



**City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
September 11, 2012 – 7PM**

Business Meeting – 7:00 PM

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda: None**
- 4. Council Liaison Announcements**
- 5. Staff Announcements**
- 6. Community Comments**
- 7. Old Business**
 - a. Public Hearing -TSP amendment for Cedar Brook Way (PA 12-03) (continued from 8/14)***

Amend the Transportation System Plan to change the functional classification of Cedar Brook Way from a local to a collector status road. The proposal will also update the TSP to clarify that the road connection is intended to go from Elwert road to Handley with one connection to Pacific Highway. The Pacific Highway connection location is not defined but would be somewhere 990 feet from both the Sunset and Meinecke Road intersections.

- 8. New Business**
 - a. Sherwood Town Center Plan update***

- 9. Adjourn**

Next Meeting: September 25, 2012



MEMORANDUM

City of Sherwood
22560 SW Pine St.
Sherwood, OR 97140
Tel 503-625-5522
Fax 503-625-5524
www.sherwoodoregon.gov

Mayor
Keith Mays

Council President
Dave Grant

Councilors
Linda Henderson
Robyn Folsom
Bill Butterfield
Matt Langer
Krisanna Clark

City Manager
Joseph Gall, ICMA-CM



2009 Top Ten Selection



2007 18th Best Place to Live

Sherwood

2006

All-America City Finalist

DATE: September 4, 2012
TO: Sherwood City Planning Commission
FROM: Julia Hajduk, Planning Manager
SUBJECT: Cedar Brook Way TSP amendment (PA 12-03)

At the Planning Commission meeting on August 14, 2012, the Commission held a public hearing on PA 12-03 to consider amending the TSP relating to Cedar Brook Way. After hearing staff testimony and public testimony, the Commission continued the hearing until the September 11, 2012 meeting to allow staff time to provide more information on several items. The Commission has closed the public record portion of this meeting, but agreed that they could decide to re-open it if deemed appropriate. If the Commission determines not to re-open the public testimony portion of the hearing, the public would continue to have an opportunity to provide input at the City Council hearing. The Commission should refer to the packet materials previously provided for the August 14, 2012 meeting in addition to this memorandum.

Response to issues raised/questions asked:

The Commission asked for more information on the process/ability to obtain a variance from the County to connect a local road to Elwert (and arterial road)

Per the County standards (referenced in the DKS memo at footnote 5), "Direct access to arterial roads shall be from collector or other arterial streets. Exceptions for local streets and private accesses may be allowed through a Type II process when collector access is found to be unavailable and impracticable by the Director." It is possible that the County would approve an exception to connect a local street to Elwert; however there is no guarantee and there would be more review documentation required. Because there is already a local street stub to the Elks property, Bushong Terrace, it is possible the County would determine that an alternative access is available and practical and not permit the exception.

How important is this amendment to connectivity?

The DKS analysis Memo looked at the intersection impacts, assuming existing and 2035 traffic volumes with and without Cedar Brook Way connecting from Elwert to Handley and with and without an access to Pacific Highway. Taking the information from the 4 options studied, it is clear that more connectivity between Elwert and Handley is better for the study intersections, especially the Highway 99W/Sunset intersection (the higher the number, the worse the congestion at the intersection.) All of the options, with improvements meet the service standards, but Options 3 and 4 provide more capacity for development of these properties before major off-site improvements are necessary.

Comparison of Volume to Capacity (V/C) for study intersection operations (2035 PM Peak with no additional off-site improvements ¹)						
	Hwy 99/ Elwert Rd- Sunset	Hwy 99/ Meinecke	Handley St/ Cedar Brook Way	Elwert Rd./ Kruger Rd	Elwert Rd/ Handley	Hwy 99/ New access
Option 1 - no connection from Elwert to Handley (DKS memo table 6)	>2	.91	.50	.64	.59	.89
Option 2 - connection from Elwert to Handley, no hwy access (DKS memo table 8)	1.76	.90	.58	.64	.52	n/a
Option 3 - connection from Elwert to Handley, right-in/right out hwy access (DKS memo table 10)	1.78	.92	.50	.61	.50	.89
Option 4 - connection from Elwert to Handley, full signalized hwy access (DKS memo table)	1.49	.87	.46	.60	.50	.85

Finally, it should be noted that while not having a connection from Elwert to Handley would keep the residential traffic separate from the commercial traffic, it would likely have greater impacts to the residential neighborhood directly north of the Elks property. This is especially true if the County did not allow a local street connection to Elwert in which case the residential development would have only one access out; along Bushong Terrace to the north of the Elks property. In addition, having the residential areas able to access the commercial areas without having to travel over the arterial road network (Elwert to Pacific Highway) is consistent with the intent of connectivity.

¹ Data from Exhibit B of the 8/14/12 packet – Memo from DKS dated June 28, 2012
PA 12-03 Cedar Brook Way TSP Amendment
9-4-12 PC memo

Who does have access to 99W and will all other accesses be closed when development of the road occurs?

The City does not control access to 99W. When a development is proposed, the Oregon Department of Transportation (ODOT) will apply their access control standards and consideration is given to existing deeded accesses as well as properties with no deeded access or those that have previously given up their access rights. Regardless, according to the DKS memo and confirmed by ODOT, there are no locations along this stretch of 99W that has a "reservation access" (a location where access rights have been retained) which means that when a street location is proposed the City would need to apply for a grant of access.

ODOT has the ultimate say in the creation of new, and the retention or closure of existing access points to the highway. Temporary or permanent access to Pacific Highway will be dependent on the traffic generated by the proposed use and the existing alternate access options available.

Clarification on funding options for the road

While the funding of the road is not a part of the TSP amendment decision process, staff has met with a number of the property owners directly affected by this road alignment and believe that these owners now understand the difference between the proposed TSP amendment and ultimate construction of the road. It is our understanding that a number of people originally testified against the amendment because they did not understand the SDC credits. Attached to this memo is more detail on how the current SDC credits work. This memo is for information only as how the roads are ultimately constructed and paid for are not decided through a TSP and is not part of this project.

That said, it is also our understanding that this amendment, in and of itself, does not remove all uncertainty for these properties and it will not be until a road is actually designed that more certainty regarding location and costs will be provided. The Commission can certainly include in their recommendation to the Council a recommendation that the City take the lead on providing more clarity on the road alignment and design.

Attachments:

- 1 – Clarification of SDC and TDT Credits from Bob Galati



MEMORANDUM

TO: City of Sherwood Planning Commission

FROM: Bob Galati, P.E.
City Engineer, Engineering Department

SUBJECT: Cedar Brook Way TSP Amendment

ISSUE: Clarification of City SDC and County TDT Credits

In recent discussions about the Cedar Brook Way TSP Amendment, two main questions were asked concerning credits;

1. At what point is the construction cost of a public road improvement eligible for credits against transportation SDC/TDT charges?
2. What are the criteria for calculating SDC/TDT credits for right-of-way dedication and road construction costs?

The following information provides specific information on the applicable components for both the City Transportation System Development Charge (SDC) and Washington County Transportation Development Tax (TDT).

General Definitions

Municipal Code Section 15.16.020 – Purpose, provides the following:

“The purpose of the system development charge is to impose an equitable share of the cost of capital improvements for water, sanitary sewer, streets, storm drainage, and parks and open space upon those new or expanded developments that create the need for increased demand on capital improvements.”

Section 15.16.040 – Definitions, define SDC’s as follows:

“System development charge” means a reimbursement fee, an improvement fee, or a combination thereof, assessed or collected at the time of issuance of a building permit, or at the time of connection to a capital improvement. “System development charge” includes that portion of a sanitary sewer, storm water, or water system connection charge that is greater than the amount necessary to reimburse the city for its average cost of inspecting and installing connections to water, storm water, and sanitary sewer facilities. “System development charge” does not include charges assessed or collected as part of a local improvement district or a charge in lieu of a local improvement district assessment, or the cost of complying with requirements or conditions imposed by a land use decision.

