



**City of Sherwood
PLANNING COMMISSION**

**Sherwood Police Facility
20495 SW Borchers Drive**

November 16, 2004

Regular Meeting - 7:00 PM

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Brief Announcements**
- 4. Community Comments** *are limited to items NOT on the printed Agenda.*
- 5. Public Hearing (Continued from 11-02-04)**
 - A. Sherwood Transportation System Plan:** Staff and consultants will be available to discuss the proposed Transportation System Plan (October 2004 Draft). A public hearing was noticed previously to accept public testimony. *(Kevin A. Cronin, Senior Planner, Planning Department)*
- 6. Comments from Commission**
- 7. Adjournment**

Lloyd & Irene McFall
21805 SW Pacific Hwy.
Sherwood, OR 97140

November 16, 2004

TO: The Sherwood Planning Commission Members

Re: 21805 SW Pacific Hwy., approximately ten acres of land zoned HDR (High Density Residential)

Dear Members of the Commission:

My wife and I are in our 80s and have just today become aware of the draft Transportation Plan that you are working on. We do not have a copy of the Draft of the plan but have seen some drawings showing a road and other improvements that we believe will significantly negatively impact our property.

We would like to request that your commission continue this hearing and keep the record open so we have a chance to look at this Draft transportation plan and make comments to your board as part of the public hearing process. We also believe that our property as a result of this plan may also be landlocked.

I have served in Sherwood City government many years ago and I know that it is important that the Commission listen and help property owners understand how proposed plans and regulations can impact their property.

We are tax payers in Sherwood and I am also concerned about how our property is being impacted by the proposed Draft Transportation Plan given the recent passage of Measure 37.

Thank you for your time. Please let us know how we can get a copy of the Draft transportation plan and the other associated documents.

Sincerely,


Lloyd McFall


Irene McFall

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
November 16, 2004

1. Call to Order/Roll Call

Chair Adrian Emery called the Planning Commission meeting to order at 7:00 PM.

Commission Members present:

Patrick Allen
Dan Balza
Adrian Emery
Kevin Henry
Jean Lafayette
Matt Nolan

Staff:

Kevin Cronin, Senior Planner
Heather Austin, Associate Planner
Gene Thomas, Interim City Engineer

Commission Members absent:

Dan King

2. Agenda Review

3. Brief Announcements

Kevin Cronin informed Planning Commission of new city staff- Heather Austin is Associate Planner, Garrett Smith is Senior Planner and Rob Dixon is Community Development Director.

Kevin Cronin addressed staff's preparation of a response to Measure 37. Kevin Cronin and RD are putting together materials to get adopted prior to effective date of December 2, 2004. This will be an amendment of the Municipal Code because it is land use issue but not related to zoning code. Materials will go directly to City Council so City will be able to address claims in case they do come in on the first day the measure goes into effect.

Kevin Cronin sent e-mail memo to Planning Commission regarding the Cannery process to address concerns and offered to entertain questions.

Jean Lafayette complimented Kevin Cronin on getting a memo done so quickly.

Kevin Cronin stated that staff received 9 applications for the Area 59 Citizens Advisory Committee. Interviews will be conducted in short order.

Patrick Allen asked Kevin Cronin if he had a chance to follow up on the comment that was raised at the last TSP public hearing regarding the Citizen's Advisory Committee requirement.

Kevin Cronin stated that he will respond to that during the TSP public hearing this evening.

Adrian Emery stated that the City Attorney had provided advice on the matter.

4. Community Comments

**5. Public Hearing (Cont'd from 11-02-04)
Plan Amendment 04-03 Sherwood Transportation System Plan**

Patrick Allen read public hearing testimony disclosure.

Adrian Emery read statement from City Attorney regarding Eugene Stewart's comments at the last TSP public hearing. "Eugene Stewart provided testimony that the comprehensive plan designates Sherwood Citizens' Planning Advisory Committee as the primary citizen involvement committee as per Goal 1. Mr. Stewart claims that the City is violating Goal 1 by not having the SCPAC review the TSP prior to review by the Planning Commission. The City Attorney provided staff advisory comments on this claim essentially if the City does not have active members of a committee, then performing the requirements, it becomes difficult at best, moot at worst, exposure to an appeal is limited because the City followed Goal 1 procedures and designated the Planning Commission as the Citizens Advisory Committee. It also gives a recommendation that the Planning Commission should have the City Council either activate the body or amend the bylaws and code.

