



SHERWOOD CITY COUNCIL MINUTES
22560 SW Pine St., Sherwood, Or
June 5, 2012

CITY COUNCIL WORK SESSION

1. **CALL TO ORDER:** Mayor Mays called the meeting to order at 6:08 pm.
2. **COUNCIL PRESENT:** Mayor Keith Mays, Councilors Matt Langer, Linda Henderson, Krisanna Clark and Bill Butterfield. Council President Dave Grant and Councilor Robyn Folsom were absent.
3. **STAFF PRESENT:** City Manager Pro Tem Tom Pessemier, Finance Director Craig Gibons, Police Chief Jeff Groth, Human Resource Manager Anna Lee, Planning Manager Julia Hajduk, Associate Planner Michelle Miller, Senior Planner Brad Kilby and City Recorder Sylvia Murphy.
4. **TOPICS DISCUSSED:**
 - A. **City Employee Manual:** Tom Pessemier explained the processes for amending the City's Employee Manual and briefed the Council on proposed amendments. Tom informed the Council staff will be bringing forward legislation on June 19th for Council consideration of adopting amendments to the manual.
 - B. **Sign Code:** Senior Planner Brad Kilby presented information to the Council on the Planning Commission's recommendations for code amendments and distributed documents (see record, Exhibit A, Code language) and (Exhibit B, Summary of Planning Commission's recommendations). Discussion followed. Tom Pessemier informed the Council staff is working on the code and proposing to bring forward legislation at a future Council meeting for consideration of adoption.
5. **ADJOURN:**

Mayor Mays adjourned the work session at 7:00 pm.

REGULAR CITY COUNCIL SESSION

1. **CALL TO ORDER:** Mayor Mays called the meeting to order at 7:10 pm.
2. **PLEDGE OF ALLEGIANCE:**
3. **COUNCIL PRESENT:** Mayor Keith Mays, Councilors Bill Butterfield, Matt Langer, Linda Henderson and Krisanna Clark. Council President Dave Grant and Councilor Robyn Folsom were absent.
4. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Pro Tem Tom Pessemier, Finance Director Craig Gibons, Police Chief Jeff Groth, Community Services Director Kristen Switzer,

Accounting Manager Julie Blums, Police Captain Mark Daniel, Police Captain Jim Reed, Planning Manager Julia Hajduk, Associate Planner Michelle Miller, Senior Planner Brad Kilby, City Engineer Bob Galati, Administrative Assistant Kirsten Allen and City Recorder Sylvia Murphy. City Attorney Chris Crean.

Mayor Mays addressed the Consent Agenda and asked for a motion.

5. CONSENT:

- A. Approval of May 15, 2012 City Council Meeting Minutes**
- B. Resolution 2012-025 Establishing and appointing committees of the Sherwood Town Center Plan**
- C. Resolution 2012-026 Certifying the provision of certain municipal services in order to qualify the City to receive State Revenues**
- D. Resolution 2012-027 of the City of Sherwood authorizing the City Manager, Pro Tem to enter into a contract with the firm of Hawkins Delafield & Wood for Bond Attorney Services**

MOTION: FROM COUNCILOR LINDA HENDERSON TO APPROVE THE CONSENT AGENDA, SECONDED BY COUNCILOR BILL BUTTERFIELD, ALL PRESENT MEMBERS VOTED IN FAVOR (GRANT AND FOLSOM WERE ABSENT).

Mayor Mays addressed the next agenda item.

6. PRESENTATIONS:

A. Recognition of Retiring Police Captain James Reed

Mayor Mays stated this presentation was not listed on the agenda and wanted to take the opportunity to recognize retiring Police Captain Jim Reed. Mayor Mays commended Captain Reed for his service and commitment to the City and presented him with a Certificate of Appreciation.

B. Recognition of 2012 Robin Hood Festival Maid Marian Court Members

Mayor Mays welcomed Racquel Douglas the 2012 Robin Hood Festival Maid Marian Court Coordinator and the Junior and Senior Court members. Ms. Douglas came forward and read a brief bio for each member of the court and the City Council presented the court members with a Certificate of Recognition. Junior Court members were; Kaitlyn Starling, Kayla Wagner, Annika Tuggy, Thabetha Shippy. Senior Court members were; Emily Marsh, Janika Jordan and Maid Marian, Miriam Marsh.

Mayor Mays addressed the next agenda item.

