



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

April 2, 1979

STAFF REPORT

CASE NO: MP-79-01
SUBJECT: Minor Land Partition
LOCATION: SW Edy Road
APPLICANT: Cosmet Inc.
Gary Bruns, President

APPLICABLE STANDARDS FOR REVIEW

A decision to approve a minor land partition shall be based on compliance with criteria and standards in the Sherwood Zoning and Subdivision Ordinances especially Ordinance 652 Article VI "Minor Land Partitioning."

BASIC FACTS

1. Current zoning is I-1 (general industrial)
2. Existing lot data:
2S1 28C: 101 = 11.89 acres
3. Existing Structures/Uses
A portion of proposed Lot B under B.P.A. right of way and contains power lines and tower.
4. Proposed Lot Data
Lot A = 9.39 acres
Lot B = 2.5 acres
5. Access: Access to the proposed lots is currently provided from SW Edy Road (40' RW 21' PV)
6. Services:
Water: The proposed lots do not have City Water service. Service will be available upon completion of work in the Rock Creek Sewer and Water improvement district. If interim water supply is necessary the applicant intends to drill a well and install a holding tank.
Sewer: The proposed lots do not have City sewer service. Service will be available upon completion of the Rock Creek Sewer and Water improvement district. The applicant has received approval for a septic tank if interim sewer service is required.
Electrical, Telephone and Police service are available.
Fire Protection: If interim water supply is required the applicant intends to use a water storage tank fed by an on site well.

FINDINGS

1. Sewer and Water service will be adequate upon completion of the Rock Creek Sewer and Water local improvement district.
2. Direct access to the proposed lots should not be allowed from Edy Road. The applicant shows a 40' private road easement (18' on each proposed lot) from Edy Road to serve the proposed lots.
3. Edy Road is currently planned for an urban arterial (90' RW 74 PV). A dedication of 45 feet from center is required for future road development.
4. The proposed lots meet applicable zoning and subdivision standards.

STAFF RECOMMENDATIONS

The Staff recommends approval of the minor land partition with the following conditions:

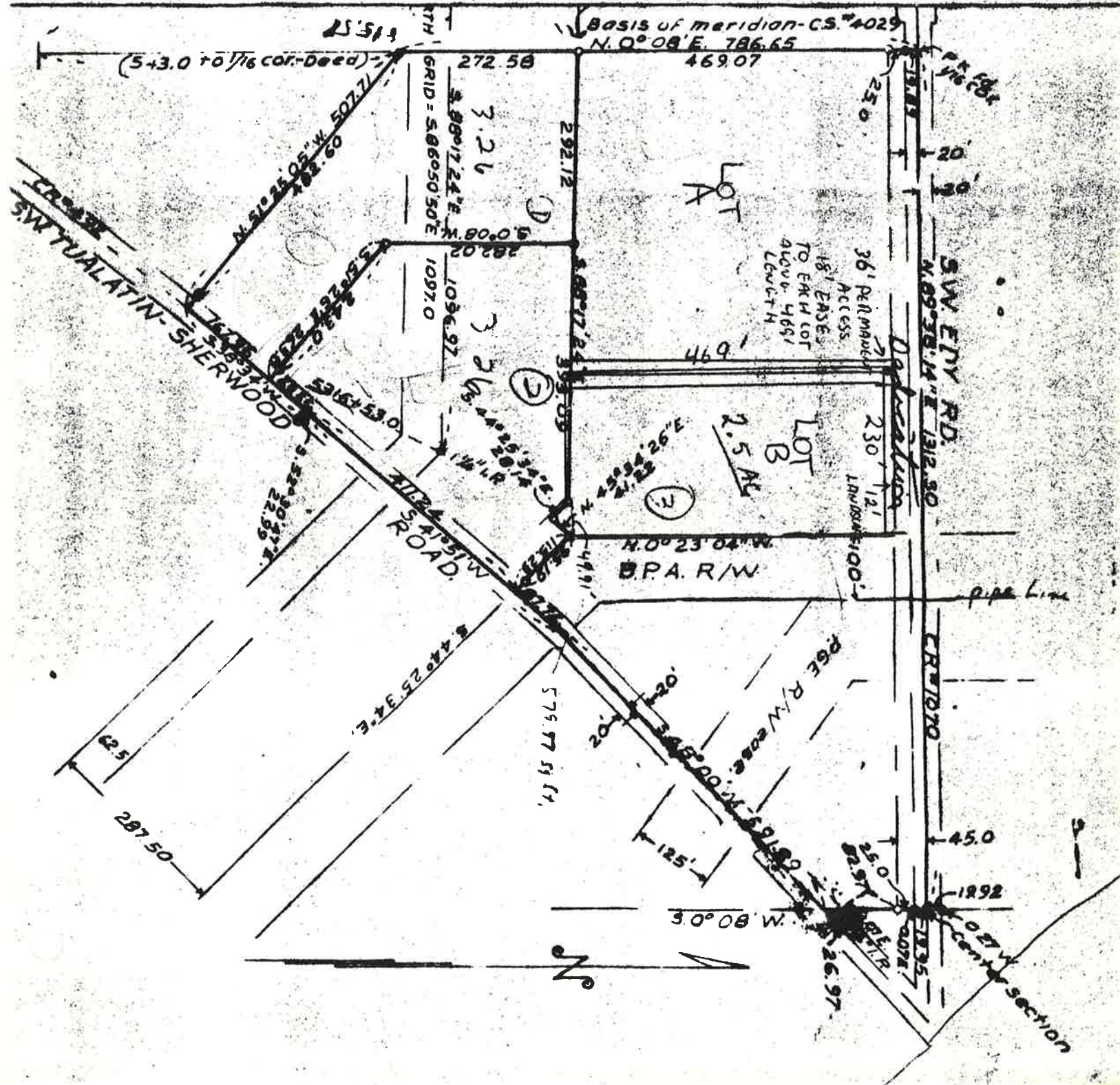
1. That the applicant dedicate 45 feet from center on Edy Road for future road improvements.
2. That at least a 50 foot long 40 foot wide road and utility easement be recorded (18 feet on each newly created lot.) along the proposed common property line and that the driveway be constructed according to Washington County Commercial driveway standards with a 20 foot driveway approach radius and a culvert approved as to size by the City.
3. That the applicant enter into a nonremonstrance agreement with the City for any future local improvement district, for water sanitary sewer, drainage or street improvements along Edy Road locally benefitting the property.

