
City of Sherwood, Oregon
Planning Commission
Meeting Minutes
August 27, 2013

Planning Commission Members Present:

Chair Jean Simson
Vice Chair James Copfer
Commissioner Michael Cary
Commissioner John Clifford
Commissioner Russell Griffin

Staff Present:

Julia Hajduk, Community Development Director
Mark Daniel, Police Captain
Brad Kilby, Planning Manager
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:

Commissioner Beth Cooke
Commissioner Lisa Walker

Council Liaison:

Mayor Bill Middleton

Legal Counsel:

Chad Jacobs

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 7:00 pm.

2. Agenda Review

The agenda consisted of the Consent Agenda, Council Liaison Announcements, Staff Announcements, Community Comments and the continuation of the Public Hearing for PA 13-01 Sherwood Town Center Comprehensive Plan Amendments.

3. Consent Agenda:

a. August 13, 2013 Planning Commission Minutes

Motion: From Vice Chair James Copfer to accept the minutes. Seconded by Commissioner John Clifford. All Commissioners present voted in favor (Commissioners Cary, Cooke and Walker were absent, Chair Simson abstained).

4. Council Liaison Announcements

Mayor Middleton informed the Commission that the City Council would be acting on the VLDR PUD Text amendment forwarded by the Planning Commission at the next City Council meeting and said the Council had received a presentation from Washington County regarding the Tualatin Sherwood Road project at their last meeting. Mayor Middleton commented that there will be more information on active transportation due to new Metro requirements and said the SW Corridor Plan will soon be forwarded to the Commission.

5. Staff Announcements

Brad Kilby, Planning Manager reminded the Commissioners to sign up for Planning Commissioner training. He informed the Commission that the Land Use Board of Appeals (LUBA) had dismissed the Aleali v. City of Sherwood appeal regarding the Langer Farms Phase 7 and that the City Council had approved putting an annexation of 97.5 acres in the Brookman Road area on the November ballot.

Brad said that Tri-Met will re-establish Line 93 to Sherwood between Sherwood and Tigard transit Center. He commented that the next Planning Commission meeting would be a work session to kick off the Transportation System Plan (TSP) update on September 10, 2013 and said legal briefs regarding the recent Supreme Court: Koontz decision was available for Commission members who wanted to look at them.

Note: Commissioner Cary arrived at 7: 05pm.

6. Community Comments

Eugene Stewart, PO Box 534, Sherwood commented that the traffic study for the Langer Farms project indicated that the worst case traffic scenario was a weekday. He said the study showed that 5% of the traffic on Tualatin Sherwood Road was truck traffic, but Washington County indicated that truck traffic accounted for 10%. Mr. Stewart commented that previous TSP studies showed the highest volume of traffic occurs on weekends from people going to the coast and commented that there should be a highway to allow traffic to get through Sherwood in order to make it easier for everyone. Mr. Stewart commented on traffic during different times of the day and traffic on Roy Rogers Road and Sherwood Blvd, expressing his concern that the City's engineers are constrained by the money that the County and State are willing to spend. Mr. Stewart remarked that traffic count records are not kept and suggested there will be trouble with the traffic regarding Langer Farms project.

Chair Simson commented that Mr. Stewart's comments were timely, considering work that is beginning on the TSP.

7. Old Business

a. Public Hearing - PA 13-01 Sherwood Town Center Comprehensive Plan Amendments

Chair Simson stated that because the hearing was a continuation from the last meeting the full disclosure statement would not be read and asked for ex parte contact or other disclosures.

Chair Simson declared that she had been contacted personally by Ty Wyman, an attorney representing the Regency Center, who approached her with concerns that Washington County is proposing the removal of the light near the property on Tualatin Sherwood Road. She said she was unable to answer Mr. Wyman's questions, but had attended the City Council meeting where Washington County presented their plans. Chair Simson said the County indicated that they would keep a pedestrian light at a minimum.

Chair Simson summarized the previous meeting and indicated that the record had been left open to accept further testimony, but it was limited to the adjacent property issue. She said that there was written testimony received from Phil Grillo of Davis, Wright, Tremaine.

Community Development Director, Julia Hajduk, commented that there was also a letter from the Washington County's Director of Land Use and Transportation, Andrew Singleakis regarding the proposed changes to the Town Center Plan (see record, Exhibit 1). Julia reminded the Commission that the packet included revisions to the policies and strategies with the red verbiage being direction from the Planning Commission on August 13, 2013 and the green verbiage came from a discussion with Phil Grillo to address the adjacent property concerns. Julia suggested that the discussion should be regarding those changes.

Chair Simson reminded everyone that the Planning Commission was making a recommendation to the City Council and that the City Council would hold a de novo hearing where the Council would review the Plan in its entirety and would be accepting public comments on any concerns.

Chair Simson opened the public testimony for those who wished to speak regarding the adjacent property issue.

Phil Grillo, 1300 SW 5th Avenue, Portland, representing TakFal Properties, commented regarding the letter submitted in the Planning Commission packet by him supporting proposed language. He said in Policy 5 the phrase "and government agencies" was added to make it clear that the City would be encouraging investment that supports a Town Center vision and explained that Strategy 7.6 was to add more focus on the Cinema Center and other adjacent areas. Mr. Grillo said they chose to be balanced and definitive in their suggested language and commented that Strategy 8.4 was added to call out the importance of enhancing vehicular and pedestrian access and for all stakeholders to work towards those ends. He said he hoped that the Planning Commission would support the proposed language.