7. CITIZEN COMMENTS:

Eugene Stewart 22595 SW Pine Street Sherwood came forward and spoke of the Sherwood Senior Center and the reorganization of Loaves & Fishes and stated at a recent meeting he was informed of reductions in staffing and commented regarding changes to the director position. Mr. Stewart informed the Council the meal program for the last year ending May 30, 2012, provided 3515 home delivered meals by 29 volunteers and served an average of 11,980 meals in the dining room with the support of volunteers and their contribution of 9003 hours. Mr. Stewart stated the center is surviving on their volunteers and said the Council should define what the Senior Center should be. Mr. Stewart

expressed the need for a Director and said there were no written policies in place for the center. Mr. Stewart referenced the City of Wilsonville which has a commission for their senior citizens. Mr. Stewart commented regarding receiving federal funds for the Sherwood Center and meeting the requirements for receiving those funds.

Mayor Mays replied regarding an increase in the proposed budget for support of the senior center and stated part of the problem was in sharing a Director with the City of Tualatin. Mayor Mays stated that continuing to meet and see what can be done better has a lot of value and needs to be done on a regular basis.

Mr. Stewart stated that the new director will be required to raise \$28,000 and suggested that the no alcohol policy be reviewed to enable the center to rent out the hall referring to the City of Tualatin's policy to use a monitor when alcohol is present.

With no other citizen comments received, Mayor Mays addressed the next agenda item.

6. NEW BUSINESS:

A. Resolution 2012-028 to authorize and direct staff to negotiate an agreement with Washington County for a Community Development Block Grant for improvements to the Marjorie Stewart Senior Center

Community Services Director Kristen Switzer recapped the staff report and informed Council that the agreement is similar to those signed in the past but this year the County is requiring that the City sign a promissory note and a trust deed. Kristen state that the City Attorney's office has recommended further negotiation with the County.

Mayor Mays commented regarding Washington County going beyond the federal requirements in imposing additional requirements in their agreement. Mayor Mays asked staff for the timeline of the project. Kristen replied that there will need to be an RFP and some of the design elements of the improvements finalized before the project goes out to bid and it would be July or August before the project would be ready to proceed.

City Manager Pro Tem Tom Pessemier stated that the resolution indicates staff authorization to negotiate with the County and staff will have to come back with a new resolution for approval to sign the contract.

Councilor Butterfield asked regarding cost of engineering for the RFP, Kristen explained that the RFP will be written by staff in house. Kristen explained that any staff time for overhead and administration will not be reimbursed by the County and is part of the City's match.

Mayor Mays stated that the City and City Council are excited about this project and he wanted to get the agreement right with the county.

With no other Council questions or comments, Mayor Mays asked for a motion.

MOTION: FROM COUNCILOR LINDA HENDERSON TO ADOPT RESOLUTION 2012-028, SECONDED BY COUNCILOR KRISANNA CLARK, ALL PRESENT MEMBERS VOTED IN FAVOR. (GRANT AND FOLSOM WERE ABSENT).

Mayor Mays addressed the next agenda item.

B. Resolution 2012-029 Adopting the Capital Improvement Project Plan for Fiscal Year 2013

Finance Director Craig Gibbons described and stated requirements for a Capital Improvement Plan (CIP) and explained that a CIP is a compilation of committed projects, future planned projects, and projects that need to be done. Craig informed the Council the CIP plan was a planning document and not a commitment document.

Councilor Langer asked regarding the frontage road near the Sherwood Elks lodge. Tom Pessemier replied that the CIP does not have any expenditures for the frontage road and the supposition from staff is that private development will construct any roadways out there.

Mayor Mays stated that the CIP was an important planning document which helps the City think long term. Mayor Mays stated that sometimes plans change because of external circumstances and gave the economy as an example.

With no other Council questions or comments, Mayor Mays asked for a motion.

MOTION: FROM COUNCILOR BILL BUTTERFIELD TO ADOPT RESOLUTION 2012-029, SECONDED BY COUNCILOR LINDA HENDERSON, ALL PRESENT MEMBERS VOTED IN FAVOR. (GRANT AND FOLSOM WERE ABSENT).

Mayor Mays addressed the next agenda item and asked the City Recorder to read the public hearing statement.