Public Comment:

Eugene Stewart, PO Box 534, Sherwood, OR 97140, addressed the Commission:

Mr. Stewart stated that the only statement he had was that the reason the committee is not functioning is because Planning Commission is not making an effort. According to the Comprehensive Plan, the Planning Commission is directly responsible for the committee's function, following through to make the plan work. Mr. Stewart does not see any evidence of the Planning Commission working to make this committee work. In addition, Planning Commission members are not afforded a vote in the Citizens Advisory Committee. Mr. Stewart stated that he does not believe the Planning Commission is trying to evoke the spirit of the law and that they are just trying to get things done. This is exactly why people do not get involved. The same thing happened with urban renewal, the ideas the citizens gave were not used and therefore input was seen as worthless. Mr. Stewart stated that until public input is actively sought, the Planning Commission is doomed to failure.

Adrian Emery thanked Mr. Stewart for his thoughts and asked Carl Springer, DKS and Associates, to give an overview of the public involvement efforts that have been undertaken in the TSP planning effort, as well as a summary of where we are at this point.

Kevin Cronin stated that when the City Council adopted Resolution 2003-019, it approved the contract with DKS. The contract designated the Planning Commission as the Citizens Advisory Committee. That information was not in the memo from the City Attorney. Kevin Cronin stated that he spoke to Mr. Stewart prior to the meeting and they agree that steps need to be taken to reestablish the Citizens Advisory Committee or do something with it.

Kevin Cronin stated that a summary of the public meetings that have occurred for the TSP can be found in his staff report PA 04-03 for the TSP.

Kevin Cronin reviewed materials Planning Commission has received for the public meeting. Agenda, cover memo addressing public comments heard at the initial hearing Nov.2, a revised Chapter 6 per Jean Lafayette's comments, and a revised comment log.

Adrian Emery asked Carl Springer, DKS and Associates, to address the issue of the 99W Capacity Allocation Program versus the funding mechanism addressed in chapter 10 of the TSP.

Carl Springer, DKS and Associates, Project Manager for the TSP update, stated that he was not at the last meeting because of the birth of his child but that he has had a brief summary of what occurred.

Mr. Springer gave an overview of the Highway 99W CAP. The 99W CAP is not a funding mechanism but rather a control policy to make development conform to performance measures along 99W. These measures were set out several years ago, probably at the last TSP update. A list of projects to be built on Highway 99W was generated at that time as well as specific criteria for which types of development would be under the CAP, specifically commercial and industrial. There were specific limits about how many trips per acre could be generated. Basically it is a control mechanism (the City collects no fees) to make sure that as development comes in, Highway 99W will continue to perform as expected. If it is expected that it will not perform as expected because of a development (for example the Safeway fueling center) the City can specifically require some portion of the listed improvements to be constructed. It is different than an SDC or a TIF because you do not actually collect revenue from it. Quite a few of the projects on the list when this was begun have been built, including most of the improvements on Tualatin-Sherwood Road and 99W. The program is different than any others on the list in Chapter 10 of the TSP because it does not give the City any money, just improvements built by the developer. Based on the new forecasts and findings during this update of the TSP, no additional projects needed on Highway 99W have been identified.

Mr. Springer stated that there are other policies and requirements from the City that make sure state, local and county roadways conform per their own codes. Mr. Springer stated that the CAP is redundant because the policies are in place elsewhere. If the Planning Commission or others in the city chose to do away with the CAP, the impact assessments would still be done and needed improvements would still be constructed.

Kevin Cronin gave a list of items staff would like to get through tonight. First, page 2 and 3 of Jean Lafayette's comments submitted November 2, 2004 so they could be addressed. Page 1 of Commissioner Lafayette's comments were addressed by Kevin Cronin's revisions of Chapter 6. There were implementation issues Jean Lafayette brought up that would not be addressed in the TSP but could be addressed in the code update or some other program element staff will put together.

Kevin Cronin stated that he spoke to Ode Gribble about the Villa Road connection. She was under the impression that, based on the connectivity map, the connection would go from the T-intersection at Park and First whereas Kevin Cronin was under the impression that the connection would go from Villa Road across the wetlands to West Villa Road. Kevin Cronin stated that he would like to get some clarification as to which alignment would be more feasible to recommend to City Council.

Adrian Emery stated that Planning Commission needs to clarify the alignment or even if they will recommend a West Villa connection to City Council.

Kevin Cronin stated that the Planning Commission must make a policy recommendation.

Kevin Cronin stated that Patrick Allen brought up issues of bike improvements and the bike budget at the last Planning Commission meeting. The funding of improvements, mentioned in the cover memo provided to Planning Commission by Kevin Cronin, has the potential to bog down the Planning Commission in fiscal policy when ultimately City Council will make the decision. Certainly the Planning Commission can make recommendations, but this is something the City has been struggling with for years.

