



Home of the Tualatin River National Wildlife Refuge

Planning Commission Meeting Packet

FOR

June 13, 2017

Regular Meeting at 7 PM

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**



City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
June 13, 2017
7:00 PM Regular Meeting

1. Call to Order

2. Consent Agenda

- a. May 9, 2017 Planning Commission Minutes approval
- b. May 23, 2017 Planning Commission Minutes approval

3. Council Liaison Announcements

4. Staff Announcements (Connie Randall)

5. Community Comments

6. New Business

a. Public Hearing – SP 16-09/ CUP 16-04 Oregon Street Townhomes

The applicant is seeking Site Plan and Conditional Use Permit approval to construct 25 residential townhomes on approximately 1.2 acres of property in Old Town. The townhomes would be in six separate buildings with units ranging in size from 1,372 square feet to 1,751 square feet.

The project is proposed to occur in two separate phases and reserves a space for a future commercial pad that is not part of the proposal.

7. Planning Commissioner Announcements

8. Adjourn

City of Sherwood, Oregon
Planning Commission
May 9, 2017

Planning Commissioners Present:

Chair Jean Simson
Vice Chair Russell Griffin
Commissioner Chris Flores
Commissioner Justin Kai

Staff Present:

Julia Hajduk, Community Development Director
Connie Randall, Planning Manager
Bob Galati, City Engineer
Matt Straite, Contract Planner
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:

Commissioner Daniel Matzinger
Commissioner Rob Rettig
Commissioner Lisa Walker

Council Members Present:

None

1. Call to Order/Roll Call

Chair Jean Simson convened the meeting at 7:00 pm.

2. Consent Agenda

- a. April 11, 2017 Planning Commission Minutes approval

Motion: From Vice Chair Russell Griffin to approve the consent agenda, seconded by Commissioner Justin Kai. All Present Commissioners voted in favor.

3. Council Liaison Announcements

Julia Hajduk, Community Development Director reminded the Commission that Budget Committee meetings would take place the next three Thursdays in May beginning at 6 pm. The public is welcome review the proposed budget and provide comments.

4. Staff Announcements

Connie Randall, Planning Manager stated that Carrie Brennecke, who has a lot of experience with the Comprehensive Plan process, would start in the Planning Department as a Senior Planner on May 30, 2017. The City hoped to finalize recruitment for the Associate Planner position before the next Planning Commission Meeting. Ms. Randall said the Oregon Street Townhomes project had been re-submitted in conformance with the text amendment approved by the Planning Commission and City Council and the Sherwood School District's consultant had asked to do a Public Work Session with the Planning Commission to discuss the refinement plan for the Sherwood West Preliminary Concept Plan area in relation to the new high school.

5. Community Comments

Doug Sump, Sherwood Resident near Roy Rogers Road asked the Commission to advocate for sound walls along Roy Rogers Road when Washington County widened the road to four lanes to protect livability for residents in the area. He said he had lived in Sherwood for 20 years and his quality of life had diminished because of the noise and the smell from the road. Mr. Sump had contacted Mike Mills from Washington County who suggested that support from the Commission would be a plus. Chair Simson commented that because the road was under Washington County's jurisdiction, city staff would provide comments about the design to the County. Ms. Hajduk did not suppose the design would come to the Planning Commission or City Council for formal action, but knowing what citizens wanted would help staff advocate for their concerns. She said the County

would initiate public involvement and encouraged Sherwood citizens to remain engaged.

Bob Galati, City Engineer indicated the project included a water line extension and Washington County had not released the design plans. He said he would receive a set of plans for comments and he could pass on concerns from citizens. Chair Simson directed staff to create an interested parties list and post information on the City website as it became available. Staff would add it as a Planning Commission meeting agenda item and invite the County to make a presentation of the project so the Commission could discuss if they would like to make a formal recommendation.

6. New Business

a. Public Hearing – SP 16-10/CUP 16-06/ VAR 17-01 Cedar Creek Plaza

Chair Simson read the public hearing statement and asked for ex parte contact, bias, or conflict of interest. The Planning Commission was the final hearing authority.

Chair Simson disclosed that she and Commissioner Kai spoke about the application; mainly to go over the information provided and the process involved for the hearing as Commissioner Kai was a newer member of the Commission. She said the comments were related to the process and it would not impact her ability to participate or make an impartial decision. Commissioner Kai stated the discussion did not affect his ability to make an impartial decision. Chair Simson asked if any member for the audience wished to challenge any Planning Commission member's ability to participate. No objections were received.

Matt Straite, contract planner for the City of Sherwood gave a presentation (see record, Exhibit 1) and said the project known as Cedar Creek Plaza contained a site plan, a conditional use permit and a variance (SP 16-10, CUP 16-06, VAR 17-01). He showed the project site located north of Hwy 99 and south of Edy Road and stated the existing Providence Medical building was part of the project. Zoning for the site was Retail Commercial (RC) with the surrounding properties being Retail Commercial to the north, General Commercial (GC) to the south and west, and Medium Density Residential High (MDRH) with a Planned Unit Development (PUD) overlay to the northwest and High Density Residential (HDR) contiguous to the site on the west. The site included three parcels; one with the Providence building, one with an existing single family home, and an abandoned mobile home park furthest south.

Mr. Straight reported that the project proposed an assisted living facility and a commercial center. He explained the site plan application was for the entire site, the conditional use covered the uses for a proposed gym in Building A and the assisted living facility. The variance addressed the scenic corridor requirements along Hwy 99w. He noted the whole in the middle of the project and said the applicant was proposing to leave it vacant for now with a possible future use of a hotel. It was not part of the application and will develop all around it, leaving it vacant. The commercial center area featured a fitness center in Building A, Retail in Buildings B, C, & F, and Restaurants in Buildings D & E. All of them together total 46,000 Square Foot and the whole project site was 13.17 Acres featuring 526 Shared parking spaces.

The second part of the project was the assisted living and memory care facility located to the north that would have a central kitchen, three stories and 143,000 total square feet. There would be a water quality basin with a bridge that was intended to act as a landscaped amenity, a walking path surrounding the project site, a garden backed up to the residential area and a contained memory care courtyard. The facility would include recreation spaces such as Bocce Ball, games rooms, theaters, a hair salon and other amenities.

The third main aspect of the project was the reconfiguration of the providence medical building parking lot. The assisted living facility was proposed in the current parking location, so the reconfigured parking would be southwest of the existing building, but the parking count would remain the same. However all parking on the project was proposed as shared parking meaning they would use a reciprocal parking agreement. In total there would be a surplus of parking spaces on the site for all proposed uses. Mr. Straite noted the future pad site was not factored into the parking totals from staff's calculations or prospective.

Mr. Straite stated the variance only applied to the portion of the site along Building C where Hwy 99, the sidewalk, and the drive through for Building C met. He showed that the property line was not straight along a portion of the

site and explained the Code required a 25 foot wide visual corridor along Hwy 99. The applicant was requesting a three foot reduction of the visual corridor and the ability to use the right-of-way to count toward the visual corridor.

Mr. Straite showed the project featured two points of vehicular access. Even though there were three points of access for the mobile home park and the existing single family, the applicants were only proposing to use the one. The primary access point for the project would be taken from Edy Road and based on the traffic study and staff's review, a new signal was required at the Borchers and Edy intersection. Mr. Straite said the vehicle access on Madeira Terrace would be used for deliveries and emergency access only. Staff has also added a condition of approval requiring the incorporation of a pedestrian only access to the site to the west where an existing right-of-way stub met the northwest portion for the project. This stub would not connect for vehicle access, because the Transportation System Plan does not required a connection.

Mr. Straite added that a traffic study was provided which included a potential four story hotel on the site. The traffic impacts for the whole site were analyzed as it moved forward, but the hotel was not being proposed at this time. The study analyzed the impact to nine intersections and proposed an intersection signal at Edy and Borchers. Improvements along Edy Road would include restriping of some of the lanes between Borchers up to Hwy 99, proposing a new eastbound travel lanes west of Borchers Drive, a bike lane, sidewalk, and landscape planters. Improvements to Hwy 99 would include a deceleration and right turn lane into the project site as well as bike lane, sidewalks, and landscape planters.

Mr. Straite showed several elevations to show the basic design of the project. He said Building A was the proposed fitness center and pointed out the awning covering most of the walkways and the variety of finishes on the structure. He showed the elevations for retail buildings Buildings B and C, and said the finishes and colors were proposed to match throughout the project. He said the main differences between the structures was a difference in wall projections on the front of the structure to ad variety.

The assisted living facility featured a modern design with significant articulation throughout to break up the massing of the three story structure. Mr. Straite showed a human scale was provided on the first floor through changing finishes and different projections on the front. He noted the porte cochère in the front that would shelter the entrance. Chair Simson commented that the front of the building was what the public would see driving by on Edy Road and Mr. Straite was referring to the view from the inside of the parking lot. He showed the view from Edy Road and said the elevations featured similar massing break ups and a number of different landscaping features that would help address the relationship between the structure and street. Mr. Straite showed the side of the assisted living facility that faced the existing homes and said the trash enclosure and the memory care patio were sheltered and would not be viewed by neighbors. Patios and different pop outs added detail to the upper floor of the façade.

Mr. Straite explained there were three sets of required finding and general findings for the entitlements. For the site plan the code required that adequate utilities exist for the project. He said the site was served by all the required infrastructure needed and all the necessary agreements and covenants had been provided or conditioned for such as the reciprocal parking agreement. Mr. Straite said protection of all significant natural features were required; the only natural features on the site were trees and while some were rather large, appropriate mitigation had been addressed to assure there would be more trees on site than currently on site. A traffic study had been provided and called for street improvement and a new signal at Borchers and design requirements for the project followed the design matrix to comply with the code. While this section can be more subjective, staff felt the project met the requirements and added up to the appropriate totals to find compliance with the code. Mr. Straite explained that any driveway more than 24 feet must align with streets. In this case the Edy driveway exceeded 24 feet and aligned with Borchers. He said the driveway on Hwy 99 would likely exceed 24 feet, but it did not have to align with another street because of the median in the highway.

Mr. Straite explained the criteria for a Conditional Use Permit (CUP) was very similar to the site plan criteria except an additional criteria requiring compatibility with the surrounding development. He showed that a commercial development existed to the east, north and south of the site. The proposal placed commercial uses along all those frontages and was highly compatible. To the north was a Sherwood Police Facility. The assisted living facility would be located opposite the station. The assisted living facility's entrance faced the other direction and should not pose any nuisance to the station and any traffic impact should be offset by the light at the intersection of Edy and Borchers.

Mr. Straite noted the project was designed to minimize impacts to the residential properties to the north and west. For example the entrance to the building faced south to reduce the impacts on the neighbors. The pedestrian connections are provided, but the vehicle circulation from the high density project was not provide so there would not be any cut through traffic. The main access was from Edy and Borchers which will also help reduce potential traffic impacts on the high density project.

Mr. Straite said the variance required the project meet the intent of the standard from which it varied and the intent of the visual corridor was to set development back and provide an open feel along Hwy 99. He stated no structure would be within the corridor and in this case all structures would be set back a full 25 feet and would include a drive-thru would screened by low landscaping to retain an open feel. He said a hardship must exist in the form of typography or lot design and could not be self-imposed. In this case the lot line fronting Building C had a small zag in the property line and existed prior to the project development. Mr. Straite added the variance must be reasonable and the request was to use the right-of-way as part of the required corridor for a project three feet shy of the requirement for a very small span of the project; placing the three foot reduction in the corridor allowed better internal site design for the project. Assuming that the visual corridor was supposed to be landscaped there would be only twelve feet of landscaping proposed from the property line and ten feet of landscaping between the sidewalk and the property line for a total of 22 feet of landscape. He said the variance was only being requested for a 75 foot distance or 8% of the total lineal footage along the highway frontage and similar variances had been granted 99 by the city for the same kind of impact along Hwy 99. Mr. Straite explained the variance was seeking a modification of the distance and to use the right-of-way as part of the corridor, whereas the code specified it was supposed to be on private property so the applicant was seeking a variance from that part as well.

Connie Randall added that the City treated visual corridors differently in residential areas than in commercial and industrial areas. In residential areas they are allowed to count the visual corridor from the sidewalk and any landscaping in the right-of-way, but it was not allowed in commercial areas. In the past the City had allowed that along Hwy 99 through a variance process which was why staff asked the applicant to propose the variance for the Planning Commission to consider. She said there was precedence set in the city where the landscaping was allowed to be counted, and not always on private property, to meet the intent of having building setbacks and landscaping.

Mr. Straite said there were some issues of concern regarding four sided architecture, the Madeira Terrace access and the Oregon Department of Transportation (ODOT) requirements. He explained the project had been processed using the design matrix from the code. Using this matrix the applicant and staff felt the project had collected enough points to be consistent. The elevations facing the parking lot looked great and met the standards, however the rear elevations were basically cinder block with little articulation. These elevations could have a high degree of visibility from the public right-of-way; Building A was visible from Madeira Terrace and the high density housing, the rear elevation on building B faced Edy Road and the future assisted living facility, and most importantly the rear elevation of Buildings C through F faced Hwy 99. These were a concern for staff, but they had the right amount of points on the matrix to comply; that decision was up to the Planning Commission.

Mr. Straite explained that when PUD 02-03, the project to the northwest, was developed as high density housing, the project was required to install an emergency access near Madeira Terrace. The access had been left open and was frequently used by the public ever since. He showed the area on the site adjacent to the housing development and said the access was proposed for deliveries and fire use and access only, not site circulation and a gate was conditioned to be installed for emergency access to the housing development with pedestrian and bicycle access through the gate; no vehicles. Mr. Straite added there would be two pedestrian access points from the neighboring high density housing. Staff felt these two pedestrian access points were important to provide compliance with the Comprehensive Plan.

Mr. Straite said city staff and the applicant worked with ODOT on street requirements for Hwy 99 and parts of Edy Road. ODOT provided two options for access off of Hwy 99. The first option was a right in only, where ODOT required infrastructure improvements along the project frontage. The second option was for a right in and a right out. If they choose the second option ODOT asked for an extra lane on Hwy 99 all the way to Cedar Creek. ODOT has required some improvements along Edy Road for either option which have been integrated into the conditions of approval.

Mr. Straite went over the items in the memorandum to the Planning Commission dated May 9, 2017. He said there was an email from the public with suggestions on better ways to address traffic in the area which had been shared with the City Engineer, who noted that some of her recommendations were outside of the scope of the project and would not fall on the applicants to make the improvements. Some of the suggestions were the same as some of the required improvements. Mr. Straite said the neighborhood meeting minutes were left out of the meeting packet and were included in the memo; the applicant could address meeting details. He explained that there were five conditions of approval mentioned in the body text of the staff report, but left out of the conditions of approval at the end of the staff report. Those five conditions were added to the end of the staff report unchanged. Mr. Straite said it was a very challenging site and staff was trying to make the project as flexible as possible for the applicant to implement. Most of the flexibility was for the infrastructure improvements on the streets and underground utilities, not the structures or the phasing of when the structures were built. Staff discussed phasing for the project, but in the end decided to require a phasing agreement with the City to be provided later. That allowed staff to revise conditions in such a way as to collapse a number of them and remove conditions that spoke to phasing. By providing the phasing agreement later and the applicant would enter into compliance agreements with the Engineering Department for the timing for utility and street improvements. The memo also included some edits to the staff report that would be fixed for the Notice of Decision should the project be approved.

Ms. Randall clarified the phasing was taken out because phasing for development typically referred to when certain parts of the development were going to be built aboveground; improvements that the public will see and care about. The first set of conditions talked about phasing of underground improvements such as when the water line or sanitary sewer would be installed which was very important to the engineers, but not as important in terms of the site plan review. Planning was concerned for when the buildings would be built and the required street improvements so the traffic flowed. From that perspective the applicant's intent was to have things go in a single phase, but conditions have been put in place so traffic improvements are in before any occupancy permits were granted.

Mr. Straite concluded that staff recommended approval with the conditions discussed in the staff report and the memo. He offered to answer questions.

Chair Simson commented that the Commission would normally take a recess to read when a memo was presented to them. She said that was unlikely to happen in a reasonable period of time and gained consensus from the Commission to hear from the applicant and receive public comments, then determine next actions. She asked for the applicant's testimony.

Ryan Schera with Deacon Development and Kali Bader with Rembold Properties came forward. Mr. Schera said the project was roughly a year and a half in the making. They had teamed up with Providence to make a mixed use project with uses that were compatible within a retail center and the medical group. He said Rembold Properties had a long history of creating quality assisted living facilities in the northwest and the three combined to redevelop the property into a true mixed use center not just with residential with retail on the bottom. Mr. Schera said the proposal was a quality project throughout from a materials and site design standpoint with a significant amount of landscaping, durable building materials and building design. He said Ankrom Moisan Architects had designed the senior housing and Makenzie designed for the site plan and the retail buildings. He noted that the site was complicated and many meetings had occurred with staff. He hoped the project would be a benefit to the City, the neighborhood and the overall community.

Eric Adams, from Makenzie came forward and noted the project team included Deacon Development, Rembold properties, Makenzie for architecture for the retail portion of the project, civil and transportation engineering and land use planning, and Ankrom Moisan was doing the architecture for the senior housing. Representatives from each discipline was available for questions. Mr. Adams gave a presentation (see record, Exhibit 2) and said the site was about 13 acres of Retail Commercial land with 46,000 square feet of mixed retail complemented by 143,000 square feet of assisted living and memory care. In addition to the existing Providence medical office building at the site was 43,000 square feet. The land use requests included a site plan review, a conditional use permit for an assisted living and fitness use greater than 5000 square feet in Building A, as well as a Class A variance. He showed an aerial of the site with approximate locations of existing access to the project; along Edy Road at Borchers and an access easement which extended to Madeira Terrace. He said the access in between would be removed to build the assisted living. There were three existing access points on Hwy 99 which would be consolidated to a central point roughly in the

middle of the frontage along Hwy 99 for a right in only access. He showed a rendering of the site with the buildings labeled and pointed out the integrated pedestrian walkway network that would provide direct access from abutting streets to each of the buildings. Mr. Adams said parking throughout the project would be shared among the various uses and the current 175 spaces for Providence would be redesigned and grouped into the area immediately to the west and south of the building. He stated 98 spaces were for the senior housing facility and the remainder would be distributed throughout the retail portion of the project. Due to the reciprocal parking and access agreement all of the spaces would be available regardless of which use was involved or where residents, customers, guests or employees were headed within the project. Mr. Adams noted the commercial plaza would include restaurants, retail, office, and fitness uses with 499 on-site parking spaces which exceeded the total minimum requirement. Mr. Adams went over landscaping within the commercial portion of the project and said it exceeded minimum standards, achieving a 39% tree canopy coverage. He said the building design had a minimum 20% window coverage on street facing facades and a mixture of four different siding materials were used throughout the various buildings that included wood, wood paneling, hardy plank, metal and split face and smooth face block. Throughout the retail portion of the project there would be approximately 1300 square feet of outdoor patio space to enhance the pedestrian experience within the center and provide for outdoor dining opportunities.

Mr. Adams said the senior living had two different aspects of care with 109 assisted living units, 20 memory care units and commensurate staff to ensure round the clock care and service. The 98 parking spaces proposed the applicant believed were adequate to meet the needs of the facility for residents, guests, and employees. He reported the landscaping and 30% tree coverage met the standard.

Mr. Adams recounted that vehicular access to Madeira Terrace had been conditioned to be closed by city staff and the applicant would reconstruct and maintain an existing pedestrian access along the south and west side of the easement area to enable safe pedestrian travel. At the neighborhood meeting a number of residents commented on the importance of children in the neighborhood being able to reach bus stops safely along Edy Road.

Mr. Adams said the architecture of the senior living used building articulation, roof forms, and more than 20% windows on all elevations. Along Edy the building was curved to mirror the curvature of the street and provide a compatible face along the street. He expressed it was important to be compatible with residences on the north side of the street and said there was a public entrance that would be available to residents and guests on Edy Road. The visual corridor landscaping standard was met with at least ten feet of width on the entire frontage and as designed it complied with the coverage, spacing and distribution of plants. Mr. Adams showed the internal north perspective of the senior living with the porte cochère main drop off and entryway. He said it was important to have the entrance internal to the site from a utility aspect and to have a safe entry and exit for residents and guests. He added that with the connectivity of pedestrian walkways through the site, guests will be able to reach the other buildings in a safe manner.

Mr. Adams stated with the exception of the variance, the design complied with all of the development code standards, at least the minimum number of points required from the commercial design review matrix was achieved, which was an alternate approach to satisfying the clear and objective standards in the Code. He said the parking requirements exceeded the minimum, but not the maximum allowed and the landscaping plan would result in a net increase of 25 trees site-wide compared to current conditions. This included retention of 62 existing trees. All proposed utility systems would be designed to comply with city public water, storm water and sanitary standards and included compliance with Clean Water Services (CWS) and DEQ.

Mr. Adams noted they had coordinated closely with ODOT and city staff concerning the transportation system improvements for the project. Along Edy road at the assisted living building there would be a continuation of sidewalk, planter strip and a bike lane, but also a second through lane to facilitate eastbound travel, then as you come up to the intersection at Borchers a new four way traffic signal and as you pass through the intersection you come to the intersection at Hwy 99. There will be a new dedicated left turn, a through lane and a right turn lane to facilitate better traffic flow along Edy Road and through the intersection to the highway. Along Hwy 99 to facilitate the right turn into the project site there would be a dedicated right turn and deceleration lane into the site and continuation of an existing sidewalk planter strip and bike lane along the full frontage of the property. For safe traffic flow along the highway they would add a gradual extension of the current lane taper for southbound travel.