7. PUBLIC HEARINGS

A. Resolution 2012-030 Adopting a Supplemental Budget and making appropriations

Finance Director Craig Gibbons recapped the staff report and stated that three funds were affected; the Asset Depreciation Fund, which did not allocate enough money to close out the fund because the beginning fund balance was higher than anticipated, the Street Capital Fund which had significant changes because project timing did not tie in well with what was planned, but the money for the projects are within the budget for those projects, and the Telecommunications Fund which was changed from an inter-fund transfer to an inter-fund loan which changes the transfer payment to a loan payment.

Mayor Mays opened the public hearing to received testimony. With none received, Mayor Mays closed the public hearing.

With no comments or questions from the Council, Mayor Mays asked for a motion.

MOTION: FROM COUNCILOR LINDA HENDERSON TO ADOPT RESOLUTION 2012-030, SECONDED BY COUNCILOR BILL BUTTERFIELD, ALL PRESENT MEMBERS VOTED IN FAVOR. (GRANT AND FOLSOM WERE ABSENT).

Mayor Mays addressed the next agenda item.

B. Resolution 2012-031 Declaring the City's election to receive State Revenues

Craig Gibons stated that the resolution was the City's election to receive state revenue such as gas tax, cigarette taxes other taxes.

Mayor Mays opened the public hearing to received testimony. With none received, Mayor Mays closed the public hearing.

With no comments or questions from the Council, Mayor Mays asked for a motion.

MOTION: FROM COUNCILOR KRISANNA CLARK TO ADOPT RESOLUTION 2012-031, SECONDED BY COUNCILOR MATT LANGER, ALL PRESENT MEMBERS VOTED IN FAVOR. (GRANT AND FOLSOM WERE ABSENT).

Mayor Mays addressed the next agenda item.

C. Resolution 2012-032 Adopting a Schedule of Fees as authorized by the City Zoning and Community Development Code, establishing fees for miscellaneous City services and establishing an effective date

Craig Gibons explained that the resolution included the Fee Schedule for FY 2012-2013 that will be effective July 1, 2012 and stated the staff memo includes only those fees that have changed.

Mayor Mays opened the public hearing to received testimony.

Eugene Stewart 22595 SW Pine Street Sherwood came forward and asked if this part included the System Development Charges and stated he would like to suggest that Council reflect on what would happen if fees were not collected up front, but to encourage people to build by not having such a high price. Mr. Stewart suggested taking a percentage of the increased property taxes and dedicating them for capital improvements. Mr. Stewart commented that the high price seems to be a hang up and Sherwood is far enough off the freeway that commercial enterprises are not willing to spend money to come out here. Mr. Stewart advocated thinking of a way to entice businesses and use the increased value to pay for the things that we need to do instead of trying to catch it up front. Mr. Stewart commented that when we first did our plan for the city we envisioned that it would be about 40% commercial and business and 60% residential to keep a good balance and lower the tax burden on the citizens. Mr. Stewart recommended taking a look at decreasing the fees to encourage businesses to come and stated it is not going to be corrected overnight.

Councilor Henderson asked for an explanation of how SDC's are set. Tom Pessemier explained that System Development Charges are set based on needs of growth related activities inside the City. Tom stated the process typically starts with a plan like a transportation plan, parks master plan and water master plan. Tom stated the City has master plans for all of the System Development charges that are in place which are reviewed by the Planning Commission and approved by the Council. Tom stated the City develops a methodology to decide how to calculate the fees which is noticed to the public and adopted by ordinance. Tom stated there are some SDC's that are outside of the City such as the County TDT and there is a very involved process for each fee. Tom stated the City tries to look at one each year to keep them up to date.

Councilor Henderson asked if SDC increases were proposed in this resolution. Tom Pessemier replied that the SDC fees are tied to the engineering news report which shows a 2.2% increase. Craig Gibons added that Clean Water Services is increasing theirs, but we have no control over that.

Councilor Henderson referenced page 88 of the Council packet and asked in regards to increases in fees for field use and if these fees were to be used to maintain turf fields.

Mayor Mays replied that there is a fund for the High School field.

Tom Pessemier stated that staff has taken a look at the possibility of raising fees to generate enough money to repair the turf field and it is impractical with the number of users we have on the fields. Tom stated that staff is recommending coming to Council at a future date with a more robust plan that can identify other funding mechanisms to get there because trying to do it just through fees is prohibitive.

Councilor Henderson commented that the current revenue stream is not enough to keep up with the capital expenses of replacement.

Mayor Mays replied that the City needs to set aside maintenance dollars in every budget and be disciplined through the budget process.