Section 1 of the Countywide Transportation Development Tax Procedures Manual provides the following information for the TDT:

“The Countywide TDT program will collect charges from new development based on the development’s projected impact on the transportation system. Proceeds from the TDT program will be used to fund road and transit capital improvements as identified in the capital improvements list. These improvements provide additional capacity to the major transportation system.”

“The Countywide TDT is based on a uniform rate structure that will be assessed by all jurisdictions. The tax charged to a developing property for a particular use is the same whether the developing property is located within any city or within the unincorporated urban area or within the rural area.”

City Transportation SDC Credit Criteria

- 1) The following criteria are standard for a development project to be eligible for City Transportation SDC Credits:
 - a) The proposed transportation improvement must be identified in the City's Capital Improvement Plan (CIP).
 - b) The proposed transportation improvement must be for a road designation of collector or higher classification.
 - c) The City accepts the full actual road construction cost towards the valuation of the SDC Credit.
 - d) Rights-of-way and easement costs are eligible for SDC Credits.
 - i) Land valuation may be based on either a City reviewed and approved appraisal valuation, or the County assessors land valuation, whichever is higher. (Section 15.16.100.J)
- 2) Engineering, surveying, and plan review and inspection fees are not eligible for SDC Credits.
- 3) Construction costs are based on City review and acceptance of final construction progress payments and related tracking spreadsheets in verifying actual construction costs. (Section 15.16.100.J)
 - a) Items identified as not eligible for credits are excluded from SDC Credit analysis.
 - b) Eligible credits may not exceed prevailing market rates for similar projects as determined by the City.

Washington County TDT Credit Criteria

- 1) Information on the Washington County TDT Credit process is identified in the County Wide Transportation Development Tax Procedures Manual (June 2009).
- 2) The TDT Procedures Manual provides the following criteria to be eligible to receive TDT Credits:
 - a) The proposed transportation improvement must be identified on the County's TDT CIP list. (Section 3.17.030.2)
 - b) The proposed transportation improvement is built larger or with greater capacity than the local government's minimum standard facility size. (Section 3.17.070.2)
 - c) Eligible construction costs for TDT Credits are based solely on the portion of the improvement that:
 - i) Exceeds the local government's minimum standard facility size (local road);
 - ii) Exceeds the capacity needed to serve the particular development project or property.
- 3) Valuation of rights-of-way and easement land market value are based on county tax records. (Section 3.17.070.3.b)
- 4) Total eligible TDT Credit for engineering and survey services shall not exceed 13.5% of total construction costs. (Section 3.17.070.A.11) The City excludes plan and inspection fees from TDT Credit analysis.
- 5) If developer has taken CWS SDC Credits towards storm water quantity and/or storm water quality infrastructure, then the construction cost of these facilities are not eligible for TDT Credits. (Section 3.17.070.A.12)



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DATE: September 4, 2012
TO: Sherwood City Planning Commission
FROM: Julia Hajduk, Planning Manager
SUBJECT: Sherwood Town Center Plan

The Planning Commission is designated as the Steering Committee for the Town Center Plan. While there are 3 Steering Committee meetings officially scoped for the Town Center project, it was recognized that the Planning Commission would want to be updated throughout the process and be given the opportunity to ask questions, provide input and direction.

The Steering Committee met in June and provided feedback on the goals and objectives of the project as well as the public involvement plan. Since that time, the consultant team has been working on the background data, existing conditions report, identifying opportunities and constraints and drafting a vision statement for consideration. A Technical Advisory Committee (TAC) and Stakeholder Advisory Committee (SAC) meeting is scheduled for September 12th to review the reports and provide feedback. The documents will then be shared at an open house on October 3rd for public input. After the TAC and SAC meeting and Open House, the comments received will be compiled and brought to the Steering Committee for final input and guidance.

The purpose of this topic on the September 11th meeting agenda is to give you the opportunity to review the documents that are going to the SAC and TAC and share any overarching comments or concerns that you might want us to pose to the SAC, TAC and at the Open House.

Attachments:

- 1 - Draft Vision Statement
- 2 - Draft Existing Conditions Report

MEMORANDUM

DATE: September 4, 2012

TO: Sherwood Town Center Plan Technical Advisory Committee and Stakeholder Advisory Committee

FROM: Darci Rudzinski, Shayna Rehberg, Carolyn Reid
Angelo Planning Group

**SUBJECT: Sherwood Town Center Plan
Draft Vision Statement**

The *Project Goals, Objectives, and Evaluation Criteria* memorandum (July 16, 2012) identifies several goals and objectives to help guide the development of a Town Center Plan. Developing an overarching vision for the Town Center, as instructed by Goal 2 in that memorandum, will help identify the desired attributes for Sherwood's Town Center and begin to put in context the opportunities and constraints to achieving these attributes, as explored in the Existing Conditions Report. The vision task and objectives are described as follows:

Goal 2 – Town Center Vision. Develop an overarching vision that guides the development and redevelopment in the Town Center; evaluation of land use, transportation, and design alternatives; and agency coordination and plan implementation.

Objectives

- Establish a vision statement that specifically describes the uses, activities, look, and feel of the future Sherwood Town Center.
- Determine boundaries for the Town Center, whether existing boundaries, expanded boundaries to include Old Town, or modified boundaries to encompass just Old Town.
- Consider the vision statements from the 2007 Economic Opportunities Analysis and other City planning documents in developing the Sherwood Town Center Vision.
- Create opportunities for public/private partnerships within the Sherwood Town Center to achieve the vision.

The following proposed vision statement is guided by these objectives. (Note that determining the boundary will follow a discussion of possible alternatives for the location of the Town Center and creating opportunities for public/private partnerships will be part of implementation.)

Town Center Vision Statement

Sherwood Town Center is a lively, safe, and beautiful place that embodies the best of Sherwood, a family friendly community with historic roots that enthusiastically plans for a bright future. The Town Center is the focal point of community life and commerce: neighbors and visitors come together here to eat, shop, work, and play. The mix of housing, restaurants, shops, parks, natural areas and public gathering spaces that front vibrant, tree-lined streets supports existing businesses and attracts new businesses and visitors. Getting to and getting around the Town Center is easy, whether you are traveling on foot, by bike, by skateboard, on a bus, or in a car.

Sherwood Town Center Existing Conditions Report

For a complete copy of the report, please refer to
<http://www.sherwoodoregon.gov/sherwood-town-center-plan>

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I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 9/11/2012 Agenda Item: TSP Amendment Hearing

Please mark your position/interest on the agenda item
Applicant: Proponent: Opponent: Other:

Name: Susan O'Leary

Address: 2221 SW Parkway

City/State/Zip: Sherwood OR 97140

Email Address: _____

I represent: Myself Other

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I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 9/11/17 Agenda Item: TSP Amendment

Please mark your position/interest on the agenda item
Applicant: Proponent: Opponent: Other

Name: Eugene Stewart

Address: PO Box 534

City/State/Zip: Sherwood, OR 97140

Email Address: EugeneS103@AOL.com

I represent: Myself Other

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I object to this form and do not agree to have my speech censored.

I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 9/11/2012 Agenda Item: TSP Amendment

Please mark your position/interest on the agenda item

Applicant: Proponent: Opponent: Other

Name: Jim Claus

Address: _____

City/State/Zip: _____

Email Address: _____

I represent: Myself Other

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Date: 9/11 Agenda Item: CEDAR BROOK WAY

Please mark your position/interest on the agenda item
Applicant: Proponent: Opponent: Other

Name: MARA BROADHURST

Address: 28440 Ladd Hill Rd

City/State/Zip: Sherwood Or 97140

Email Address: jbroadhrst@aol.com

I represent: Myself Other

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Date: _____ Agenda Item: CEAR BROOKE WAY

Please mark your position/interest on the agenda item

Applicant: _____ Proponent: _____ Opponent: _____ Other _____

Name: JOE BRODTHORST

Address: 28440 SW LADD HILL

City/State/Zip: SHERWOOD OR 97140

Email Address: J.BRODTHORST@AOL.COM

I represent: Myself _____ Other _____

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*I object to this form and do not agree to

have my speech censored*

I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 9/11/2012 Agenda Item: Community Comments

Please mark your position/interest on the agenda item
Applicant: Proponent: Opponent: Other

Name: Jim Clark

Address: _____

City/State/Zip: _____

Email Address: _____

I represent: Myself Other

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Date: 9/11/2012 Agenda Item: Community Comments

Please mark your position/interest on the agenda item
Applicant: ___ Proponent: ___ Opponent: ___ Other: ___

Name: Susan CLAYS

Address: 2221 SW Pacific Hwy

City/State/Zip: Sherwood

Email Address: _____

I represent: Myself Other

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(Note: Written comments are encouraged, and may be submitted prior to the meeting by mail, or at the meeting. There is no limit to the length of written comment that may be submitted)

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I have read and understood the Rules for Meetings in the City of Sherwood.