Jean Lafayette stated that at the last meeting Patrick Allen asked Kevin Cronin for a comparison of what the City is paying now and what other communities are paying now compared to the funding hand-out provided last time charting estimated SDCs under the proposed funding plan.

Kevin Cronin responded that there is a list of improvements that are recommended as part of the CAP. There are no cost estimates attached to those improvements. There is no budget to pay for those estimates through Hopper Dennis Jellison or DKS and Associates, so Kevin Cronin stated that he was at a loss to get that information.

Patrick Allen asked if someone came in with a project, how would the City calculate the SDC?

Kevin Cronin stated that he is not currently calculating SDCs for the City.

Jean Lafayette stated that this is where her question came up last time, that she thought there was a fee associated with the CAP.

Carl Springer, DKS and Associates, responded that the TIF is a fee (for example, a 100-unit subdivision with a TIF rate of \$2000 times 100 is a fee) whereas the CAP is a tool to get off-site improvements constructed in order to maintain adequate conditions on Highway 99. It was not a specific fee, but the cost of the improvement required is the responsibility of the developer (based on proportional impact). There is no clear-cut way to define what that cost is, it ranges quite a bit.

Kevin Cronin stated that as far as he knows, we have not tracked those improvements on a spreadsheet or some other document, so some significant staff time would be required to go back and review the projects.

Patrick Allen asked about how the CAP compares to other jurisdictions.

Carl Springer stated that if we are switching gears to what a typical city-wide SDC looks like, it is pretty similar to what the County's SDC is at now (approximately \$2700 per house). That is about average for Oregon, it ranges anywhere from about \$1500 up to \$5000 in West Linn for just transportation SDCs. The current Washington County TIF is similar to the level estimated for the City of Sherwood. The county TIF is calculated per house, and the money is collected and kept by the City for construction of transportation improvements in the City. Carl Springer stated that he originally thought the TIF was shared between the City and County and now that he is aware this is not the case, the earlier thinking about the need for a new SDC or TIF should be reconsidered. The mechanism the consultant thought the City needed is likely already in place - the County TIF.

Kevin Cronin stated that Chris Robuck, City of Sherwood Finance Director, reviewed chapter 10 the Planning Commission looked at November 2, 2004 and she confirmed that the City receives all of the county TIF funds. Her comments to that affect were forwarded to the consultant.

Jean Lafayette requested that one more resource be looked at for this. The Safeway Gas Station was the last application to come through and if that project file were examined, a source for how fees were charged (or a calculation) may be found. Jean Lafayette stated that she thinks a price tag was put on the improvements required for the Safeway Gas Station and the file for this application is a potential source of information.

Kevin Cronin stated that getting back to the list of items staff would like to address tonight, there is a process going on through the Washington County Coordinating Committee of all the jurisdictions to ensure that the federal classification that gets updated each time the Census comes out is consistent with the local TSP. Kevin Cronin stated that he does not attend those meetings because of time constraints, but that the committee is looking at the local TSP for consistency with those classifications.

Kevin Cronin addressed a comment Jean Lafayette brought up on Willamette Street for the bike plan. Kevin Cronin came to the conclusion that the City may want to designate a "Neighborhood Route" as a "Bike Route," which would be signed streets without bike lanes or bike paths. This is a common practice in other jurisdictions. These would be lower traffic level streets, safer than an arterial or a collector.

Jean Lafayette stated that she lives in that area and sees that street and the connectivity to the soccer field and the Cannery site and there is not a bike path at all in that area and the sidewalks are very narrow. Jean Lafayette has been pushing the issue for these reasons.

Kevin Cronin stated that the bike route is more feasible than bike lanes because there are significant Right-of-Way constraints along those streets. ROW purchase would be required before a lane could be installed and the route designations are something that could be done now.

Kevin Cronin directed the Planning Commission to Jean Lafayette's written comments on the TSP. Page 1 of the comments are addressed in the revised Chapter 6 of the TSP.

Jean Lafayette stated that her first question on Page 1 is about the Transportation Demand Management mentioned twice in the book but not required by the City. Commissioner Lafayette asked why this is not required.

Kevin Cronin stated that the City should be looking at Demand Management for employers with more than 50 employees (DEQ ECO-RULE), which is reviewing how the company is providing commuting options to employees as far as transit, bike, carpool, etc. Other types of transportation demand management have never been a program element before and would need to be built into the TSP. Kevin Cronin believes it is a policy right now, so if the Planning Commission wants it as a program element it could be added.