Mr. Adams said the variance was limited to 75 feet of the site equating to 8% of the total frontage. The reasoning and basis for the variance was accurately stated by staff and the applicant concurred with their analysis.

Mr. Adams commented on the neighborhood meeting held at the Sherwood Center for the Arts on September 12, 2016. Representatives for the project team were present with about 40 people in attendance. The meeting lasted for about 90 minutes where an overview of the project with examples of the building design and site plans were available for people to look at. The traffic, orientation of the building, proposed uses and mitigation for compatibility were discussed and he was unaware of any follow up questions received after the meeting. Mr. Adams offered to answer questions.

Chair Simson asked which of ODOT's options the applicant would use on Hwy 99. Mr. Adams answered that they would proceed with the right in only. She asked if ODOT would allow the applicant to change and use the right in/ right out option in the future. She commented that if the customer base preferred the option to exit onto Hwy 99, could the improvements be built after the plaza was built. Mr. Adams assumed the option would still be available, but expected the same stipulations and requirements to apply. She asked if the two ODOT options changed the required improvements on Edy Road; with no exit onto Hwy 99 was there increased improvement requirements or additional lane capacity on Edy Road to accommodate the exiting traffic. Mr. Adams responded that the traffic analysis considered the option for having a right in only, so the improvements along Edy were sufficient to accommodate the right in only scenario.

Vice Chair Griffin received confirmation from Mr. Adams that the traffic study included the possible use of a hotel use (at a specific number of rooms) for the undeveloped pad.

Chair Simson asked for public comment after stating the applicant had twelve minutes for rebuttal.

Chadlee Colson, Sherwood resident said she, like most other drivers in Sherwood was concerned about the traffic control at the intersection of Edy Road and Borchers Drive, Edy Road and Hwy 99 and Sherwood Blvd and Hwy 99. She said Sherwood residents who lived on the west side of the city constantly crossed the highway because most of the amenities were on the east side. Because of unbearable traffic conditions at Hwy 99 and Tualatin Sherwood Road, residents who lived in the north and west corridors of the city were forced to cross the highway at Edy Road and during peak traffic hours the ability to turn left on Borchers onto Edy was a nightmare. She was relieved the City included the Edy/Borchers intersection in the Capital Improvement Plan (CIP) and that a commercial developer also acknowledged the current traffic flow failures at the site in their Traffic Impact Analysis (TIA) and were proposing to pay for them. Ms. Colson expressed concern that the proposed improvements were not optimally aligned with current and future traffic needs and stated the TIA indicated there should be side by side left turn lanes between Hwy 99 and the site access at SW Borchers Drive. She said the traffic need was not to turn left onto northbound Hwy 99, but more drivers were attempting to cross the highway and travel straight, so when the road was widened the new lane added should be a through lane crossing Hwy 99. She said she was traveling that evening at 5:45pm to the YMCA and counted four cars turning left, 16 going straight. She said the City needed to address the same issue on the other side of the highway. Facing west on Sherwood Blvd with options to turn left, right, or to cross Hwy 99, traffic was also backed up. Ms. Colson suggested the solution to both sides of the intersection was to widen the intersection so two lanes of traffic could cross the highway. She testified about safety concerns for the right in/ right out option and suggested the location be moved further down the highway or to widen the highway to three lanes from Edy to the roundabout at Meinecke Parkway or to extend Borchers Drive as a frontage road somewhat parallel to Hwy 99 similar to Borchers, north of Edy Road. Quoting from the TIA she said "under post development conditions queues generally lengthen as traffic volumes increased in the study area most notably the southbound approach of Borchers to Edy and Hwy 99 to Edy Road and the vehicle capacity ratio on SW Borchers would increase during both am and pm peak hours". She asked the Commission to do whatever could be done to address the issue of turning left from Borchers to Edy, not to exacerbate it. Ms. Colson commented on widening the intersection of Borchers to alleviate the bottleneck affect and said there was enough buffer area to create a right turn only lane in front of the police station onto Edy road. She wanted to allow two lanes to turn left; one as a dedicated turn lane, the other that can turn left or travel straight into the development.

Matt Staten, Sherwood resident in an adjacent neighborhood west of the site said he was prepared to discuss how the addition of the commercial space affected his neighborhood. He said the thing that struck him during the hearing

was the inclusion of the gate on Madeira Terrace. He said he lived on Houston and the addition of the gate would force a lot of traffic onto a road that had a lot of children in the neighborhood. He reminded the Commission that it was a high density residential neighborhood, particularly on the Madeira Terrace, and he was concerned by the need to put a gate in. Mr. Staten did not think the gate was necessary and restricting access for emergency vehicles would be so infrequent the residents could still have access. Mr. Staten said he was unable to attend the neighborhood meeting or else he would have expressed concerns about it then. He said traffic impact would be bad enough with the addition of all the shopping and assisted living facility and he was concerned about his commute, but he was concerned about the neighborhood children having to dodge cars coming in and out all of the time because the neighborhood was restricted to one access point.

Mark Newmeyer, Sherwood resident on Houston Drive expressed concerns for the gate at Madeira and the impact it would have on the access to all of the neighbors who lived on the street. He estimated it could be hundreds of cars driving past his driveway every day. He commented on a multi-family housing complex directly behind and to the west of Houston Drive that had already caused cars to be parked on Edy Road and he guessed they would soon be parking on Houston because the complex did not have enough parking. Mr. Newmeyer said the two factors would compound one another, asked for the justification for the gate at Madeira, and if there was an alternative route. In addition he was concerned by the option not to have a right out onto Hwy 99. He said it would force all traffic out of the complex at Borchers and said the traffic at the intersection was a challenge between 3:30-6:30 pm.

René Duricka, Sherwood resident said she also traveled the Borchers to Edy route on a regular basis and there was a lot of traffic to get through. She agreed with Ms. Colson regarding the need to widen Borchers and create two left turn lanes as well as two straight lanes across Hwy 99 from Edy Road, because that was where the bottleneck was. She said the intersection took forever to get through and she was also concerned about the right only coming into the site from Hwy 99. She said navigating through an entire parking lot to get onto Edy would add traffic to Edy Road.

Barbara Nordstrom, Sherwood resident said she lived at Lynnly Way near Houston Drive and she had already seen a tremendous amount of traffic through the neighborhood from Roy Rogers Road to Edy Road. Most of the people coming through were between 4:00-5:30 pm and they did not stop at the stop signs. She said more traffic coming through because of this project would further endanger the children and people who walked in the neighborhood. She suggested the need to enforce the laws now and do something about mitigating the terrible traffic. The approval of this project would make it worse and anyone who lived in the neighborhood would suffer.

Miguel Gordillo, Sherwood resident on Madeira Terrace expressed concern for traffic on Houston Drive and for the safety of the children living in the neighborhood, particularly when the children were going to and from school.

Joyce Carter, Sherwood resident on Madeira Terrace stated the gate presented a real problem for the whole community. because there were so many kids that had to get to the school bus. She did not see how directing traffic out through Houston would work and she was highly opposed to the gate.

Chair Simson asked staff to explain the installation of the gate.

Bob Galati, City Engineer explained that an analysis was done early in the project and gave some history of the area. He said Madeira Subdivision was approved as a PUD on April 22, 2003. As part of the land use Notice of Decision, the access drive was described as a temporary access drive that was to provide future connectivity to adjacent site development. The temporary access drive was a life safety condition requirement requiring two access points for emergency equipment to reach lots. Redevelopment assumed the requirement to comply with City Code and design standards for public right-of-way. At the time, the TSP showed Madeira Terrace extending to connect at the Borchers Drive intersection. This was why it was put in as a temporary access point. Mr. Galati said the secondary access for emergency vehicles would remain, but the TSP had changed since then and no longer showed it as a connective point through the development site. The access drive from Madeira Terrace created a problem for city staff because at the intersection with Edy Road did not meet the minimum requirements for spacing and site distance standards. There was a minimum spacing distance requirement for a local street onto a collector road of 400 feet. Based on the configuration of the access and how it comes in at an angle, the actual distance was 97 feet which was the equivalent of about one building lot between the two roads. Mr. Galati said a second concern was that the site distance on that corner. The lot at the corner has a site screening fence and shrubbery built up. Site distance for a 35 mile per hour

road was 335 feet and the only way to achieve that was to tear down the fence, the screening, yard and building. He said another issue was the angle at which the access met Edy Road. Sherwood Code and design standards required a 90° to 90° intersection with no more than a 25° offset. This would allow for a T intersection at 75°. Mr. Galati indicated he measured the intersection at 47°, which meant drivers had to look over their shoulder down the road to see something, which was not what was wanted. He acknowledged the configuration may have seemed like a 90°, but the physical structure of the road was actually within the Edy Road improvements and to make it work per City standards the road would have to be moved down the road quite a ways. He repeated that the configuration of the access road was designed as a temporary access easement, it was put in as an easement, was not dedicated right-of-way, was not intended to be a through road at that location, and the City had safety considerations. Mr. Galati said he did not want to close it off to emergency access and he had to put the gate up. He said pedestrian and bicycle traffic would be allowed through the area, but car traffic would not be. He said from a professional point of view it was a liability for the City and as City Engineer he had no choice, but to correct it, there was no other option. Julia Hajduk, Community Development Director, added that staff talked about the access a lot to try to find other options. The applicant wanted to accommodate the request heard at the neighborhood meeting, but this was coming from the City, from a safety standpoint, and staff really wrestled with the decision. At the end of the day after looking at all the angles it was not something that the City could approve it if a new application came in today. The City needed to fix a situation that should not have been going on for the last fifteen years.

Chair Simson summarized that the road should have never been used, because the gate was not installed, as obligated when the developer finished the project in 2003, so it allowed the continued use of a stub street that should not have been. She said that access to each lot as it developed was required, so when the Madeira project was brought in that emergency access was put in anticipating connection to the adjacent property. The stub street was built for the same reason that Madeira was configured to take access away from Hwy 99 and off of a smaller street. She said it was thought that when the mobile home park was redeveloped, it would connect through Madeira Lane, but that was not being proposed so it would become a pedestrian access only and the temporary vehicular access that should have been gated in 2003 will be eliminated, because the center parcel will not need access from Madeira any longer. She commented that when Madeira Terrace was reviewed in 2003 there were three separate parcels that the city was obligated to provide access to and knowing ODOT did not want direct access onto Hwy 99 there were stubs and accommodations made to connect to the Madeira Lane side of it or to Borchers. As this project will develop into one, the stub street was being abandoned so there will not be cut through traffic from Madeira into the commercial center. Chair Simson explained the condition was to put in a gate which was not installed and the City Engineer said the temporary access easement was not ever intended to be public right-of-way because it did not meet the design requirements for a road section. Instead it provided pavement and drainage to comply with a fire emergency access requirement that would still be met with the current site development and the gate ensured it would not be used as a except for pedestrians and bicycles. Ms. Hajduk added there were safety issues because there would continue to be more traffic in the area and even though people can get in and out now without major accident issues, it was not something that was safe or approvable today, nor would it be safe long term.

Commissioner Kai asked if speed bumps could be utilized on Houston Drive because of the residents' concerns for the amount of traffic and to reduce the speed. Ms. Hajduk said the City did not support speed humps, but other traffic calming measures could be considered. She said the applicant had been conditioned to install the gate because the City was aware of the issue, but it may not be the applicant's responsibility to install traffic calming measures. Mr. Galati added that there was speed reducing technologies that worked, but the City did not have a policy process in place to install or maintain them and it was a problem to solve outside of the land use development process. He added that traffic calming was generally for streets used as cut through streets, not for local streets where residents had neighbors who were driving unsafely.

Chair Simson noted that city staff made every effort to take in to consideration the citizen's concerns, but had to comply with the safety standards of Edy Road per the land use application in 2003 and asked if there was any other solution. Mr. Galati stated that as the city engineer he would not be able to sign off on any other option that would allow residential traffic to go through that segment. Chair Simson said the gate was what it had to be and asked the Commission to focus on the rest of the application.

Chair Simson called for a recess at 8:49 pm and reconvened at 8:56 pm. The applicant came forward for rebuttal.

Jennifer Danzinger from Mackenzie said the whole study area was analyzed with the right in/right out, right in only and no access scenarios. The applicant was moving forward with the right in access and said it met the city and state standards at all of the intersections. She said the mitigation worked for both the right in/ right out as well as the right in only scenario. Chair Simson asked for the specific location in the TIA where it stated a right in only did not cause failure on Edy Road. Ms. Danzinger pointed to the alternative access scenarios beginning on page 30 and Tables 9 and 10. The tables indicated there was more delay, but the overall volume to capacity ratio did not change for the right in only vs. the right in/ right out. Ms. Danzinger acknowledged there was more traffic, but drivers would all be making right turns to Hwy 99, because that was what they would be doing if they were coming out of the site on Hwy 99. Chair Simson said the concern was the intersection at Edy Road and Borchers. Ms. Danzinger said the intersection was over capacity in all scenarios. The mitigation and recommendation section and Table 12 discussed the traffic signal and looked at the three scenarios with a traffic signal at Edy and Borchers.

Commissioner Kai questioned forcing all exiting traffic out through one intersection and said a right in/ right out would ease the amount of traffic going through the Edy road at Hwy 99. He was skeptical that not having the right in/ right out would be the same. Ms. Danzinger said that 20-25% of the exiting traffic would be rerouted through the intersection and it was adding to movement that was not the problem movement. There was some impact, because the delays would be longer even though the volume to capacity ratio was the same. Commissioner Kai acknowledged a signal at Edy and Borchers would be a benefit and asked if the signals would be synchronized. He said people, including himself, used other routes because of the huge backup. He thought the right in/ right out option onto Hwy 99 would be the most optimal scenario. Ms. Danzinger agreed and stated the right in only still met the standard and commented on the safety concerns for a driver looking over their shoulder to merge onto Hwy 99 and causing a severe crash. She said ODOT would require almost a quarter mile of new travel lane on Hwy 99 in order to allow it. Mr. Adams commented that extending a third lane to Cedar Brook would include widening the crossing at the creek, impact the riparian corridor and the wetlands, and require substantial grading and fill. On balance, given the performance metrics for the intersection at Edy/Borchers with just a right in it was applicant's perspective that the choice of a right in only was a better path in terms of balancing the City's goals for land use and development. He said another thing to keep in mind was that in terms of traffic flow through that intersection as it queued up to the intersection at the highway the queuing would largely be within the site and not add to the traffic to Edy. Lastly although Edy was a city street in terms of design standards, from the intersection of Borchers to the intersection at the highway it was under ODOT's jurisdiction and ODOT would dictate what happened at the intersection. Commissioner Kai said he understood the cost/ benefit ratio to consider and asked what the backup would be considering the important services provided at the providence medical center. Ms. Danzinger responded that the applicant was working with ODOT to find optimal signal timings, exploring the potential to re-stripe Borchers to increase queue storage and to better use of the intersection. She said more capacity and accessibility could be added on Edy Road by having two through lanes. She said the through movement eastbound could not be addressed, because there was no way to get more traffic across the highway. She acknowledged it was a congested standard and said it was improvements well beyond what would be needed to address the project impacts, because they are existing issues.

Chair Simson asked how many trips crossing Hwy 99 from Edy road to gain perspective. Ms. Danzinger said the project would add 47 pm peak trips to 266 trips or about 20%. Chair Simson explained the applicant was required to put in the traffic light because it mitigated the impacts of the development and there would also be some widening to try and improve accessibility to the other lanes that were being used. Ms. Danzinger said the signal would improve the ease of turning left from Borchers onto Edy and pointed out that the analysis assumed the improvements the on Tualatin Sherwood Road and Roy Rogers Road were completed, because they were funded improvements that would occur. The applicant worked with the City's on-call traffic engineer to identify the expectation of how the improvements on Tualatin Sherwood Road would affect the area. The expectation was that it would pull some traffic away from Edy/ Borchers because people were avoiding Tualatin Sherwood Road. Ms. Danzinger confirmed, post mitigation, the intersections would function better than they are currently, but there would still be congestion during the peak hours.

Commissioner Kai asked if the requirement to put in the right in/ right out option would cancel the project. Mr. Adams responded that the cost to make the improvements were significant and changed the calculus of the project to the point of likely cancelling based on the construction costs, permitting timelines, additional review processes and

time delays. He said the signal at Edy and Borchers had similar benefits and maintained consistency with the City's TSP with the mobility standards that ODOT specified. He mentioned that all were surprised that ODOT's jurisdiction went all the way back to the intersection at Edy and Borchers and emphasized that ODOT's focus was mobility along the highway, and was less concerned about additional congestion on side streets. Mr. Adams noted that the perspective tenants were aware of the single exit point for the project.

Ms. Danzinger commented that the signal at Borchers would redistribute some of the traffic and give people help with the left turn. Also with a right in there would be a deceleration lane on the highway and to reduce safety concerns it would separate traffic that was slowing to turn into the site.

Commissioner Kai asked if the proximity of the drive-thru restaurant would cause a backup onto Hwy 99 if the line to the drive-thru was too long. Mr. Adams responded that the volume of cars generated by the restaurant had not been considered in terms of creating a backup to the highway. He said there was additional capacity for storage within the shopping center that would be actively managed if necessary. Ms. Danzinger added that the only drivers who could use the right out were those heading south because of the median (20%). Drivers using the right in would be more because it was people coming southbound or turning left from Sherwood Blvd. (40%). A lot of the traffic will use the main entrance into the site.

Vice Chair Griffin commented that Building C was noted on the plans as retail as well as the building that needed the variance. He asked if Buildings C and D were drive-thru restaurants. Mr. Adams replied that Building C had a potential for a drive through component as well as potential for retail only tenants and Building D was factored as a drive-thru restaurant only. The potential was for two fast food restaurants next to each other.

Chair Simson asked if there would be enough parking. Ms. Randall explained that there would be conditions on final site plan approval as well as Planning staff reviews for all tenant improvements to ensure parking standards were still met before building permit approval. The project proposed additional parking because of the undeveloped pad so there was a potential to add uses that would require more parking. If the pad came in as a hotel it would likely be large enough to go through Planning Commission approval and the Commission could reevaluate parking and how it had developed. The applicant had the ability to shift the uses, because the commercial zones allow for a wide variety of permitted uses. Ms. Randall expressed less concern for parking, because the project was over parked. Mr. Adams added that multiple land use configurations were calculated and the parking supply was adequate to compensate. Bob Galati added that initially the review started from the traffic impact analysis and the proposal was for high uses so the applicant was working to mitigate improvements now and not have to come back and rework the project.

Chair Simson asked the applicant if they had an opportunity to review the revised conditions of approval. They had not, but stated they would accept the conditions. Chair Simson said she had questions and concerns about whether standards had been met.

Vice Chair Griffin commented that he looked through and the conditions and he was okay with moving forward. Commissioner Kai suggested a continuance would be beneficial. Chair Simson concluded to press forward with questions for the applicant.

Vice Chair Griffin said after the explanation about the gate he understood the gate would be installed. He expressed concern about the backs of the buildings that faced Hwy 99 and said he understood there would be heavy vegetation, but that it would grow slowly. He said there was no articulation on many of the back sides of the buildings facing the highway, Madeira court, and the assisted living facility; but mostly along the public right-of-way. Chair Simson agreed and said she did not think the criteria had been met. She commented that the pedestrian grade standards set forth in the Sherwood Town Center Plan were not being met. She compared it to the Sherwood Plaza Apartments on Langer Drive recently approved by the Commission which required the pedestrian scale be scaled toward the community and the street. She said the apartments made a connection from the building to the street by putting in amenities and street furniture, but the assisted living had a very long wall facing the community without a lot of articulation and worse were the commercial buildings facing Hwy 99. They did not meet the code in her opinion, which required a pedestrian scale and front facing buildings, but all of the illustrations faced the parking lot. Chair Simson asked about the 20% glazing requirement. Mr. Adams responded that the 20% glazing standard for the retail portion of the project was for street facing elevations. All of the elevations that were visible from a street complied

with the glazing requirement. Along the frontage of the assisted living, and in total through the retail buildings as well as demonstrated by the calculations. His recollection of the code language with respect to the building orientation was that it be oriented towards the pedestrian and to his knowledge the Town Center Plan was not directly applicable to the site. Chair Simson deferred to staff for confirmation that the Town Center Plan did not apply. Staff would need to confer with the map. Chair Simson stated it felt like the back of the building was facing the community. Mr. Adams explained that in terms of being oriented to the pedestrian there was an extensive network of interconnected pathways within the project that would connect to public sidewalks along Edy and Hwy 99 that would provide for pedestrian circulation into the site and between the various buildings, so from the applicants' standpoint that was being oriented toward the pedestrian.

Mr. Adams said the faces of the buildings that front along Hwy 99, the service side of buildings, looked very different in comparison to the elevations that were internal to the site. He stated there was a mixture of building materials along those elevations with change in the color and patterning of the materials that provided visual articulation even though that might not be the case from a dimensional standpoint. In his professional consideration there was a practical consideration that needed to be considered in that vehicles traveling along Pacific Highway were moving in excess of 45 mph as they passed by the site. He said in comparison to a local or collector street where traffic speeds were much slower it would provide an opportunity for motorists to look and see what the buildings look like and identify signage along the facades which was not the same thing along the highway. He said there were numerous projects he had been associated with that had commercial buildings fronting a high volume street and required to have storefront look to them that were eventually had windows and doorways boarded off by the tenants, which could end up with the same, if not worse, outcome because of the shoddy treatment of the building that was not originally intended.