Date: 9-11-12 Agenda Item: Co. Community Comments

Please mark your position/interest on the agenda item

Applicant: Proponent: Opponent: Other

Name: Brad Bruder

Address: 22345 S.W. Park St

City/State/Zip: Sherwood, OR 97140

Email Address: Brad.bruder@notmuch.com

I represent: Myself Other

If you want to speak to Commission about more than one subject, please submit a separate form for each agenda item.

Please give this form to the Recording Secretary prior to you addressing Planning Commission. Thank you.

PA 12-03
Transportation System Plan
Amendment – Cedar Brook Way
Planning Commission Public Hearing
9-11-12

9-11-12
Date

Planning Comm
Gov. Body

72
Agenda Item

1
Exhibit #

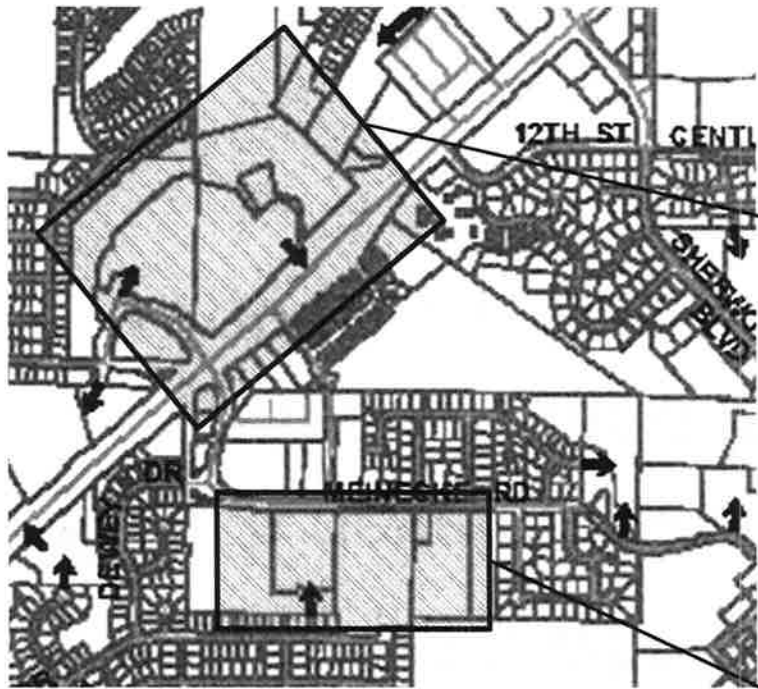
Background

- Commission opened public hearing 8-14-12
- Continued hearing to get more information on:
 - County exception process to connect a local street to an arterial
 - Importance of the amendment to connectivity
 - 99W access restrictions/rights if the road development occurs
 - Clarification of funding options for the road

Context review

- TSP is a 20 year plan of the transportation system as a whole
- Each development is required to provide road connections and improvements necessary to support the impacts of their development

TSP shows conceptual connections



Actual development is consistent with but not identical to TSP



Summary of TSP amendment

- Change the classification of cedar Brook Way from a local to collector street
- Clarify Cedar Brook Way is intended to connect between Handley and Elwert
- Confirm one access connection to 99W from Cedar Brook Way
 - 990 feet from each existing intersection
 - Full access or right in/right out to be determined based on development need

- **Figure 8-1: Functional Class Map**

- *Extension of collector road from Cedar Brook Way to Elwert Road with intermediate connection to Highway 99W.*
- *Add the following note for the potential Highway 99W access: A potential Hwy99W access point is located within the limits of the access zone (990' or greater from both Sunset Boulevard and Meinecke Road provides approximately 2000' of flexibility for access placement) as delineated in the prior study. The actual location will be based on transportation design standards and will take place when development occurs.*

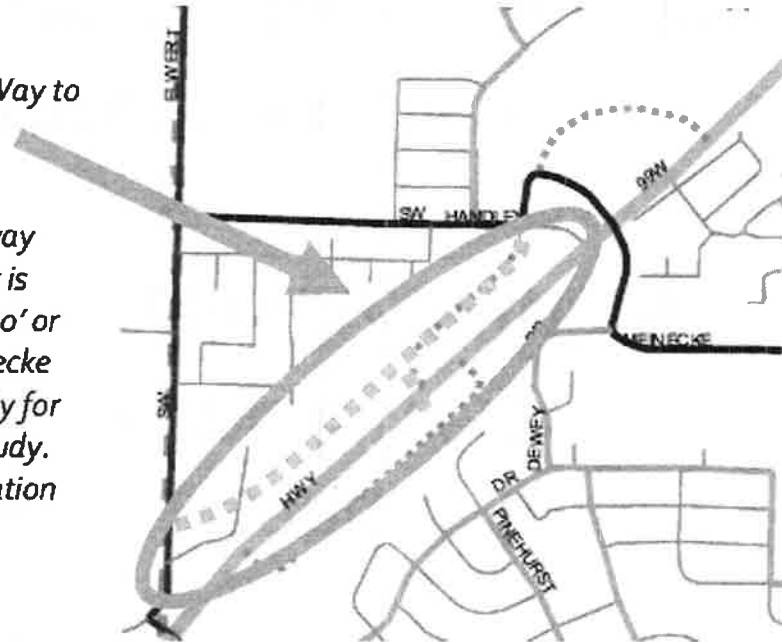
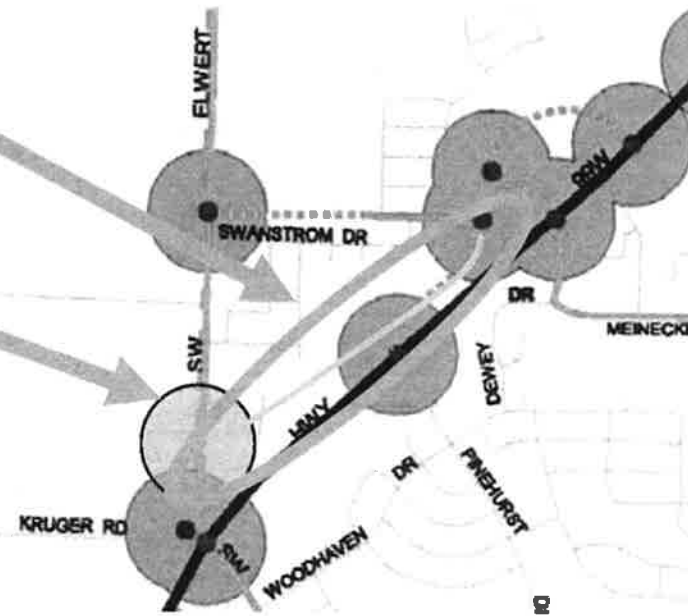