Jean Lafayette stated in Chapter 1 of the TSP Table 1-1 says "Transportation Demand Management-Not Required by the City".

Kevin Cronin stated that it is not currently required but that it could be required through either the zoning code or some other implementation strategy or mechanism. It has not been required in the past but the Planning Commission could recommend it to City Council.

Jean Lafayette stated that as we bring in larger areas and employers they should be encouraged to provide alternate transportation options in addition to the requirements required region-wide by Metro.

Kevin Cronin stated that his understanding is that it is a regional policy that should be implemented and monitored by the City, but that this has not been occurring.

Patrick Allen stated that he agrees with the policy but realizes that the downfall of these programs is the monitoring part of it.

Adrian Emery stated that there is no mechanism to fund monitoring.

Patrick Allen stated that in his experience it really pays off to do these programs with large employers (thousands of employees) to change work shifts (start and end times) and other techniques that make a big difference. The returns are somewhat marginal for smaller employers.

Jean Lafayette referred to Goal 1, Policy 4, stating that she would like to add a bullet point that would encourage infrastructure improvement with the least impact to the environment.

Patrick Allen referred to the phrase "environmentally sound alternatives" in Goal 1, Policy 4.

Jean Lafayette stated that that does satisfy her request.

Jean Lafayette stated that one of her thoughts is to allow mitigation opportunities for when a new developer comes in that he would be able to work with the neighbors. Jean Lafayette asked Kevin Cronin if that was the attempt of Goal 3, Policy 13.

Kevin Cronin responded that Goal 3, Policy 13 was to address comments that the Planning Commission had discussed on November 2, 2004 for a policy to encourage or start implementation for addressing existing gaps in sidewalks.

Jean Lafayette asked Kevin Cronin about encouraging storm drain inlets rather than catch basins, which is better for bicycles. This could be added in Goal 4, Strategy 9.

Kevin Cronin responded that he would do that.

Jean Lafayette stated that in a previous meeting, Patrick Allen had brought up transit service from downtown Sherwood to employment centers in Tualatin rather than the transit center in Lake Grove.

Jean Lafayette asked if Goal 6, Strategy 3 “adopt design guidelines for Old Town and Six Corners” should include Six Corners because it is already built-out.

Adrian Emery stated that the strategy was in place because Metro designated Six Corners as the Town Center and that changing the Town Center to Old Town was in process.

Jean Lafayette asked about the requirement to adopt parking guidelines for the Old Town areas.

Kevin Cronin stated that the City complies with Metro’s guidelines.

Patrick Allen stated that the bigger issue for parking is for SURPAC to fund a parking strategy for Old Town including inventory and needs assessment.

Jean Lafayette stated that the rest of her comments are policy questions. For example, the Cannery site- when development occurs there, what flexibility does this code offer for rezoning.

Kevin Cronin responded that the TSP is such a broad brush approach that project specific questions should be answered at the advisory committee level. Kevin Cronin does not foresee problems.

Carl Springer stated that a TSP amendment would need to occur if the assumptions of the TSP were proved wrong on a case-by-case basis.

Kevin Cronin responded that the density would have to increase at an enormous rate to blow out assumptions and forecasts for the area.

Carl Springer stated that the change would indeed have to be great to require a change in the assumptions of the TSP. Any zone change would be required to go through the process of making sure the TSP still works, and if not, amendments must be made.

Kevin Cronin stated that the proposed functional classes of the roads will be able to handle any projected density increases over the next twenty years.

Jean Lafayette asked if this plan takes into consideration full build-out of Old Town, including the Civic Center, all the road re-alignments, etc.

Carl Springer responded that that was true, something much larger than anything currently located in Old Town would have to come in to make significant changes, such as a sports stadium.

Jean Lafayette stated that there is a lot planned and she wants to make sure everything has been taken into account.

Carl Springer stated that there is plenty of capacity in Old Town, and that any rezoning would require findings based on the Transportation Planning Rule.

Jean Lafayette stated that she wants to ensure the Planning Commission is making findings that are not set up to fail.

Carl Springer stated that this is the case.

Jean Lafayette referenced Number 5, the pedestrian plan. She asked if there is a way to do a safe crossing at the old six corners (in between the two lights at six corners).

Carl Springer stated that because of ODOT requirements, he is fairly certain that this would not qualify as a project under the TSP update.

Jean Lafayette stated that there are still some issues with some of the maps and tables in the TSP.

Carl Springer stated that they will revise the map and figures after the Planning Commission have finalized its requirements.

