
City of Sherwood, Oregon
Planning Commission Minutes
May 10, 2005

1. Call to Order/Roll Call

Commission Members Present:

Adrian Emery
Patrick Allen
Jean Lafayette
Dan Balza
Matt Nolan
Russell Griffin
Todd Skelton

City Staff:

Mayor Keith Mays
Kevin Cronin – Planning Supervisor
Gene Thomas – City Engineer
Cynthia Butler – Planning Admin. Assistant

Chair Adrian Emery called the meeting to order at 7 PM.

2. Agenda Review

3. Brief Announcements – Kevin Cronin gave the quarterly report of the Planning Commission Work Program schedule and stated that projects are on track. Kevin said that Metro has developed a new publication, Nature in Neighborhoods on Goal 5 issues & process. Current Planning is very busy with approximately 12 site plan reviews in process. Kevin said that he will be involved in some current planning projects during the interim until a new Senior Planner is on board. The Planning Commission will soon have an opportunity to review an Artist's Loft site plan that will provide an opportunity to review the Old Town Design Guidelines. Kevin stated that a training facilitated by the City Attorney, Pam Beery on Land Use Law is planned for new Commissioners and as an update to any Commissioners that would like to attend. Kevin will arrange to coordinate schedules and set a date. Kevin provided an update on the Area 59 project and said the Project Team will meet May 12th, followed by a meeting with the Citizen's Advisory Committee on May 19th. The Area 59 Charrette is scheduled for Saturday, July 23rd and will be followed by a presentation to the Planning Commission on Tuesday, July 26th. Kevin stated that Staff is currently preparing the record for an appeal to LUBA that the City received regarding the sign permit for the Cox property.

Mayor Mays reminded Staff and Commissioners that there is a tour available of the Wilsonville Water Treatment Plant the next two Saturdays.

4. Community Comments – Jean Lafayette stated that she has received citizen comments that the new 4-way stop at the intersection of 1st and Pine is hazardous due to traffic not stopping and obeying the new signs. Jean suggested better signage, and Adrian Emery agreed that there appeared to be less of a hazard when the portable stop signs were located in the middle of the intersection. Adrian asked Gene Thomas, City Engineer, if the Public Works Department could reinstate the portable stop signs for awhile. Gene Thomas stated that he would follow-up on the issue.

5. Final Review and Comment on TSP Codes (PA 04-06) – Kevin Cronin provided an oral Staff report and stated there were a couple of last minute minor revisions due to communication the City received in a letter from DLCDC. Kevin referred to Page 24, Section 6.304.01, under Location and Design – and stated that he added, “and pedestrian”, after “traffic” to comply with DLCDC’s concern that pedestrian issues were being addressed.

Kevin stated that an additional change was placed under Off-Street Parking, Page 9, Section 5.302.03, based on DLCDC’s request for carpool spaces and to require new commercial development to designate preferred parking for carpools.

Chair Emery asked what the threshold requirements are before employers would be required to provide carpool parking.

Kevin Cronin stated this was an issue that could be discussed this evening, and could be established by either setting a square footage requirement or number of employees.

Patrick Allen asked if there was an Oregon Statute requirement on the number of employees the Planning Commission could consider.

Kevin stated that the Oregon Statute is not clear on a threshold requirement and that local governments are allowed to set those guidelines.

Patrick Allen stated that 20 employees is a common threshold for businesses.

Commissioners agreed.

Jean Lafayette asked if there was an established threshold for bicycle parking.

Kevin said that bicycle parking is based on square footage.

Kevin stated the changes are consistent with the recommendations from the Planning Commission at the last hearing. Kevin said any remaining requests in the letter received from DLCDC involved asking Staff to make findings for the Plan Text Amendment, which Kevin said that he provided in Staff report that was submitted to the City Council.

Patrick Allen asked to have a copy of the DLCDC letter.

Kevin confirmed he would provide one.

Adrian Emery asked if there were any other questions for Staff.