Councilor Henderson asked in regards to a film permit fee. Tom Pessemier replied that it is typical for cities to have a film permit and stated that there were a couple of productions last year and the City had no way to recover money for staff time for those productions.

Councilor Henderson stated she supported the film permit fee.

Councilor Langer commented regarding water bills and stated that the City did not raise fees on the water bill but the Clean Water Services fees that appear on the water bills have increased.

With no other comments or questions, Mayor Mays asked for a motion.

MOTION: FROM COUNCILOR LINDA HENDERSON TO ADOPT RESOLUTION 2012-032, SECONDED BY COUNCILOR BILL BUTTERFIELD, ALL PRESENT MEMBERS VOTED IN FAVOR. (GRANT AND FOLSOM WERE ABSENT).

Mayor Mays addressed the next agenda item.

D. Resolution 2012-033 Adopting the 2012-13 Budget of the City of Sherwood, making appropriations, imposing and categorizing taxes, and authorizing the City Manager to take such action necessary to carry out the adopted budget

Craig Gibons stated that some items were missed since the budget committee approved the budget and recommended some modification be made. Craig explained that there was an overstated value in the Operations side of the Water Fund and a vacant position was deleted from the Public Works budget that needed to be put back in the budget. Craig stated that Hwy 99 will be resurfaced and the Red Flex traffic loops will have to be replaced. Craig stated that the State will bill the City and Red Flex will reimburse the City so a pass through fund has been created. Craig stated that the resolution is worded so that adopting the approved budget includes these recommended changes.

Mayor Mays opened the public hearing to receive testimony, with none received he closed the public hearing.

Mayor Mays stated he appreciated staff noticing the mistakes and clarifying them in the modification as well as recognizing a recent decision from the state and how it impacts the City directly or indirectly.

With no discussion or questions from the Council, Mayor Mays asked for a motion.

MOTION: FROM COUNCILOR MATT LANGER TO ADOPT RESOLUTION 2012-033, SECONDED BY COUNCILOR LINDA HENDERSON, ALL PRESENT MEMBERS VOTED IN FAVOR. (GRANT AND FOLSOM WERE ABSENT).

Mayor Mays addressed the next agenda item.

E. Ordinance 2012-008 Amending multiple sections of the Zoning and Community Development Code relating to landscaping, off-street parking and loading requirements

Michelle Miller Associate Planner briefed the Council with a presentation (see record, Exhibit C) and stated she will give an overview of the changes proposed to the development code regarding landscaping, off street parking and on site circulation. Michelle referred to the exhibits for the ordinance that contained the Planning Commission recommendation, proposed code language changes and testimony received at the Planning Commission hearing. Michelle stated that the process began many months ago where staff looked at issues of existing language, the language and parking lot layouts from other jurisdictions, held an open house, met with landscape developers and architects about the proposed code language changes, held two public hearings with the Planning Commission and had a work session with Council.

Michelle stated that landscaping design can enhance or detract from a commercial or industrial site and can draw people in to a commercial building or make them not want to enter, so the Planning Commission was asked to consider what makes a great parking lot. Michelle stated that the Planning Commission wanted to increase the quality of the landscaping and said parking lots should be a safe environment to walk from their cars to the business. Michelle added that the Planning Commission wanted more trees in the parking lots and to give direction on the type of landscaping that would make the sites more visually appealing. Michelle stated that the City needed compliance with the Metro Functional Plan and the minimum parking requirements.

Michelle stated that when staff reviews parking lot landscaping they look at street trees, perimeter landscaping, which separates different uses like residential from commercial or industrial, parking area landscaping, and visual corridor which vary between 10 and 25 feet depending on the size of the street involved. Michelle showed some examples of a visual corridor, street trees, landscape islands, and pedestrian walkways.

Michelle stated that some proposed changes are landscaping based on the number of parking spaces, a shift from the current standard of 10% overall site landscaping, and the ratio of islands per parking space is reduced and dependent upon the type of land use. Michelle added that the size of required landscape islands is increasing and the landscape islands need to be covered with landscaping and at least one tree. Michelle stated that the number of trees and shrubs is based on

parking spaces rather than the current standard which calls for a variety of groundcover, shrubs and trees.

Michelle went into further detail regarding landscaping based on parking spaces and stated that there is an increase from the current standard which is 45 sq. ft. for each parking space. Michelle referred to the chart in the presentation and stated that the landscape island ratios have been reduced. Michelle stated that the minimum size of the landscape islands increases from 64 sq. ft. to 90 sq. ft. and that landscape islands are to be entirely landscaped with shrubs, groundcover, and at least one tree.

