

SHERWOOD PLANNING COMMISSION
AGENDA

September 4, 1979
7:30 p.m. at City Hall

The following items will be considered by the Sherwood Planning Commission.

1. Reading and approval of the Minutes of August 21, 1979.
2. Correspondence and Announcements.
3. Recommendation on a petition submitted by Sherwood School District 88J on behalf of Harold and Lucy Rupprecht for the Annexation of an 8.67 acre parcel (2S1 30A : 1400) located on Scholls-Sherwood Road.
4. Transportation Element of the Comprehensive Plan.
-Urban Road Standards
5. Environmental Resources Element of the Comprehensive Plan.
-Draft Review and Revision
6. Next Meeting Agenda.

STAFF REPORT

August 27, 1979

CITY CASE NO: AN-79-02
SUBJECT: Property Owner Initiated Petition for Annexation to the City of Sherwood (Triple Majority Method)
LOCATION: Scholls-Sherwood Road (Tax Lot 2S1 30A : 1400)
PETITIONERS: Sherwood School District 88J and Harold and Lucy Rupprecht.

APPLICABLE STANDARDS FOR REVIEW:

City: Sherwood Comprehensive Plan Policy Goals
County: Washington County Comprehensive Framework Plan
Washington County Planning Policy on Annexation
(adopted 9/7/76)
MSD: Land-Use Framework Element text (esp. Section 8)
AND MAP.
STATE: 1) LCDC Goals and Guidelines primarily goals 1, 2, 3, 11 and 14.
2) OAR 660-10-060 Sec IV B, specifying criteria that must be met for lands not subject to an acknowledged plan.
3) ORS 199.490 (3) (a) and 222.170; PMALGBC guidelines for triple majority annexation proposal review.

BASIC FACTS:

1. Current County Zoning is RU-4 (high-low density residential).
2. Parcel Data: 2S1 30A : 1400 = 8.67 acres
3. Existing Structures and Uses: Vacant field.
4. Access: Scholls-Sherwood Road (60' RW 21' Paving)
5. Public Services:
 - Water: 2" line 60' from west property line. An 8" to 10" replacement section extending from Six Corners (3090 ft.) would be required for adequate service and fire flows.
 - Sewer: 24" trunk line 1,000' from West property line. To retain the service line to the trunk within the present City Limits approximately 2090 ft. of 8" line along Edy Road would be required.
 - Drainage: Natural drainage is to the west. Approximately 2090 ft. of 12" storm sewer line would be required to connect the site with an outfall into Cedar Creek.
 - Parks and Recreation Facilities: The site is 3/4 mi. from a Community Park.

Schools: School District 88J. The area to be annexed is sought to construct a new elementary school.

Fire Protection: Tualatin Rural Fire District.

Electrical, Telephone, Police services are available.

6. Natural Features:

Soils: Class I No building restrictions

Slope: 0-3% (Flat to gently sloping)

Vegetation: No significant vegetation

CURRENT LAND USE POLICY PERSPECTIVE:

1. City of Sherwood: The City currently has no adopted Comprehensive Plan. Work is proceeding towards a LCDC Compliance date of January 1980. The City has adopted two elements of the Comprehensive Plan to date; they include the Citizen Involvement Program, and the Comprehensive Plan Policy Goals. A final draft of the Urban Growth Management Element has been given preliminary approval by the City Council. The policy goal relating to urbanization calls for a phased growth plan which among other features assigns growth priorities within the Planning Area based on an analysis of growth factors, regional and state goals and policies. The Urban Growth Management Plan Study recently completed by the City in addressing adopted policy goals identifies the territory to be annexed as needed to meet urban land needs beyond 1985 based on City projections and assumptions. (See findings below). The territory is outside the City's proposed immediate growth boundary.
2. Washington County: The territory to be annexed is designated "Urban Intermediate" on the County Plan. A plan amendment would be required to redesignate the territory to be annexed as "Urban" in order for the annexation to be in conformance with the County Plan. However, current zoning indicates that the site is suitable for urban residential uses upon the provision of full urban services. The proposed school is a conditional use in the RU-4 zone.
3. MSD: Pursuant to Section 8 of the Land Use Framework Element Text Sherwood initiated a process culminating in the adoption of an Urban Growth Boundary for the City in February 1977. LCDC subsequently ruled that findings supporting the boundary were inadequate. The City has drafted a Growth Management Plan which it has submitted to CRAG supporting the present Urban Growth Boundary, recommending an Immediate Growth Boundary, prioritizing subareas for growth and establishing growth management policies.