Jean Lafayette stated that there are two connections that she did not see on the connectivity map. One was from Pinehurst Drive to the new 99W frontage road and another was the connection from Brookman to Sunset. Commissioner Lafayette said she believes there is an arrow that currently addresses the second issue. Jean Lafayette asked if there is a reason to connect or not connect through where Pinehurst Drive ends.

Carl Springer stated a connection there would require a new railroad crossing.

Jean Lafayette stated that she now sees a revised map and believes her concerns have been addressed.

Adrian Emery stated that there is a street stub in a residential area where a connection is planned in the area.

Patrick Allen stated that Red Fern is now stubbed out at the south end of town and planned to be an extension.

Jean Lafayette asked if it makes sense to connect Pinehurst out to the new 99W frontage road.

Carl Springer stated that a limited connection probably makes the most sense and that a vehicle connection would allow people to bypass the light at Sunset and 99W. An emergency vehicle connection or pedestrian-bicycle connection would work well.

Jean Lafayette stated that a minimum pedestrian-bicycle connection would be great.

Jean Lafayette asked about cross-referencing policies and sections to catch up with changes that are being made.

Carl Springer state that this would be done.

Jean Lafayette stated that she had some financing questions that she would defer until later. Commissioner Lafayette asked Carl Springer about some issues from one of the first open houses for the TSP. One issue is the intersection across from the YMCA with a proposed roundabout.

Carl Springer stated that the roundabout across from the YMCA is not part of the current plan because those roads are not city streets. It is a near-term project because there is a church on the other side of 99W from the YMCA, but it should be planned by Washington County. It was just something that was thought about as this part of the planning process.

Jean Lafayette asked Carl Springer if a traffic impact analyses criteria worksheet based on weekday PM trips has been provided to staff for use when reviewing development projects.

Carl Springer stated that the worksheet has been created but has not been given to staff. It will be provided to the staff as part of the final document.

Jean Lafayette asked if that worksheet document as a separate tool incorporate our ability to ask someone to analyze outside of the PM Peak Trips for specific intersections.

Carl Springer responded that he thinks so but that he will check on it. Mr. Springer stated that savvy jurisdictions are getting away from PM Peak Trips for streets with different usage patterns. For example, Tualatin-Sherwood Road on a Saturday afternoon has substantially different traffic levels than at the PM Peak.

Jean Lafayette stated that she wants to ensure that there is a lasting document that the City has as a tool for the Planning Commission to use.

Carl Springer stated that some cities hire an on-call traffic engineer to do all traffic analyses when new projects are proposed and they do not do any development work in the city. They do every development in the city as a third party (paid for by the developer) to give consistency to the analyses.

Jean Lafayette asked if that is something they can implement.

Carl Springer stated that it is not something to be done through the TSP but rather through city administration. The City Manager or City Council should make this administrative action.

Patrick Allen stated that this is a suggestion he has made early on and would like to explore.

Jean Lafayette stated that her question about the timetable for the code and the economic development plan could be ignored.

Kevin Cronin stated that these items could be reviewed as part of the work plan in December.

Jean Lafayette stated that her last question concerns the Highway 99 access plan. It was preliminarily presented to the Planning Commission and she would like to have clarification of what this plan does for the access points on Highway 99. We are now showing two frontage roads on either side of the street and they will be the access points for each side.

Carl Springer stated that the location of where they connect is flexible and the dotted lines on the connectivity line show the concept of the roads, not necessarily where they will be located. Mr. Springer stated that it forces the property owners on both sides to work together and figure out what the best alignment for the road as well as cross easements for access.

Patrick Allen asked about the letter from the McFalls and how they will be left land-locked from the development of the frontage road.

Kevin Cronin asked the Planning Commission if staff should address this issue and report back.

Adrian Emery stated that this would be beneficial to the Planning Commission.

Jean Lafayette pointed out the tax lot on the map to the Planning Commission and stated that the lot is currently landlocked but that it could be resolved when the frontage road is proposed.

Jean Lafayette stated at the last Planning Commission meeting someone asked if they own a parcel in the middle they must get access from the side instead of access to 99W which ODOT promised 20 years ago? Is this problematic?

Carl Springer responded that the current plans reflect ODOT's current standards and that long-term, the property owner in the middle will take access from the sides but if they develop first, they would have a temporary access onto 99W which would be revoked when their neighbor develops.

Patrick Allen stated that existing access is a property right and the question is what is the nature of that right and will the development proposal increase the intensity of the access which the property owner does not necessarily have the right to do.

Carl Springer stated that there is an Oregon Administrative Rule that covers all access management policies but he did not have the information with him. The reason for access management is to improve safety and travel conditions on the larger-classification streets.