Michelle noted that some of the overall changes are to increase the overall quality of the landscaping and to give more direction to planning staff as to what type of landscaping would be required. Michelle stated that currently staff has no direction as to how many trees would be required on a site, it strictly states variety and there is no direction to a developer as to what the community feels in an important amount of trees on a site.

Michelle stated that some other proposed landscaping updates will be the use of a combination of trees, that existing vegetation can count toward landscaping and there is credit for preserving existing trees, and the use of a number trees and shrubs throughout the site.

Michelle commented regarding parking lot layout changes and stated that there is a category for mixed use shared parking clarification. Michelle stated staff is requesting that visitor parking be added to multi-family sites to increase the amount of parking on multi-family sites and give some flexibility for visitors to the site. Michelle said that staff is also requesting that minimum parking standards be increased for warehouse instead of straight industrial, because sometimes those sites don't require as much parking for employment as a warehouse would. Michelle added that a garage may count toward the off street parking requirement based on a Metro comment that was raised during the course of the Planning Commission recommendation.

Michelle added that other parking design updates included a wheel stop exception, a new table for angled parking that was hard to follow in the past, the allowance for uncovered bike parking, and said pedestrian pathways should be included for parking areas in larger sites.

Mayor Mays asked if there was any testimony from the bicycling community.

Michelle replied that no issues were raised for allowing uncovered bike parking.

Michelle showed an aerial of the Albertson's parking lot in the presentation and indicated that one of the tools that the Planning Commission used was the Albertson's parking lot. Michelle stated that the Planning Commission felt that the Albertson's parking lot was an example of something that they would like to see and it stood out to them as an example of a good landscape design for parking lots. Michelle stated that staff did a detailed review of how much landscaping was on the site and showed where the perimeter landscaping and the interior parking lot landscaping were. Michelle stated that the Albertson's site had well over the amount of landscaping that would be required at about 5000 sq. ft. more than the new standard and approximately 14% of the overall site. Michelle added that the number of trees on the site was 34 trees and with approximately 200 parking spaces 52 trees would be required under the new standard.

Michelle stated that staff recommends City Council hold a public hearing on the parking lot and landscaping code amendments and offered to answer any Council questions.

Mayor Mays stated that he had a major concern over the suggested change of counting garage space towards required parking and stated that the net affect will be single homes and multi-family with no driveway or short driveways you cannot technically park on because they can be in the sidewalk and you cannot block the sidewalk.

Michelle replied that there is a 20 foot front yard setback which is required that would be part of the yard and would allow for a driveway coming in.

Mayor Mays asked regarding the design standards used for single family detached, duplex and triplex units and stated that the benefit is for multi-family and to make garages that are used as storage to count toward parking.

Michelle replied that multi-family has a different standard and those parking requirements are based on the number of bedrooms per unit.

Mayor Mays wanted clarification regarding changes allowing multi-family to build garages and count them towards a parking space.

Michelle confirmed that this is the current standard. Tom Pessemier suggested that the current standard be researched during public testimony.

Mayor Mays referred to page 152, in the packet, Section a., and asked regarding preferential spaces for carpool or vanpools and stated he could see the value for that in our community for office commercial and industrial. Mayor Mays asked how it applied for retail commercial and sited Target with approximately 50 employees and asked if they came in today under this standard would they have to assign 1 in 20 parking slots to be carpool.

Michelle replied that assuming Target has 200 parking spaces then 2% of the parking spaces would be four parking spaces that could be marked for Van or Car pool.

Mayor Mays asked if there was a difference for retail. Michelle stated it was for all new development.

Mayor Mays referred to shared parking found at the top of page 151 in the packet and asked if all property owners have to agree to share.

Michelle responded that it is an option that can be used for sites having trouble meeting the minimum parking requirements and if they want to reduce the amount of parking that is required a shared use agreement can be developed.

Mayor Mays gave an example of Albertson's and Target using the shared parking standard and commented that one developer cannot impose a shared parking agreement on another property owner. Michelle confirmed.

Mayor Mays asked regarding tree canopy and commented that there was testimony concerning the tree requirement being on the high side. Mayor Mays suggested that it might be more reasonable if the tree requirement counted the street trees as well and added that it would achieve what was wanted with the example of the Albertson's and the theater parking lots.