Staff Report

August 27, 1979

Pursuant to criteria in the order invalidating findings for the regions Urban Growth Boundaries, LCDC has taken action approving CRAG's "interim immediate growth boundaries." LCDC is currently considering action on MSD's Urban Growth Boundary. The territory in question is not within the interim immediate growth boundary approved by LCDC. Exceptions to Goals 3 and 4 are required until an Urban Growth Boundary is approved by LCDC. Requirements of Goal 3 and Goal 14 will not be considered satisfied until criteria in OAR 660-10-060, IV.B. are met (see findings below). Required findings must include those relating to the availability of services, degree of present development and demonstrated need for additional urban land.

FINDINGS:

1. The petition qualifies the area for triple majority annexation under ORS 199.490 (3) (a) and 222.170.
2. Annexation is sought by Sherwood School District 88J who have an option to purchase the site for a new elementary school. The purpose of the annexation is to obtain City Water, sewer, and police services.
3. The area is designated Urban Intermediate by Washington County; Urban by MSD.
4. The soils in the area are Class I. The LCDC rule on annexation applies. OAR 660-10-060 criteria: "Adequate public facilities and services can be reasonably made available."

Water, sewer and drainage facilities would be extended to the site in conjunction with the development of the new school. The facilities would be extended by Sherwood School District 88J with funds from the sale of voter approved bonds. The bond election is scheduled for September 18, 1979. All other services would be made available to the site

AND

"The lands are physically developed for urban uses or are within an area physically developed for urban uses."

The area is currently not developed for urban uses. Adjacent development includes a wholesale gem company (southeast) a Church and Cemetary (west) and Cemetary (Northeast).

OR

"The lands are clearly or demonstrably needed for an urban use prior to acknowledgement of the appropriate plan and circumstances exist which make it clear that the lands in question will be within an Urban Growth Boundary is adopted in accordance with the Goals."

In 1978 there were approximately 560 buildable acres within the City limits. To date, 71 acres have been either developed or approved for development leaving approximately 489 buildable acres. Land to meet public facility needs such as the proposed elementary school is included as a 25% portion of land planned for other uses. Whether or not existing incorporated land meets the need for a new school facility depends on an evaluation of available sites using specific site suitability criteria.

The present elementary school is currently over capacity. The School District has conducted a student enrollment forecast which indicates a pressing need for an additional facility by the 1980-81 school year. A Site Selection Task Force appointed by the School Board recently evaluated several sites within and outside of the City Limits of Sherwood. Criteria used included 1) location relative to school district boundaries and the elementary school area proposed to be served by the School District. 2) size of site. 3) topography of site 4) accessibility to urban services. 5) accessibility. 6) Cost of purchase and development. Based on the evaluation, the territory to be annexed was rated highest overall.

A decision on the MSD-recommended Urban Growth Boundary is expected to be made by LCDC at their September, 1979 meeting. MSD findings support the inclusion of the subject site in the U.G.B. The proposed new school facility would serve an area which includes the proposed Sherwood Urban Growth Boundary as well as a large rural and natural resource area. The site was chosen in part due to its relationship to the greater district boundaries.