625-6109

2.5 ACRE PARCEL

THE PARCEL OF PROPERTY
DIRECTLY WEST OF THE
B.P.A. R/W. WITH APPROX.
230' ROAD FRONTAGE

NO STRUCTURES, STWCH ON WATER LINES



APPROVED MINUTES

SPECIAL PLANNING COMMISSION MEETING
April 3, 1979

Chairman List called meeting to order at 7:30 P.M. with members Norma Borchers, Marsha Taylor, Clyde Sanders and Al Swenson present. Also present were Mayor Stewart, City Administrator Tad Milburn, City Planner Todd Dugdale, Jack Ritchie, Dale DeHarpport, Dave Nicholls, Bob Galvin, George Koch, Barbara Koch, Grant McClellan, Dan Woloschuk, Dorothy & Byron Houston, Joanna Aebischer, Dave Bryan, Virginia and Richard Myers, Sanford Rome, Charles & Becky Mansfield, Al Olson.

COMMISSION REPRESENTATIVE TO CITY COUNCIL

Taylor brought up the fact that there is supposed to be a representative of the Planning Commission attending City Council meetings and making reports. List asked for volunteers. Taylor said she would continue for one more month, but then to appoint another person to cover that function.

PRELIMINARY INFORMAL REVIEW OF WHITMORE LOW DENSITY PLANNED UNIT DEVELOPMENT

(Meinecke Road between High School and Lee Park, Tax Lot 2S 131AA:1200)

Dugdale explained that this is a preliminary review and not intended to deal with detailed project characteristics. The concept proposed seeks to provide for a low density development which is compatible with the adjoining Lee Park while achieving the buffering effect of duplex units along the high school property boundary. Staff recommends that the project be limited to a maximum of 26 units. Duplexes should demonstrate variety and innovation in design and layout while remaining compatible with single family units. An additional 12 foot conservation easement should be shown along Meinecke Road and proper noise and sight barriers should be provided along the site boundary shared with the high school.

The applicant, Keith Whitmore, explained his application which would include a mix of single family and duplex units. He said they were willing to abide by any conditions concerning this concept, as outlined by staff.

Al Swenson moved to approve the preliminary concept of Keith Whitmore for a low density Planned Unit Development on Meinecke Road and Borchers seconded. Motion passed unanimously.

TRAVPORT, INC. GENERAL DEVELOPMENT PLAN AND PROGRAM CONTINUATION FROM MARCH 20

Dugdale submitted the following conditions to supplement recommendations in the March 9 Staff Report:

1. That the applicant provide for the retention of storm water created by Phase I prior to the completion of Phase II storm water facilities and that the system in Phase I and II meet standards set forth in the Washington County storm water retention ordinance.

2. That detailed public improvement plans be subject to later city staff review and approval prior to construction.
3. That the applicant provide "no parking" signs where appropriate on Phase I streets and that utility locations be shown and approved by the city staff.
4. That Division and Willamette Streets be fully improved to Murdock Road in Phase II.
5. That the applicant enter into a non-remonstrance agreement with the city for any future sewer, water drainage or street improvements to Murdock Road locally benefitting the development.
6. That all parties with property interests in Phase I formally declare that they are a party in full agreement with the submitted plans.
7. That the applicant provide for the landscaping of the conservation easement along Murdock Road in Phase II.
8. That conditions #4, #5 and #7 in the March 9 staff report be deleted.