Terry Krause, Architect with Mackenzie added that he had been doing retail architecture for over 30 years and part of the designer's responsibility was to ensure the center was viable, leasable and active. Having small tenant buildings that were four sided were not practical and did not work, because tenants needed back of house and service areas. There cannot be access and windows on all sides because of theft and security issues and most retail buildings were designed with a front door and a back of house because there was a functional and practical aspect to what the tenants needed and how the buildings performed. Mr. Krause said the competition was fierce and tenants would not lease buildings that did not work; having windows facing a 30 foot buffer on a state highway was not retail or shopping center design. He said the proposal was to use textured, colored, pilasters, and cornices to provide articulation to the block walls to break them up and make them more interesting than just a cinder block wall. When you look at other buildings such as Kohl's, the front of the building where the people are was articulated, not on the highway side of the building.

Commissioner Kai asked if there was a way to make the back of the building that was street facing more inviting through the use of some of the materials that were proposed for the front so they did not feel so much like the back of the building. Vice Chair Griffin commented on the buildings fronting Langer Farms Parkway and said the buildings had interesting surfaces on all side of the building yet they still had back doors for the tenants, but it was a much better application of the concept. He said the buildings along Tualatin Sherwood Road by the theater were examples of what was not wanted. Vice Chair Griffin said the entire Commission had concerns over the design and acknowledged that the back did not have to look like the back, but Langer Farms Parkway was an example of a success. Commissioner Kai added that the façade for the assisted living facility did not fit in with the character of Sherwood, he could appreciate a modern aesthetic, but even with the articulation it looked like one façade with a large mass along Edy road. He commented that the renderings in the applicant's presentation were better.

Mark Miller, Ankrom Moisan Architects agreed that there was a large mass along Edy, but when looking at senior housing there were security and safety concerns for the residents. They are like an apartment building or multi-family use, but the design was not able to have townhome type of appearance, because of resident safety so people don't wander out onto Edy Road. He said the design attempted to break up the façade and up with massing or color changes. The colors have changed to brighten it up and the attempt was to break up the massing so it was not one large window wall, but down to a residential scale, although not necessary the appearance of the surrounding neighborhood. He said the design matrix criteria included points for creating distinct buildings from the surroundings. The assisted living building was not like the houses, it was a different type of building. He noted that senior housing was interesting, because it was not exactly residential nor commercial, but really both based on the way it was treated.

Creating this building as a distinct piece helped to differentiate it from the residential. Mr. Krause noted the material choice was not exactly what the rest of the residential areas had, but there was lap siding which was more residential in character. Commissioner Kai said the Spring Living addition did a better job of reducing the massing and the other senior housing facility in Sherwood had more of a residential component characteristics to it. It felt out of place in regard to the rest of Sherwood. Commissioner Kai commented it was the Commission's role to help make it the best project possible.

Vice Chair Griffin asked about landscaping along Edy Road that might break up the massing of the façade. Mr. Miller responded that there were significantly more plantings than the renderings and referred to the Landscape Plan L1.0 provided in the packet. It showed a mixture of medium canopy trees, large and small shrubs, and a mixture of different species as well as turf grass. Vice Chair Griffin said he was looking for something taller, lower, out and in, not strips of vegetation that accentuated the length of the building. Mr. Adams responded that the building sits about four feet above Edy Road at that point and there would be a slope to get to the entrance from the sidewalk. There was not a lot of room left to do planters after placing the required trees. Vice Chair Griffin suggested a more serpentine walkway instead of linear. He commented that he liked the design of the building and was more concerned about the back sides of the other buildings. He noted that he read the staff report and the careful calculations towards the meeting the requirements. He understood that the applicant technically met the requirements. Ms. Hajduk explained the reason this type of project was heard by the Planning Commission was so they could determine whether they agreed with staff that the conditions were met. She said there was some subjectivity for the review, but the Commission would have to be specific to why they were not, so conditions could be established.

Ms. Randall reported that she had retrieved a copy of the Sherwood Town Center Plan and explained the project site was within the project study area, but was not within the Town Center Boundary. The Town Center area was bounded by Hwy 99 in that area. Chair Simson said if the Commission wanted to ask the applicant to reconsider the application it needed to show that the criteria by which it was designed did not agree with how the Commission believed the point system should be applied. She said it looked like a fail from the community's standpoint when looking at the back side. She had expected the applicant to bring renderings that would show all four buildings. She noted that the variance allowed the buildings to undulate along the frontage and thought the variance would help.

Mr. Adams showed addition renderings with some elevations along Hwy 99 with landscaping and said there would be more landscaping (see record, Exhibit 3). He noted that the standards contradicted each other with a required heavy planting at 25' depth, yet the Commission wanted to see more of the building. Vice Chair Griffin suggested the Commission wanted to see less of an ugly building and if it was made more beautiful or covered more [with landscaping] then it could be less articulated. Mr. Adams directed the Commission's attention to Building D and said it had the same articulation and the same material types that were on the front of the building, the same break up in color and materials, but the public could not see the window provided due to the landscaping. On building F there were windows on the east and west sides, doorways that would break up the elevation and different materials at different scales to break up the façade all along. Chair Simson stated that Building D and F come in compliance, but building B did not. Mr. Adams said back of building B was internal to the site facing the driveway and the assisted living facility and the front was facing Hwy 99. Vice Chair said the renderings helped. Mr. Schera added that at maturity the species of evergreens and deciduous trees would be a continuous canopy along the whole frontage of Hwy 99.

Commissioner Flores asked if there would be extra road signage listing tenants. He was informed there would be a pylon sign that would be applied for separately.

Chair Simson asked if the applicant was in agreement with the conditions provided by staff.

Vice Chair Griffin commented on the McDonalds in Tualatin where the landscaping isolated what they did and said it would be nice if eventually that was more like what this project was. He said when people were inside the site they could look towards Hwy 99 and not see it. Mr. Adams showed renderings of Buildings B and C facing each other with cars and people to represent the activity that would take place. Commission members discussed the feel of shopping center off of Langer Farms with varied landscaping and four sided buildings. Mr. Adams suggested the buildings were larger and the site was bigger and internalizing the back of house operations in a different manner to allow for a three sided design was more feasible.

Commissioner Kai commented that the use of wood was missing on the rear facades. He asked if it would be beneficial to bring the wood or teal colored siding to the back side of the buildings along Hwy 99. Mr. Adams suggested all the other materials were on the back sides and using the wood everywhere would make it mundane.

Chair Simson said Pride Disposal wanted the trash enclosures to be straight in and the enclosure by the Building A was right next to the residents (see packet, page 185). She felt it could be moved southeast to the center of the property line and the front corner of the Building A so Pride Disposal would be able to drive straight forward and it could be moved 50-60 feet away from the residences. Mr. Adams explained that the proposed location was a landscaped area and open space and there were no residences in the area. In addition staff had highlighted for the applicant potential for allowing a cross access easement through to the property to the south should it redevelop. The location Chair Simson was suggesting was the location identified for traffic flow directly down the drive aisle in front of Building A to the adjacent site.

Commissioner Kai asked if there was pedestrian access from Providence Health over to the retail portion other than the frontage along Hwy 99, he did not think the sidewalk along Hwy 99 would be used by pedestrians, but they would cut through the parking lot instead and he wanted crosswalks or sidewalks. Mr. Adams said there was a pedestrian connection along the islands. Mr. Adams explained the locations for crosswalks connecting Building A to B and Building B to C.

Chair Simson asked where the conditions for the new signal were in the revised plans. Ms. Randall pointed to condition F.49 (see record, Exhibit M). She explained staff wanted to ensure that the conditions tied to development were ones that had to happen before the spaces were occupied. The applicant could not meet that condition without showing them on public improvement plans to be approved by the City and ODOT so the item Chair Simson referred to did not need to be conditioned. The intent was not to allow the public on the site until the adjacent public improvements were installed, otherwise if something happened out of sequence or ODOT required something different then how it was exactly it would require a major modification to the approved site plan with another public hearing to do something the Planning Commission did not have a lot of say over and that seemed over burdensome to the application.

Chair Simson pointed to revised condition B.23 regarding landscape plans and said the applicant had shown several renderings of landscaped areas. Ms. Randall informed the Commission would need to propose a condition and the applicant could agree with it, otherwise the City was bound by what the Code said and the Code did not have that much detail to get what the Commission was asking for. Chair Simson noted the plantings along Edy Road would not be straight and the revised plans would reflect that. Staff proposed a condition: *The final site plan shall include landscape elements along Edy Road plants such that the trees will not be linear in appearance and break up the massing.* Vice Chair Griffin suggested it could be plantings instead of trees. Mr. Adams commented the treatment should not be a problem to implement, but the visual clearance at the driveway needed to be accounted for. Ms. Randall noted that was part of the Code and no parts of the code requirements would be waived. Chair Simson asked about the renderings shown along Hwy 99. She asked if it showed the number plantings and trees that were intended. She said the number of evergreen trees were of particular importance to her because during the winter there were no leaves on the other trees. Mr. Adams stated the renderings in general terms mirrored the species and placement of landscaping shown on the submitted landscaping plans compliant with visual corridor landscaping requirements. Chair Simson suggested adding to the end of condition B.23 to include the presentation at the public hearing. Ms. Hajduk stated that what was shown in the presentation was the visual corridor landscaping standard and compared it to the Providence building or the apartments south on Hwy 99.

Commissioner Kai asked if any other Commission members were concerned about the right in only option into the property. Vice Chair Griffin commented it was ODOT's road, who had reviewed it, and the City had no jurisdiction. Commissioner Kai commented on the effect to Sherwood citizens and said ODOT had approved an option for a right in/ right out and commented about a shopping center with only one way to exit. Vice Chair Griffin noted that only 25% would have used the right out option and they could make two right turns to go south. Most of the traffic would use the new light to go straight, left or towards Old Town. Commissioner Kai pointed out that there was a significant amount of the city's population that lived in the direction the right out would provide. He understood the reasoning and the cost/ benefit constraints, but he had concerns. Chair Simson agreed that the right in/ right out option might help improve Hwy 99, but it was above and beyond what the expectation of the applicant should be

and noted the right in only option did not cause the transportation to fail.

Chair Simson asked if the applicant had any concerns about changed condition. Mr. Schera sought clarification about an approved phasing plan. Ms. Randall explained the phrasing in the staff report was changed for a phasing plan, instead of individual phases, so there was less confusion. The phasing plan was for the public improvements only, not the site development of buildings and a compliance agreement would be issued based on the phasing plan. Engineering would approve the phasing plan and coordinate with outside agencies. Chair Simson summarized that the Planning Commission cared whether or not the applicant met the conditional use requirements, if the variance was a benefit to the community and approved the site plan based on the size of the buildings.

Chair Simson asked about parking for the assisted living facility. Mr. Miller responded that memory care residents did not drive and a few assisted living residents retained their cars, but did not drive them. Predominantly the parking spaces were used for staff and visitors.

Commissioner Kai asked which color scheme would be used for the assisted living facility. Mr. Miller answered that it would be the light color shown in the presentation with grey weathered cedar and a brownish red painted panels. Staff noted that the presentation by the applicant was part of the record and could be referenced by the Planning Commission. A condition was revised to include *the color palate, or similar earth tones, provided in the presentation by the applicant*. The applicant clarified that the darker window treatment would be used.

Chair Simson noted the presentation by the applicant satisfied the Commission's concerns about the street facing facades along Hwy 99. Commission members concurred. Chair Simson closed the public hearing for deliberation.

Commission members discussed each entitlement and noted the Variance was a small section along Hwy 99 and was in favor of the undulation provided. The Conditional Use Permit for the fitness building was because it exceeded 5000 square feet, but there was nothing egregious on the location or the site. The assisted living Conditional Use was also due to the size of the building and a residential use in a commercial zone. Chair Simson noted it created a symbiotic relationship between people and the commercial buildings. She asked if one motion could be used for all the entitlements.

The following motion was received.

Motion: From Vice Chair Russell Griffin to recommend approval of SP 16-10/ CUP 16-06/ VAR 17-01 Cedar Creek Plaza based on the applicant testimony, public testimony received and the analysis, findings, and conditions, whether written before or tonight, which would be part of the staff report. Seconded by Commissioner Christopher Flores.

Commissioner Kai noted that he had concerns, but thought they had been vetted. Vice Chair Griffin noted the project location was one of the main corners of the City and Sherwood took pride in those corners and after this there was only one that was not developed and the City had appointed the Commission to take on the responsibility to do the best possible for the city. Chair Simson said they wanted it to look good, to fit in the community and that the traffic impacts were mitigated as much as possible.

All present Planning Commissioners voted in favor.

7. Planning Commissioner Announcements

None were received

Staff would schedule a 6 pm Public Work Session with the Sherwood School District's consultant for the new high school. Staff envisioned the District would explain the proposal and table group discussions with the Sherwood community.

Chair Simson adjourned the meeting at 10:59 pm.

Submitted by:

Kirsten Allen, Planning Department Program Coordinator

Approval Date: _____

City of Sherwood, Oregon
Planning Commission
May 23, 2017

Planning Commissioners Present:

Chair Jean Simson
Vice Chair Russell Griffin
Commissioner Chris Flores
Commissioner Justin Kai
Commissioner Daniel Matzinger

Staff Present:

Joe Gall, City Manager
Julia Hajduk, Community Development Director
Connie Randall, Planning Manager
Bob Galati, City Engineer
Craig Christensen, Engineering Associate
Matt Straite, Contract Planner
Michelle Babcock, CDD Administrative Assistant

Planning Commission Members Absent:

Commissioner Rob Rettig
Commissioner Lisa Walker

Council Members Present:

None

PUBLIC WORK SESSION

Chair Simson convened the meeting at 6:00 pm and introduced Planning Commission members to the public.

Heather Cordie, Sherwood School District Superintendent explained the challenges the school district faced regarding capacity in most schools, particularly at the high school. She said the community supported a capital bond for a large project that would building a new high school in the Sherwood West Preliminary Concept Area.

Connie Randall, Planning Manager, explained the Sherwood West Preliminary Concept Plan was a result of a 14 month planning process that would be used as a tool to help guide the community on how it could grow over the next fifty years. As the school district was looking to develop in the Sherwood West area it would need to go through refinement planning.

Karina Ruiz, from Dowa-IBI Group, representing the Sherwood School District explained that as the district progressed through the land use process it needed to look at the Sherwood West Preliminary Concept Plan and see how the development of the high school would impact the land. The Urban Growth Boundary (UGB) Amendment process had a regular schedule to bring property into the UGB, but the district would use an exception to the process to develop the site.

Keith Jones, from HHPR explained the school district was utilizing a Major Amendment process through Metro that allows the UGB to be expanded. He discussed the compressed land use process timeline for the high school which included: UGB expansion, concept planning which included traffic analysis, assigning zoning, annexation, and a Conditional Use Permit to allow the school use and then building the school. They hoped to begin grading by June 2018 and open the new school by Fall 2020.

Julia Hajduk, Community Development Director explained that the Planning Commission Public Work Session was to help Planning Commission member better understand the public's concerns as they would be making a recommendation to the City Council for the concept plan. Members of the public gathered in table groups to discuss the following items as lead by a Planning Commission member:

- What do you think about the intensity of the uses shown?
- Consider and discuss the proposed roadway network.
- Is the correct amount of retail commercial shown? Is the retail commercial located appropriately?
- Consider and discuss the locations of pedestrian pathways and connections to the new school.
- Are there other thoughts/ ideas that should be considered?

The following ideas and concerns were expressed:

The refinement plan should look at the whole planning area and impact of the large site.

Serious concerns about impact to Edy/ Elwert.

Traffic impacts to commutes

Safely concerns for kids crossing Elwert and 99w to get to school

Parking concerns because everyone will drive due to location/event parking/impacts to neighbors

Need more understanding of Metro's requirement for density.

Push commercial south rather than north causing more traffic concerns or closer to high school

Pathways through the high school site.

Connections to roads leading to high school

Consideration for a gateway district /Need for a long term plan for retail.

Light timings at Hwy 99 and Elwert/Sunset

Roundabout traffic concerns

Ms. Ruiz responded that the school district had anticipated traffic would be a major concern and were working with a traffic consultant to consider impacts to traffic. The intent was to ensure that the high school did not become an obstacle for development in Sherwood West. The school district hoped to have a hearing before the planning commission on the concept plan in August 2017.

The meeting adjourned at 7:30 pm.

Submitted by:

Kirsten Allen, Planning Department Program Coordinator

Approval Date: _____

CITY OF SHERWOOD
June 6, 2017

Staff Report

**Oregon Street Townhomes Site Plan and Conditional Use Permit
SP 16-09/CUP 16-04**

TO: Planning Commission

Pre-App. Meeting:	July 14, 2016
App. Submitted:	October 13, 2016
App. Complete:	November 1, 2016
App. On-Hold	December 16, 2016
App. Resubmitted	May 5, 2017
120-Day Deadline:	July 18, 2017
Hearing Date:	June 13, 2017

FROM:



Connie Randall
Planning Manager

Proposal: The applicant is seeking site plan and conditional use permit approval to construct 25 residential townhomes on approximately 1.2 acres of property zoned Retail Commercial (RC) in the Old Cannery area of the Old Town Overlay. The townhomes would be in six separate buildings. The units will range in size from 1,372 square feet to 1,751 square feet. The construction of the project is proposed in two phases, and reserves a space for a future commercial pad that is not part of the proposal.

I. BACKGROUND

A. Applicant/Owner: JDR
23225 NE Dillon Road
Newberg, OR 97132

Owner’s Representative: John Christiansen, PE
AKS Engineering and Forestry
503-563-6151

B. Location: Washington County Tax Lots 2S132BA04000 & 2S132BD06600

C. Address: 15678 and 15690 SW Oregon Street.

D. Parcel Size: The site is approximately 1.2 acres in size.

E. Existing Development and Site Characteristics: The site is relatively flat and contains two parcels with a nonconforming materials storage facility and temporary landscape business office adjacent to SW Oregon Street. Access to the site is via SW Oregon Street on the northwest side of the site.

F. Site History: The site is zoned RC and located in the Old Cannery area of the Old Town Overlay District. Contractor’s storage yards are a prohibited use the RC zone; building material sales and lumber yards are a conditional use when located entirely within an enclosed building. A conditional use permit have never been issued for Jim Fisher Roofing, as the use was originally allowed on the site in 1981 under the designation of Light Industrial.

Consequently, the existing use is a nonconforming use and which was reconfirmed in 2003 with land use application NCU 03-01, Jim Fisher Roofing Expansion Non-Conforming Use and SP 04-01, Jim Fisher Roofing Site Plan.

- G. Adjacent Zoning and Land Use:** The site is surrounded by properties subject to the Old Town Overlay District: to the north is the Springs Senior Living Facility Planned Unit Development (PUD) with Medium Density Residential High (MDRH) and High Density Residential (HDR) underlying zoning, one single-family home with Medium Density Residential Low (MDRL) zoning and the New Life Assembly of God church on an Institutional and Public (IP) zoned parcel; to the south and east is a vacant parcel zoned RC, the partially developed Cannery Square PUD with RC underlying zoning and railroad right-of-way; to the west is City Hall on property zoned Retail Commercial (RC).
- H. Review Type:** According to §16.72.010.A3a, Conditional Uses require a Type III review with a Hearings Officer decision. An appeal would be heard by the Planning Commission. Site plan applications for new or existing structures within the Old Town Overlay District are a Type IV application requiring review and approval by the Planning Commission after a public hearing. An appeal would be heard by the Sherwood City Council.
- I. Public Notice and Hearing:** Notice of the application was mailed to property owners within 1,000 feet, posted on the property and distributed in five locations throughout the City on November 21, 2016 and again on May 24, 2017 in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC). The notice was published in the *Sherwood Gazette* on December 1, 2016 and again in the *Times* (a newspaper of general circulation) on May 25, 2017 and June 8, 2017 in accordance with § 16.72.020 of the SZDC.
- J. Review Criteria:** Sherwood Zoning and Community Development Code: §16.22 (Commercial Land Use Districts), §16.44 (Townhomes), §16.58 (Clear Vision and Fence), §16.72 (Procedures for Processing Development Permits), §16.82 (Conditional Uses), §16.90 (Site Plan Review), §16.92 (Landscaping), §16.94 (Off-Street Parking and Loading), §16.96 (On-Site Circulation), §16.98 (On Site Storage), §16.106 (Transportation Facilities), §16.110 (Sanitary Sewers), §16.112 (Water), §16.114 (Storm), §16.116 (Fire Protection), §16.118 (Public and Private Utilities), §16.124 Property Line Adjustments and Lot Consolidations, §16.142 (Parks, Trees, and Open Spaces), §16.148 (Vibrations), §16.150 (Air Quality), §16.152 (Odors), §16.154 (Heat and Glare), §16.156 (Energy Conservation), and §16.162 (Old Town (OT) Overlay District).

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on November 21, 2016 and again on May 24, 2016. Staff has received no comments as of the date of this report; however, comments are welcome up to the close of the public hearing.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on November 18, 2016 and again on May 19, 2017. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department: The Sherwood Engineering Department has provided comments that are included in this report and attached as **Exhibit B**.

Clean Water Services: A CWS Pre-Screening Site Assessment dated September 15, 2016 states that the proposed project will not significantly impact the existing or potentially sensitive area(s) found near the site. Jackie Humphries, CWS, provided comments on June 2, 2017, that indicated a storm water connection permit would be required. This will be discussed and conditioned further within this report. Her comments are attached as **Exhibit C**.