5. CONFORMANCE WITH STATEWIDE GOALS

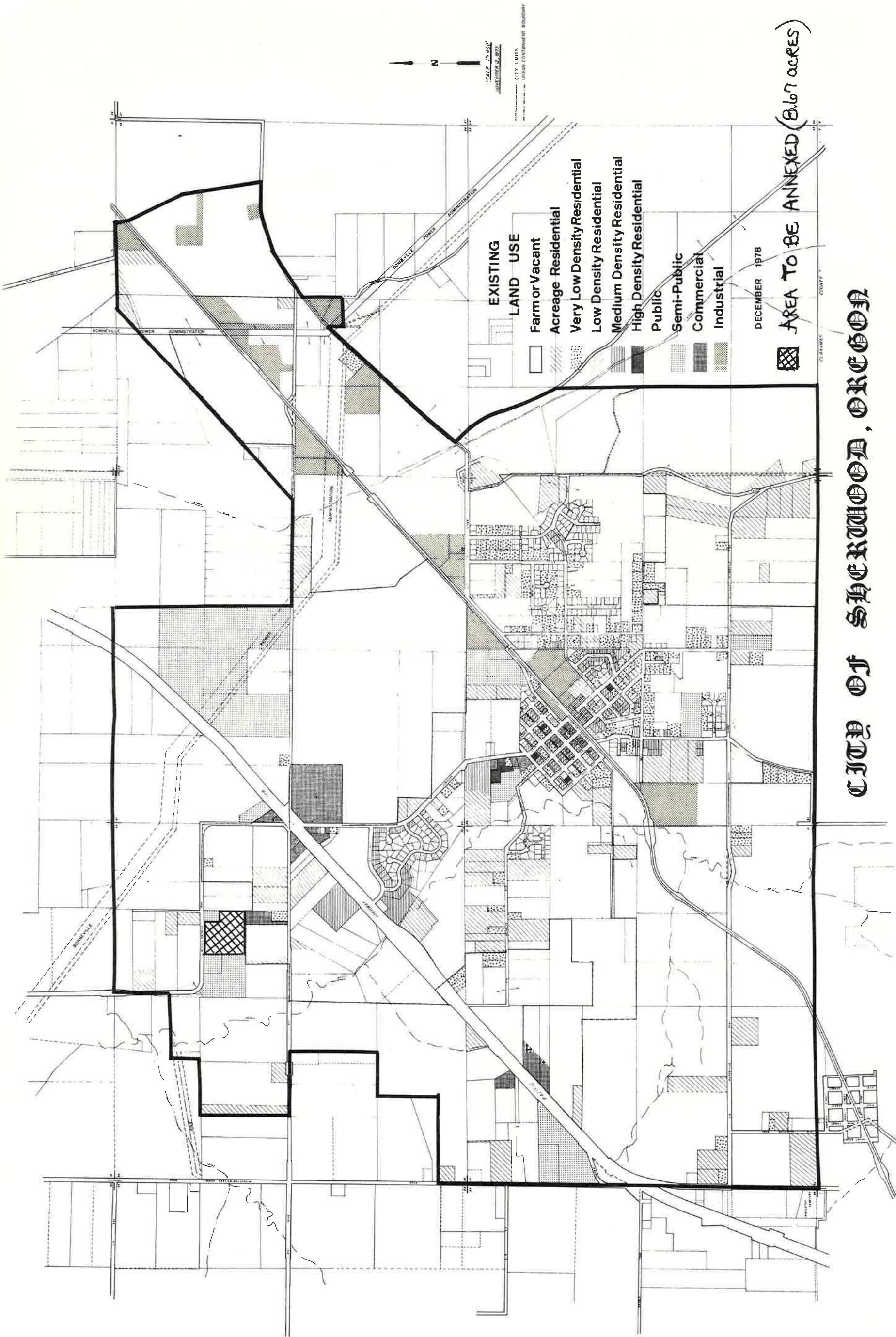
Goal 1-2 Citizen Participation and the Planning Process: The City has developed its Urban Growth Policy Goals and conducted its Urban Growth Management Study using its adopted Citizens Involvement Program. Site selection for the new school site was closely coordinated with the City and common growth assumptions were employed.