Figure 8-7: Streets Where ROW is Planned for More Than Two Lanes

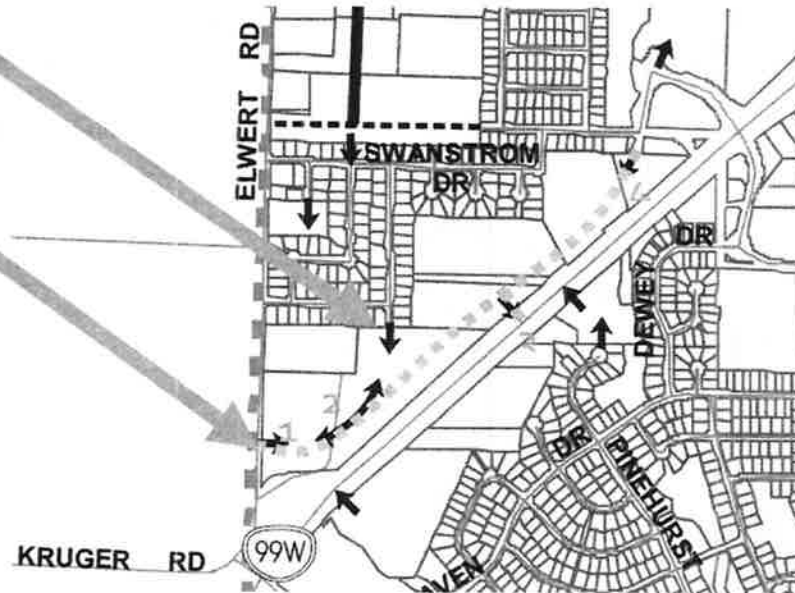
- *Modify the designation of the new facility as a 2-lane facility.*
- *Indicate the new intersection with Elwert Road would be an arterial-collector intersection and may include widening for turn pockets within 500 feet of the intersection.*
- *Add the following note for the potential Highway 99W access: A potential Hwy99W access point is located within the limits of the access zone (990' or greater from both Sunset Boulevard and Meinecke Road provides approximately 2000' of flexibility for access placement) as delineated in the prior study. The actual location will be based on transportation design standards and will take place when development occurs.*



- Figure 8-8: Local Street Connectivity

- Retain arrow showing local street connection to Bushong Terrace
- Replace (overlay) four arrows on map indicating the local street connections with the proposed collector. Arrows to replace include:

- 1) connection to Elwert Road,
- 2) swooping connection from Elwert Road to Bushong Terrace
- 3) connection to Hwy 99W, and
- 4) Connection to Cedar Brook Way.



Recommendation

- Consider the additional information provided and consider forwarding a recommendation of approval to the City Council for the October 2, 2012 Council meeting.

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
September 11, 2012

Commission Members Present:

Chair Allen
Commissioner Griffin
Commissioner Copfer
Commissioner Cary
Commissioner Clifford

Staff:

Tom Pessemier, Community Development Director
Julia Hajduk, Planning Manager
Michelle Miller, Associate Planner

Planning Commission Members Absent:

Vice Chair Albert
Commissioner Walker

Council Liaison: Councilor Clark

Legal Counsel: Paul Elsner

1. Call to Order/Roll Call

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

2. Agenda Review

The agenda consisted of a continued Public Hearing –Transportation System Plan amendment for Cedar Brook Way.

3. Consent Agenda

There was no consent agenda.

4. City Council Liaison Announcements

Councilor Clark did not have anything to report.

5. Staff Announcements

Julia, Planning Manager, informed the Commission that there will be an Open House for the 124th Ave. Extension between Sherwood and Tualatin city limits on September 20th at 5-7pm, Location to be announced.

Julia advised that there is an Open House for the Town Center on October 3rd 6-8pm in the Sherwood Community Room at City Hall.

Julia announced that this would be the last chance to get registered for the Planning Commissioner Training in Salem on September 22, 2012.

6. Community Comments:

Susan Claus, Sherwood resident said the packets that the Citizens receive prior to Public Hearings do not have as much information as the packets that the Planning Commissioners receive. She stated that the document on the Sherwood Town Center Plan was referenced, but not in the packet. Ms. Claus wanted to see the actual plans that the Planning Commission saw and confirmation that the Citizens receive everything that the Commissioners receive.

Chair Allen interjected and asked Staff if there was a link included. Julia responded and said that because the document was so large, she thought it would be easier to include a link and mentioned

that a hard copy should be placed at the Library, but because of Staff changes she could not confirm. Ms. Claus commented that documents don't get placed at the library consistently.

Ms. Claus commented on the Langer Subdivision appeal hearing that had recently taken place. She wondered why people testified at the hearing that had not commented at the initial application. Ms. Claus said her understanding was that under a Type 2 staff level decision that information could not be added and people could not testify that had not originally objected and only the original issues addressed could be brought up at the appeal.

Chair Allen asked Julia to comment. Julia responded and said that the code says that appeals are limited to what is in the record but based on the advice of the City Attorney the additional testimony was taken. Susan explained that it would have been nice to know that ahead of time because other people would have liked to have participated and made comments. She recollected that Mr. Claus was told he had already testified and could not testify again. Ms. Claus commented that the process was confusing and asked that if an administrative decision became a de novo hearing there should be public notice before the night of the hearing.

Brad Brucker, Sherwood resident stated that he loves Sherwood and loves Old Town and had invested heavily in Sherwood. He said he developed a property in Old Town, preserving an older building, donated money to a parking lot project, built a church and wanted to reiterate that he is a supporter of Sherwood. Mr. Brucker commented on a project that he thought would be a Type 1 modification that jumped to it jumped to a Type 4, because it was in Old Town. He expressed that it was a problem for him to pay so much in fees and he did not think that the process has been thought through. Mr. Brucker advised that it was hard for private sector investors to enhance the city and wanted to know if the Commission could refund the fees paid for the project. He acknowledged that the Code was there to protect Old Town, but asserted that the Code should be there to serve the people, not for the people serve the Code.

Julia commented that the Planning Commission did not have the authority to refund fees, only City Council did.

Robert James Claus, Sherwood resident, commented that he had a PhD in Planning, he had taught planning at the university level, and worked with federal highway administration so he understood the specifics of what is going on. Mr. Claus spoke of billboard court and the sign code. He said Henry Ford was wrong when he quoted that history was one fact after another and commented that if you do not know where the courts have been you have a problem.

Mr. Claus commented on industrial psychologists and said the planners are trained in a soft science or not at all. They could be geographers, anthropologists or sociologists. He said that all development in North America was transportation driven with few exceptions. Mr. Claus said that unless transportation is linear it becomes confusing and development means putting in streets, funding them and making the path clear.

Mr. Claus gave an example of a residential subdivision, with the houses selling for \$300,000. He said the infrastructure improvements in Sherwood would cost \$37, 500 and the fees to build a house were \$33,000 or about \$70,000 total. He said a lot was worth \$50,000 and the cost of the house and the off-sites would cost the balance of that house at \$300,000 minus 20% builder's profits. Mr. Claus indicated that Centex Homes used 21% from base and reiterated the importance of streets.

Mr. Claus commented on the sign code and the 14th Amendment. He said if there is not a clear street plan there were 14th Amendment due process and equal treatment concerns. Mr. Claus

referred to Kelo vs. Newhaven and asked the Commission to think about the streets in town. He said it was an indication in a non-obtrusive and non-reactive measure who was getting political and planning preferences and where development would occur.

7. Old Business

a. Public Hearing – Transportation System Plan (TSP) amendment for Cedar Brook Way (PA 12-03) continued from August 14, 2012.

Chair Allen began the public hearing. He did not read the disclosures, but asked the Commissioners to disclose any ex-parte contact, conflicts of interest or bias.

Chair Allen disclosed that he had a phone conversation with Mr. Claus about 3 weeks ago and advised that he would be receiving an email on the matter that was substantially what was received the day before. He said there was no ex parte contact, but wanted to disclose that it contributed in his desire to reopen the hearing. Chair Allen advised that he will be participating in the hearing.

Commissioner Griffin said that he had a conversation in the parking lot with Mr. & Mrs. Claus about 2 weeks ago and said that they discussed many topics relating to the City of Sherwood, but nothing that would prevent him from using common sense.

Commissioner Clifford said that he had seen Dr. Doyle in a professional capacity and did not discuss anything that would prevent him from participating tonight.

With no other disclosures, Chair Allen stated that interest in the project had increased since the previous hearing and asked for discussion from the Commission in reopening the public testimony. The Commission was in agreement. Chair Allen asked for a staff report.