Michelle replied that it was discussed at the work session as a possible outcome because the Albertson's site was what the Planning Commission believed to be a great example of what we wanted to see with respect to the number of trees on a site. Michelle commented that adding street trees to that site would achieve the number of trees required in the new code standards and not enough trees was the one issue that the Albertson's site was lacking. Michelle stated that she had suggested code language ready if Council would like to see where it could be added in.

Councilor Bill Butterfield stated he was concerned about the size of the parking stalls and what kind of vegetation he would park under. Mr. Butterfield stated he didn't see anything addressing the type and the size of the vegetation and commented that there was nothing preventing a cherry tree in the parking lot. Mr. Butterfield added that every tree on the property should count towards the requirement.

Michelle replied that the current parking lot dimensions of 9' x 20' for standard and 8 ½' x 18' for a compact space are not changing and 25% of the overall site is allowed to be compact spaces.

Mr. Butterfield commented regarding the proposed carpool and vanpool requirement and stated that with the handicap parking requirement you cannot get within 100 feet of the store and imposing van and carpool stalls pushes the consumer even farther out to the street.

Michelle answered that the car and vanpool requirement is existing language that was never defined what percentage that would be encouraged and businesses are now required to put those in place but the number was not given as to percentage. Michelle stated that 2% was considered adequate and is another Metro functional plan requirement.

Mr. Butterfield commented that he has not seen any designated carpool or vanpool parking stalls.

Michelle replied that it is for all new development so perhaps there have been mechanisms for getting away from that and added that Lake Oswego also has this requirement at 5% for over 20 employees.

Michelle responded with respect to the cherry trees in the landscaping and stated that most of the landscaping requirements would be found in the landscape manuals with a list of recommended trees and the hope is that a developer or property owner would put in trees that customers and clientele would want to park under and not be prohibitive in that manner.

Mr. Butterfield acknowledge that there was a list of recommended trees but stated there was not a list of trees that cannot be planted. Michelle stated that within the street tree requirements there are prohibitive lists and the code suggests that trees are native or able to grow in the Pacific Northwest. Michelle agreed that a cherry tree would qualify and there could be a list of prohibited trees for landscaping.

Councilor Krisanna Clark commented regarding the 2% parking spaces required for carpools and asked if it was enacted after development within the City and this might be why they have not been seen.

Michelle confirmed and stated it was required but she wasn't sure if the City had any. Mayor Mays stated there might be one at the schools.

Councilor Matt Langer commented regarding existing trees and asked if they are given any extra credit for preserving them.

Michelle confirmed and stated they will be given credit based on the size and caliper of the existing tree with extra credit for every 3" of diameter.

Mr. Langer commented that he did not think the carpool spaces were necessary in our community and commented regarding the enormous size of parking lots. Mr. Langer stated there were a few technical reasons that push the parking lots to be so big and it might have to do with the 99W trip cap, as well as the parking stall lengths and widths. Mr. Langer wanted to make sure that when revising the language if there is a way to avoid large parking lots, and commented that they aren't even full on the day after Thanksgiving.

Michelle indicated that Councilor Langer recognized that our minimum parking standards do count for the worst case scenario and what can happen when you add all the different uses that a site like Target has with all the different types of businesses. Michelle added that what we are trying to do with the shared and multiple use proposed language is some delineation to be able to show how one parking space can be used for two different businesses and gave an example of a Red Robin customer going to Target while in the same space.

Tom Pessemier asked to address the question regarding multi-family and asked council to go to the table on page 154 in the packet. Tom stated the table addresses minimum and maximum parking standards and pointed out an asterisk for a provision for building a garage in association for a residential dwelling on multi-family.

Mayor Mays expressed that he felt this was bad planning and he would advocate for a change.

Mayor Mays opened the public hearing to received testimony.

Eugene Stewart 22595 SW Pine Street Sherwood came forward and asked if increasing the parking lot size takes away from the buildable size for the building. Mr. Stewart asked if the builder has to shrink the size of the building to meet the parking standards and if it takes away from building fees. Mr. Stewart commented that in Downtown all of the trees are overkill in some respects because you cannot identify the business signs behind the trees. Mr. Stewart asked what is the cost to the developer and commented that the people who shop there are going to pay the price. Mr. Stewart commented regarding the Albertson's parking lot and stated Les Schwab was kept clean with the lawns trimmed and was more appealing to him. Mr. Stewart asked regarding trees blocking solar panels and suggested the need for more study on the effects. Mr. Stewart commented that there were a lot of flat roofs in downtown that could be plugged by leaves and cause leakages. Mr. Stewart asked if the 2% parking for carpool and vanpools was for people coming to work in Sherwood or for people carpooling to Portland, Beaverton or Hillsboro and suggested if that were the case then to develop a site away from the congested commercial area.