Mr. Grillo commented on the letter received from Washington County and said the county was objecting to the proposed amendments that regard development outside of the Town Center Plan boundaries because they would have to do additional traffic studies. Mr. Grillo commented that a traffic study was not needed for collaboration and both of the [strategies] were about working together and having plans that provide a balanced approach to mobility in the area; not about moving traffic through at the expenses of everything else. He said the proposed language did not require a certain outcome, but something the City should be using its discretion on. "It's the County's street, but your town", he said. Mr. Grillo pointed out that traffic studies for the Town Center looked at a broader area and included more than the areas inside the Town Center boundaries.

Nancy Taylor, from Sherwood, commented that she would like to see changes on Tualatin Sherwood Road and was opposed to proposed changes that prefer new development over old

development. She said she believed the *town center* was Old Town and suggested that the three areas defined in the Plan should make it easier for everyone and not just new development. Ms. Taylor said that Washington County and the State of Oregon run traffic studies and they appear flawed, not scientific. She said the studies seemed biased, rather than reasonable.

With no further testimony, Chair Simson closed the public hearing and asked if staff had any comments.

Julia reminded the Commission and the audience that at the previous public hearing the Commission took public testimony on all issues and that the Commission wanted more information on an issue regarding adjacent properties to the Plan. She said the Commission provided direction on all other elements of the Plan and that was why the testimony focused on the adjacent issue and the track changes in the packet.

Chair Simson commented that staff had provided what the Commission had requested and asked for any concerns or comments regarding the language in red. None were received.

Chair Simson referred to the three areas mentioned by Mr. Grillo; Policy 5, 7.6 and 8.4. Julia added that there were other locations in the plan that referenced areas *adjacent to* in Policies 6, 6.2, 8.2 and 8.3. Chair Simson asked for any concerns regarding the *adjacent to* wording. None were received.

Chair Simson explained her experience with code clean up in the past and suggested that references to specific commercial development sites be removed. She suggested that on Strategy 8.4 the words “such as the Sherwood Cinema Center and other adjacent facilities” be removed. Discussion followed.

Commissioner Michael Cary commented that if specific developments are mentioned it may leave other developments behind.

Vice Chair Copfer said he did not think removing the verbiage would detract from the point of bringing in adjacent areas.

With no further comments or objections the verbiage was removed.

Chair Simson suggested new language for Strategy 7.6 that said “The City will support collaborative solutions that enhance access and improved safety for all modes of transportation within and into the Town Center”.

Commissioner John Clifford asked about including pedestrians. Discussion followed with Chair Simson asserting that by not calling out vehicles or pedestrians the Commission was indicating that part of the Town Center goal was to create a vibrant Town Center and the City should be enhancing all modes of transportation.

Commissioner Russell Griffin suggested that a reference to pedestrians should be added for clarification.

Commissioner Cary commented that when people think of transportation they don't consider walking and he would keep the pedestrian part in.

Chair Simson changed the language to read "The City will support collaborative solutions that enhance access and improved safety for pedestrian and all modes of transportation within and into the Town Center". She remarked that she wanted it to be clear that it wasn't just about the commercial district, but that there were opportunities in Old Town for other modes of transportation.

Commissioner Cary asked about having *and adjacent to* in the strategy. Discussion followed with Chair Simson stating that the overarching policy contains *and adjacent to*.

Vice Chair Copfer commented that all of the policies included *adjacent to* verbiage. Commissioner Cary agreed and said that it was placed consistently throughout the document.

Chair Simson added "adjacent to" to strategy 7.6.

Commissioner Griffin asked staff if Washington County's letter should be discussed in light of the changes the Commission just made.

Julia responded that it was provided as a public comment, that it did not require discussion, but it could be discussed if the Commission wanted to consider the Washington County letter in the recommendation.

Commissioner Griffin commented that with the additional language and the edits made by the Commission the language is not too specific to create difficulty now or in the future. He said the Commission was saying that the City wants to make it easy to get in and out of the Town Center and anyone adjacent to making changes would be considered by the Commission.

Vice Chair Copfer said he understood Washington County's view and said he felt it was important to provide something for existing, long term developments and keep the *adjacent to* in.

Commissioner Clifford stated that he agreed and it was important to recognize established businesses because they have become part of our community. There was a general consensus throughout the Commission that the letter from the County has been addressed.

Chair Simson commended staff stating that the Town Center Plan document had changed due to community comments, citizen involvement and work session input into a document that will help the Planning Commission and the City Council make decisions that will benefit everybody. She asked for direction from staff regarding the wording of the motion and the following motion was received.

Motion: From Vice Chair James Copfer for the Planning Commission to forward a recommendation of approval to the City Council for PA 13-01 Sherwood Town Center Comprehensive Plan Amendment and Sherwood Town Center Plan with the changes documented and discussed at our previous Planning Commission meeting on August 13th as well as the changes discussed in tonight's Commission meeting based on applicant testimony, analysis, and conditions . Seconded by Commissioner Russell Griffin. All Commissioners present voted in favor (Commissioners Cooke and Walker were absent).

Julia commented that the public should be commended and that PA 13-01 would not be what it was without public and Commission's participation and involvement. She informed the Commission that the City Council will hold a public hearing for PA 13-01 on September 17, 2013.

8. Adjourn

Submitted by:

Kirsten Allen

Kirsten Allen
Planning Department Program Coordinator

Approval Date: October 8, 2013