Jean Lafayette asked how to deal with one property owner wanting a frontage road and the next wanting a backage road, and how the city makes those two meet.

Carl Springer stated that this is not a TSP issue; it is a development review issue.

Kevin Cronin stated that at the pre-application stage, the city would give the applicant information about the alignment of the frontage/backage road.

Jean Lafayette stated that visually, a backage road is desirable as opposed to a frontage road to have development between the roads and not a large strip of asphalt and concrete. Commissioner Lafayette asked if this is something the TSP can address.

Carl Springer stated that it is more of a site-specific situation and is not appropriate for the TSP.

Patrick Allen asked if the map legends in the TSP could call out that the dotted lines represent frontage roads but not necessarily alignments.

Carl Springer replied that this would be done.

Jean Lafayette asked if the removal of access points at places such as the mobile home park on Smith and Highway 99 should be included in the TSP.

Carl Springer stated that he would look into it.

Jean Lafayette asked Carl Springer if she heard him correctly when he stated that DKS re-analyzed how the TIF is paid to the city and funding mechanisms may need to be rethought.

Carl Springer clarified that DKS will probably change their opinion and not suggest a new SDC, and the current TIF will cover all new developments. Carl Springer clarified that a TIF is a one-time only Traffic Impact Fee that is paid by new development only. It is paid by a certain amount per unit of development. It was developed years ago to make sure development pays for itself.

Kevin Cronin wanted to ensure there was no confusion between the Traffic Impact Fee and Tax Increment Financing.

Patrick Allen asked staff to clarify that no action will be taken tonight on the TSP.

Kevin Cronin stated that he is under the assumption that the Planning Commission would make a recommendation to City Council tonight.

Adrian Emery stated that he believes everyone on the Planning Commission would like to see it again before making a recommendation to City Council.

Carl Springer clarified that a new document would not be produced but requested changes would be made.

Patrick Allen stated that he does not think this is a ready document that will be recommended to City Council in time for the December 14, 2004 meeting.

Matt Nolan stated that he supports this point and would like to see a revised document with all the requested changes made before he will be ready to make a recommendation.

Jean Lafayette asked if the updates to the TSP would be online.

Kevin Cronin replied that when they were available he would send an e-mail notifying the Planning Commissioners.

Adrian Emery stated he would not be at the December 7, 2004 meeting because it is his anniversary.

Adrian Emery asked if there is any public testimony.

Dan Reber, 115 NW Park, Sherwood, OR 97140 addressed the Planning Commission. Mr. Reber stated he has lived in Sherwood for 70 years and that 1st Street is shown as being extended through his house (in his dining room) and he is opposed to this. Mr. Reber stated that he does not always get information about when public meetings occur.

Jean Lafayette stated that a dotted line on the TSP shows 1st Street connecting to West Villa Road. She asked Mr. Reber if the connection is a bad idea because of where it is located or if it is a bad idea in general.

Mr. Reber replied that is a bad idea in general because the road is not needed. He does not feel a need for this road has been shown.

Jean Lafayette stated that emergency response providers stated that a road through this area would increase response time by four minutes.

Mr. Reber stated that he can understand this because he was in the fire service but still does not think the road is a good idea.

Mr. Reber was on an ad-hoc parking committee for Old Town years ago and now people do not follow the guidelines from that effort and no one enforces it. Mr. Reber stated that he hoped this would not happen to the TSP.

Jean Lafayette asked Mr. Reber if the existing pedestrian connection is enough to serve Old Town and the Woodhaven community.

Mr. Reber stated that this is a heavily used pedestrian connection and it is functioning well the way it is.

Diane Gothie, 360 S. Pine, Sherwood, OR 97140 addressed the Planning Commission. Ms. Gothie stated that she has been on City Council and the Planning Commission. She feels the extension of S. Pine is not necessary. SW Washington has been working adequately for years. Ms. Gothie is concerned about the devaluation of property and assessment of taxes on property owners on the street and stated that she will solicit signatures for a petition of property owners along Pine St. against its extension if necessary.

Ms. Gothie stated that she was involved in the Old Town parking standard development process in the 1970s and she does not know how current parking standards came to be.

Adrian Emery replied that the Old Town parking standards were mandated by Metro and to not comply would cut off funding opportunities the city relies upon.

Ms. Gothie concluded by stating that she hopes the Planning Commission re-evaluates the recommendation of extending Pine Street through the Cannery site in Old Town. Washington Street is more than satisfactory.

Susan Claus, 22211 SW Pacific Highway, Sherwood, OR 97140 addressed the Planning Commission. Ms. Claus stated that she had several issues to discuss.