Mayor Mays answered that the vanpool language was for those carpooling to a place of business in Sherwood and not to go off to another location. Mayor Mays stated that Old Town does not have parking standards and the proposed parking standard has a minimum and a maximum and folks who are not wanting to build as many spots for their new business can come in at the lower end or elect to have more intense and higher level of parking in their project.

Tom Pessemier added that he had received written testimony from Susan Claus that will become part of the public record for anyone to take a look at.

Mayor Mays asked what Metro advocates regarding carpool and vanpool.

Michelle replied that if a business has over 20 employees there needs to be van or carpool.

Mayor Mays asked if the standard could be set at 0.01% so that the most any project would be required would be one parking space or if Metro had set a minimum standard.

Planning Manager Julia Hajduk added that if there is not something from Metro as to a percentage her recommendation would be to leave it as it is and added that the intent was to make it more clear not more complicated.

Tom Pessemier made a point of order that the public testimony portion of the hearing had not been closed. Mayor Mays closed the public hearing.

Mr. Butterfield asked how the carpool parking was enforced. Mayor Mays responded that signs would be posted and it would be self-reporting as to how it was used. Julia confirmed and stated signage would be inspected as part of the final site plan review.

Councilor Clark asked if we were required to have the carpooling spaces.

Mayor Mays responded that there is a Metro requirement and the question is if Metro requires a percentage.

Ms. Clark asked if we were allowed a stipulation that excluded commercial property adding that she did not see the applicability to a commercial property like Target.

Mayor Mays stated that the intent was to provide incentive for employees to carpool and the developer could put it anywhere on the site.

Ms. Clark pointed out that the code states preferential spaces which sounded like the best spaces.

Julia stated she has seen this more commonly used in office buildings and larger developments.

Ms. Clark clarified that it was more for employees and could be designated close to the employee entrance.

Mayor Mays stated the ordinance did not have to be adopted tonight and asked for Council's perspective on the counting of garages towards any parking standard in any residential zone.

Councilor Linda Henderson asked for an example of a multi-family development where parking garages were counted towards the parking requirement and confirmed that Creekview was one of them.

Julia added that this is why staff is proposing visitor spaces and explained that Metro was against them until staff explained the situation and that there is no transit in Sherwood. Julia explained that Metro would allow the visitor parking but held firm on the garages. There was discussion about the parking issues specifically at the Creekview site regarding complaints and concerns received from staff and the resulting parking spaces added.

Ms. Henderson asked for help in understanding Metro viewpoint or why the City complied.

Julia replied that the City is required to comply with Metro's Functional Plan Requirements and they set a maximum/minimum and Cities were not allowed to require more than the minimum amount which for a multi-family development is based on the number of bedrooms.

Michelle added that this language is Metro's Functional Plan required minimums and as staff sought comments Metro pointed out that the code language did not meet with the garage requirement. Michelle stated a compromise was developed which allows one on street parking if there was 28 feet of street frontage.

Ms. Henderson asked how that applied to Creekview. Mayor Mays replied that it wouldn't.

Julia added that there is a minimum for an apartment complex and there is an added requirement for visitors parking.

Julia replied that the standard was not in place for Creekview and there was no requirement for visitor parking which is the problem.

Michelle added that the new code allows for 15% of the parking to be visitor parking so that we are creating more parking in those multi-family developments.

Mayor Mays asked what percentage of the parking at Creekview were garages. Julia answered that she was unsure and offered to pull the file.

Mayor Mays suggested continuing the ordinance and stated he would like to see language to include the total street count to include street trees. Michelle interjected and stated she has a few places she can add that language for Council consideration, Mayor Mays replied that would be great. Mayor Mays said Council would like to know what Metro's is suggesting as required language, the minimum required language on carpool/vanpool and said he would like suggested language for Council to consider that requires, that calls garages storage units and not parking spaces and they don't go towards any parking standard in any zone, and as a backup find out roughly how many garages as a percentage of the overall parking at Creekview were garages. Mayor Mays stated we could keep the standard, call a garage a storage which they generally are, and still have on top of that a 15% visitor parking standard on top of the minimum, and said this would be really good from his perspective.