Matt Nolan asked about covered bicycle facility requirements and referred to Page 8, Section 5.302.03, Bicycle Parking Facilities located under Off Street Parking. Matt said the language previously stated, “it shall be covered either from the main building entrance or separate shelter provided and coordinated with the design of street furniture, when it is provided”. Matt stated that the Planning Commission had requested that covered bicycle parking not be required and that this section had instead been replaced with, “bicycle parking shall be located inside the main building or protected, or otherwise covered near the main entrance. If the two options are

unavailable a separate shelter provided on site is appropriate as long as it is coordinated with other street furniture”. Matt stated that he did not believe this was what was agreed upon at the last Planning Commission meeting. Matt stated that he believed the Commission agreed that the burden of requiring covered bicycle parking was not a burden that we wanted to put upon businesses, and that it would be optional.

Dan Balza said that he read the new language several times and that he thought that it did not actually sound required.

Jean Lafayette said that the word “shall” means to be required.

Kevin Cronin stated that it was his understanding the Planning Commission did not want to require a separate bicycle shelter, which he removed and interpreted the new language to be defined as optional.

Matt Nolan clarified he believed the Commission agreed to remove the requirement of covered bicycle parking. Matt said that the Code presently reads that the City is requiring either inside bicycle parking, protected, or otherwise covered near the main entrance. Matt stated also that what is currently written is likely to be more expensive than what was written previously.

Kevin Cronin disagreed, and stated that he believed the cost would a fraction of the cost if it was being designed as part of an interior space. Kevin also stated that as a result from the Commission’s recommendations from the last meeting to require some sort of front entrance, there would typically be an awning or other covering that would also provide for bicycle parking. Kevin said the shelter is in the language as a final option to meet the standard.

Patrick Allen asked as an example, if a bicycle rack under an awning would meet this standard.

Kevin said that it would.

Matt Nolan used Archer Glen Elementary School as an example and said that bicycle racks at this location are not covered and wouldn’t meet the criteria.

Kevin stated this would not be required unless they redeveloped the site.

Matt Nolan asked if a new school were built would the City require that the bicycle parking be covered.

Kevin confirmed. Kevin said the requirement also offers safety value by providing better level of protection for security.

Matt Nolan said if the City is already requiring bicycle parking to be no further from the main entrance than the closest vehicle parking space, that this should provide the same level of protection as for vehicles.

Patrick Allen said the Commission could provide further comment to the City Council regarding the language on bicycle parking.

Kevin Cronin confirmed and said he would take any further Commission recommendations to the City Council.

Patrick Allen stated it is likely the main building will have some form of covering and that the bicycle parking could be established at that location.

Matt Nolan stated that he disagrees and that the City would be placing unnecessary requirements on businesses.

Dan Balza agreed with Commissioner Nolan's comments.

Jean Lafayette suggested a change in language to the 2nd sentence to read, "**may**" instead of, "shall".

Commissioners agreed.

Kevin confirmed the language would be changed to read, "may".

Jean Lafayette referred to access points addressed on Page 24, and asked if 600 feet should read 900 feet.

Kevin said that 600 feet is correct for county roads and that the Code refers to Hwy. 99 as "being consistent with ODOT standards"(900 feet), and recommends being consistent with county standards in the text.

Patrick Allen suggested amending text under "Access to Hwy. 99", Item #2, sub-section B to read, "notwithstanding any other provision of the Code access to Hwy. 99 W. will be consistent with ODOT standards".

Matt Nolan suggested placing the text regarding Hwy. 99 W. before the text that references county road standards, as the ODOT standards are more restrictive.

Patrick Allen agreed, and suggested relocating Item #2 regarding Hwy. 99 W. ahead of the county road standards text as Item #1, and amending the county road standards text (now Item #2) to lead in as, "direct access to any other arterial or principle arterial....".

Commissioners agreed. Kevin will make the changes.

Chair Emery asked if there were any other comments regarding the TSP Codes, (PA 04-06). There were none.

6. Issue Paper: Historic Preservation – Kevin Cronin provided background information on Chapter 9 of the Zoning Code, Historic Resources. Kevin said this chapter was adopted in 1989 and the last revision was done approximately in the 1990's. Kevin stated the City does not currently have an active Landmarks Advisory Board. Kevin also stated that his research indicates none of the primary, secondary and contributing designations for property inventoried in 1989 were ever land-marked, resulting in current inability for City Staff to protect these

historic resources. Kevin said the Issue Paper submitted to Commissioners provides examples of recent historic buildings that have been lost, and one that Staff was able to save.