First, she believes that because this is a 20-year plan, more public input is needed, including stakeholders in the community, not just agencies. Ms. Claus stated that designating the Planning Commission as the Citizens Advisory Committee is legally defensible, but it violates the spirit of the public input process and she would like to remedy this.

Second, with Measure 37, the TSP document is the type of targeted ordinances called out in Measure 37 as something that must be watched because it is subject to compensable claims. Ms. Claus asked if when the staff is working with City Council if there can also be an understanding at the Planning Commission level on how Measure 37 may be impacting not only the TSP but a lot of the other ordinance work that the Planning Commission works on so we aren't, as a city, producing decisions that are subject to Measure 37 claims. Ms. Claus asked if the TSP would be on hold until Measure 37 is thoroughly examined.

Kevin Cronin responded that he cannot respond to that until the City Council or City Manager directs staff how to address Measure 37 issues.

Susan Claus stated that she would like to see the TSP not leave the Planning Commission until the City Attorney provides feedback as to how to deal with Measure 37 issues.

Ms. Claus stated that seeing a map in an adopted city document, whether proposed alignments or just general ideas, it tends to guide policy. For example, Figure 6.1 Bicycle Master Plan shows a trail beginning at Meinecke, going to N. Sherwood Blvd. and continuing to Miller's Landing.

Matt Nolan pointed out that this trail is part of the Parks Master Plan and that the City owns all of the land to eventually construct the trail.

Ms. Claus asked how the funding of this project will occur, particularly under- or over-passes for 99W.

Patrick Allen stated that Chapter 10 of the TSP calls out funding for these facilities.

Ms. Claus asked what the scope and nature of the improvements being contemplated.

Jean Lafayette stated that ODOT asked if the pedestrian crossing of 99W between 12th and Meinecke is grade-separated. In the response, it is intended to be an under-crossing so yes, it will be grade-separated.

Ms. Claus stated if the paths and roads are development driven, then the first person to develop determines how connections will look. She asked that if something on the TSP is required to be built as part of a development and SDCs are collected, should there be an SDC credit granted?

Kevin Cronin stated that SDCs are collected as part of a 5-year Capital Improvement Program adopted by City Council. The TSP is a 20-year document and line items may or may not be reflected in the document. An under-crossing of 99W would be a city and ODOT sponsored project and would not be development driven.

Ms. Claus stated that positive statements that give guidance in this type of situation help make a 20-year planning document more relevant throughout its lifespan. For example, statements for specific projects as far as who is responsible, the scope of the project and timeline for implementation.

Carl Springer stated that this is a master plan and he cautions against specifics.

Ms. Claus stated that she is not suggesting that the TSP go down to the lot by lot level, but major improvements must be addressed. Cross sections for roads, pathways, etc. should be called out.

Jean Lafayette stated that this is a good point- trails are designated as one class but several classes exist and that could be called out.

Susan Claus stated that she is interested in getting updated information that the Planning Commission was talking about along Highway 99 when you are talking about the access points and how those deeded accesses will be addressed.

Patrick Allen stated that the long-term vision is for the number of access points to be reduced to allow for the continued performance of the highway.

Susan Claus asked who pays for the development of the frontage roads.

Kevin Cronin stated that the road is constructed during development of the properties.

Susan Claus asked if this it to be a frontage road or a backage road.

Patrick Allen stated that where you put it determines what it is and it really doesn't matter what it is called now, but just that these connections will be made.

Susan Claus asked if the city reimbursed any TIF money from the Woodhaven Crossing development.

Patrick Allen responded that he did not think so and that the portion of the road that intersects that property is quite small. The point is that we now know where one access point will be and we will see where others will be as development occurs.

Susan Claus asked if someone could explain what the chart in Figure 8-9 was saying.

Kevin Cronin responded that it shows a connector road that is assumed to be paid for by the developer.

Carl Springer stated that it is fairly typical for Oregon that the developer pays for improvements.

Ms. Claus asked if TIF credits would be granted for this.

Carl Springer stated that he is not familiar specifically with Sherwood, but in other jurisdictions-
no.

Ms. Claus asked how the development of the frontage/backage road on the north side of 99W will be funded and how will the parcels pay for it and in what kind of a proportional way?

Kevin Cronin stated that for a developer to spend that kind of money on road improvements, they will have to acquire all the properties or form an LID because it would be very difficult to get all the different property owners on board to pay for developments.

Susan Claus asked what would be done if a developer wanted to develop a small parcel.

Kevin Cronin stated that the city staff would have to look at how the development would impact plans. This has already been an issue with the Woodhaven Crossing development.