Dale DeHarpport stated that he has submitted revised plans for the development in conformation with the directive of the Planning Commission. Phase I will include more of the area than originally planned so that Doroti Acres, if approved, will have services available. The density and mix of the original plan will remain essentially the same.

List asked if the retention pond will have sufficient capacity for run off and who will maintain it. DeHarpport stated that as long as he owns it he will maintain it, then if the city decides to take it over, then it will be their responsibility to maintain. Jack Waker, engineer of Waker Associates, stated that this development will not create any more run off than the property has at the present time. He said when there is a great deal of rain and run off it will be detained in the retention pond and released at a controlled rate.

Taylor asked if the city is going to purchase a piece of land that is nothing but a pond, how large will the pond be and what will be the impact on schools.

Waker answered that the pond would cover approximately 1/2 acre of the 2.25 acre projected park site. DeHarpport stated that the new plan would not change the number of children of school age.

List asked why there are now two phases instead of the original three. DeHarpport said that to accommodate Doroti Acres he will include more land in Phase I which can be serviced with sewer because it will use gravity flow, whereas the rest of the project will need the completion of the trunk line before it can be developed.

Dave Bryan speaking as representative of Doroti Acres stated that they had verbally agreed to the conditions as outlined by staff and will have an application before the Planning Commission for their development soon.

Sanford Rome stated that he approved the full development of Willamette Street and fully concurs with the staff recommendations.

Virginia Myers asked if this water in the retention pond would be stagnant and was assured that it would not be.

OPPOSITION

Sanford Rome in opposition stated that: (1) That Washington County has enforcement during construction but if there is damage from secondary sources, such as blasting which may be necessary, what protection do home owners in the area have from any damage which may occur or from excessive run off from retention pond onto adjacent property. (2) The City has no guarantee that Phase II will ever be built. (3) Feels that the Planning Commission should not be intimidated into making a decision. (4) If Phase II is not developed due to the lack of sewer hookups or other reason, will there be bonding to cover run off. (5) As proposed, the street will be built over a marshy area down in the swale where there is seeping drainage and springs, so adequate control is necessary.

Dan Woloschuk stated that since Murdock is a county road and will not be improved for many years and Division at Pine is only 10 feet wide, traffic flow is going to be a problem to and from the development.

George Koch felt that where Division enters Pine it is far too narrow for a lot of traffic and he has already had a considerable amount of ground sliding away from his property and feels that this area is too steep to widen to a collector street and that the bank is unstable.

Dugdale stated that current city policy is based on the concept that Division St. be widened to be a collector street to connect into the downtown area. There are problems with this concept regarding cost, right of way and various objections but this will not be determined until the Traffic Study is completed and submitted at a later date.

Koch said that Division acts as a collector at present. Rome said he does not want Division to be a cul-de-sac.

REBUTTAL

DeHarpport said the decision on what Division St. will be does not need to be made at this time, that this can be decided when the Doroti Acres subdivision is presented.

He stated that he will sign a non-remonstrance agreement for the improvement of Murdock Road. Phase II of his development cannot be completed until sewer hookups and water is available.

The Public Hearing was closed.

Swenson stated that he liked the concept of this plan in that it concentrated the housing in such a way that it would keep traffic out of the downtown area and that the ratio of single family residential and duplexes is good. Swenson moved to approve an amendment to the Sherwood Zoning Ordinance map changing the present R-1 zone to R-1/PD for the Travport, Inc. development southwest of Murdock Road and Willamette St., motion was seconded by Sanders. Vote on motion was: Taylor opposed, and four ayes, motion passed.

List moved to approve a general development plan, program and preliminary subdivision on plat for Phase I of a two phase development including conditions as verbally submitted by staff, and that it be found that this subdivision is necessary to accommodate the anticipated growth in population. Borchers seconded.

Discussion: Taylor stated that the impact on schools has not been taken care of and that there is no guarantee that a new school will be built. Also the slopes which are present on Division St. are adverse for adequate fire protection of this area. Voting on the motion was 4 in favor and one opposed. Motion passed.

Sanders moved to approve the general type and interrelationship of uses in Phase II, Borchers seconded.

Discussion: Sanders mentioned that at a previous meeting he had asked for a projection on water supply and if it is adequate for developments which are being proposed. Dugdale said the 1971 study showed that at present growth rate there will be an adequate supply until 1985. The problem which occurred in summer of 1977 has now been corrected. After 1985 the projection is that a new well site will be required. Tad Milburn corroborated this statement.

Voting on this motion was 4 in favor and one opposed. Motion passed.

Meeting adjourned.


Gertie Hannemann, Secretary