- Goal 3 Agricultural Lands (See Finding #4 above)
- Goal 11 Public Utilities: Although off site service extensions would be required, two factors favor such extension at this time.
1. Required offsite sewer, water, drainage and secondary access facilities would, in large part, be provided by the School District in conjunction with development. The off site facilities would make needed services available to a considerable portion of the present city limits between existing lines and the proposed school site.
 2. The extension of services and annexation of this site is consistent with draft City policy which provides for the inclusion of areas within the Immediate Growth Boundary which are "Contiguous to the City Limits and needed to support facilities or services to serve areas within the City Limits."
- Goal 14 (See "Current Land Use Policy Perspective and Finding #4 above)











STAFF RECOMMENDATION:

The staff recommends that the Sherwood City Council adopt the resolution of support for the annexation of the proposed school site and forward the request to the Metropolitan Boundary Commission for final action. The recommendation is based principally on the finding that the proposal is consistent with the need for additional urban land which meets the unique site requirements of a public school facility. The site in question was found to be most suitable for the new elementary school after a closely coordinated City-School District site selection process and after a consideration of available in-City properties.

The subject site was found to be outside of the City's proposed Immediate Growth Boundary, the County's "urban" and the current state Interim Immediate Growth Boundary. The divergence of the staff recommendation from these general policies is primarily based on the findings that 1) the subject site is the most suitable to meet a critical need for a new elementary school facility to serve a School District which includes planned urban, rural and natural resource areas; 2) the extension of urban services to the site can be accomplished in conjunction with school construction and such extension would further the orderly and efficient servicing of currently unserved portions of the City Limits.



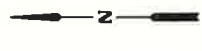
**EXISTING
LAND USE**

-  Farm or Vacant
-  Acreage Residential
-  Very Low Density Residential
-  Low Density Residential
-  Medium Density Residential
-  High Density Residential
-  Public
-  Semi-Public
-  Commercial
-  Industrial

DECEMBER 1978

 AREA TO BE ANNEXED (8,607 ACRES)

CITY OF SHERWOOD, OREGON



SCALE 1" = 100'
DATE 12/18/78
CITY LIMITS
URBAN CONTAINMENT BOUNDARY

APPROVED MINUTES

SHERWOOD PLANNING COMMISSION
MINUTES

September 4, 1979

Meeting was called to order by Chairman Clyde List. Planning Commission members present were Joe Galbreath, Norma Borchers, Clyde Sanders, Rick Demings, Al Swenson, and Paul Clayton.

It was moved by Al Swenson and seconded by Clyde Sanders to approve the minutes of August 21, 1979. Motion was carried.

ANNOUNCEMENTS AND CORRESPONDENCE

- 1) Todd Dugdale introduced Mary Anne Thornburg, recently hired secretary for the Planning Commission.
- 2) Chairman List announced that the Tigard Chamber of Commerce is having a series of lectures and presentations by LCDC on September 10 at Elmer's Pancake House.
- 3) Todd Dugdale publicly commended Doug Swanson of The Times for his outstanding reports of the Planning Commission meetings.

OLD BUSINESS

It was decided that the City Council had a split decision in the Mansfield Case due to an inadequate showing of need for additional urban incorporated land.

Chair recognized Dr. Charles Mansfield of Tigard, Oregon, owner of the property in question.

Dr. Mansfield charged the City Council with unfair denial of his property annexation based upon the following:

- 1) The map, statistics, and evidence presented to the City Council differed from those presented to the City Planning Commission on August 7, 1979;
- 2) There was no opportunity to review the staff report or findings prior to the hearing - information was presented orally;
- 3) Staff made a strong appeal for denial of the requested annexation;
- 4) Planning Commission findings were presented at the last minute and never read into the record; and,
- 5) Staff's findings were in direct conflict with those presented and much of their evidence was presented after the public hearing was closed leaving no opportunity for rebuttal testimony.

Dr. Mansfield requested the Commission presently give consideration to the adoption of the new immediate growth boundary which would include his property.

Dave Bryan advised the Commission that the Mansfield property request was being changed from one of annexation to one of being included in an immediate urban growth boundary.

It was decided by the Commission that Dr. Mansfield's request be submitted at a later date.

RECOMMENDATION ON PETITION SUBMITTED BY SHERWOOD SCHOOL DISTRICT NO. 88J and HAROLD AND LUCY RUPPRECHT

Staff report of August 27, 1979, City Case No. AN-79-02, regarding Tax Lot 2S1 30A : 1400, was read into the record. Staff recommended that the Sherwood City Council adopt the resolution of support for the annexation of the proposed school site and forward the request to the Metropolitan Boundary Commission for final action.