Susan Claus asked if the entire area does not develop together, what proportion is an individual developer required to build (particularly if one piece has wetlands to build a bridge over or just the developer).

Kevin Cronin responded that the developer is responsible for development of the road as part of the proposal on their property.

Susan Claus stated that the TSP needs to discuss specific projects on a site-specific basis.

Kevin Cronin stated that the TSP is more broad-brushed than that and it is not part of the original scope.

Susan Claus asked if someone could tell her (not necessarily tonight) the contemplative methodology for distributing the cost of the backage road and over what area of influence you are talking about when you say it is development driven.

Patrick Allen responded that if you are going to build something that is going to front the backage road, then you develop the piece on your property. In some jurisdictions, adjacent property owners have gotten together and determined that building it together is advantageous and asked the city to form and LID to fund the road.

Susan Claus stated that this would assume all property owners are equal.

Patrick Allen responded that this is not necessarily true, that you can construct an LID however you see fair. This is a situation that occurred in Canby.

Susan Claus requested that the record remain open and that she can look at whatever materials the consultant will generate and a copy of the tape and the minutes from tonight's meeting. Ms. Claus asked when and where materials are available for the upcoming meeting.

Kevin Cronin stated that packets have to be ready at City Hall seven days prior to the meeting and that e-mail copies could be sent easily.

Susan Claus stated that she would like all information in hard copy.

Kevin Cronin stated that the library will get copies of all meeting materials at the same time as the Planning Commissioners.

Patrick Allen suggested that because the record will remain open it would be very beneficial to the Planning Commission for Ms. Claus to submit written testimony.

Ms. Claus stated that this would be easier the earlier she had access to meeting materials.

Kevin Cronin stated that if Ms. Claus would like to submit written testimony to be included in the Planning Commissioner's packets it must be submitted seven days prior to the meeting.

Eugene Stewart, PO Box 534, Sherwood, OR 97140 Mr. Stewart stated that he lives off of Chapman Road and takes 99W to work everyday. Many of the access points to 99W are very close together. Mr. Stewart thinks the city should work with ODOT to install acceleration and

deceleration lanes to make conditions safer. Places such as the Meinecke Road intersection are very dangerous because merging traffic does not have enough time to increase speed.

Adrian Emery stated that there is a light at that intersection to alleviate those situations.

Jean Lafayette stated that the city found out with the Woodhaven Crossing development that acceleration lanes are not preferred by ODOT.

Mr. Stewart stated that in Richland, Washington there are acceleration lanes and it is very similar to 99W and it works wonderfully.

Mr. Stewart also stated that he does not understand why the collector street downtown is in the middle when this is the area generally closed for festivals, etc. Mr. Stewart feels that the collector on Pine, as it is now, keeps the traffic from the core of the city and keeps it flowing.

Patrick Allen asked Mr. Stewart if he feels in the event of a festival detours could be made onto an alternate route.

Mr. Stewart responded that it gets to a point where you cannot detour.

Patrick Allen responded that the reason the TSP is drafted as it is now is because there are several 90-degree turns required to navigate through old town and this would be remedied, but would still be available in festival cases.

Mr. Stewart stated that the same number of turns is required in the new alignment.

Patrick Allen stated that the distances are further. For example, the Oregon to Pine turn is a real problem.

Mr. Stewart agreed and added that extending Railroad Street would alleviate the same problem.

Jean Lafayette pointed out that the new Civic Building will be located there.

Mr. Stewart stated that the main road aligned down Pine affects less people. On the other side of Pine, making it a collector street will be very difficult for people who live up the hill. There are many driveways along this route.

Mr. Stewart stated that most of the people who drive into Old Town are passing through and do not stop.

Mr. Stewart stated that the original comprehensive plan included a beltline system around the town consisting of 99W-Oregon-Murdock-Sunset and back to 99W. Businesses prefer downtown destination traffic and not pass-through traffic.

Patrick Allen suggested the next Planning Commission be a work session to respond to public testimony and the hearing be continued to a further date.

Adrian Emery asked if the Planning Commission would like to meet on December 21, 2004. Kevin Cronin stated that he would not be here.

Jean Lafayette suggested each commissioner submit the top five concerns and issues about the TSP to staff to provide to other commissioners to address at the next meeting/work session.

Patrick Allen moved the Planning Commission continue the Transportation System Plan to a date certain of January 4, 2005 Planning Commission meeting date. Seconded by Kevin Henry.

Vote for Passage of Motion: 6-Yes, 0-No, 0-Abstain

7. New Business

None.

8. Adjourn

There being no further business, Chair Emery adjourned the meeting at 9:49 PM.

End of Minutes