the Design Review Board could look at the matter and make a recommendation.

The meeting was adjourned.