Julia Hajduk, Planning Manager, gave a presentation and reminded that the hearing was continued from August 14th to get more information on 4 main areas. Specifically, wanting more information about

- **Exception process - Julia** indicated that Washington County had an exception process to connect a local street to an arterial street if there was not an existing reasonable alternative. She said it could be argued that Bushong Terrace was a local street, connecting to the Elks Property, that could be considered a reasonable alternative to connect to Elwert. Julia explained that by making Cedar Brook Way a collector it eliminated that argument and there would be no need to go through an exception process.
- **Connectivity-** Julia directed the Commission to the memo in the packet dated September 4, 2014 where she outlined the alternatives and impacts as reviewed by DKS. She noted the added improvement to the intersections with options 3 and 4, particularly to the intersection at Sunset and 99W.
- **Access-** Julia indicated that there had been questions about access restrictions and rights to property owners to Hwy 99W. She said Hwy 99W was an Oregon Department of Transportation (ODOT) facility and it would be their call; they could permit temporary access points until the new road is available or allow existing accesses to remain until property redevelopment. Julia remarked that it did not mean everyone had to close their access if the road was constructed but she had seen it happen in the past. She said DKS could clarify regarding the reservations of access.

- **Funding options-** Julia referred to the information in the memo that provided information about the funding for the road, the SDC credits, and Washington County Transportation Development Tax credits. Julia acknowledged that not all of the questions were answered for the property owners, that people want to know where the road was going to be, how much it will cost and who would pay for it. She said these questions were not answered through a TSP Amendment. Julia advised the Planning Commission to consider recommending to City Council that additional staff resources be dedicated to explore this in greater detail and commented that it would help address the property owners concerns in greater details.

Julia reminded that the Transportation System Plan (TSP) was a 20 year plan showing the transportation system as a whole system that included pedestrians, cars, bikes, and all modes of transportation. She explained that when a new development came in, the City looked at how that development impacted transportation and if improvements would be required. To show context, Julia showed a map of TSP conceptual connections that displayed intersections and areas to improve on a map and compared it with the way actual development occurred. She explained that the TSP was a conceptual guide that helped identify where road connections might be, but it was not until the properties developed that the actual road alignment necessary to support a development occurred.

Julia reviewed that the TSP amendment proposal was to change the classification of Cedar Brook Way from a local street to a collector street, to clarify that Cedar Brook Way was intended to connect between SW Handley Street and Elwert Road, and to confirm that there would be one access connection to 99W from Cedar Brook Way somewhere in the vicinity of 990 feet from each of the intersections at Sunset Boulevard and Meinecke Parkway. The full access, right in/right out would be determined at a later date based on development, need and ODOT input. Julia said that the actual proposed amendments to the TSP were to change the Functional Classifications Map, change where the right-of-way is planned and those intersections, and change the Local Street Connectivity Map.

Staff's recommendation was that the Planning Commission consider the additional information provided and consider forwarding a recommendation for approval to the City Council at the October 2, 2012 meeting.

Chair Allen asked if there were any questions for staff.

Commissioner Copfer asked regarding the written testimony from the Clauses. Julia responded that the note was requested to be entered into the record (See Planning record, Exhibit I). She said that staff does not disagree with most of the content of the email dated September 4th, 2012 (See record, Exhibit H) and stated that the TSP was a condition of the realignment nor was there anything the record that stated it was.

Chair Allen clarified the exhibits received:

Exhibit H – Email from Jim Claus dated September 4th, 2012

Exhibit I – Hand annotated document

Exhibit J – Written testimony from Jim and Susan Claus dated September 11, 2012

Chair Allen asked for testimony from DKS regarding the access rights off of Hwy 99W.

John Bosket, with DKS Associates referred to the third paragraph on page five of the June 28th memorandum from DKS (See Planning record, Exhibit B) where it states, "*In review of existing access rights along the northwest side of Hwy 99W with ODOT staff, there are no reservations of access that could*

be used to establish a new public street connection.” Mr. Bosket commented that there was some confusion that there were no reservations on the northwest side of 99W, which was not true. He said there were reservations of access to a number of the properties in that corridor, but that when he discussed the use of those reservations of access with ODOT for the purpose of locating a new public street connection, ODOT indicated that none of the access reservations could be used for a street and the rights could not be extended to the City in that way. Mr. Bosket repeated that the reservations existed, but they could not be used for a public street.

Chair Allen asked what can the reservations could be used for. Mr. Bosket responded that they could be used for a driveway to a private development. Chair Allen remarked that ODOT would allow the accesses to be used as driveways for each property, but could not be consolidated to a create street. Mr. Bosket responded that ODOT was generally supportive of the concept of creating a new public street, as shown in the diagrams, but the City would have to go through a process with the state to get their own reservation of access and not use one of the existing ones. Chair Allen asked if it was a big deal to get the access. Mr. Bosket responded that it was, but given that ODOT was supportive it would probably not be that big of a deal and would likely come with conditions. He specified that if Cedar Brook Way was identified as a collector in the TSP the possibility would increase because ODOT’s administrative rules support a collector as a benefit that would give access rights.

Chair Allen asked for public testimony.

Joe Broadhurst, Sherwood resident, and property owner in the area, commented that the staff had worked hard to address the issues that he had. He said he did not see how it would hurt the property owners to have the action done. He commented that Option 3 was the most logical option and Option 4 as an intersection that crossed the highway would be the best for the properties in the long run but not what he wanted.

Mara Broadhurst, Sherwood resident, and property owner in the area, thanked staff for the extra time it spent addressing questions. She said that they had been trying to do this for a long time and appreciated efforts to put some attention on the area and find a cooperative way to move something forward. She said it was a nice part of Sherwood and it would connect well with the rest of the city.

Jim Claus, Sherwood resident, and property owner in the area, commented that it was not a legislative hearing, but a quasi-judicial hearing, according to the City Manager and the Community Development Director. He said he was told it could be appealed to LUBA. Chair Allen said he understood it was legislative because they were making a recommendation to the City Council for adoption.

Paul Elsner, City attorney, stated that it was a legislative matter. Julia Hajduk said it could be appealed to LUBA.

Mr. Claus repeated that City Manager, Joseph Gall, and the Community Development Director, Tom Pessemier told them earlier in the week that it was a quasi-judicial hearing. Chair Allen responded that he did not know what Mr. Claus had been told, but that it appeared to be inaccurate.

Mr. Claus commented that he was told by staff that this was a twenty thousand foot view of Cedar Brook Way. He said he had suggested that the five land owners involved have a meeting to find out what they prefer and what that would do. He said he understood that Mr. Broadhurst did not want to attend a meeting. Mr. Claus commented that the Planning Commission had an interesting problem in front of them and with the five landowners, changing the configuration of Cedar Brook

Way and what was done with access Oregon on Meinecke. He commented on having no details for infrastructure or cost and said the City Engineer told him there were four to five solutions for infrastructure, but he had not been asked to do any of them. Mr. Claus asserted that a district with erosion problems and water that had to be treated from close to five acres of road would be created. He spoke about how those calculations should be made and said it would amount to millions of gallons of water. He said the infrastructure, amount of water, and sewer were not being studied.

Mr. Claus commented that another problem was in a letter he received from the Community Development Director that told him he could not put gravel on his property, but that adjacent properties have massive graveling and water runoff with Mr. Doyel as the most recent one to do that. Mr. Claus said he did not understand what the City was doing and said if there was a development plan that would work staff comes up with a squiggle on a map and development stops. He commented on DKS' mistake that the Broadhursts did not have reservation of rights which meant he could not enter the highway and neither do the Elks or Doyel because they sold them. Mr. Claus said everything would stop because there are three deeded ingress and egresses that have been litigated with ODOT over.

Mr. Claus suggested the City was transparent because this forty acres would compete with Langer and commented on trading zoning to PGE for a right-of-way, System Development Charge (SDC) credits given to the Langer property, and development if his property.