Tualatin Valley Fire and Rescue (TVF&R): Tom Mooney, Deputy Fire Marshall, provided comments in a letter dated November 29, 2016 attached as **Exhibit D**.

Pride Disposal: Kristen Leichner provided comments on December 5, 2016 and contacted staff on May 19, 2017 reconfirming the validity of the December 5, 2016 letter, attached as **Exhibit E**.

Oregon Department of Transportation (ODOT): Joshua Brooking provided comments on December 5, 2016 and contacted staff on May 24, 2017 stating that ODOT had no changes to the original letter, attached as **Exhibit F**. In the original letter, ODOT provided recommend conditions of approval relating to the installation of a fence and prohibiting encroachment or impacts to the adjacent rail right-of-way.

Washington County, Kinder Morgan Energy, METRO, NW Natural Gas and Portland General Electric did not respond or provided no comments to the request for agency comments by the date of this report.

IV. SITE PLAN REVIEW REQUIRED FINDINGS (16.90 Site Planning)

D. Required Findings

No site plan approval shall be granted unless each of the following is found:

- 1. The proposed development meets applicable zoning district standards and design standards in Division II, and all provisions of Divisions V, VI, VIII and IX.**

FINDING: The proposed development meets the applicable zoning district standards as discussed below under the "Division II- Land Use and Development" section, and the applicable provisions of Divisions V, VI, VIII, and IX as discussed in detail below.

- 2. The proposed development can be adequately served by services conforming to the Community Development Plan, including but not limited to water, sanitary facilities, storm water, solid waste, parks and open space, public safety, electric power, and communications.**

FINDING: As discussed in detail in the Public Infrastructure section, water, sanitary sewer, and storm sewer are either available or can be extended to serve the site. The subject site has access to SW Oregon Street, a developed collector status road, on the northwest. Solid waste services are available for the proposed development. The nearest parks are Cannery Square, southeast of the site off Pine Street and Veteran's Park, southwest of the site off Main Street., Police and Fire services are available to serve the site. All new utilities for the site will be required to be underground. Sherwood Broadband utilities are required to be installed. This criterion can be met as discussed and conditioned in the Public Infrastructure Section below.

- 3. Covenants, agreements, and other specific documents are adequate, in the City's determination, to assure an acceptable method of ownership, management, and maintenance of structures, landscaping, and other on-site features.**

ANALYSIS: The applicant has indicated that the development will be developed and platted as condominiums. As there is extensive common open space, parking, and a private drive, details of the proposed maintenance responsibility is necessary. Conditions, Covenants, and Restrictions (CC&Rs) should address maintenance responsibility.

FINDING: A recorded copy of the maintenance agreement and CC&Rs will be necessary prior to occupancy of any structure. This criterion is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B1. Prior to Final Site Plan approval, submit a copy of the proposed CC&Rs and Home Owners Association (HOA) Agreement for staff review and approval. At a minimum, the CC&Rs and HOA agreement must include the landscape maintenance standards for any and all common open space and water quality facilities, a provision for how the common facilities (open space, parking, driveways) will be maintained with ultimate responsibility assigned, and a provision for the HOA to maintain any water quality facility per the City standards.

RECOMMENDED CONDITION: G1. Prior to Final Occupancy of the last building in any Phase, a copy of the recorded CC&Rs and HOA formation must be submitted to the Planning Department.

- 4. The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation (including but not limited to environmentally sensitive lands), scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code.**

FINDING: As documented in the CWS Pre-Screening Site Assessment (Attachment A; Exhibit F) the proposed project will not significantly impact the existing or potentially sensitive area(s) found near the site. Additionally, as discussed in the Environmental Resources section below, while four of the 10 trees on site are proposed for removal, the proposed development seeks to preserve a mature stand of trees located on the north end of the site and plant 12 additional trees on site. This criterion can be met as discussed and conditioned in the Environmental Resources Section below.

- 5. For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant must provide adequate information, such as a traffic impact analysis (TIA) or traffic counts, to demonstrate the level of impact to the surrounding transportation system. The developer is required to mitigate for impacts attributable to the project, pursuant to TIA requirements in Section 16.106.080 and rough proportionality requirements in Section 16.106.090. The determination of impact or effect and the scope of the impact study must be coordinated with the provider of the affected transportation facility.**

FINDING: The applicant generated trip calculations based on guidelines in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 8th Edition, documenting the proposed 25 dwelling units will result in 145 average daily trips, below the threshold required for a Traffic Impact Analysis (TIA). Consequently, this criterion is not applicable.

6. **The proposed commercial, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards include the following:**
 - a. **Primary, front entrances are located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.**
 - b. **Buildings are located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.**
 - c. **The architecture of buildings are oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding are prohibited. Street facing elevations have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain are required unless other architectural elements are provided for similar protection, such as an arcade.**
 - d. **As an alternative to the standards in Section 16.90.020.D.6.a—c, the following Commercial Design Review Matrix may be applied to any commercial, multi-family, institutional or mixed use development (this matrix may not be utilized for developments within the Old Town Overlay). A development must propose a minimum of 60 percent of the total possible points to be eligible for exemption from the standards in Section 16.90.020.D.6.a—c. In addition, a development proposing between 15,001 and 40,000 square feet of floor area, parking or seating capacity and proposing a minimum of 80 percent of the total possible points from the matrix below may be reviewed as a Type II administrative review, per the standards of Section 16.72.010.A.2.**

STAFF ANALYSIS: The applicant is proposing a townhome development on a site zoned Retail Commercial (RC) in the Old Town Overlay. The project is subject to the Townhome Design Standards in Section 16.44.010.E. as well as the Old Town Overlay Standards in Chapter 16.162 as discussed in the appropriate sections below. In addition, the applicant has complied with the above design guidelines. All buildings have entrances oriented toward the street, SW Oregon Street. Building facades include significant articulation that distinguish the pedestrian entrances. Buildings 1-4 are located adjacent to SW Oregon Street with front entrances directly to the adjacent sidewalk while garage entrances and secondary pedestrian access is located to the rear of the buildings. Additionally, Buildings 1-4 include deck overhangs that provide shelter from the rain. No aluminum, vinyl, or T-111 siding is proposed. The elevations include a variety of architectural elements such as a multiple building materials, windows, and a building band between the first and second floor to project a pedestrian scale. Prohibited building materials are not proposed.

FINDING: These criteria are met.

7. **Industrial developments provide employment opportunities for citizens of Sherwood and the region as a whole. The proposed industrial development is designed to enhance areas visible from arterial and collector streets by reducing the "bulk" appearance of large buildings. Industrial design standards include the following (a. and b.).**

FINDING: The applicant is proposing a townhome development on a site zoned Retail Commercial (RC) in the Old Town Overlay. Consequently, these industrial design guidelines are not applicable.

- 8. Driveways that are more than twenty-four (24) feet in width shall align with existing streets or planned streets as shown in the Local Street Connectivity Map in the adopted Transportation System Plan (Figure 17), except where prevented by topography, rail lines, freeways, pre-existing development, or leases, easements, or covenants.**

FINDING: There applicant proposes to utilize the existing driveway at the southwest side of the site for access to the Phase I development. The existing driveway at the northwestern side of the site will be demolished and relocated further north with the development of Phase II. This new driveway does not exceed 24 feet in width. This criterion is not applicable.

V. CONDITIONAL USE PERMIT REVIEW REQUIRED FINDINGS (16.82 Conditional Uses)

16.82.20 - Permit Approval

C. Use Criteria

No conditional use shall be granted unless each of the following is found:

- 1. All public facilities and services to the proposed use, including but not limited to sanitary sewers, water, transportation facilities, and services, storm drains, electrical distribution, park and open space and public safety are adequate; or that the construction of improvements needed to provide adequate services and facilities is guaranteed by binding agreement between the applicant and the City.**

STAFF ANALYSIS: As discussed in detail in the Public Infrastructure section below, water, sanitary sewer, and storm sewer are either available or can be extended to serve the site. The subject site has access to SW Oregon Street, a developed collector status road, on the northwest. Solid waste services are available for the proposed development. The nearest parks are Cannery Square, southeast of the site off Pine Street and Veteran's Park, southwest of the site off Main Street., Police and Fire services are available to serve the site. All new utilities for the site will be required to be underground. Sherwood Broadband utilities are required to be installed.

FINDING: This criterion can be met as discussed and conditioned in the Public Infrastructure Section below.

- 2. Proposed use conforms to other standards of the applicable zone and is compatible with abutting land uses in regard to noise generation and public safety.**

STAFF ANALYSIS: The site is zoned Retail Commercial (RC) and is subject to the Old Town (OT) Overlay district. As discussed below, the proposed development conforms to the other standards of the RC and OT districts. The site is located northwest of the existing rail right-of-way and planned Cannery Square PUD commercial development, north of the existing City Hall facility and south of the Springs Senior Living Facility PUD and New Life Assembly for God church. The proposed single-family residential townhome project is not likely to generate more noise than the adjacent existing and planned commercial uses and is likely to be similar to the existing and proposed senior housing project. Tualatin Valley Fire and Rescue has expressed no concerns about the level of anticipated public safety needs.

FINDING: This criterion has been met.

- 3. The granting of the proposal will provide for a facility or use that meets the overall needs of the community and achievement of the goals and/or policies of the Comprehensive Plan, the adopted City of Sherwood Transportation System Plan and this Code.**

STAFF ANALYSIS: The Sherwood Town Center Plan, adopted on September 17, 2013, includes a variety of policies and strategies to support the primary goal: “Future residential growth, economic development, and public investment in the Sherwood Town Center will enhance urban vibrancy, encourage active transportation, and improve safety and efficiency for all modes of transportation.” The proposed townhome development will support residential growth in the town Center to support the economic development and public investments in the area. An influx of residents within walking distance of the Old Town businesses will help support those business and decrease the need for automobile-related transportation facility improvements.

Chapter Four of the Comprehensive Plan seeks to “locate land uses so as to:

- Minimize the adverse effects of one use on another.
- Provide for convenient and energy-efficient movement of persons, vehicles and goods within and among the major categories of land use activity.
- Minimize the adverse effects of human activity on the natural environment.”

The proposed development will contribute to a vibrant Old Town area by providing additional housing opportunities in convenient and close proximity to goods and services. It will also further the Plan’s desire for a more diverse mix of housing types and tenures. The proposed townhome development will provide an alternative to traditional single-family detached homes and increase housing choice for current and future Sherwood residents.

FINDING: This criterion has been met.

- 4. Surrounding property will not be adversely affected by the use, or that the adverse effects of the use on the surrounding uses, the neighborhood, or the City as a whole are sufficiently mitigated by the conditions proposed.**

STAFF ANALYSIS: The proposed townhome project will redevelop a nonconforming lumber storage facility and will complement the proposed expansion of the Spring Senior Living Facility on the north side of SW Oregon Street, providing a welcoming and inviting gateway to the Old Town area from the east side of the City. As previously discussed, the proposed use is compatible with the existing and proposed surrounding uses. The surrounding properties will not be adversely affected by the proposed use.

FINDING: This criterion is met.

- 5. The impacts of the proposed use of the site can be accommodated considering size, shape, location, topography and natural features.**

FINDING: The proposed site is relatively flat and rectangular-shaped that narrows to a point at the northern edge. The proposed townhome development has been designed to maximize the lot while accommodating the requisite parking, landscaping and open space. This criterion is met.

- 6. The use as proposed does not pose likely significant adverse impacts to sensitive wildlife species or the natural environment.**

STAFF ANALYSIS: As documented in the CWS Pre-Screening Site Assessment (Attachment A; Exhibit F) the proposed project will not significantly impact the existing or potentially sensitive area(s) found near the site. Additionally, as discussed in the Environmental Resources section below, while four of the 10 trees on site are proposed for removal, the proposed development seeks to preserve a mature stand of trees located on the north end of the site and plant 12 additional trees on site.

FINDING: This criterion can be met as discussed and conditioned in the Environmental Resources Section below.

- 7. For wireless communication facilities, no Conditional Use Permit will be granted unless the following additional criteria is found:**
- a. The applicant demonstrates to the satisfaction of the City that the wireless communication facility cannot be located in an IP zone due to the coverage needs of the applicant.
 - b. The proposed wireless communication facility is designed to accommodate co-location or it can be shown that the facility cannot feasibly accommodate co-location.
 - c. The applicant demonstrates a justification for the proposed height of the tower or antenna and an evaluation of alternative designs which might result in lower heights.
 - d. The proposed wireless communication facility is not located within one-thousand (1,000) feet of an existing wireless facility or that the proposed wireless communication facility cannot feasibly be located on an existing wireless communication facility.
 - e. The proposed wireless communication facility is located a minimum of three-hundred (300) feet from residentially zoned properties.

FINDING: The proposed use is not a wireless communication facility. Therefore, this criterion is not applicable.

- 8. The following additional criteria apply to transportation facilities and improvements subject to Conditional Use approval per Chapter 16.66. These are improvements and facilities that are (1) not designated in the adopted City of Sherwood Transportation System Plan (TSP), and are (2) not designed and constructed as part of an approved land use application.**
- a. The project preserves or improves the safety and function of the facility through access management, traffic calming, or other design features.
 - b. The project includes provisions for bicycle and pedestrian access and circulation consistent with the Comprehensive Plan, the requirements of this Code, and the TSP.
 - c. Proposal inconsistent with TSP: If the City determines that the proposed use or activity or its design is inconsistent with the TSP, then the applicant is required to apply for and obtain a plan and/or zoning amendment prior to or in conjunction with Conditional Use Permit approval.
 - d. State transportation system facility or improvement projects: The Oregon Department of Transportation (ODOT) must provide a narrative statement with the application demonstrating compliance with all of the criteria and standards in Sections 16.82.020.C.1—6 and 8.a—8.d. Where applicable, an Environmental Impact Statement or Environmental Assessment may be used to address one or more of these criteria.

FINDING: The proposed use is not a Transportation Facility nor Improvement as defined per Chapter 16.66. Therefore, this section is not applicable.

D. Additional Conditions

In permitting a conditional use or modification of an existing conditional use, additional conditions may be applied to protect the best interests of the surrounding properties and neighborhoods, the City as a whole, and the intent of this Chapter. These conditions may include but are not limited to the following:

- 1. Mitigation of air, land, or water degradation, noise, glare, heat, vibration, or other conditions which may be injurious to public health, safety or welfare in accordance with environmental performance standards.**

FINDING: The proposed townhome development does not require additional mitigation of air, land or water degradation, noise, glare, heat, vibration or other conditions which may be injurious to public health, safety or welfare. This criterion is met.

- 2. Provisions for improvement of public facilities including sanitary sewers, storm drainage, water lines, fire hydrants, street improvements, including curb and sidewalks, and other above and underground utilities.**

FINDING: As discussed in the Public Infrastructure section below, water, sanitary sewer, and storm sewer are either available or can be extended to serve the site. The subject site has access to SW Oregon Street, a developed collector status road, on the northwest. Currently, SW Oregon Street frontage along the subject property has a street curve issue that affects the drivability of the street. Consequently, a section of the existing street and sidewalk will be required to be realigned as shown on the proposed plans. The proposed conditional use does not require any additional provisions of or improvements to public facilities. This criterion is met.

- 3. Increased required lot sizes, yard dimensions, street widths, and off-street parking and loading facilities.**

FINDING: The proposed condominium townhome development does not require increased lot sizes, yard dimensions, street widths or off-street parking or loading facilities. This criterion is not applicable.

- 4. Requirements for the location, number, type, size or area of vehicular access points, signs, lighting, landscaping, fencing or screening, building height and coverage, and building security.**

FINDING: The proposed townhome development will have two points of access via SW Oregon Street. The site is long and narrow and located between SW Oregon Street and railroad right-of-way; no other access points are viable or required. No signs are proposed. Any signs proposed in the future would be reviewed and approved in accordance with the standards of section 16.100 of the Development Code. The applicant has demonstrated compliance with landscaping requirements. The applicant has demonstrated compliance with existing code provisions and additional requirements are not warranted. This criterion is met.

- 5. Submittal of final site plans, land dedications or money-in-lieu of parks or other improvements, and suitable security guaranteeing conditional use requirements.**

FINDING: While the above items will be required prior to receiving final site plan approval and permits, there is no need to require additional conditions as a result of the requested conditional use. This criterion is met.

6. Limiting the number, size, location, height and lighting of signs.

FINDING: No signs, apart from ADA signage, is proposed. Any signs proposed in the future would be reviewed and approved in accordance with the standards of section 16.100 of the Development Code. Limits to the number, size, location, height and lighting of signs is not necessary. This criterion is met.

7. Requirements for the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.

FINDING: The subject site has minimal vegetation and no identified watercourses, habitat areas or drainage areas. As discussed in the Environmental Resources section below, while four of the 10 trees on site are proposed for removal, the proposed development seeks to preserve a mature stand of trees located on the north end of the site and plant 12 additional trees on site. Additional conditions regarding the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas is not warranted. This criterion is not applicable.

8. Requirements for design features which minimize potentially harmful environmental impacts such as noise, vibration, air pollution, glare, odor and dust.

STAFF ANALYSIS: The requested Conditional Use, a 25-unit single-family townhome development, has limited potential to create harmful environmental impacts that require mitigation measures above and beyond those already provided in the current code. No additional mitigation is warranted.

FINDING: This criterion is met.

E. Time Limits

Unless approved under Section 16.82.020.A.2 for a larger development to include future tenants of such development, authorization of a conditional use shall be void after two (2) years or such lesser time as the approval may specify unless substantial construction, in the City's determination, has taken place. The Hearing Authority may extend authorization for an additional period, not to exceed one (1) year, upon a written request from the applicant showing adequate cause for such extension, and payment of an extension application fee as per Section 16.74.010.

STAFF ANALYSIS: The proposed townhome project is proposed to develop in two phases. As the Applicant's Narrative states, if approved, Phase I is anticipated to begin in 2017 and be complete in 2018. The timing for Phase II is unknown at this time. For purposes of the Conditional Use Permit, completion of Phase I constitutes substantial construction.

FINDING: This criterion is not met but can be met as conditioned below.

RECOMMENDED CONDITION: A3. The authorization of the conditional use shall be void after two years unless substantial construction has taken place. The Hearing Authority may extend authorization for an additional period, not to exceed one year, upon a written request from the applicant showing adequate cause for such extension and payment of an extension

application fee as per Section 16.74.010. The completion of Phase I shall constitute substantial completion.

VI. APPLICABLE CODE PROVISIONS

A. Division II– Land Use and Development

Chapter 16.22 COMMERCIAL LAND USE DISTRICTS

16.22.020 Uses

- A. The table below identifies the land uses that are permitted outright (P), permitted conditionally (C), and not permitted (N) in the Commercial Districts. The specific land use categories are described and defined Chapter 16.88 (Interpretation of Similar Uses).
- B. Uses listed in other sections of the code, but not within this specific table are prohibited.
- C. Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the commercial zones or contribute to the achievement of the objectives of the commercial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88 (Interpretation of Similar Uses).
- D. Additional limitations for specific uses are identified in the footnotes of this table.

STAFF ANALYSIS: The proposed use is not permitted in the Retail Commercial (RC) district. However, the subject property is subject to the provisions of the Old Town (OT) Overlay district found in Section 16.162 which specifically states, in Section 16.162.040, Conditional Uses: “B. Townhouses (shared wall single-family attached) on property zoned RC in the Old Cannery area subject to Chapter 16.44 and the HDR standards. In addition, any garages shall use ally access. RC zone setback standards may be used in lieu of other applicable standards.”

FINDING: The proposed use is not an outright permitted use in the RC zoning district, but is conditionally permitted as allowed by the Old Town (OT) Overlay district provisions outlined in Section 16.162.040.C. This criterion is not met, but can be met with the approval of the Conditional Use Permit.

16.22.030 Development Standards

A. Generally

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84. (Variance and Adjustments)

B. Development Standards

Except as otherwise provided, required minimum lot areas, dimensions and setbacks shall be provided in the following table.

	RC	PROPOSED Phase I	PROPOSED Phase II
Lot area	5,000 sq. ft.	31,975 sq. ft.	20,670 sq. ft.
Lot width at front property line:	40 ft	255 ft.	380 ft.
Minimum Lot width at building line	40 ft	255 ft.	380 ft.
Front yard setback ⁹	0 ft	0 ft.	0 ft.
when abutting residential zone	Same as abutting residential zone	N/A	N/A
Side yard setback ⁹	0 ft	5 ft.	5 ft.
when abutting residential zone	10 ft	N/A	N/A
Rear yard setback ⁹	0	0 ft.	0 ft.
when abutting residential zone	10 ft	N/A	N/A
Height ^{10,11}	50 ft ^{13,14}	32 ft.	32 ft.
⁹ Existing residential uses shall maintain setbacks as specified in the High Density Residential Zone (16.12.030). ¹⁰ Maximum height is the lessor of feet or stories. ¹¹ Solar and wind energy devices and similar structures attached to buildings and accessory buildings, may exceed this height limitation by up to twenty (20) feet. ¹³ Structures within one-hundred (100) feet of a residential zone shall be limited to the height requirements of that residential area. ¹⁴ Structures over fifty (50) feet in height may be permitted as conditional uses, subject to Chapter 16.82.			