Proponent Testimony

Elvin Pitney, representing the school district, said that the Rupprecht property was chosen by the Site Selection Task Force Committee, chaired by Bill Maplethorp, as its first choice.

Chairman List requested criteria for the Task Force's decision, along with a student enrollment forecast and a map of 88J, which would include boundaries, ie. water, sewer, to be presented at the next meeting of the Planning Commission.

Todd Dugdale advised the Commission that if a recommendation were not developed at this time, the petition would not make the October Boundary Commission Agenda and could be pushed over until 1980.

Mr. Pitney stated that the reason for wanting to be within the city limits was to obtain its services, ie. water, sewer, fire.

Opponent Testimony

Lorraine Burris was recognized. Mrs. Burris is an adjoining property owner. She said that the area in question was a rural area with country roads. It was Class 1 farmland. If a school was brought to the undeveloped area, the area would then be developed and it would spoil the use of her land.

Concern was also expressed regarding the extra busing of children across Pacific Highway and vandalism. Mrs. Burris suggested the school be placed in the Park area over by Roy

Street, April Meadows, and Murdock road where a playground area and housing development were available.

Elvin Pitney rebutted by saying that the Murdock road area had only one site available and it was not within the city limits. Three property owners were involved in the selling of their land to the school - one said yes, one no, and one made no commitment.

Of the eight sites researched, commented Mr. Pitney, the Murdock site had the most difficult terrain. It was the Committee's third choice.

The Committee's second choice was an 18-acre parcel next to the railroad. The cost was \$35,000. Although the parcel was within the city limits, it did not have water and sewer.

Joe Galbreath moved that it be left up to the City Council without action on the part of the Planning Commission. Clyde Sanders amended the motion by adding that the Planning Commission had insufficient information on which to take valid action. Al Swenson added that in order for the school to get on with its program, the Planning Commission would not have time to act upon it at any future meeting.

Roll was called: Swenson - opposed; Demings - opposed; Sanders - affirmed; List - opposed; Borchers - affirmed; Galbreath - affirmed.

The finding, as summarized by Chairman List, was that the Planning Commission protests the City Council's ignorance of its past decisions and that it has decided not to make a decision on the Sherwood School Petition since it has been determined that the City Council will not regard it.

The decision was tied. The Staff was instructed to ask the City Council to place it on its agenda for discussion.

TRANSPORTATION ELEMENT OF THE COMPREHENSIVE PLAN

MAJOR ARTERIAL -- General consensus of the Commission was that the Major Arterial was satisfactory as presented.

URBAN LOCAL -- Rick Demings moved that Urban Local streets be reduced from 60 feet to 48 feet and specifically, the four foot parkway on either side be removed; one foot for utilities on either side be removed; and, two feet of paved surface be removed. Clyde Sanders seconded. Clyde List opposed. Motion carried.

URBAN COLLECTOR -- Clyde Sanders moved to eliminate four feet of utility on the outside of the Urban Collector, and reduce the three lanes to twelve feet each. Motion was not carried.

Rick Demings moved that the utilities be reduced by one foot on each side, and that the sidewalk be reduced by two feet on each side which would reduce the 60 foot right-of-way to 54 feet. Clyde Sanders seconded. Clyde List opposed. Motion carried.

URBAN MINOR ARTERIAL -- Clyde Sanders suggested that consideration be deferred until a reduced list of streets can be submitted.

Todd Dugdale suggested a resubmission to TPM, Inc., for a reaction to the motions on the Local and Urban Collector, and to the problem of the Minor Arterials. The Board favored the action.

Al Swenson quickly presented his ideas of Six Corners Crossing and was asked to make formal sketches for later consideration.

NEXT MEETING AGENDA

September 18 Environmental Resources Element of the Comprehensive
 Plan - Draft Review and Revision - Inclusion
 of the Community Design Review
 Review of Growth Boundary

Meeting was adjourned at 10:30 p.m.