Mr. Claus related that he had been trying to develop for eight years and when they were finally got ready to develop the roads have to be changed. He asked for an explanation of why his and the Shannons property was involved when the Broadhursts and the Elks had sold the reservation of rights. He said the exception from ODOT would take three to five years but would probably not receive the exception for them to enter the freeway. Mr. Claus commented that if they Planning Commission wanted to forward information to the City Council they should get the five land owners in the room and ask them what they want, develop a partial development plan and get something that will work for us. He said the Commission had the power, but the Commission was informational only and the City Council would not listen anyway.

Susan Claus, Sherwood resident, and property owner in the area, asked for the aerial of Cedar Brook Way to be projected onto the screen. She commented that it was the first time accurate information had been heard about the reservation rights associated with specific properties. Ms. Claus said she and Mr. Claus owned three of those accesses and Mr. Broadhurst, Dr. Doyel and the Elks did not have any. She commented that the problem was that the City was proposing a road that the highway access would have to be applied for to ODOT. Ms. Claus asserted that the proposed amendment was accessing the highway and if the access was not through a city owned street it would be off of one of their deeded accesses. She commented that the troubling thing, and her main objection, was that Mr. Broadhurst did not have an access but the City was talking about putting the access on his property. Ms. Claus stated she had three accesses before that point in the road and there is only one point of access that the staff is trying to call out somewhere 990 feet from the property. She said she did not think they were receiving fully accurate information and staff was giving the impression that the City was free to do what it wanted with the road.

Ms. Claus commented on not being able to talk to staff until the Monday before the hearing when they had attempted to schedule time with staff since the last hearing. She expressed that she did not think should include landowners who don't have true access and were working with staff to take her accesses. Ms. Claus did not like the idea that deeded access could somehow be put on a neighbor's property that does not have the legal right because of a TSP amendment. She asked what that

meant for proportionality and said the Community Development Director had said that every property has to shoulder the burden for the road. Ms. Claus related that she had asked him how that was done when Ken Shannon had seven acres of a narrow property and [the Clauses] have six acres of a fuller property; less acreage but more expense.

Ms. Claus commented that there are provisions in the code for special reimbursement districts that were definable and something that could be done. She said she did not like that pushing forward on something that could have solutions and she did not think it was appropriate to move forward with inaccurate information in the record. Ms. Claus commented that if the Planning Commission moved the action forward, as an advisory only board, her experience was that the mayor would push the action forward. She said the record would not be there and she would not have the ability to get the information into the record and LUBA would say she should have done it at the local level. Ms. Claus asserted it was a false process if the records cannot be accessed and the ability to get the record in a timely manner is compromised. She said the Planning Commission was taking something associated with their property rights without them being part of the process. She asked not to move the action forward to the City Council, because the mayor would assume it was aired at the Planning Commission level and move forward with the recommendation which would lead to litigation. Ms. Claus commented that it was ridiculous that a family who was trying to be cooperative was shouldering the property right that is being taken. She asked the Planning commission to leave the record open.

Mara Broadhurst asked to fill the remainder of her time. Chair Allen responded that respondents were not generally given more than one opportunity to testify.

Eugene Stewart, Sherwood property owner commented that he had contended about there not being a citizen's involvement committee and this was a perfect example of why one was needed. He said if there had been a citizen's body before the Planning Commission perhaps a lot of this could have been solved before it came to the hearing. Mr. Stewart asserted that there seemed to be a lack of communication to come up with an accurate decision and said he felt that the City was not in compliance with goal one because he did not feel that the Planning Commission could be considered the citizen's advisory committee unless there was a letter form LUBA that has given the City permission for the Planning Commission to be the citizen's advisory committee. He said the citizen's advisory committee panel should have reviewed the action and provided a recommendation before it came to the Planning Commission.

Mr. Stewart added that he has watched 99W grow from two lanes to four lanes and it was getting more clogged all the time. He said one of the things that should be looked at is how to get traffic around Sherwood, but nobody seems to want to sit down and think about that. Mr. Stewart commented on his dad taking fifteen minutes to get to work, from Sherwood to Portland, at the PGE building where OMSI is now and there was one Stop sign to the freeway. He said it seemed like we keep putting more load on the streets that cannot hold it and don't look at the fact that maybe we should be trying to develop more commercial so people do not have to commute as far to work. Mr. Stewart asked what the City did to try to get away from some of these problems. He suggested that there needed to be more discussion on the amendment and said there was not enough information. Mr. Stewart commented about a street on the TSP near cannery way that did not happen and asked why it was put on the TSP if the City did not want it to happen. He advocated for the whole TSP to be updated and not to take parts at a time because what needs to be done may be overlooked.

Chair Allen closed the public testimony and asked for any staff comments.

Julia remarked that the TSP shows roads that are there now. The City was not proposing a road that was not already in the Plan, we are trying to clarify the road classification. We are looking at doing a more comprehensive Transportation System Plan update in the next year or so, but with the realignment potential of the Kruger/ Elwert Road intersection we wanted to try to answer the question of whether or not Cedar Brook Way was a collector, if and how there would be a connection to Elwert Road, and to facilitate development in this area to help the area develop so there is more jobs and commercial in the southern end of Sherwood.

Chair Allen asked for questions from the Commission for staff.

Commissioner Clifford asked to verify that the existing Cedar Brook Way was designated as a collector street. Julia confirmed, but said when at Handley Street it is unclear what the designation is.

Commissioner Cary asked if the decision would have any effect on the deeded accesses to 99W to the properties. Julia said it would not. Commissioner Cary asked if the decision effected how the property owners could develop their property. Julia said that it could and said when the property is developed ODOT, Washington County, and the City would add their voices to the decision and hopefully the impact would not be a negative one. She explained that the amendment clarified the functional classification which indicated the SDC credits available. Commissioner Cary said the intention was to put a road through there, but the amendment was to determine if the road was a collector or a local street. Julia confirmed.

Chair Allen spoke of the Elks property. He hypothesized that the amendment was to amend the TSP to clarify a road connection on Elwert that looped around and connected to Bushong Terrace (he said to forget about Cedar Brook Way). Chair Allen said the effect of that would be that when the Elks (the property owner) came forward with a development plan there would be all of the usual processes that the City and Planning Commission went through, plus Washington County would need to decide on the connection to Elwert Road, because it required an exception from the County for connection. Chair Allen explained that the TSP showed the desired future condition, but when development came in there was a required process within the City. He added that if Washington County did not allow the exception then there would be the need to go back and figure out an alternative access.

Julia confirmed Chair Allen's scenario and added that there have been pre-application meetings regarding the Elks property with similar comments from the County. She said the realignment of the intersection helped, but the larger issue was a local street connecting to an arterial street and access spacing issues. Julia explained that even though that was shown in the Transportation System Plan, the County still had significant concerns about a connection of the local street to Elwert Road. She said there had not been any formal application as a result of the uncertainty.

Chair Allen commented that the word "clarification" implied that the City was trying to do something that had been unclear, but the amendment had some added change. He said to him the choices to be discussed were:

- Whether the Cedar Brook Way connects through the Elks property and to Elwert Road
- What is the street level of Cedar Brook Way
- Does Cedar Brook Way connect to Bushong Terrace under either circumstance

Julia said the proposal would be that the TSP showed a collector street from Handley Street to Elwert Road and that Bushong Terrace remained a local street. She said whether or not the local

street could be extended would be reviewed at time of development. Julia indicated that at times there are situations where a local street is shown, but because of topography or existing development issues the plan changes. She gave Redfern as an example.

Receiving no other questions, Chair Allen stated they were ready to deliberate. He referred to the letter from the Clauses asking for a two week extension based on new information (see Planning record, Exhibit J). He asked if the Commission was interested in extending or if there was enough information to make a decision.