STAFF ANALYSIS: The site is also subject to the Old Town (OT) Overlay District, which supersedes the requirements of the RC district if there is a conflict. The OT Overlay requires a minimum lot area of 2,500 square feet; no minimum yards (setbacks) including structures adjoining a residential zone; and limits height to 50 feet (4 stories) in the “Old Cannery” area. The applicant is not proposing any new lots. The existing lot sizes and widths exceed the minimum requirements. The applicant is proposing three story buildings at 32 feet, well below the four-story, 50-foot height limit. The applicant will be subject to site design standards, including perimeter landscape standards, as required in Division V, Community Design, of the Development Code.

FINDING: These standards are met.

16.44 TOWNHOMES

16.44.010 - Townhome Standards

A. Generally

A townhome may be located on property zoned MDRH, HDR, or in other zones as specified in an approved Planned Unit Development or as a Conditional Use in the Old Town Overlay District, provided that the townhome meets the standards contained below, and other applicable standards of Division V - Community Design. Such developments that propose townhomes can do so as condominiums on one parent lot, or in a subdivision, but shall do so in groups known as "townhome blocks," which consist of groups no less than two attached single-family dwellings and no more than six in a block, that meet the general criteria of Subsection B below, and specific design and development criteria of this Chapter.

STAFF ANALYSIS: The subject site is located in the RC zone in the Old Cannery area of the Old Town Overlay District. Townhomes are allowed on the subject site with a Conditional Use Permit. The applicant is seeking approval of a Conditional Use Permit with this application. The applicant is proposing townhome development in “townhome blocks” consisting of 4- and 5-unit blocks. The

applicant is proposing to develop the townhomes as condominiums on one parent lot. The applicant proposes a two-phase development across two lots. Phase I development is entirely on lot 2S132BD06600. Phase II proposes development across lot 2S132BD06600 and lot 2S132BA04000. The applicant will need to consolidate the lots or adjust the lot lines prior to development of Phase II to avoid having buildings cross the property line.

FINDING: These standards are not met but can be met with the approval of the Conditional Use Permit and as previously conditioned.

RECOMMENDED CONDITION: E1. Prior to issuance of a building permit for Phase II, obtain approval for and record a lot consolidation or lot line adjustment and provide evidence of a recorded cross-access easement between the two parcels..

B. Standards

- 1. Each townhome shall have a minimum dwelling area of twelve-hundred (1,200) square feet in the MDRH zone, and one-thousand (1,000) square feet in the HDR zone. Garage area is not included within the minimum dwelling area.**

STAFF ANALYSIS: The subject site is located in the RC zone in the Old Cannery area of the Old Town Overlay District. Townhomes are allowed on the subject site with a Conditional Use Permit subject to the requirements of this Chapter and the HDR standards. Consequently, each townhome unit must have a minimum dwelling area of 1,200 square feet. The proposed townhome units range in size from 1,372 to 1,751 square feet, exceeding the minimum requirement.

FINDING: This standard is met.

- 2. Lot sizes shall average a minimum of two-thousand five-hundred (2,500) square feet in the MDRH zone, and one-thousand eight-hundred (1,800) square feet in the HDR zone, unless the property qualifies as "infill," and meets the criteria of Subsection D below. If proposed as a subdivision, lots shall be platted with a width of no less than twenty (20) feet, and depth no less than seventy (70) feet.**

STAFF ANALYSIS: As discussed above, the applicant is proposing to develop the townhomes as condominiums on one parent lot. No individual lots are proposed.

FINDING: This standard is not applicable.

- 3. The townhome shall be placed on a perimeter foundation, the units must meet the front yard, street-side yard, and rear yard setbacks of the underlying zone, if abutting a residential zone designated for, or built as, single-family detached housing.**

STAFF ANALYSIS: The proposed townhome development is located southeast of property zoned MDRL and MDRH. The proposed development does not abut any residentially zoned property or residential development as it is separated by SW Oregon Street and the SZCDC defines "abut" as: "contiguous to, in contact with, or adjoining with a common property line; two properties separated by another parcel, lot, tract or right-of-way measuring twenty feet in width or less, shall be considered abutting for the purposes of interpreting the infill-related development standards." However, the proposed townhome building will be placed on a perimeter foundation and meet the RC zone setback standards.

FINDING: This standard is not applicable.

4. **All townhomes shall include at least two (2) off-street parking spaces in the HDR zone, and two and one-half (2-½) spaces in the MDRH zone; garages and/or designated shared parking spaces may be included in this calculation. The City Engineer may permit diagonal or angle-in parking on public streets within a townhome development, provided that adequate lane width is maintained. All townhome developments shall include a parking plan, to be reviewed and approved with the Site Plan application.**

STAFF ANALYSIS: As discussed above, the proposed development is subject the HDR standards. As such, two off-street parking spaces are required per townhome unit. With 25 units proposed, 50 parking spaces are required. However, as discussed below in the Community Design section, because the site is located within the Old Cannery area of the Old Town Overlay District, the parking requirement is capped at 65% of the required parking as outlined in Section 16.162.070.C. Consequently, the proposed townhome development is required to provide 33 parking spaces (65% of the proscribed 50 spaces). As shown on the Site Plan (Exhibit A, Sheet 04), the applicant is proposing 50 spaces, exceeding the requirement. the proposed development complies with the parking standards in this section and those of the Old Cannery area in the Old Town Overlay District.

FINDING: This standard is met.

5. **All townhomes shall have exterior siding and roofing which is similar in color, material and appearance to siding and roofing commonly used on residential dwellings within the City, or otherwise consistent with the design criteria of Subsection E, Design Standards.**

STAFF ANALYSIS: As shown on the proposed elevations (Exhibit A, Sheets A-5 through A-9), the proposed townhomes have exterior siding and roofing similar in color, material and appearance to siding and roofing commonly used on residential dwellings with the City. Additionally, the proposed elevations are consistent with the design criteria of Subsection E, below.

FINDING: This standard is met.

6. **All townhomes in the MDRH zone shall have an attached or detached garage.**

STAFF ANALYSIS: As discussed above, the proposed development is subject the HDR standards. However, each proposed townhome unit has an attached garage.

FINDING: This standard is not applicable.

7. **All other community design standards contained in Divisions V, VIII and IX relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design that are not specifically varied by this Chapter, shall apply to townhome blocks.**

STAFF ANALYSIS: As discussed below, all other community design standards contained in Divisions V, VIII and IX are met or can be met as conditioned below.

FINDING: These standards are met as discussed and conditioned below.

8. All townhome developments shall accommodate an open space or park area no less than five percent (5%) of the total subject parcel (prior to exclusion of public right-of-way and environmentally constrained areas). Parking areas may not be counted toward this five percent (5%) requirement.

STAFF ANALYSIS: The 1.2 acre site is required to provide a minimum of 2,613 square feet of park or open space. As shown on the Preliminary Landscape Plan (Exhibit A, Sheet 09), the application includes more than 4,500 square feet of open space via a combination of open lawn space and landscaped areas between buildings 2 and 3, 3 and 4, and 5 and 6. The Preliminary Landscape Plan shows that Phase I is providing a minimum of 10% open space and Phase II is providing 32% open space. Combines, the site will include 19% open space at full build-out. The proposed landscape areas appear to be consistent with what the applicant is stating. However, square footage calculations for each landscape area are not provided to confirm that the minimum requirements are being met.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B2. Prior to Final Site Plan approval, submit a revised Landscape Plan with open space calculations documenting the size of each open space area in square feet as well as the percent of total area.

9. Side yard setbacks shall be based on the length of the townhome block; a minimum setback to the property line* on the end of each "townhome block" shall be provided relative to the size of the block, as follows:

a.	100 feet to 150 feet	6 feet minimum
b.	Less than 100 feet	5 feet minimum

* In the case of condominium projects where no property line may exist at the end of each townhome block, the setback shall be applied as a minimum area of separation, as applied to each townhome block.

STAFF ANALYSIS: The proposed townhomes are proposed to be developed as a condominium project with 6 townhome blocks ranging in length from 76 feet to 95 feet. As demonstrated on the Preliminary Site Plan, a minimum area of separation of 5 feet is provided between each townhome block building consistent with this standard.

FINDING: This standard is met.

C. Occupancy

1. No occupancy permit for any townhome shall be issued by the City until the requirements of site plan review and the conditions of the approved final site plan are met. Substantial alteration from the approved plan must be resubmitted to the City for review and approval, and may require additional site plan review before the original hearing authority.
2. The owner(s) of the townhomes, or duly authorized management agent, shall be held responsible for all alterations and additions to a townhome block or to individual homes within the block, and shall ensure that all necessary permits and inspections are obtained from the City or other applicable authority prior to the alterations or additions being made.

STAFF ANALYSIS: The applicant has acknowledged the requirement to comply with Final Site Plan approval.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: G2. Prior to Occupancy, all site improvements, including but not limited to landscaping, parking and site lighting shall be installed per the approved final site plan and inspected and approved by the Planning Department. If constructed in phases, site improvements shall be installed consistent with the phases shown.

D. Infill Standard

The minimum lot size required for single-family, attached dwellings (townhomes) may be reduced by a maximum of 15% if the subject property is 1.5 acres or less, and the subject property is surrounded by properties developed at or in excess of minimum density for the underlying zone.

FINDING: The proposed townhome units will not be located on individual lots. This standard is not applicable.

E. Design Standards

Each townhome block development shall require the approval of a site plan, under the provisions of Section 16.90.020, and in compliance with the standards listed below. The site plan shall indicate all areas of townhome units, landscaping, off-street parking, street and driveway or alley locations, and utility access easements. The site plan shall also include a building elevation plan, which show building design, materials, and architectural profiles of all structures proposed for the site.

- 1. Building Mass:** The maximum number and width of consecutively attached townhomes shall not exceed six (6) units or one-hundred fifty (150) feet from end-wall to end-wall.

STAFF ANALYSIS: The proposed townhome development consists of six townhome blocks, each with four or five townhome units. The maximum length of each townhome block is 95 feet.

FINDING: This standard is met.

- 2. Designation of Access/Alleys:** Townhomes shall receive vehicle access only from the front or rear lot line exclusively, not both. If alleys are used for access they shall be created at the time of subdivision approval and built to City standards as illustrated in the Transportation System Plan.
- 3. Street Access:** Townhomes fronting on a neighborhood route, collector, or arterial shall use alley access, either public or private, and comply with all of the following standards, in order to minimize interruption of adjacent sidewalks by driveway entrances and conflicts with other transportation users, slow traffic, improve appearance of the streets, and minimize paved surfaces for better stormwater management. Direct access to local streets shall only be used if it can be demonstrated that due to topography or other unique site conditions precludes the use of alleys.
 - a. Alley loaded garages shall be set back a minimum five feet to allow a turning radius for vehicles and provide a service area for utilities.**
 - b. If garages face the street, the garage doors shall be recessed behind the front elevation (living area, covered porch, or other architectural feature) by a minimum of one (1) foot.**
 - c. The maximum allowable driveway width facing the street is two (2) feet greater than the width of the garage door. The maximum garage door width per unit is**

sixty percent (60%) of the total building width. For example, a twenty (20) foot wide unit may have one 12-foot wide recessed garage door and a fourteen (14) foot wide driveway. A 24-foot wide unit may have a 14-foot, 4-inch wide garage door with a 16-foot, 4-inch wide driveway.

STAFF ANALYSIS: As shown on the Preliminary Site Plan (Exhibit A, Sheet 04), two vehicular access points are provided via SW Oregon Street. A private access drive connects the two access points through the site. Vehicular access is provided to the rear of Buildings 1-4, which front onto SW Oregon Street, and to the front of Buildings 5 and 6 which are located to the rear of Buildings 1-4. No garages face a public street and no alleys are proposed.

FINDING: These standards are met.

- 4. Building Design: The intent of the following standards is to make each housing unit distinctive and to prevent garages and blank walls from being a dominant visual feature.**
 - a. The front facade of a townhome may not include more than forty percent (40%) of garage door area.**

STAFF ANALYSIS: As shown on the Building Elevations (Exhibit A, Sheet A-5 through A-9), only buildings 5 and 6 have garages on the front façade. The front façade of each townhouse unit within Buildings 5 and 6 will be approximately 556 square feet in area. The total area of the garage doors on these units will be 56 square feet per unit. Garages will therefore comprise approximately 10% of the facades of these townhouse units, well below the maximum area allowed.

FINDING: This standard is met.

- b. The roofs of each attached townhome must be distinct from the other through either separation of roof pitches or direction, variation in roof design, or architectural feature. Hipped, gambrel, gabled, or curved (i.e. barrel) roofs are required. Flat roofs are not permitted.**

STAFF ANALYSIS: : As shown on the Building Elevations (Exhibit A, Sheet A-5 through A-9), the roofs of each attached townhome unit will be distinct from other units through the use of separated roof pitches, variation in design and architectural feature. No flat roofs are proposed.

FINDING: This standard is met.

- c. A minimum of fifty percent (50%) of the residential units within a block's frontage shall have a front porch in the MDRH zone. Front porches may encroach six (6) feet beyond the perimeter foundation into front yard, street-side yard, and landscape corridor setbacks for neighborhood routes and collectors, and ten (10) feet for arterials, and are not subject to lot coverage limitations, in both the MDRH and HDR zones. Porches may not encroach into the clear vision area, as defined in Section 16.58.010.**

STAFF ANALYSIS: The proposed development is subject to the HDR, not the MDRH standards. However, each townhome unit (100%) has a covered porch area.

FINDING: These standards are met.

- d. **Window trim shall not be flush with exterior wall treatment for all windows facing public right-of-ways. Windows shall be provided with architectural surround at the jamb, head and sill.**

STAFF ANALYSIS: As shown on the Building Elevations (Exhibit A, Sheet A-5 through A-9), all windows are provided with architectural surround at the jamb, head and sill. No proposed window trims are flush with the exterior wall treatment on any elevation.

FINDING: This standard is met.

- e. **All building elevations visible from the street shall provide doors, porches, balconies, windows, or architectural features to provide variety in facade. All front street-facing elevations, and a minimum of fifty percent (50%) of side and rear street-facing building elevations, as applicable, shall meet this standard. The standard applies to each full and partial building story. Alternatively, in lieu of these standards, the Old Town Design Standards in Chapter 16.162 may be applied.**

STAFF ANALYSIS: As shown on the Building Elevations (Exhibit A, Sheet A-5 through A-9), all building elevations, not just those facing the street, include architectural variations, including doors, porches, balconies, windows and architectural features to provide variety in the all facades. The site is subject to and meets the Old Cannery provisions in the Old Town Overlay District as discussed below.

FINDING: This standard is met.

- f. **The maximum height of all townhomes shall be that of the underlying zoning district standard, except that: twenty-five percent (25%) of townhomes in the MDRH zone may be 3-stories, or a maximum of forty (40) feet in height if located more than one-hundred fifty (150) feet from adjacent properties in single-family (detached) residential use.**

STAFF ANALYSIS: The proposed townhome development is subject to the HDR, not MDRH standards. However, as shown on the Building Elevations (Exhibit A, Sheet A-5 through A-9), the proposed 3-story townhome block buildings are 31 feet, 8 inches high.

FINDING: This standard is not applicable.

- 5. **Vehicular Circulation: All streets shall be constructed in accordance with applicable City standards in the Transportation System Plan. The minimum paved street improvement width shall be:**
 - a. **Local Street: Twenty-eight (28) feet, with parking allowed on one (1) side.**
 - b. **Neighborhood Route: Thirty-six (36) feet, with parking on both sides.**
 - c. **Collector: Thirty-four (34) feet with parking on one side, fifty (50) feet with parking on both sides.**
 - d. **In lieu of a new public street, or available connection to an existing or planned public street, a private 20 foot minimum driveway, without on-street parking, and built to public improvement standards, is allowed for infill properties as defined in Section 16.44.010(D). All townhome developments in excess of thirty (30) units require a secondary access.**
 - e. **Any existing or proposed street within the townhome block that, due to volumes of traffic, connectivity, future development patterns, or street location, as**

determined by the City, functions as a neighborhood route or collector or higher functional classification street based on connectivity, shall be constructed to full City public improvement standards.

STAFF ANALYSIS: As shown on the Preliminary Site Plan (Exhibit A, Sheet 04), a new 24-foot wide private driveway though the site will provide access to all units and guest parking located on site. This driveway will provide access to SW Oregon Street at the site's north and south ends. The application does not propose any new public street construction.

FINDING: This standard is met.

16.58.010 Clear Vision Areas

- A. A clear vision area shall be maintained on the corners of all property at the intersection of two (2) streets, intersection of a street with a railroad, or intersection of a street with an alley or private driveway.**
- B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation; or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection, and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two (2) sides.**
- C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2½) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground on the sidewalk side and ten (10) feet on the street side.**

The following requirements shall govern clear vision areas:

- 1. In all zones, the minimum distance shall be twenty (20) feet.**
- 2. In all zones, the minimum distance from corner curb to any driveway shall be twenty-five (25) feet.**
- 3. Where no setbacks are required, buildings may be constructed within the clear vision area.**

FINDING: Clear vision areas are identified on the site plan at the intersections of the proposed new driveway and SW Oregon Street. The Preliminary Landscape Plans appear to show trees in the clear vision area. Final Landscape Plans will need to ensure compliance with the clear vision standards.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B3. Prior to final site plan approval, revise plans to show that there are no sight obstructing objects within the clear vision area in accordance with Section 16.58.010.

B. Division V. Community Design

16.92-LANDSCAPING

16.92.010-Landscaping Plan Required

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan that meets the standards of this Chapter. All areas not occupied by structures, paved roadways, walkways, or patios shall be landscaped or maintained according to an approved site plan.

FINDING: The applicant submitted a landscape plan that shows landscaping adjacent to the parking areas. Compliance with the landscaping standards will be discussed below. As proposed and conditioned below, the applicant can meet the landscaping requirements.

16.92.020 Landscaping Materials

A. Type of Landscaping

Required landscaped areas shall include an appropriate combination of native evergreen or deciduous trees and shrubs, evergreen ground cover, and perennial plantings. Trees to be planted in or adjacent to public rights-of-way shall meet the requirements of this Chapter. Plants may be selected from the City's "Suggested Plant Lists for Required Landscaping Manual" or suitable for the Pacific Northwest climate and verified by a landscape architect or certified landscape professional.

1. Ground Cover Plants

- a. All of the landscape that is not planted with trees and shrubs must be planted in ground cover plants, which may include grasses. Mulch is not a substitute for ground cover, but is allowed in addition to the ground cover plants.
- b. Ground cover plants other than grasses must be at least the four-inch pot size and spaced at distances appropriate for the plant species. Ground cover plants must be planted at a density that will cover the entire area within three (3) years from the time of planting.

2. Shrubs

- a. All shrubs must be of sufficient size and number to be at full growth within three (3) years of planting.
- b. Shrubs must be at least the one-gallon container size at the time of planting.

3. Trees

- a. Trees at the time of planting must be fully branched and must be a minimum of two (2) caliper inches and at least six (6) feet in height.
- b. Existing trees may be used to meet the standards of this chapter, as described in Section 16.92.020.C.2.

STAFF ANALYSIS: The applicant provided a Preliminary Landscape Plan (Attachment A, Sheet 09) that shows a combination of evergreen and deciduous trees and evergreen ground cover. The applicant identified the size and quantity groundcover, shrubs and trees to be planted consistent with the code requirements. The applicant has not verified that the Plan has been certified by a landscape professional.

FINDING: The applicant has not met this criterion, but can meet this criterion with the following condition.

RECOMMENDED CONDITION: B4. Prior to Final Site Plan approval, submit a Final Landscape Plan that has been verified by a qualified landscape professional.

B. Plant Material Selection and Preparation

1. Required landscaping materials shall be established and maintained in a healthy condition and of a size sufficient to meet the intent of the approved landscaping plan. Specifications shall be submitted showing that adequate preparation of the topsoil and subsoil will be undertaken.
2. Landscape materials should be selected and sited to produce a hardy and drought-resistant landscape area. Selection of the plants should include

consideration of soil type, and depth, the amount of maintenance required, spacing, exposure to sun and wind, the slope and contours of the site, and compatibility with existing native vegetation preserved on the site.

STAFF ANALYSIS: The applicant provided a Preliminary Landscape Plan (Attachment A, Sheet 09) that demonstrates that all landscape materials will be of a condition and health to meet the intent of the Landscape Plan. Additionally, the Plan was developed in consideration of site soils, maintenance, exposure to sunlight, and other environmental factors.

FINDING: These criteria have been met.

C. Existing Vegetation

- 1. All developments subject to site plan review per Section 16.90.020 and required to submit landscaping plans per this section shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Review Authority, in addition to complying with the provisions of Section 16.142.(Parks, Trees and Open Space) and Chapter 16.144 (Wetland, Habitat, and Natural Resources).**
- 2. Existing vegetation, except those plants on the Nuisance Plants list as identified in the "Suggested Plant Lists for Required Landscaping Manual" may be used to meet the landscape standards, if protected and maintained during the construction phase of the development.**
 - a. If existing trees are used, each tree six (6) inches or less in diameter counts as one (1) medium tree.**
 - b. Each tree that is more than six (6) inches and up to nine (9) inches in diameter counts as two (2) medium trees.**
 - c. Each additional three (3) inch diameter increment above nine (9) inches counts as an additional medium tree.**

STAFF ANALYSIS: The applicant provided a Preliminary Tree Protection and Removal Plan (Attachment A, Sheet 05) that provides an inventory of the existing trees on site. Four mature trees in the center of the site, in Phase I development area, are proposed to be removed for development. An existing mature tree stand on the north side of the site will be preserved. As discussed in the Environmental Resources section below, the Code requires no tree canopy standards for developments within the Old Town Overlay.