Michelle replied are the thoughts for multi-family overall? Mayor replied 15% in multi-family, not all residential.

Tom Pessemier said he appreciates the direction and referenced a previous project where the City challenged Metro in regards to the Regional Function Plan and suggested that it would be best if staff were able to work things out with Metro and come back with things that we can possibly do rather than challenging their standards resulting in a potential LUBA appeal.

Mayor Mays replied, this would be fine and said from his perspective a three wall structure with a door that rolls up can be called storage and he doesn't think Metro has the authority to tell us that it is not.

Mr. Butterfield added that he would like to see included a list of fruit bearing and sap bearing trees as being prohibited and said if they want to have them next to the building or on the street that would be fine.

Michelle stated that an option would be to include that in the manual we are creating and create a prohibited list that includes those types of messy trees. Michelle said staff can explore this. Tom Pessemier added that staff can look at this and include that language or add it to the ordinance.

Mayor Mays asked for other feedback on the proposed ordinance.

Ms. Henderson suggested that if staff goes back to Metro that we suggest a member of Metro staff visit Sherwood and look at the Creekview site and the parking issues in that area. Ms. Henderson commented regarding issues on Cedar Brook Way and potential issues with emergency vehicle access. Ms. Henderson suggested pictures be shown to Metro staff or a site visit to have a dialog that this is not a good fit for our community.

Julia replied that she will see how far discussions with Metro will go.

Councilor Henderson asked if in these discussions can we require a visitor parking permit.

Mayor Mays commented that he looks at Metro requirements and in finding loopholes, he addresses them to try and fix them and asked can we, as part of the minimum standard, can we say that those must be in the project and not on-street parking; none of the required parking can be along the street and then require a big street with angled parking on both sides. Mayor Mays stated this is just a thought in being creative.

Tom Pessemier thanked the Council for their comments and all the passion they expressed regarding the issue and stated it helps staff to know which direction to go when they go back to Metro as standards may not work for all jurisdictions.

Mayor Mays referenced a Tri-met level of service with buses looping through neighborhoods and doing a great job, then we might be less passionate, but we have a deadhead that comes down town and bolts out. It goes down Hwy 99 and that's it.

Councilor Clark suggested when staff communicates with Metro that they have a video clip showing the issues at different times of the day and different days of the week to allow Metro to really see the issues and impacts to the community.

Brief Council discussion occurred regarding the Council meeting schedule in July and Council's availability due to the holiday, it was suggested to continue to June 19th and if this was not sufficient time for staff to gather more information the Council could continue to another future date at that time.

With no other Council discussion, the following motion was received.

MOTION: FROM MAYOR MAYS TO CONTINUE ORDINANCE 2012-008 TO JUNE 19, 2012 AND STAFF WILL RETURN WITH FEEDBACK ON POINTS RAISED WITH SUGGESTED LANGUAGE, OPTIONS, AS A REMINDER THE PUBLIC HEARING IS CLOSED AND COUNCIL CAN CHOOSE TO REOPEN IT ON THE 19TH IF THEY SO CHOOSE, SECONDED BY COUNCILOR LINDA HENDERSON. ALL PRESENT COUNCIL MEMBERS VOTED IN FAVOR. (GRANT AND FOLSOM WERE ABSENT).

Mayor Mays thanked Council and staff and addressed the next agenda item.

8. CITY MANAGER AND DEPARTMENT REPORTS

City Manager pro tem Tom Pessemier reported on a successful Cannery Plaza Ribbon Cutting event and thanked Community Services Director Kristen Switzer and Public Works for a job well done. Tom stated we had a few issues with the water feature and staff will have the contractor look at it in hopes that it will be on this summer.

Mayor Mays addressed the next agenda item.

9. COUNCIL ANNOUNCEMENTS

Mayor Mays reminded of the Sherwood Cruisin' event this coming Saturday.

Councilor Langer reported the Sherwood Main Street conducted their "1st Fridays" on the same evening of the Plaza ribbon cutting with down town businesses staying open to 9pm or later with some business offering free items. Mr. Langer stated this promotion will be going on for several months on the first Friday of every month in the downtown area.

With no other announcements, Mayor Mays adjourned to a URA Board meeting.

10. ADJOURN TO URA BOARD OF DIRECTORS MEETING

Mayor Mays adjourned at 9:07 pm and convened to a URA Board of Directors meeting.

Submitted by:



Sylvia Murphy, CMC, City Recorder



Keith S. Mays Mayor