
**City of Sherwood, Oregon
Planning Commission Meeting
May 24, 2016**

Planning Commissioners Present:

Chair Jean Simson
Commissioner Chris Flores
Commissioner Michael Meyer
Commissioner Alan Pearson
Commissioner Rob Rettig
Commissioner Lisa Walker

Staff Present:

Tom Pessemier, Assistant City Manager
Julia Hajduk, Community Development Director
Bob Galati, City Engineer
Brad Kilby, Planning Manager
Michelle Miller, Senior Planner
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:

Vice Chair Russell Griffin

Council Members Present:

Sally Robinson by phone

Work Session

1. Recreational Marijuana

Michelle Miller, Senior Planner gave a presentation and noted recreational marijuana license types determined by the Oregon Liquor Control commission (OLCC). She explained the proposed code regulations based on input from the Commission and public engagement. Discussion followed and a timeline was determined based on additional outreach opportunities over the summer including festivals and city sponsored events. Staff was directed to limit retail facilities to 3000 square feet.

Regular Meeting

1. Call to Order/Roll Call

Chair Jean Simson convened the meeting at 7:35 pm.

She moved to the consent agenda and asked for comments or a motion.

2. Consent Agenda

- a. March 29, 2016 Planning Commission Minutes approval
- b. April 12, 2016 Planning Commission Minutes approval
- c. April 26, 2016 Planning Commission Minutes approval

Motion: From Commissioner Alan Pearson to approve the Consent Agenda, Seconded by Commissioner Chris Flores. All present Planning Commissioners voted in favor.

3. Council Liaison Announcements

Councilor Robinson thanked the Commission for their efforts regarding marijuana facility regulation and public outreach. She said she would not be present for the next few meetings and there may not be an alternate present.

4. Staff Announcements

Brad Kilby, Planning Manager informed that TriMet would open a new bus line 97, from Tualatin to Sherwood, on June 6, 2016 (visit www.trimet.org/schedules/r097.htm) and the Community Garden opened May 23rd. He announced a Cedar Creek Trail Local Trail Advisory Committee meeting on May 25, 2016 with an open house on June 1st at 6:30 pm. Phase I will be constructed first between Tonquin Road and Hwy 99W.

Mr. Kilby informed that he sent an e-mail to the Sherwood West landowners about the possibility that Metro would revisit the Urban Growth Boundary maps in 2018 and that State Senate Bill 1573 regarding annexation requirements that may affect the ultimate timing of Sherwood West. He stated Federal Emergency Management Agency (FEMA) maps would be adopted shortly for Sherwood residents with flood insurance, but the National Marine and Fisheries Service (NMFS) had recently submitted a biological opinion regarding the new FEMA maps which may require two processes towards adoption. The maps cannot be changed by jurisdictions.

5. Community Comments

None were received.

6. Old Business

a. Public Hearing – PA 16-02 Public or Commercial Parking within the Old Town Overlay

Chair Simson began the public hearing and read the public hearing statement stating the Planning Commission would make a recommendation to the City Council. She said the hearing was legislative and ex parte contact did not apply. Chair Simson asked for the staff report.

Brad Kilby, Planning Manager gave a presentation and said the City receives complaints about a parking shortage in Old Town and the URA, owners of the Robin Hood Theater lot, wanted to relocate the parking in order to develop the lot. Two lots off of First Street had been identified for the new parking lot. The lots were split zoned with one zoned residentially. Residential properties are not allowed to have non-accessory parking. Mr. Kilby said as a result of testimony received at the public hearing on April 12, 2016 and a split decision by the Planning Commission the application was amended to limit the scope of the amendment to residential properties adjacent to collector or arterial roadways and vacant as of May 1, 2016. He explained that non-accessory (stand-alone) parking did not have an associated use and gave the parking lot behind City Hall as an example of accessory parking. Only one lot met the criteria.

Mr. Kilby explained that conditional uses in Old Town were subject to a public hearing before the Planning Commission with notice to surrounding properties. He described approval criteria for a text amendment was based upon a need, which has established by the Urban Renewal Agency and must be in accordance with the Transportation Planning Rule in which the functional classifications of roads cannot be affected by the amendment. ODOT and the City Engineer have confirmed that no roadway classification would be affected.

Mr. Kilby noted that a new notice was sent to surrounding property owners explaining the new proposed language and stated that no public comments were received by staff. He recommended the Planning Commission forward a recommendation of approval to the City Council, reminded the commission that this was not an approval for the parking lot and reiterated that only one lot met the proposed language.

Chair Simson asked for applicant testimony.

Tom Pessemier expressed that there was a need for parking in Old Town and that comments were heard from citizens relative to historic structures and the desire to preserve the character of Old Town. He noted that the proposal was amended to address concerns expressed and it was the URA's desire to construct parking in Old Town on 1st Street. No homes would be removed to build the parking lot.

Keith Jones, Harper Houf Peterson Righellis stated he had prepared the application and had ensured that the record complied with the Comprehensive Plan and the Sherwood Zoning and Community Development Code. He confirmed a need to provide parking and stated it was a good site for parking.

Mr. Pessemier disclosed the May 1, 2016 date was chosen because of eventual demolition of privately owned houses on Ash Street and he wanted to avoid confusion. He added that the proposed language would be added to the Conditional Uses code, Section 16.162.040 as item C, and suggested a review of 16.162.040.A prior to going to City Council.

Chair Simson thanked staff and the applicant, noting that in legislative matters, public testimony could affect a positive change.

Mr. Pessemier noted that the City Council was not involved in the application as inferred by staff, because the URA Board was made up of city council members and they were the final decision maker.

Chair Simson asked for public testimony. The one person who had turned in a form to testify declined, because his concerns were addressed by the applicant.

Chair Simson closed the public hearing and the following motion was received.

Motion: From Commissioner Alan Pearson that the Sherwood Planning Commission forward a recommendation of approval to the City Council for PA 16-02 Public or Commercial Parking within the Old Town Overlay based on applicant testimony, public testimony received and analysis, findings and conditions in the staff report. Seconded by Commissioner Michael Meyer. All present Planning Commissioners voted in favor.

7. Planning Commissioner Announcements

Commissioner Pearson announced he was cancer free.

8. Adjourn

Chair Simson adjourned the meeting at 8:06 pm.

Submitted by:



Kirsten Allen, Planning Department Program Coordinator

Approval Date: _____