FINDING: These criteria have been met.

D. Non-Vegetative Features

- 1. Landscaped areas as required by this Chapter may include architectural features interspersed with planted areas, such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust, semi-pervious decorative paving, and graveled areas.**
- 2. Impervious paving shall not be counted toward the minimum landscaping requirements unless adjacent to at least one (1) landscape strip and serves as a pedestrian pathway.**
- 3. Artificial plants are prohibited in any required landscaped area.**

STAFF ANALYSIS: As shown on the Preliminary Landscape Plan (Attachment A, Sheet 09), all non-building locations will include landscaping consistent with this section. No artificial plants are proposed.

FINDING: These criteria have been met.

16.92.030 Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

1. Perimeter Screening Separating Residential Zones:

A minimum six-foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen, shall be required along property lines separating single and two-family uses from multi-family uses, and along property lines separating residential zones from commercial, institutional/public or industrial zones subject to the provisions of Chapter 16.48.020 (Fences, Walls and Hedges).

STAFF ANALYSIS: There are residential zones north of the site, on the north side of SW Oregon Street. The proposed development is not adjacent to a residential zone, but separated by SW Oregon Street. Consequently, screening is not required. Additionally, the Community Design Standards of the Old Town Overlay District (Section 16.162.070.B.4.) exempts residential structures from compliance with the fencing and interior landscaping requirements of this Section (Section 16.90.030). However, ODOT has provided comments requiring a fence between the subject property and the adjacent railroad right-of-way on the property (Attachment F). There is an existing fence between the subject property and railroad tracks. The applicant will need to provide an additional fence along the property line or provide documentation from ODOT that a second fence is not required.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B5. Prior to Final Site Plan approval, provide revised plans consistent with the requirements in the ODOT comment letter dated December 5, 2016 or provide documentation from ODOT that the requirements have been satisfied or are no longer necessary.

2. Perimeter Landscaping Buffer

a. A minimum ten (10) foot wide landscaped strip comprised of trees, shrubs and ground cover shall be provided between off-street parking, loading, or vehicular use areas on separate, abutting, or adjacent properties.

3. Perimeter Landscape Buffer Reduction

If the separate, abutting property to the proposed development contains an existing perimeter landscape buffer of at least five (5) feet in width, the applicant may reduce the proposed site's required perimeter landscaping up to five (5) feet maximum, if the development is not adjacent to a residential zone. For example, if the separate abutting perimeter landscaping is five (5) feet, then applicant may reduce the perimeter landscaping to five (5) feet in width on their site so there is at least five (5) feet of landscaping on each lot.

STAFF ANALYSIS: Off-street parking is located on the City-owned parcel where City Hall sits, south of the site, opposite the proposed parking area for the proposed townhome development. As shown on the Landscape Plan (Exhibit A, Sheet 09), there will be a 10-foot landscape buffer between the adjacent parking areas, with 5-feet provided on the subject site and 5 feet provided on the City-owned parcel.

FINDING: This criterion has been met.

B. Parking Area Landscaping

3. Required Landscaping

There shall be at least forty-five (45) square feet parking area landscaping for each parking space located on the site. The amount of required plant materials are based on the number of spaces as identified below.

4. Amount and Type of Required Parking Area Landscaping

a. Number of Trees required based on Canopy Factor

Small trees have a canopy factor of less than forty (40), medium trees have a canopy factor from forty (40) to ninety (90), and large trees have a canopy factor greater than ninety (90);

(1) Any combination of the following is required:

(i) One (1) large tree is required per four (4) parking spaces;

(ii) One (1) medium tree is required per three (3) parking spaces; or

(iii) One (1) small tree is required per two (2) parking spaces.

(iv) At least five (5) percent of the required trees must be evergreen.

(2) Street trees may be included in the calculation for the number of required trees in the parking area.

b. Shrubs:

(1) Two (2) shrubs are required per each space.

(2) For spaces where the front two (2) feet of parking spaces have been landscaped instead of paved, the standard requires one (1) shrub per space. Shrubs may be evergreen or deciduous.

c. Ground cover plants:

(1) Any remainder in the parking area must be planted with ground cover plants.

(2) The plants selected must be spaced to cover the area within three (3) years. Mulch does not count as ground cover.

5. Individual Landscape Islands Requirements

a. Individual landscaped areas (islands) shall be at least ninety (90) square feet in area and a minimum width of five (5) feet and shall be curbed to protect the landscaping.

b. Each landscape island shall be planted with at least one (1) tree.

c. Landscape islands shall be evenly spaced throughout the parking area.

d. Landscape islands shall be distributed according to the following:

(1) Residential uses in a residential zone: one (1) island for every eight (8) contiguous parking spaces.

(2) Multi or mixed-uses, institutional and commercial uses: one (1) island for every ten (10) contiguous parking spaces.

(3) Industrial uses: one (1) island for every twelve (12) contiguous parking spaces.

e. Storm water bio-swales may be used in lieu of the parking landscape areas and may be included in the calculation of the required landscaping amount.

STAFF ANALYSIS: The Community Design Standards of the Old Town Overlay District (Section 16.162.070.B.4.) exempts residential structures from compliance with the fencing and interior landscaping requirements of this Section (Section 16.90.030). However, as shown on the Landscape Plan (Exhibit A, Sheet 09), all areas not occupied by buildings, sidewalks, or parking will be landscaped. Additionally, the proposed parking is situated so that there are not more than 10 contiguous spaces.

FINDING: These standards are not applicable.

6. Landscaping at Points of Access

When a private access-way intersects a public right-of-way or when a property abuts the intersection of two (2) or more public rights-of-way, landscaping shall be planted and maintained so that minimum sight distances shall be preserved pursuant to Section 16.58.010.

STAFF ANALYSIS: As discussed under Section 16.58.010, Clear Vision Areas, vision triangles are identified on the plans. The Landscape Plan (Exhibit A, Sheet 09) appears to propose trees in the Clear Vision Areas.

FINDING: This standard is not met but can be met as previously conditioned above.

6. Exceptions

- a. **For properties with an environmentally sensitive area and/or trees or woodlands that merit protection per Chapters 16.142 (Parks, Trees and Open Space) and 16.144 (Wetland, Habitat and Natural Areas) the landscaping standards may be reduced, modified or "shifted" on-site where necessary in order to retain existing vegetation that would otherwise be removed to meet the above referenced landscaping requirements.**
- b. **The maximum reduction in required landscaping buffer permitted through this exception process shall be no more than fifty (50) percent. The resulting landscaping buffer after reduction may not be less than five (5) feet in width unless otherwise permitted by the underlying zone. Exceptions to the required landscaping may only be permitted when reviewed as part of a land use action application and do not require a separate variance permit.**

STAFF ANALYSIS: The applicant is not requesting any additional reduction to the site landscaping requirements.

FINDING: This standard is not applicable.

C. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas

All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and any adjacent residential zones. If unfeasible to fully screen due to policies and standards, the applicant shall make efforts to minimize the visual impact of the mechanical equipment.

ANALYSIS: No mechanical equipment, outdoor storage or service or delivery areas are proposed on the Preliminary Site Plan (Exhibit A, Sheet 04). The applicant has indicated via telephone calls with staff that ground mounted air conditioning units will be installed. Revised plans will need to show adequate screening from all public streets.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B6. Prior to Final Site Plan approval, submit revised plans showing all mechanical equipment screen from view from all public streets and any adjacent residential zones.

D. Visual Corridors

Except as allowed by subsection 6. above, new developments shall be required to establish landscaped visual corridors along Highway 99W and other arterial and collector streets, consistent with the Natural Resources and Recreation Plan Map,

Appendix C of the Community Development Plan, Part II, and the provisions of Chapter 16.142 (Parks, Trees, and Open Space). Properties within the Old Town Overlay are exempt from this standard.

FINDING: the subject site is located within the Old Town Overlay and exempt from this standard. This standard is not applicable.

16.92.040 Installation and Maintenance Standards

A. Installation

All required landscaping must be in-ground, except when in raised planters that are used to meet minimum Clean Water Services storm water management requirements. Plant materials must be installed to current nursery industry standards. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.

B. Maintenance and Mitigation of Landscaped Areas

1. Maintenance of existing non-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.
2. All landscaping shall be maintained in a manner consistent with the intent of the approved landscaping plan.
3. Any required landscaping trees removed must be replanted consistent with the approved landscaping plan and comply with § 16.142, (Parks, Trees and Open Space).

C. Irrigation

The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All landscaped areas must provide an irrigation system, as stated in Option 1, 2, or 3.

1. Option 1: A permanent built-in irrigation system with an automatic controller installed.
2. Option 2: An irrigation system designed and certified by a licensed landscape architect or other qualified professional as part of the landscape plan, which provides sufficient water to ensure that the plants become established. The system does not have to be permanent if the plants chosen can survive independently once established.
3. Option 3: Irrigation by hand. If the applicant chooses this option, an inspection will be required one (1) year after final inspection to ensure that the landscaping has become established.

FINDING: The applicant has indicated that watering will be provided either by a permanent irrigation system, hand watering until establishment, or both. An irrigation plan has not been included with the submittal. These standards have not been met but can be met as conditioned below.

RECOMMENDED CONDITION: B7. Prior to Final Site Plan approval, submit a final landscape plan that addresses the installation and maintenance standards of Section 16.92.040 to the Planning Department for review and approval.

16.94 Off-Street Parking and Loading

16.94.010 General Requirements

A. Off-Street Parking Required

No site shall be used for the parking of vehicles until plans are approved providing for off-street parking and loading space as required by this Code. Any change in uses or structures that reduces the current off-street parking and loading spaces provided on

site, or that increases the need for off-street parking or loading requirements shall be unlawful and a violation of this Code, unless additional off-street parking or loading areas are provided in accordance with Section 16.94.020, or unless a variance from the minimum or maximum parking standards is approved in accordance with Chapter 16.84 Variances.

FINDING: The applicant has submitted a Site Plan (Exhibit A, Sheet 04) that accommodate off-street parking as required by the Zoning and Community Development Code. This standard is met.

16.94.010 General Requirements

B. Deferral of Improvements

Off-street parking and loading spaces shall be completed prior to the issuance of occupancy permits, unless the City determines that weather conditions, lack of available surfacing materials, or other circumstances beyond the control of the applicant make completion impossible. In such circumstances, security equal to one hundred twenty five (125) percent of the cost of the parking and loading area is provided the City. "Security" may consist of a performance bond payable to the City, cash, certified check, or other assurance of completion approved by the City. If the installation of the parking or loading area is not completed within one (1) year, the security may be used by the City to complete the installation.

FINDING: The applicant is not seeking to defer any required improvements. This standard is not applicable.

16.94.010 General Requirements

C. Options for Reducing the Required Parking Spaces

1. Two (2) or more uses or, structures on multiple parcels of land may utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap, provided that satisfactory evidence is presented to the City, in the form of deeds, leases, or contracts, clearly establishing the joint use.
 - a. Within commercial, institutional and public, or industrial zones, shared parking may be provided on lots that are within five hundred (500) feet of the property line of the use to be served.
 - b. Shared parking is allowed if the application can show that the combined peak use is available by a parking study that demonstrates:
 - (1) There is a sufficient number of parking spaces to accommodate the requirements of the individual businesses; or
 - (2) That the peak hours of operation of such establishments do not overlap, and
 - (3) That an exclusive permanent easement over a delineated area has been granted for parking space use.
2. Mixed use projects are developments where a variety of uses occupies a development project or complex. For example, an eating establishment, professional office building and movie theater are all components of a mixed use site. It does not include a secondary use within a primary use such as an administrative office associated with a retail establishment. In mixed-use projects, the required minimum vehicle parking shall be determined using the following formula:
 - a. Primary use: i.e. that with the largest proportion of total floor area within the development at one hundred (100) percent of the minimum vehicle parking required for that use.

- b. **Secondary Use:** i.e. that with the second largest percentage of total floor area within the development, at ninety (90) percent of the vehicle parking required for that use.
- c. **Subsequent use or uses,** at eighty (80) percent of the vehicle parking required for that use.

FINDING: The subject site is located within the Old Cannery area of the Old Town Overlay. Per Section 16.162.070.C, the required parking spaces in the Old Cannery area is capped at 65% of the standard required parking. These standards are not applicable.

16.94.010 General Requirements

D. Prohibited Uses

Required parking, loading and maneuvering areas shall not be used for long-term storage or sale of vehicles or other materials, and shall not be rented, leased or assigned to any person or organization not using or occupying the building or use served.

FINDING: No long term storage, sale of vehicles or other materials, or rented or leased parking spaces is proposed. This standard is met.

16.94.010 General Requirements

E. Location

- 1. **Residential off-street parking spaces:**
 - a. **Shall be located on the same lot or development as the residential use.**
 - b. **Shall not include garages or enclosed buildings with the exception of a parking structure in multifamily developments where three (3) or more spaces are not individually enclosed. (Example: Underground or multi-level parking structures).**

STAFF ANALYSIS: The proposed residential off-street parking spaces are proposed on the same lot or development as the residential use. Per the Townhome standards (Section 16.44.010.B.4.), garages may be included.

FINDING: These standards are met.

16.94.010 General Requirements

F. Marking

All parking, loading or maneuvering areas shall be clearly marked and painted. All interior drives and access aisles shall be clearly marked and signed to show the direction of flow and maintain vehicular and pedestrian safety.

STAFF ANALYSIS: The site plan identifies clearly marked and painted parking spaces with wheel stops or appropriate vehicle overhand space. Access is provided via SW Oregon Street with a 24-foot wide drive aisle to accommodate two-way traffic.

FINDING: This standard is met.

16.94.010 General Requirements

G. Surface and Drainage

- 1. **All parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface. Use of pervious paving**

material is encouraged and preferred where appropriate considering soils, location, anticipated vehicle usage and other pertinent factors.

2. **Parking and loading areas shall include storm water drainage facilities approved by the City Engineer or Building Official.**

STAFF ANALYSIS: The parking lot will be improved with an asphalt surface. As discussed in the Public Infrastructure section below, the City Engineering Department has stated that there is an existing 10-inch diameter storm sewer northwest of the subject property within SW Oregon Street and within the trail corridor. There is also an existing 12-inch diameter storm sewer within SW Oregon Street at the northeast end of the site. All surrounding properties have access to the public storm sewer system, therefore no public storm sewer main extension is required. The proposed development will be required to provide storm sewer improvements and service to the development meeting Sherwood Engineering standards as needed.

FINDING: This standard can be met as conditioned in the Public Infrastructure section below.

16.94.010 General Requirements

H. Repairs

Parking and loading areas shall be kept clean and in good repair. Breaks in paved surfaces shall be repaired. Broken or splintered wheel stops shall be replaced. Painted parking space boundaries and directional symbols shall be maintained in a readable condition.

FINDING: The property owner will be responsible for proper maintenance of the parking and loading areas. Violations are subject to Code Enforcement action. This standard is met.

16.94.010 General Requirements

I. Parking and Loading Plan

An off-street parking and loading plan, drawn to scale, shall accompany requests for building permits or site plan approvals, except for single and two-family dwellings, and manufactured homes on residential lots. The plan shall show but not be limited to:

1. **Delineation of individual parking and loading spaces and dimensions.**
2. **Circulation areas necessary to serve parking and loading spaces.**
3. **Location of accesses to streets, alleys and properties to be served, and any curb cuts.**
4. **Landscaping as required by Chapter 16.92.**
5. **Grading and drainage facilities.**
6. **Signing and bumper guard specifications.**
7. **Bicycle parking facilities as specified in Section 16.94.020.C.**
8. **Parking lots more than one (1) acre in size shall provide street-like features including curbs, sidewalks, and street trees or planting strips.**

FINDING: Preliminary off-street parking plans are shown on Sheet 04 on Exhibit A. This standard is met.

16.94.010 General Requirements

J. Parking Districts

The City may establish a parking district (i.e., permits or signage) in residential areas in order to protect residential areas from spillover parking generated by adjacent commercial, employment or mixed-use areas, or other uses that generate a high demand for parking. The district request shall be made to the City Manager, who will forward a recommendation to the City Council for a decision.

F. Structured parking and on-street parking are exempt from the parking space maximums in Section 16.94.020.A.

FINDING: No parking districts or structured parking are proposed. This standard is not applicable.

16.94.020 Off-Street Parking Standards

A. Generally

Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off - street parking and loading requirements for a use not specifically listed in this Section based upon the requirements of comparable uses.

STAFF ANALYSIS: Parking requirements for townhome developments are not identified in this section, rather they are specified in the Townhomes Chapter. Per Section 16.44.010.B.4, two (2) parking spaces are required per townhome unit. With 25 units proposed, 50 parking spaces are required. However, because the site is located within the Old Cannery area of the Old Town Overlay District, the parking requirement is capped at 65% of the required parking as outlined in Section 16.162.070.C. Consequently, the proposed townhome development is required to provide 33 parking spaces (65% of the proscribed 50 spaces). As shown on the Site Plan (Exhibit A, Sheet 04), the applicant is proposing 50 spaces, exceeding the requirement.

The required parking is also met for the first phase of development. Phase I proposes 17 townhome units, requiring 34 parking space, reduced to 23 spaces via the Old Town Overlay District (Section 16.162.070.C). Phase I proposes 26 spaces, exceeding the minimum requirement.

FINDING: This standard is met.

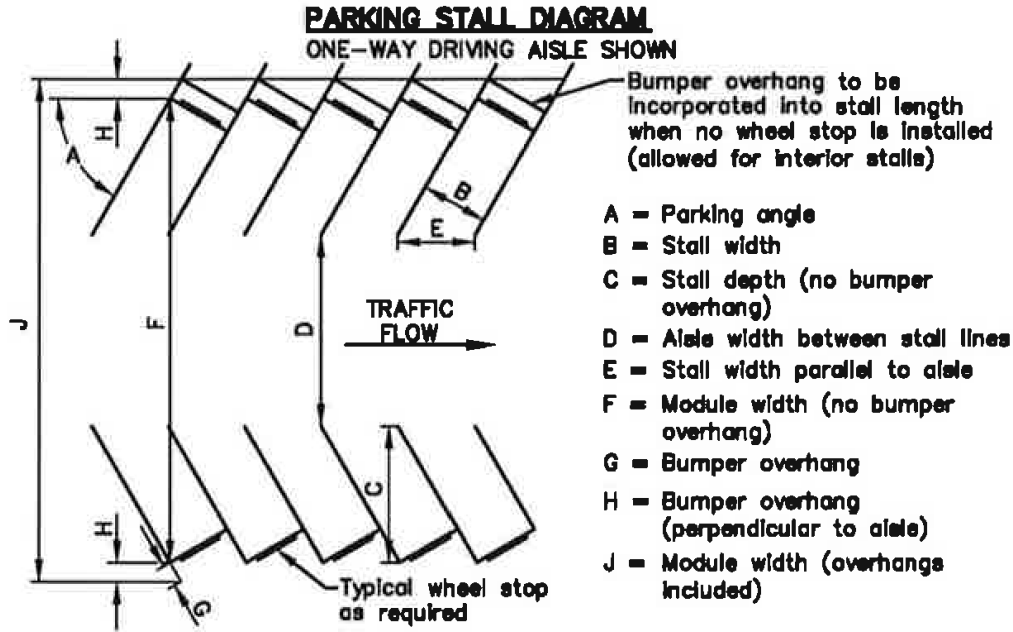
16.94.010 Off-Street Parking Standards

B. Dimensional and General Configuration Standards

1. **Dimensions** For the purpose of this Chapter, a "parking space" means a stall nine (9) feet in width and twenty (20) feet in length. Up to twenty five (25) percent of required parking spaces may have a minimum dimension of eight (8) feet in width and eighteen (18) feet in length so long as they are signed as compact car stalls.

2. **Layout**

Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicle turning and maneuvering. Groups of more than four (4) parking spaces shall be served by a driveway so as to minimize backing movements or other maneuvering within a street, other than an alley. All parking areas shall meet the minimum standards shown in the following table and diagram.



**Table 2: Minimum Parking Dimension Requirements
One-Way Driving Aisle (Dimensions in Feet)**

A	B	C	D	E	F	G	H	I
45°	8.0	16.5	13.0	11.3	46.0	3.0	2.5	51.0
	9.0	18.5	12.0	12.7	49.0	3.0	2.5	54.0

3. Wheel Stops

- a. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four (4) inches high, located three (3) feet back from the front of the parking stall as shown in the above diagram.
- b. Wheel stops adjacent to landscaping, bio-swales or water quality facilities shall be designed to allow storm water runoff.
- c. The paved portion of the parking stall length may be reduced by three (3) feet if replaced with three (3) feet of low lying landscape or hardscape in lieu of a wheel stop; however, a curb is still required. In other words, the traditional three-foot vehicle overhang from a wheel stop may be low-lying landscaping rather than an impervious surface.

4. Service Drives

Service drives shall be clearly and permanently marked and defined through use of rails, fences, walls, or other barriers or markers, and shall have minimum vision clearance area formed by the intersection of the driveway center line, the street right-of-way line, and a straight line joining said lines through points fifteen (15) feet from their intersection.

5. Credit for On-Street Parking

- a. **On-Street Parking Credit.** The amount of off-street parking required shall be reduced by one (1) off-street parking space for every on-street parking space adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, except that angled parking may be allowed for some streets, where permitted by City standards.