Commissioner Griffin commented that the issue had become complicated, because it was placing a road over five different property owners. He said he saw many levels of complicated and he understood that the Transportation System Plan was a plan, a roadmap, and a guideline and the Commission had seen examples where a proposed TSP road had changed because of development. He said the connectivity remained, which was the goal. Commissioner Griffin read a portion of the staff memo dated September 4, 2014, *“having the residential areas able to access the commercial areas without having to travel over the arterial road network is consistent with the intent of connectivity”* and said that the area had little connectivity and as Sherwood gets bigger the “spider web” has to grow a little. He said the City’s intent was valid and should make the plan to identify where the roads might go and move forward with that plan. Commissioner Griffin said he had no idea what to do regarding accesses and the Clauses would have to figure that out. He said what he heard from DKS confused him; whether property owners had access or not, but it was not the kind of access that ODOT wanted to use. Commissioner Griffin expressed that the Commission needed more time to straighten out the information.

Paul Elsner explained that the access rights for the properties by their reservation of rights were a certain width and in order to have a street, a greater width was needed. He said combining them did not get to that larger access, just combining three separate parcels; combining did not expand the rights collectively the accesses stay their individual widths.

Mr. Elsner compared it to an easement. He said if an easement to cross his property by foot was granted, but driving a semi-tractor over it was wanted, then there is no right under the terms of the easement given. Mr. Elsner made clear that what ODOT was saying was that in order for a street to be created a condition may be to extinguish those access rights, which the City can do if they exercise condemnation, if need be, unless they can purchase the accesses outright.

Commissioner Griffin said that helped his understanding and went on that the right to build a driveway may be there, but the right to build a street was not and ODOT will not accept the driveway. Commissioner Griffin expressed his discomfort in moving forward and said that his big issue how the plan would deviate because of development.

Commissioner Copfer agreed that it was a plan and said there were many decisions that can change the plan when development occurs. He said there was an existing extension and the Commission had the information to move forward on a plan.

Commissioner Clifford added that based the documents, an understanding of the Planning Commission’s roll and what will happen with development he was comfortable with recommending approval.

Commission Cary commented that it was a bird’s eye view that was a conceptual plan. He said he thought the Commission could make a recommendation with the information provided.

Chair Allen responded that he did not hear a lot of energy for continuing the hearing and wished to move forward with the discussion. He suggested breaking the proposal into three pieces:

The first piece was should the City take the existing road that currently on the TSP and clarify the designation as a collector. He asked the commission for any concerns. None were received.

The second piece was does the City want that collector road to connect to Elwert Road through the Elks property. Commissioner Griffin submitted that by doing so the Commission was reconfirming what the TSP already showed. Chair Allen asserted that reasonable people could disagree about what the TSP already showed and the Commission should simply decide if the collector should connect to Elwert Road or not. Commissioners Copfer, Clifford and Cary said the road should go through.

Commissioner Griffin commented that connectivity was the right thing to do, but he did not know if the roads were where they should be drawn. Chair Allen replied that it was a valid point and the convention with dashed lines was to show the general area where the connectivity would take place. He said that similar to the drawing versus the actual, a developer will come in and make an actual proposal, and the locations of roads may dramatically change. Commissioner Griffin responded that if a road does go through when development occurs then it should be connected.

The third piece was that if the Cedar Brook Way was to be a collector that should go through to Elwert Road, did the Commission want to say anything about Bushong Terrace connecting to Cedar Brook Way. Commissioner Griffin asked if there were topography issues because of the slope. Commissioner Copfer commented that it was the developer's decision. Commissioner Griffin asked if it was something the Commission was recommending. Chair Allen responded that he thought it was a part that needed to be clarified, because his own recollection and read of the document was that the TSP originally envisioned a local street that connected from Bushong Terrace to Elwert Road, having nothing to do with Cedar Brook Way and permissions from Washington County. Chair Allen asked if the City wanted the connection from Bushong Terrace to still remain now that the rest had been changed.

Commissioner Cary related that the connection should be there conceptually, but he did not feel he had enough information to make that recommendation. Chair Allen stated the City had a plan that was a vision of how connectivity would work; recognizing that an actual application would come in that may be different and the Commission would review it based on the code at the time. Commissioner Copfer commented that from a TSP standpoint he saw the connection to Bushong Terrace as another positive for connectivity and from a planning standpoint connectivity into Cedar Brook Way was good. Chair Allen asked if there were any concerns with that level of specificity.

Commissioner Clifford said he recalled an option in the record that if a road was feasible then an option for pedestrian access or trail system would be put in. Chair Allen said the City would require connectivity and a developer could propose pedestrian connectivity and the Commission would be able to go over it in the review process.

Julia confirmed and said in the Code and the Regional Transportation System Plan required connectivity and street connections. She explained that where it was not feasible to extend a road, due to topography or existing development, the pedestrian connections were still required.

Chair Allen asked Commission members and staff if there were any other issues. Commissioner Griffin replied regarding the item to confirm one access connection to 99W from Cedar Brook Way.

Chair Allen stated that the current TSP showed one access and asked if any Commission member had an interest in showing something different. Commissioner Griffin said that according to ODOT it did not sound like the City had a chance to say it would be different. Chair Allen said that in his mind it was the same as what was outlined with Bushong Terrace and the Elks property if it was not connected to Cedar Brook Way. He said the plan would show a connection which would be contingent upon approval. Chair Allen related that the TSP would show what the City would like the condition to be and when a development proposal came in there is an approval process to go through.

Chair Allen asked for a motion specifying those questions unless there are any other issues.

Motion: From Commissioner James Copfer to forward a recommendation of approval to the City Council for PA 12-03 Cedar Brook Way TSP Amendment based on the applicant testimony, public testimony received, and the analysis, findings, and conditions in the staff report to include the classification of Cedar Brook Way as a collector, to have Cedar Brook Way connect between Handley Street and Elwert Road, also the connection from Bushong Terrace and one access connection from 99W from Cedar Brook Way. Seconded by Commissioner Michael Cary. All Present Commission Members Voted in Favor (Vice Chair Albert Commissioner and Commissioner Walker were absent).

Chair Allen called for a recess at 8:20 pm, reconvened at 8:25 pm, and moved on to the next agenda item.

8. New Business

a. Sherwood Town Center Plan Update

Julia Hajduk, Planning Manager said the Planning Commission was acting as the Sherwood Town Center Plan Steering Committee and staff wanted to update the Commission on the before the open house.

Julia indicated that the consultants had prepared the Existing Conditions Report that included opportunities and constraints and a vision statement had been drafted. She said there would be a Technical Advisory Committee (TAC) meeting with effected agencies and departments; ODOT, Washington County, TriMet, Clean Water Services, Metro, and representatives from the cities of Tualatin and Tigard on September 12, 2012.

Julia said Commissioner Griffin was the liaison to the Stakeholder Advisory Committee (SAC) and Commissioner Clifford was an alternate. She explained that they would meet with the consultants and talk in depth about the existing conditions, vision statement, and interviews for Stakeholder Advisory Committee members.

Julia wanted to give the Commission an opportunity to review the Existing Conditions Report and see if there were any red flag issues that the Commission wanted staff to carry to the Stakeholders Advisory Committee. Julia explained that the SAC and TAC were providing comments and guidance to refine the materials for the open house on October 3, 2012. After the open house, staff would come to the Steering Committee to share the information that was received from TAC, SAC and at the open house for the Steering Committee to provide guidance on the project.

Chair Allen asked Julia to go through the highlights.

Julia said the vision statement should be consistent with what the City decides for the boundary and plan.

The vision statement said “Sherwood Town Center is a lively, safe and beautiful place that embodies the best of Sherwood, a family friendly community, with historic roots that enthusiastically plans for a bright future. The Town Center is the focal point of community life and commerce. Neighbors and visitors come together here to eat, shop, work and play. The mix of housing, restaurants, shops, parks, natural areas and public gathering spaces that front vibrant tree lined streets, supports existing businesses, and attracts new businesses and visitors. Getting to and around the Town Center is easy whether you are traveling by foot, bike, skateboard, on a bus or in a car”.

Chair Allen asked for thoughts on the vision statement.