Chair Emery asked Kevin for clarification of when the last meeting on Historic Resources was conducted.

Kevin said that based on researched he conducted of the minutes for the Landmarks Advisory Board, and it appears the last meeting was in 1995. Kevin speculated funding may have been a determining factor that the City discontinued the program and stated that perhaps a citizen from the audience may have some information.

Chair Emery asked if long-term Sherwood residents Ode Gribble and Eugene Stewart in the audience would like to share any information on the Landmarks Advisory Board.

Ode Gribble said the last meeting may have been in 1996. Ode also said that in 1993 there were historic preservation standards that she believed had been adopted and discovered a couple of years ago that this was not true. Ode asked about the design standards that went before the Planning Commission a couple of years ago.

Patrick Allen said that approximately a year and a half ago the Commission recommended design criteria to the City Council. Patrick said it is his recollection that it was delayed until City Staff had a tangible outcome product, which is what Kevin Cronin has been working on finalizing.

Kevin Cronin stated this has been finalized and been submitted to City Council and is being submitted to SURPAC next Wednesday for final review.

Jean Lafayette asked if the City Council has adopted the Design Standards for City Staff to currently use with developers.

Kevin Cronin said he is not aware that this was the case.

Patrick Allen said that the review by the City Council was not ever expected to be for the Council to adopt, but that it was a Planning Commission document to provide developers the Commission's interpretation of the Code. Patrick stated that another piece to the process aside from this document, was that the Planning Commission felt there were places in the Zoning Code regarding this issue that should be changed. Patrick said it is this part of the process that has not yet occurred.

Eugene Stewart stated that he believes a Landmarks Advisory Board or Committee should be reinstated, perhaps with an architect on the panel.

Jean Lafayette said that the Planning Commission was presented with three options for specifically addressing the Landmarks Advisory Board: 1) reactivate it 2) dissolve and reassign it to the Planning Commission 3) or create an advisory committee under the direction of the Planning Commission. Jean stated that it is often very difficult to get volunteers and to find volunteers that are consistent. Jean also said that when a layer of government is also added to the volunteer issues it can delay the process further. Jean recommended that if the Code were

modified to designate the Planning Commission as the Landmarks Advisory Board, the Planning Commission could designate a sub-committee if needed. This sub-committee could consist of two or three representatives and possibly an architect.

Kevin Cronin said this is good discussion and other variations are also open to discussion.

Mayor Mayes said there should be at least four representatives on any committee in order to maintain a quorum. Mayor Mayes also stated that it may be a better option that if the Planning Commission were designated to act as the Landmarks Advisory Board, that the responsibility remain with the Commission instead of being delegated to a sub-committee.

Jean Lafayette said that she agreed that on a regular basis this would be the better option, but that her suggestion to create a sub-committee would provide in the Code a process that would allow historic preservation issues to continue, if the Planning Commission were involved in a large ongoing project at the same time.

Eugene Stewart reiterated that citizens in the community input should be included.

Patrick Allen suggested the topic be divided into three categories: 1) identifying, considering and promoting any buildings that should be designated as historic landmarks 2) advising the Planning Commission on what changes should be made to design standards in Old Town 3) reviewing individual projects. Patrick said he does not believe there should be another review body to review individual projects. Patrick stated that multiple committees would not be conducive to clarity in the Code that currently comes from review by the Planning Commission. Patrick also said a separate Landmarks Advisory Board would be ideal for addressing items #1 & #2 above, and for providing advice to the Planning Commission. Patrick believes this would be an effective way to bring historic preservation and Old Town issues to the Planning Commission for project review, that have been thoughtfully considered by the Landmarks Advisory Board.

Kevin Cronin addressed the streamlining process for development to achieve design standards and suggested an urban form-based code, versus typical site plan review criteria that looks at prescriptive standards. Kevin said that a form-based code would streamline the development process and also clear any miscommunication in the current Code.

Jean Lafayette asked for clarification of form-based code.

Kevin said that a form-based code would show the allowable bulk mass, architectural elements, and different forms in terms of the building footprint in relationship to the rest of the site, which are communicated by various architectural drawings used to convey design standards.