- b. The following constitutes an on-street parking space:
 - (1) Parallel parking, each twenty-four (24) feet of uninterrupted curb;
 - (2) Forty-five (45)/sixty (60) degree diagonal, each with ten (10) feet of curb;
 - (3) Ninety (90) degree (perpendicular) parking, each with eight (8) feet of curb;
 - (4) Curb space must be connected to the lot which contains the use;
 - (5) Parking spaces that would not obstruct a required clear vision area, nor any other parking that violates any law or street standard; and;
 - (6) On-street parking spaces credited for a specific use may not be used exclusively by that use, but shall be available for general public use at all times. No signs or actions limiting general public use of on-street spaces is permitted.
6. **Reduction in Required Parking Spaces**

Developments utilizing Engineered storm water bio-swales or those adjacent to environmentally constrained or sensitive areas may reduce the amount of required parking spaces by ten (10) percent when twenty-five (25) through forty-nine (49) parking spaces are required, fifteen (15) percent when fifty (50) and seventy-four (74) parking spaces are required and twenty (20) percent when more than seventy-five (75) parking spaces are required, provided the area that would have been used for parking is maintained as a habitat area or is generally adjacent to an environmentally sensitive or constrained area.
7. **Parking Location and Shared Parking**

Owners of off-street parking facilities may post a sign indicating that all parking on the site is available only for residents, customers and/or employees, as applicable.

STAFF ANALYSIS: The parking stalls meet the length, width, and depth requirements. Phase I is required to provide 23 parking spaces; 25% of the spaces can be compact (5 spaces) and 75% must be standard size (18 spaces). The applicant is proposing 18 standard and 8 compact spaces, for a total 26 spaces in Phase I. At full build-out, the development requires 33 spaces; 25% of the spaces can be compact (8 spaces) and 75% must be standard size (25 spaces). The applicant is providing 50 spaces at full build-out: 28 standard and 22 compact, exceeding the requirement. A combination of wheel stops and 3-foot vehicle overhang space are provided in accordance with this section. The applicant is not seeking credit for on-street parking or a reduction in required parking spaces beyond the reductions provided in the Old Town Overlay District for the Old Cannery area.

FINDING: These standards are met.

16.94.010 Off-Street Parking Standards

C. Bicycle Parking Facilities

1. General Provisions

- a. **Applicability.** Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.
- b. **Types of Spaces.** Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.

- c. **Minimum Number of Spaces.** The required total minimum number of bicycle parking spaces for each use category is shown in Table 4, Minimum Required Bicycle Parking Spaces.
 - d. **Minimum Number of Long-term Spaces.** If a development is required to provide eight (8) or more required bicycle parking spaces in Table 4, at least twenty-five (25) percent shall be provided as long-term bicycle with a minimum of one (1) long-term bicycle parking space.
 - e. **Multiple Uses.** When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.
2. **Location and Design.**
- a. **General Provisions**
 - (1) Each space must be at least two (2) feet by six (6) feet in area, be accessible without moving another bicycle, and provide enough space between the rack and any obstructions to use the space properly.
 - (2) There must be an aisle at least five (5) feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.
 - (3) **Lighting.** Bicycle parking shall be at least as well lit as vehicle parking for security.
 - (4) **Reserved Areas.** Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.
 - (5) Bicycle parking in the Old Town Overlay District can be located on the sidewalk within the right-of-way. A standard inverted "U shaped" or staple design is appropriate. Alternative, creative designs are strongly encouraged.
 - (6) **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.
 - b. **Short-term Bicycle Parking**
 - (1) Provide lockers or racks that meet the standards of this section.
 - (2) Locate inside or outside the building within thirty (30) feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.

Table 4: Minimum Required Bicycle Parking Spaces

Use Categories	Minimum Required Spaces
Residential Categories	
Household living	Multi-dwelling - 2 or 1 per 10 spaces. All other residential structure types - None

STAFF ANALYSIS: A townhome dwelling is defined as “a single-family dwelling unit which is attached on one or both sides to a similar adjacent unit(s) on similar lot(s)”. As such, townhomes fall under the “all other residential structure types” for the purposes of this section. Consequently, no bicycle parking spaces are required. Regardless, the applicant has stated that bicycle parking can be accommodated inside the garages of each townhome unit.

FINDING: These standards are not applicable.

16.94.030 - Off-Street Loading Standards

A. Minimum Standards

1. A driveway designed for continuous forward flow of passenger vehicles for the purpose of loading and unloading passengers shall be located on the site of any school, or other public meeting place, which is designed to accommodate more than twenty five (25) persons at one time.
2. The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.
3. Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times.
4. The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:
 - a. Twenty thousand (20,000) to fifty (50,000) sq. ft. - five hundred (500) sq. ft.
 - b. Fifty (50,000) sq. ft. or more - seven hundred fifty (750) sq. ft.

B. Separation of Areas

Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and designed to prevent the encroachment of delivery vehicles onto off-street parking areas or public streets. Off-street parking areas used to fulfill the requirements of this Chapter shall not be used for loading and unloading operations.

C. Exceptions and Adjustments.

The review authority, through Site Plan Review, may approve loading areas within a street right-of-way in the Old Town Overlay District when all of the following conditions are met:

1. Short in duration (i.e., less than one (1) hour);
2. Infrequent (less than three (3) operations occur daily between 5:00 a.m. and 12:00 a.m. or all operations occur between 12:00 a.m. and 5:00 a.m. at a location that is not adjacent to a residential zone);
3. Does not unreasonably obstruct traffic; [or] Does not obstruct traffic during peak traffic hours;
4. Does not obstruct a primary emergency response route; and
5. Is acceptable to the applicable roadway authority.

FINDING: The proposed development is a single-family residential project and does not include a school or other public meeting space designed to accommodate more than 25 persons at one time. No loading areas are required or proposed. This standard is not applicable.

16.96 ONSITE CIRCULATION

16.92.010 – On-Site Pedestrian and Bicycle Circulation

A. Purpose

On-site facilities shall be provided that accommodate safe and convenient pedestrian access within new subdivisions, multi-family developments, planned unit developments, shopping centers and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers within one-half mile of the development. Neighborhood activity centers include but are not limited to existing or planned schools, parks, shopping areas, transit stops or employment centers. All new development, (except single-family detached housing), shall provide a continuous system of private pathways/sidewalks.

STAFF ANALYSIS: The Site Plan (Exhibit A, Sheet 04) shows 3 separate pedestrian connections between the project's SW Oregon Street frontage and the interior of the site. These pedestrian connections will ensure safe and convenient access between residences and commercial uses and other activities in Old Town Sherwood.

FINDING: This standard is met.

B. Maintenance

No building permit or other City permit shall be issued until plans for ingress, egress and circulation have been approved by the City. Any change increasing any ingress, egress or circulation requirements, shall be a violation of this Code unless additional facilities are provided in accordance with this Chapter.

C. Joint Access

Two (2) or more uses, structures, or parcels of land may utilize the same ingress and egress when the combined ingress and egress of all uses, structures, or parcels of land satisfied the other requirements of this Code, provided that satisfactory legal evidence is presented to the City in the form of deeds, easements, leases, or contracts to clearly establish the joint use.

STAFF ANALYSIS: At full build-out, the site will be served by two vehicle access points from SW Oregon Street. As proposed, the site consists of two lots. A lot consolidation will need to be processed or a lot line adjustment and a cross-access easement recorded prior to the development of any structures in Phase II to ensure all units have legal access to both access points at full build-out.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: E1. Prior to issuance of a building permit for Phase II, obtain approval for and record a lot consolidation or lot line adjustment and provide evidence of a recorded cross-access easement between the two parcels.

D. Connection to Streets

- 1. Except for joint access per this Section, all ingress and egress to a use or parcel shall connect directly to a public street, excepting alleyways with paved sidewalk.**
- 2. Required private sidewalks shall extend from the ground floor entrances or the ground floor landing of stairs, ramps or elevators to the public sidewalk or curb of the public street which provides required ingress and egress.**

STAFF ANALYSIS: Vehicular access is provided in accordance with joint-access standards. Three sidewalk connections are provided from SW Oregon Street to the site. In addition, private walkways are extended from the front entrances of individual units in Buildings 1-4 to the public sidewalk along SW Oregon Street and the public promenade that extends southwest from SW Oregon Street to the City Hall parcel.

FINDING: This standard is met.

E. Maintenance of Required Improvements

Required ingress, egress and circulation improvements shall be kept clean and in good repair.

STAFF ANALYSIS: The applicant has indicated that they are aware of the maintenance requirement. Failure to meet the code requirement is subject to Code Enforcement action.

FINDING: This standard is met.

F. Access to Major Roadways

Points of ingress or egress to and from Highway 99W and arterials designated on the Transportation Plan Map, attached as Appendix C of the Community Development Plan, Part II, shall be limited as follows:

1. Single and two-family uses and manufactured homes on individual residential lots developed after the effective date of this Code shall not be granted permanent driveway ingress or egress from Highway 99W and arterial roadways. If alternative public access is not available at the time of development, provisions shall be made for temporary access which shall be discontinued upon the availability of alternative access.
2. Other private ingress or egress from Highway 99W and arterial roadways shall be minimized. Where alternatives to Highway 99W or arterials exist or are proposed, any new or altered uses developed after the effective date of this Code shall be required to use the alternative ingress and egress.
3. All site plans for new development submitted to the City for approval after the effective date of this Code shall show ingress and egress from existing or planned local or collector streets, consistent with the Transportation Plan Map and Section VI of the Community Development Plan.

G. Service Drives

Service drives shall be provided pursuant to Section 16.94.030.

STAFF ANALYSIS: The proposed development does not access Highway 99W or an arterial. No service drives are proposed.

FINDING: These standards are not applicable.

16.96.020 - Minimum Non-Residential Standards

Minimum standards for private, on-site circulation improvements in residential developments:

A. Driveways

1. **Single-Family:** One (1) driveway improved with hard surface pavement with a minimum width of ten (10) feet, not to exceed a grade of 14%. Permeable surfaces and planting strips between driveway ramps are encouraged in order to reduce stormwater runoff.
2. **Two-Family:** One (1) shared driveway improved with hard surface pavement with a minimum width of twenty (20) feet; or two (2) driveways improved with hard surface pavement with a minimum width of ten (10) feet each. Permeable surfaces and planting strips between driveway ramps are encouraged in order to reduce stormwater runoff.
3. **Multi-Family:** Improved hard surface driveways are required as follows:

Number of Units	Number of Driveways	One Way Drive Width (Pair)	Two Way Drive Width
3—49	1	15 feet	24 feet
50 or more	2	15 feet	24 feet

STAFF ANALYSIS: The applicant proposes a 24-foot wide driveway through the site and connections at two points on SW Oregon Street. The driveway is intended to provide continuous two-way vehicle traffic between the residences and SW Oregon Street.

FINDING: This standard is met.

B. Sidewalks, Pathways and Curbs

1. **Single, Two-Family, and Manufactured Home on Individual Residential Lot: No on-site sidewalks and curbs are required when not part of a proposed partition or subdivision.**
2. **Multi-family:**
 - a. **A system of private pedestrian sidewalks/pathways extending throughout the development site shall connect each dwelling unit to vehicular parking areas, common open space, storage areas, recreation facilities, adjacent developments, transit facilities within five hundred (500) feet of the site, and future phases of development. Main building entrances shall also be connected to one another.**
 - b. **Required private pathways/sidewalks shall extend from the ground floor entrances or the ground floor landing of stairs, ramps or elevators, on one (1) side of approved driveways connecting to the public sidewalk or curb of the public street that provides required ingress and egress. Curbs shall also be required at a standard approved by the Review Authority.**
 - c. **Private Pathway/Sidewalk Design. Private pathway surfaces shall be concrete, brick/masonry pavers, or other durable surface, at least five (5) feet wide and conform to ADA standards. Where the system crosses a parking area, driveway or street, it shall be clearly marked with contrasting paving materials or raised crosswalk (hump).**
 - d. **Exceptions Private pathways/sidewalks shall not be required where physical or topographic conditions make a connection impracticable, where buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or pathways would violate provisions of leases, restrictions or other agreements.**

STAFF ANALYSIS: A system of on-site pedestrian connections has been designed to promote safe and convenient access between residences, vehicle parking areas, and existing pedestrian facilities on SW Oregon Street and the pedestrian promenade. Private pedestrian pathways will be a minimum of five feet in width and of a durable surface, compliant with the American with Disabilities Act (ADA) access requirements. The applicant states that the Preliminary Development Plans included in Exhibit A illustrate that where pedestrian pathways cross vehicle parking areas, a clearly marked crosswalk will be in place. Staff cannot find evidence of a marked crosswalk on the provided plans.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B8. Prior to Final Site Plan approval, provide a revised site plan that clearly illustrates a marked crosswalk where pedestrian pathways cross vehicle parking areas.

16.98 ONSITE STORAGE

16.98.020 Solid Waste and Recycling Storage

All uses shall provide solid waste and recycling storage receptacles which are adequately sized to accommodate all solid waste generated on site. All solid waste and recycling storage areas and receptacles shall be located out of public view. Solid waste and recycling receptacles for multi-family, commercial, industrial and institutional uses shall be screened

by six (6) foot high sight-obscuring fence or masonry wall and shall be easily accessible to collection vehicles.

STAFF ANALYSIS: Each of the 25 townhouse units will be provided individual refuse and recycling bins for individual on-site pickup. No information is provided regarding where the refuse and recycling bins will be stored on non-collection days or where bins will be located for pick up on collection days.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B9. Prior to Final Site Plan approval, provide a revised Site Plan that illustrates where refuse and recycling bins will be stored on collection and non-collection days. If bins are to be stored within the garages, provided a copy of Covenants, Conditions and Restrictions (CC&Rs) requiring such storage.

C. Division VI – PUBLIC IMPROVEMENTS
Chapter 16.106 TRANSPORTATION FACILITIES
16.106.020 Required Improvements

A. Generally

Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. The following figure provides the depiction of the functional classification of the street network as found in the Transportation System Plan, Figure 8-1.

STAFF ANALYSIS: According to the Engineering Department, the subject property has street frontage along SW Oregon Street (Collector) to the northwest. Currently, SW Oregon Street frontage along the subject property has a street curve issue that affects the drivability of the street, Due to this issue, a section of the existing street and sidewalk will need to be realigned. The Public Street Frontage Improvement Plan (Exhibit A, Sheet 11) shows minor improvements to SW Oregon Street to straighten out the slight bend in the north bound travel lane that is adjacent to the site. This improvement will result in the adjacent sidewalk to encroach on the subject site. The City Engineer and the property owner have agreed to locate this sidewalk encroachment within a public access easement on the subject property. A condition is proposed requiring Engineering Department approval of the proposed realignment and dedication of easements for any sidewalks located on private property.

The existing sidewalk/multi-use path along the frontage of the subject property is curb tight. Collector standards call for a 5-foot wide landscape strip. Sidewalk varies in this area with some being curb tight while some has a landscape strip. The lack of a landscape strip causes issues with 2 acorn street lights that currently exist within the sidewalk in the location where the landscape strip would typically be. A condition is proposed requiring the applicant to replace existing acorn street lights with Westbrook street lights and relocate the lights.

The property has 3 driveways to SW Oregon Street. The proposed development indicates that the southwesternmost driveway is to be reused and a new driveway being constructed slightly northeast of the existing driveway across the street. A condition is proposed requiring that any unused driveways be replaced with standard curb and gutter meeting Sherwood Engineering Department standards.

All street infrastructure shall be designed to meet the approval of the City of Sherwood Engineering Department prior to issuance of an Engineering Compliance Agreement.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: D1. Prior to Sherwood Engineering Department approval of the public improvement plans, the developer shall submit a plan to realign the curb and sidewalk along the subject property frontage in Phase 2 of the development and dedicate an access easement for public sidewalk that will be located on private property meeting the approval of the Sherwood Engineering Department.

RECOMMENDED CONDITION: A9. Existing acorn street lights along the subject property frontage shall be relocated to outside of the sidewalk and replaced with Westbrook street lights meeting Sherwood Engineering Department standards in Phase 2 of the development. If the new public street light(s) are located outside of the right-of-way then an easement shall be granted to the city as approved by the Sherwood Engineering Department in Phase 2 of the development.

RECOMMENDED CONDITION: A10. Existing driveways not being reused shall be removed and replaced with standard curb and gutter and sidewalk meeting Sherwood Engineering Department standards.

RECOMMENDED CONDITION: D2. Prior to Sherwood Engineering Department approval of the public improvement plans, all public transportation infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

16.110 – SANITARY SEWERS

Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains. Sanitary Sewers shall be constructed, located, sized and installed at standards consistent 16.110.

STAFF ANALYSIS: According to the Engineering Department, there are 2 locations where sanitary sewers exist that can serve the subject property. There is existing 8-inch diameter sanitary sewer northwest of the subject property within SW Oregon Street and within the trail corridor. There is also an existing 8-inch diameter sanitary sewer within SW Oregon Street at the northeast end of the subject property. All surrounding properties can be served by the existing public sanitary sewers in this area, therefore no public sanitary sewer main extension is required. Conditions are proposed to ensure that connection to the sanitary sewer system complies with Sherwood Engineering Department standards and Oregon Plumbing Specialty Code.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: A11. The proposed development shall supply sanitary service to the development as needed meeting Sherwood Engineering standards.

RECOMMENDED CONDITION: A12. Private sanitary sewer shall be installed in compliance with the current Oregon Plumbing Specialty Code.

RECOMMENDED CONDITION: D3. Prior to Sherwood Engineering Department approval of the public improvement plans, all public sanitary sewer infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

16.112– WATER SUPPLY

16.112.010 Required Improvements

Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be connected to existing water mains or shall construct new mains appropriately sized and located in accordance with the Water System Master Plan.

STAFF ANALYSIS: Currently a public 10-inch diameter water main exists along SW Oregon Street along the frontage of the subject property. All surrounding properties can be served by the existing public water mains in this area, therefore no public water main extension is required.

Domestic water is shown on the preliminary plan to be through a bank of water meters on site. Each parcel will need to have its water service(s) within the right-of-way frontage or parcel that it is serving.

Existing water services that will not be used by the development of the subject property shall be abandoned meeting Sherwood Engineering Department standards.

Currently there are 2 fire hydrants that exist along the frontage of the subject property. Fire protection shall meet the conditions imposed by Tualatin Valley Fire & Rescue.

Conditions are proposed to ensure that connection to the sanitary sewer system complies with Sherwood Engineering Department standards and Oregon Plumbing Specialty Code.

FINDING: This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: A13 The proposed development shall supply domestic, irrigation and fire water to the development as needed meeting Sherwood Engineering standards.

RECOMMENDED CONDITION: A14. Water meters located on site shall have a public water line easement meeting the approval of the Sherwood Public Works Department.

RECOMMENDED CONDITION: A15. Water flows calculations (domestic, irrigation and fire) shall be provided by the developer.

RECOMMENDED CONDITION: A16. If on-site fire protection is connected to the public water system, backflow protection meeting Sherwood Engineering Department standards shall be installed with a public water line easement as necessary.

RECOMMENDED CONDITION: A17. Private water lines shall be installed in compliance with the current Oregon Plumbing Specialty Code.

RECOMMENDED CONDITION: D4. Prior to Sherwood Engineering Department approval of the public improvement plans, all public water infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

16.114 – STORM WATER

Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage systems consistent with the Comprehensive Plan and the requirements of the Clean Water Services water quality regulations contained in their Design and Construction Standards R&O 04-9, or its replacement.

STAFF ANALYSIS: Currently there is existing 10-inch diameter storm sewer northwest of the subject property within SW Oregon Street and within the trail corridor. There is also an existing 12-inch diameter storm sewer within SW Oregon Street at the northeast end of the subject property. All surrounding properties have access to the public storm sewer system, therefore no public storm sewer main extension is required. A condition is proposed to ensure that storm sewer improvements and service to the development comply with Sherwood Engineering standards.

The proposed development consists of redeveloping of the subject property which is currently paved with buildings. A Clean Water Services Provider Letter has been obtained by the developer (Exhibit A). Conditions are proposed to ensure that water quality treatment is provided for all new impervious areas as required by Clean Water Services.

As shown the proposed sanitary sewer and storm sewer on the preliminary development plan will not meet Clean Water Services for Phase 2 if the existing tax lot line remains at its current location. Either the property line will need to be adjusted or the lots consolidated as previously discussed and conditioned.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: A21. The proposed development shall provide storm sewer improvements and service to the development as needed meeting Sherwood Engineering standards.

RECOMMENDED CONDITION: A18. The developer shall provide water quality treatment for all new impervious area constructed and any existing impervious area to remain as required by Clean Water Services standards unless otherwise approved by the City Engineer and Clean Water Services. Also the developer shall provide an updated impervious area amounts for the subject property being treated by any existing water quality facility or an updated calculation for the existing water quality facility when additional untreated impervious area beyond what currently drains to the existing facility is added.

RECOMMENDED CONDITION: F1. Prior to Sherwood Engineering Department acceptance of the public improvements, the developer shall record Private Stormwater Facility Access and Maintenance Covenant for any on-site private water quality facilities. Also an Operations and Maintenance Plan is required for all private water quality facilities.

RECOMMENDED CONDITION: D5. Prior to Sherwood Engineering Department approval of the public improvement plans, all public storm sewer infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

RECOMMENDED CONDITION: D6. Prior to Sherwood Engineering Department approval of the public improvement plans, a Clean Water Services Storm Water Connection Permit Authorization must be obtained in accordance with the comments submitted by Clean Water Services dated June 2, 2017.

RECOMMENDED CONDITION: A19. The developer shall adhere to the conditions of the Clean Water Services Provider Letter.