Commissioner Clifford commented that there was a big opportunity to include Old Town in the vision. He asked if there was an evaluation of how the new streets in Old Town impacted seasonal and yearly visits to the area. He expressed that the Robin Hood Festival and Cruisin’ Sherwood were great events and he saw the streets as having developed to accommodate those activities. He inquired if there was anything else bringing people to walk the streets of Old Town. Julia responded that she was unaware of a detailed evaluation. She asked the Community Development Director for his thoughts. Tom Pessemier replied that no quantitative analysis had been done when the plan was put in place in 2000, but the area was considered blighted and that is why the Urban Renewal District was formed. He said it was the Urban Renewal District that has paid for those and a number of other improvements. Tom supposed that there were a lot of things that go into making an Old Town vibrant and good streets were one of them. He said he thought there had been some successes with the McCormick Building and the Old Town Lofts being built and according to the developer it was because of the promise of new streets. Tom commented that Symposium Coffee was doing well in Old Town, but there were other coffee shops were successful when the plan was envisioned. He added that it was a work in progress and the whole idea behind an Urban Renewal District was to remove blight and provide economic development opportunities. He said Capstone was beginning to invest money into areas developed through the Urban Renewal District. Tom concluded that the Urban Renewal District was a thirty year plan.

Chair Allen added that there had been improvements to existing buildings in Old Town through the façade grant program. Tom agreed and explained that the façade grants were a shared 50/50 cost.

Commissioner Copfer asked who wrote the vision statement. Julia answered that it was a combination of the consultants and staff based on the vision statement from the Economic Opportunities Analysis and thoughts that Sherwood was family friendly. Commissioner Copfer commented that it was well written and he liked the way it described Sherwood. He commented that the arts were not mentioned and remarked that the Town Center and city projects would help bring new small business owners and help the existing business owners.

Chair Allen related that there was nothing wrong with the vision statement, but he thought it might be an interim vision statement until specific locations were identified. Julia agreed. She said that a location was not pre-supposed and that was a challenge. Julia said the statement could be more articulate with details as the process became more defined.

Commissioner Copfer commented that the draft was a great descriptor of what was happening in Old Town and not over at Six Corners. Julia asked if it could be envisioned for the area by Albertsons and what needed to be done to make the vision a reality. Discussion followed.

Chair Allen asked if the Commission would have an opportunity to come back to the vision statement. Julia confirmed.

Julia said that the location of the Town Center was the “million dollar question” and it was hard to develop a plan the location had not been identified. She explained that the bulk of the existing conditions report looked at the whole study area, transportation, and land use restrictions. Julia suggested the Commission focus on the opportunities and constraints and reported hopes that the open house would glean people’s thoughts on where the town center should be. She questioned of what is already vibrant and working should be reinforced or if the plan should try to make areas more vibrant. She asked for thoughts on the opportunities and constraints.

Chair Allen commented on the area around the PGE property with the bones of a grid street system, the pass through at the Albertsons parking lot and the “largely undeveloped” property at the theater in the form of parking and said they were different pieces of the Six Corners area. He spoke about grayfield development where you take low density commercial and figure out how to turn it into something that looks more like a neighborhood business district. Chair Allen suggested that on the one hand there were opportunities to shape a different kind of development and housing opportunities and on the other hand that would compete directly with Old Town. He asked if they were mutually exclusive or if both could be done. He remarked on pushing the envelope for Six Corners and asked for comments from the Commission.

Commissioner Copfer commented on Santana Row in the San Jose, California area that was a shopping district with some residential built in. He recounted that they had live music and public areas in one town center area that attracted a lot of people and said it would be cool to see something like that in Sherwood.

Commissioner Cary said he was trying to envision the concept and asked if the development would be bringing in larger businesses, smaller business or a combination of both. He asked if it would entail multi-story building and said those answers would help define the project.

Julia responded affirmatively and said the Town Center should be the vision of what the citizens wanted. She specified that a metro town center was traditionally a mixed use residential area with commercial, housing, and storefronts with retail and offices. Julia asked the Commission where they saw that following that definition and clarified that there were all sorts of different kinds of functioning town centers across the region that did not fit perfectly into that mold. Julia requested input on where to focus on the plan but not competing with Old Town. Discussion followed.

Commissioner Cary asked regarding funding for the development of the Town Center. Julia responded that the funding for the plan was coming from the state and if the City identified specific public investments they would be paid for by the public and private development would contribute as development occurred. Commissioner Cary asked if the Cannery was publicly funded and was informed that it was funded through the Urban Renewal Agency (URA).

Chair Allen added that the City could adopt a plan that was not very different from what normally occurs and driven through standards or the City could do something that was a real game changer, but would need to have certain parts of the plan built or it would not come together.

Commissioner Copfer commented that if Six Corners was the town center it would directly compete with Old Town and he thought the City had made huge strides towards a town center in Old Town.

Tom Pessemier added that Bend, Oregon was a good example of the concept of a Town Center and when he moved there in 1977 the downtown was the place to be and a well-established area with a lot of businesses. Over time a highway came in, strip malls were built along it and downtown Bend dried up. He said a developer created the Old Mill district which was close to downtown, but separated enough that they were not the same. Tom compared those areas to the commercial

district at Six Corners and Sherwood's Old Town. He said there is an ebb and flow back and forth between the two areas and the City could build on the successes and attributes that Sherwood had as well as have more than one town center area.

Chair Allen commented that one of the results of having large single story buildings with a large parking lot was that people get in their cars and drive somewhere to get what they need and he thought that the reason why the City should go through the process of creating a town center plan was that by not using the space wisely farm fields are plowed under to build more houses. To him part of the essential character of Sherwood was the fact that Sherwood was at the edge and to stay at the edge, the space should be used more efficiently than big one-story commercial buildings with a sea of parking. He pointed out that the objective was to figure out ways fitting with the community that enable us to have more in a given area. Maybe it was a couple of stories with residential above, or the traditional mixed use three or four story buildings. He said the constraint was getting extra square footage with respect to the community's tolerance for that intensity of development in the Old Town area.

Commissioner Copfer assented and said the City could keep this little small town center (Old Town) or build a town center. He referred to Santana Row and explained that there was a central park area with retail space below and condos above with a few office spaces. Commissioner Copfer said it was a successful concept that could not be done in Old Town, but was something that could be done at the Six Corners area.

Commissioner Cary commented on having that type of development outside of Old Town, but within walking distance of Old Town so they were connected. He remarked that growth over the next thirty to forty should also be considered while embracing that Sherwood feeling.

Commissioner Griffin recounted that his neighbor told him that anything short of saying the Old Town was the heart and center of Sherwood was a bad thing for Sherwood. He said this was about planning for an area of the city that could be within walking distance, a short bus ride, or a breezy bike ride along the back trails to get to Old Town.

Julia related that the name town center was causing a rift because the public did not want to change where they considered the center of town. She suggested reframing the perception through the vision statement to indicate where the city wanted to focus additional energy or growth. Discussion followed.

Commissioner Cary asked if there were any developers on the advisory boards. Michelle Miller, Associate Planner, replied that property managers for the shopping centers at Six Corners, and business owners and residents within the study area were on the committee. Commissioner Cary commented on being interested in a developer's point of view. Commissioner Griffin reminded that a representative from Tualatin was there and spoke of that city's town center developed over time.

Julia put in that the consultant team had an economist that was providing input on market analysis, market conditions, and redevelopment opportunities and the City may be able to explore that area more.

Commissioner Copfer remarked that the Old Town area was within real walking distance from the Six Corners area and the Century/Langer Drive area and the plan area did not have to be in competition with an old town district. Commissioner Cary said they should complement each other.

Commissioner Clifford commented on the ability to walk in the Six Corners area and creating an environment that connected six corners to Old Town, perhaps recreationally. Discussion followed.

Commissioner Cary suggested an addition to the vision statement in reference to complementing instead of competing with other areas of the city.

Chair Allen asked if there was a timeframe that the Commission should report inaccurate, missing, or vague information in Existing Conditions Report. Julia responded that the report would go to the open house on October 3rd and input should be received before then. She detailed that the SAC would meet on September 12, 2012 and go over the report, but that the Open House would not go into that level of detail.

9. Adjourn

Chair Allen adjourned the meeting at 9:02 pm.

Submitted by

Kirsten Allen, Department Program Coordinator