Patrick Allen asked how our current Code resembles a form-based Code.

Kevin said that in his opinion the current Code is not similar to a form-based Code. Kevin stated that most jurisdictions do not have a form-based Code. Kevin said that our Zoning Code is huge and a form-based Code is about 10-12 pages, is all contained and regulated by form over use or function.

Patrick Allen said he was speaking specifically about the Old Town Overlay, and gave an example of regulation such as, “buildings should reinforce the corner”, and asked if this is an example of form-based Code.

Kevin confirmed.

Patrick said that the above example provides suggestions, but not lists on how to reinforce the corner.

Kevin confirmed and said that it is prescriptive in text and not illustrative on the parameters for reinforcing the corners.

Patrick said that there is a combination of suggested alternatives and illustrations in the Design Handbook.

Kevin said this is a huge step forward, but he still sees a gap.

Patrick asked how “buildings should reinforce the corner” be communicated in a form-based way.

Kevin suggested that he provide examples of form-based Codes in another meeting.

Commissioners agreed this would be a good idea.

Kevin stated that he agrees that establishing the Landmarks Advisory Board would be a good idea and supports the discussion by Commissioners.

Mayor Mayes [inaudible] *notes indicate the Mayor reiterates the need that the Planning Commission be the source of review for the Landmarks Advisory Board functions versus a committee-based review process, and to keep within the timeline requirements for projects (120-day rule).*

Eugene Stewart [inaudible] *notes indicated Mr. Stewart reiterates that he feels the Landmarks Advisory Board should be made up primarily of citizens and suggests that the Board could bypass the Planning Commission and bring their findings to City Council.*

Jean Lafayette read from the Code regarding Landmarks Advisory Board, “any site plan review for a designated landmark or designated historic district, the Board shall be provide formal written recommendations to the Planning Commission prior to the Planning Commission’s decision...”

Patrick Allen stated that the City wants to promote increased economic vitality and development in Old Town, and that the development needs to consistent with the vision of the community. Patrick said the process for development in Sherwood could potentially involve requiring developers to present their project before the Planning Commission, SURPAC, Landmarks Advisory Board, and the City Council. Patrick stated that he finds it difficult to understand why a developer would want to go through that process. Patrick said to streamline the process the

Code needs to reflect what the City wants and be the reference, so that multiple processes and individual opinions are removed.

Jean Lafayette asked Kevin if Patrick's recommendation to modify Chapter 9 is a huge undertaking.

Kevin confirmed that it is a substantial undertaking and suggested revisiting the issue after the TSP is complete and the Area 59 Urban Growth Boundary project is further underway.

Patrick Allen suggested a 2-step process and stated that the 1st step may be less labor intensive. Patrick said the first Code changes could be to the definitions and work scope of the Landmark Advisory Board, which would not be as intensive. The second step could be to determine Board members and work with them on developing a set of recommendations for Code changes, which would be much more labor intensive.

Chair Emery asked Kevin if beginning this process was a possibility for Staff in the near future.

Kevin Cronin stated that due to current projects and staffing it could be approximately 3 months out, possibly the end of August.

Jean Lafayette asked if an interim solution could be to reactivate the Landmarks Advisory Board and the Planning Commission adopt its own policy statement.

Patrick Allen said the Planning Commission should wait for more research from Staff and discussion in the following months.

Mayor Mays agreed and said this would also allow time to review any legal requirements.

Kevin Cronin stated that the process would also need to consider budget accommodations.

Patrick Allen said he would like to see a list of buildings designated on the National Registry.

Mayor Mays said the City owns 4 primary properties.

Kevin stated that it is documented that in 1989, 146 were reviewed, but he did not find any recommendations from the Landmarks Advisory Board during that time. Kevin said it would be necessary to identify primary versus secondary properties and the provisions to comply with these designations.

Commissioners agreed to defer the issue approximately 3 months for Staff to have time to review items discussed and bring issue back to the Planning Commission.

7. Next Meeting: Commissioners will skip the May 24th regular meeting time due to multiple conflicts for time among members, and resume on Tuesday, June 14th.

8. Adjournment - Chair Emery adjourned the session at 8:25 PM.

End of Minutes