16.116 FIRE PROTECTION

16.116.010 Required Improvements

When land is developed so that any commercial or industrial structure is further than two hundred and fifty (250) feet or any residential structure is further than five hundred (500) feet from an adequate water supply for fire protection, as determined by the Fire District, the developer shall provide fire protection facilities necessary to provide adequate water supply and fire safety.

STAFF ANALYSIS: Tom Mooney, Deputy Fire Marshall, provided a review letter dated November 29, 2016 (Exhibit D). A condition is proposed requiring compliance with the Fire Marshall's letter.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: B10. Prior to Final Site Plan approval, submit revised plans demonstrating compliance with the Fire Marshall's letter dated November 29, 2016.

16.118 PUBLIC AND PRIVATE UTILITIES

16.118.010 Purpose

Public telecommunication conduits as well as conduits for franchise utilities including, but not limited to, electric power, telephone, natural gas, lighting, and cable television shall be installed to serve all newly created lots and developments in Sherwood.

16.118.020 Standard

- A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.**
- B. Public utility easements shall be a minimum of eight (8) feet in width unless a reduced width is specifically exempted by the City Engineer. An eight-foot wide public utility easement (PUE) shall be provided on private property along all public street frontages. This standard does not apply to developments within the Old Town Overlay.**

STAFF ANALYSIS: Since the subject property is in the Old Town Overlay, a PUE is not required. Per City Ordinance 2005-017 and City Resolution 2005-074, Sherwood Broadband utilities are required along the frontage of the site.

FINDING: These standards are not met but can be met as conditioned below.

RECOMMENDED CONDITION: A20. All new utilities to be installed for the development of the subject property shall be underground.

G. Division VIII. Environmental Resources

16.142 Parks, Trees and Open Space

16.142.020 – Multi-Family Developments

A. Standards

Except as otherwise provided, recreation and open space areas shall be provided in new multi-family residential developments to the following standards (townhome development requirements for open space dedication can be found in Chapter 16.44.B.8- Townhome Standards)

STAFF ANALYSIS: The applicant is proposing a townhome development. As noted, open space requirements for townhome developments are provided in Section 16.44.B.8. As discussed above, the proposal can meet the open space requirements as conditioned above.

FINDING: These standards are not applicable.

16.142.040 Visual Corridors

A. Corridors Required.

New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on Figure 8-1 of the Transportation System Plan shall be required to establish a landscaped visual corridor according to the following standards:

STAFF ANALYSIS: The proposed development is located within the Old Town Overlay. Visual Corridor standards are do not apply to property within the Old Town Overlay.

FINDING: These standards are not applicable.

16.142.060: STREET TREES

A. Installation of Street Trees on New or Redeveloped Property.

Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets. After installing street trees, the property owner shall be responsible for maintaining the street trees on the owner's property or within the right-of-way adjacent to the owner's property.

1. **Location:** Trees shall be planted within the planter strip along a newly created or improved streets. In the event that a planter strip is not required or available, the trees shall be planted on private property within the front yard setback area or within public street right-of-way between front property lines and street curb lines or as required by the City.
2. **Size:** Trees shall have a minimum trunk diameter of two (2) caliper inches, which is measured six inches above the soil line, and a minimum height of six (6) feet when planted.
3. **Types:** Developments shall include a variety of street trees. The trees planted shall be chosen from those listed in 16.142.080 of this Code.
4. **Required Street Trees and Spacing:**
 - a. The minimum spacing is based on the maximum canopy spread identified in the recommended street tree list in section 16.142.080 with the intent of providing a continuous canopy without openings between the trees. For example, if a tree has a canopy of forty (40) feet, the spacing between trees is forty (40) feet. If the tree is not on the list, the mature canopy width must be provided to the planning department by a certified arborist.
 - b. All new developments shall provide adequate tree planting along all public streets. The number and spacing of trees shall be determined based on the type of tree and the spacing standards described in a. above and considering driveways, street light locations and utility connections. Unless exempt per c. below, trees shall not be spaced more than forty (40) feet apart in any development.
 - c. A new development may exceed the forty-foot spacing requirement under section b. above, under the following circumstances:

- (1) Installing the tree would interfere with existing utility lines and no substitute tree is appropriate for the site; or
- (2) There is not adequate space in which to plant a street tree due to driveway or street light locations, vision clearance or utility connections, provided the driveways, street light or utilities could not be reasonably located elsewhere so as to accommodate adequate room for street trees; and
- (3) The street trees are spaced as close as possible given the site limitations in (1) and (2) above.
- (4) The location of street trees in an ODOT or Washington County right-of-way may require approval, respectively, by ODOT or Washington County and are subject to the relevant state or county standards.
- (5) For arterial and collector streets, the City may require planted medians in lieu of paved twelve-foot wide center turning lanes, planted with trees to the specifications of this subsection.

STAFF ANALYSIS: There is no existing planting strip along SW Oregon Street. The RC zone has zero front yard setbacks and encourages development adjacent to the public right-of-way. Consequently, the City is requiring Street Trees to be located within the public sidewalk. A recommended condition is included requiring public improvement plans to show street trees in the public sidewalk along Phase II of the development.

FINDING: This standard is not met but can be met as conditioned below.

RECOMMENDED CONDITION: D7. Prior to Sherwood Engineering Department approval of the public improvement plans, provide street trees in graded tree wells in the public sidewalk for Phase II consistent with the requirements of Section 16.142.060..

B. Removal and Replacement of Street Trees.

The removal of a street tree shall be limited and in most cases, necessitated by the tree. A person may remove a street tree as provided in this section. The person removing the tree is responsible for all costs of removal and replacement. Street trees less than five (5) inches DBH can be removed by right by the property owner or his or her assigns, provided that they are replaced. A street tree that is removed must be replaced within six (6) months of the removal date.

1. Criteria for All Street Tree Removal for trees over five (5) inches DBH. No street tree shall be removed unless it can be found that the tree is:
 - a. Dying, becoming severely diseased, or infested or diseased so as to threaten the health of other trees, or
 - b. Obstructing public ways or sight distance so as to cause a safety hazard, or
 - c. Interfering with or damaging public or private utilities, or
 - d. Defined as a nuisance per City nuisance abatement ordinances.
2. Street trees between five (5) and ten (10) inches DBH may be removed if any of the criteria in 1. above are met and a tree removal permit is obtained.
 - a. The Tree Removal Permit Process is a Type I land use decision and shall be approved subject to the following criteria:
 - (1) The person requesting removal shall submit a Tree Removal Permit application that identifies the location of the tree, the type of tree to be removed, the proposed replacement and how it qualifies for removal per Section 1. above.
 - (2) The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.

- (3) If an objection to the removal is submitted by the City or to the City during the ten (10) calendar day period, an additional evaluation of the tree will be conducted by an arborist to determine whether the tree meets the criteria for street tree removal in Section 1. above. The person requesting the Tree Removal Permit shall be responsible for providing the arborist report and associated costs.
 - (4) Upon completion of the additional evaluation substantiating that the tree warrants removal per Section 1. above or if no objections are received within the ten-day period, the tree removal permit shall be approved.
 - (5) If additional evaluation indicates the tree does not warrant removal, the Tree Removal Permit will be denied.
3. Street trees over ten (10) inches DBH may be removed through a Type I review process subject to the following criteria.
- a. The applicant shall provide a letter from a certified arborist identifying:
 - (1) The tree's condition,
 - (2) How it warrants removal using the criteria listed in Section 1. above, and identifying any reasonable actions that could be taken to allow the retention of the tree.
 - b. The applicant shall provide a statement that describes whether and how the applicant sought assistance from the City, HOA or neighbors to address any issues or actions that would enable the tree to be retained.
 - c. The person shall post a sign, provided by the City, adjacent to the tree for ten (10) calendar days prior to removal that provides notice of the removal application and the process to comment on the application.
 - d. Review of the materials and comments from the public confirm that the tree meets the criteria for removal in Section 1. above.

STAFF ANALYSIS: The applicant is not proposing to remove and street trees.

FINDING: These standards are not applicable.

16.142.070 Trees on Property Subject to Certain Land Use Applications

A. Generally

The purpose of this Section is to establish processes and standards which will minimize cutting or destruction of trees and woodlands within the City. This Section is intended to help protect the scenic beauty of the City; to retain a livable environment through the beneficial effect of trees on air pollution, heat and glare, sound, water quality, and surface water and erosion control; to encourage the retention and planting of tree species native to the Willamette Valley and Western Oregon; to provide an attractive visual contrast to the urban environment, and to sustain a wide variety and distribution of viable trees and woodlands in the community over time.

B. Applicability

All applications including a Type II - IV land use review, shall be required to preserve trees or woodlands, as defined by this Section to the maximum extent feasible within the context of the proposed land use plan and relative to other codes, policies, and standards of the City Comprehensive Plan.

C. Inventory

1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications including Type II - IV development shall include a tree and woodland inventory and report. The report shall be prepared by a qualified professional and must contain the following information:
 - a. Tree size (in DBH and canopy area)

- b. Tree species
 - c. The condition of the tree with notes as applicable explaining the assessment
 - d. The location of the tree on the site
 - e. The location of the tree relative to the planned improvements
 - f. Assessment of whether the tree must be removed to accommodate the development
 - g. Recommendations on measures that must be taken to preserve trees during the construction that are not proposed to be removed.
2. In addition to the general requirements of this Section, the tree and woodland inventory's mapping and report shall also include, but is not limited to, the specific information outlined in the appropriate land use application materials packet.
 3. Definitions for the inventory purposes of this Section
 - a. A tree is a living woody plant having a trunk diameter as specified below at Diameter at Breast Height (DBH). Trees planted for commercial agricultural purposes, and/or those subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition and from regulation under this Section, as are any living woody plants under six (6) inches at DBH. All trees six (6) inches or greater shall be inventoried.
 - b. A woodland is a biological community dominated by trees covering a land area of 20,000 square feet or greater at a density of at least fifty (50) trees per every 20,000 square feet with at least fifty percent (50%) of those trees of any species having a six (6) inches or greater at DBH. Woodlands planted for commercial agricultural purposes and/or subject to farm forest deferral, such as nut and fruit orchards and Christmas tree farms, are excluded from this definition, and from regulation under this Section.
 - c. A large stature tree is over 20 feet tall and wide with a minimum trunk diameter of 30 inches at DBH.

STAFF ANALYSIS: The applicant provided a Preliminary Tree Protection and Removal Plan (Attachment A, Exhibit A) that provides an inventory of the existing trees on site. Four mature trees in the center of the site, in Phase I development area, are proposed to be removed for development. An existing mature tree stand on the north side of the site will be retained and preserved.

FINDING: These standards are met.

16.142.070 Trees on Property Subject to Certain Land Use Applications

D. Retention requirements

1. Trees may be considered for removal to accommodate the development including buildings, parking, walkways, grading etc., provided the development satisfies of D.2 or D.3, below.

3. Required Tree Canopy - Non-Residential and Multi-family Developments

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 30 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation πr^2 to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies.

The canopy requirement can be achieved by retaining existing trees or planting new trees. Required landscaping trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the required canopy cover. A certified arborist or other qualified

professional shall provide an estimated tree canopy for all proposed trees to the planning department for review as a part of the land use review process.

	Residential (single family & two family developments)	Old Town & Infill developments	Commercial, Industrial, Institutional Public and Multi-family
Canopy Requirement	40%	N/A	30%
Counted Toward the Canopy Requirement			
Street trees included in canopy requirement	Yes	N/A	No
Landscaping requirements included in canopy requirement	N/A	N/A	Yes
Existing trees onsite	Yes x2	N/A	Yes x2
Planting new trees onsite	Yes	N/A	Yes
Mature Canopy in Square Feet Equation πr^2 or $(3.14159 * \text{radius}^2)$ (This is the calculation to measure the square footage of a circle. The Mature Canopy is given in diameter. In gardening and horticulture reference books, therefore to get the radius you must divide the diameter in half.			
Canopy Calculation Example: Pin Oak Mature canopy = 35' $(3.14159 * 17.5^2) = 962$ square feet			

STAFF ANALYSIS: The applicant provided a Preliminary Tree Protection and Removal Plan (Attachment A, Exhibit A) that provides an inventory of the existing trees on site. As previously discussed, four mature trees in the center of the site, in Phase I development area, are proposed to be removed for development. An existing mature tree stand on the north side of the site will be preserved. There are no tree canopy requirements for developments within the Old Town Overlay.

FINDING: This standard is not applicable.

16.142.070 Trees on Property Subject to Certain Land Use Applications

E. Tree Preservation Incentive

Retention of existing native trees on site which are in good health can be used to achieve the required mature canopy requirement of the development. The expected mature canopy can be calculated twice for existing trees. For example, if one existing tree with an expected mature canopy of 10 feet (78.5 square feet) is retained it will count as twice the existing canopy (157 square feet).

FINDING: As discussed above, a mature tree stand on the north side of the site will be preserved. The tree preservation incentive is not needed as development in Old Town are exempt from the canopy coverage requirements. This standard is met.

16.142.070 Trees on Property Subject to Certain Land Use Applications

G. Tree Protection During Development

The applicant shall prepare and submit a final Tree and Woodland Plan prior to issuance of any construction permits, illustrating how identified trees and woodlands will be retained, removed or protected as per the Notice of Decision. Such plan shall specify how trees and woodlands will be protected from damage or destruction by

construction activities, including protective fencing, selective pruning and root treatments, excavation techniques, temporary drainage systems, and like methods. At a minimum, trees to be protected shall have the area within the drip line of the tree protected from grading, stockpiling, and all other construction related activity unless specifically reviewed and recommended by a certified arborist or other qualified professional. Any work within the dripline of the tree shall be supervised by the project arborist or other qualified professional onsite during construction.

FINDING: The Preliminary Tree Protection and Removal Plan (Attachment A, Exhibit A) provides an inventory of the existing trees on site. As previously discussed, four mature trees in the center of the site, in Phase I development area, are proposed to be removed for development. An existing mature tree stand on the north side of the site will be preserved. Prior to construction, the applicant will submit a final tree preservation plan consistent with this section.

FINDING: These standards are not met but can be met as conditioned below.

RECOMMENDED CONDITION: C1. Prior to issuance of a grading permit, a final tree preservation plan consistent with the requirements of Section 16.142.070.G. will be submitted.

16.146. Noise

16.146.020 - Noise Sensitive Uses

When proposed commercial and industrial uses do not adjoin land exclusively in commercial or industrial zones, or when said uses adjoin special care, institutional, or parks and recreational facilities, or other uses that are, in the City's determination, sensitive to noise impacts, then:

- A. The applicant shall submit to the City a noise level study prepared by a professional acoustical engineer. Said study shall define noise levels at the boundaries of the site in all directions.
- B. The applicant shall show that the use will not exceed the noise standards contained in OAR 340-35-035, based on accepted noise modeling procedures and worst case assumptions when all noise sources on the site are operating simultaneously.
- C. If the use exceeds applicable noise standards as per subsection B of this Section, then the applicant shall submit a noise mitigation program prepared by a professional acoustical engineer that shows how and when the use will come into compliance with said standards.

FINDING: The site does not include commercial or industrial uses. Regardless, Excessive noise is not anticipated with this single-family residential townhome use and will be addressed via code compliance if necessary. This standard is met.

16.148 Vibrations

16.148.010 - Vibrations

All otherwise permitted commercial, industrial, and institutional uses shall not cause discernible vibrations that exceed a peak of 0.002 gravity at the property line of the originating use, except for vibrations that last five (5) minutes or less per day, based on a certification by a professional engineer.

FINDING: The site does not include commercial, industrial or institutional uses. Regardless, excessive vibrations are not anticipated with this multi-family use and will be addressed via code compliance if necessary. This standard is not applicable.

16.150 Air Quality

16.150.010 – Air Quality

All otherwise permitted commercial, industrial, and institutional uses shall comply with applicable State air quality rules and statutes:

- A. All such uses shall comply with standards for dust emissions as per OAR 340-21-060.
- B. Incinerators, if otherwise permitted by Section 16.140.020, shall comply with the standards set forth in OAR 340-25-850 through 340-25-905.
- C. Uses for which a State Air Contaminant Discharge Permit is required as per OAR 340-20-140 through 340-20-160 shall comply with the standards of OAR 340-220 through 340-20-276.

FINDING: The site does not include commercial, industrial or institutional uses. Regardless, excessive air pollution is not anticipated with this single-family residential townhome use and will be addressed via code compliance if necessary. This standard is not applicable.

16.152 Odors

16.152.010 - Odors

All otherwise permitted commercial, industrial, and institutional uses shall incorporate the best practicable design and operating measures so that odors produced by the use are not discernible at any point beyond the boundaries of the development site.

FINDING: The site does not include commercial, industrial or institutional uses. Regardless, excessive odor is not anticipated with this single-family residential townhome use and will be addressed via code compliance if necessary. This standard is not applicable.

16.154 Heat and Glare

16.154.010 – Heat and Glare

Except for exterior lighting, all otherwise permitted commercial, industrial, and institutional uses shall conduct any operations producing excessive heat or glare entirely within enclosed buildings. Exterior lighting shall be directed away from adjoining properties, and the use shall not cause such glare or lights to shine off site in excess of one-half (0.5) foot candle when adjoining properties are zoned for residential uses.

FINDING: The site does not include commercial, industrial or institutional uses. Regardless, the submitted Photometric Plan (Exhibit A, Sheet 10) shows compliance with this standard. This standard is not applicable.

Chapter 16.156 Energy Conservation

16.156.020 Standards

- A. **Building Orientation** - The maximum number of buildings feasible shall receive sunlight sufficient for using solar energy systems for space, water or industrial process heating or cooling. Buildings and vegetation shall be sited with respect to each other and the topography of the site so that unobstructed sunlight reaches the south wall of the greatest possible number of buildings between the hours of 9:00 AM and 3:00 PM, Pacific Standard Time on December 21st.
- B. **Wind** - The cooling effects of prevailing summer breezes and shading vegetation shall be accounted for in site design. The extent solar access to adjacent sites is not impaired vegetation shall be used to moderate prevailing winter wind on the site.

FINDING: The three-story building is oriented northwest-southeast to maximize use of the site and solar access. Each living unit has decks and operable windows to take advantage of cooling breezes. This standard is met.

Division IX- Historic Resources

Chapter 16.162 Old Town (OT) Overlay District

16.162.030 Permitted Uses

The following uses are permitted outright, provided such uses meet the applicable environmental performance standards contained in Division VIII:

- A. Uses permitted outright in the RC zone, Section 16.28.020; the HDR zone, Section 16.20.020; and the MDRL zone, Section 16.16.020; provided that uses permitted outright on any given property are limited to those permitted in the underlying zoning district, unless otherwise specified by this Section and Section 16.162.040.
- B. In addition to the home occupations permitted under Section 16.42.020, antique and curio shops, cabinet making, arts and crafts galleries, artists cooperatives, and bookshops, are permitted subject to the standards of Chapter 16.42 and this Chapter, in either the underlying RC or MDRL zones.
- C. Boarding and rooming houses, bed and breakfast inns, and similar accommodations, containing not more than five (5) guest rooms, in the underlying RC, HDR and MDRL zones.
- D. Motels and hotels, in the underlying RC zone only.
- E. Residential apartments when located on upper or basement floors, to the rear of, or otherwise clearly secondary to commercial buildings, in the underlying RC zone only.
- F. Other similar commercial uses or similar home occupations, subject to Chapter 16.88.
- G. Offices or architects, artists, attorneys, dentists, engineers, physicians, accountants, consultants and similar professional services.
- H. Uses permitted outright in the RC zone are allowed within the HDR zone when limited to the first floor, adjacent to and within 100 feet of, Columbia Street within the Old Town Overlay District.

16.162.040 Conditional Uses

The following uses are permitted as conditional uses, provided such uses meet the applicable environmental performance standards contained in Division VIII, and are approved in accordance with Chapter 16.82:

- A. Uses permitted as conditional uses in the RC zone, Section 16.28.020, HDR zone, Section 16.20.020, and the MDRL zone, Section 16.16.020, provided that uses permitted as conditional uses on any given property are limited to those permitted in the underlying zoning district, unless otherwise specified by Section 16.162.030 and this Section.
- B. Townhouses (shared wall single-family attached) on property zoned RC in the Old Cannery area subject to Chapter 16.44 and the HDR standards. In addition, any garages shall use alley access. RC zone setback standards may be used in lieu of other applicable standards.

FINDING: As discussed previously, the proposed use is permitted with a Conditional Use Permit in the RC zone in the Old Cannery area. This standard can be met with the approval of the Conditional Use Permit.

16.162.060 Dimensional Standards

In the OT overlay zone, the dimensional standards of the underlying RC, HDR and MDRL zones shall apply, with the following exceptions:

- A. Lot Dimensions - Minimum lot area (RC zoned property only): Twenty-five hundred (2,500) square feet.

FINDING: As discussed previously, the proposed townhome development will be a condominium project. Individual lots are not proposed. The subject site is 1.2 acres. This standard is met.

- B. Setbacks - Minimum yards (RC zoned property only):** None, including structures adjoining a residential zone, provided that Uniform Building Code, Fire District regulations, and the site design standards of this Code, not otherwise varied by this Chapter, are met.

FINDING: As no yards are required for RC zoned property, the proposed development meets the minimum requirements. This standard is met.

- C. Height - The purpose of this standard is to encourage 2 to 4 story mixed-use buildings in the Old Town area consistent with a traditional building type of ground floor active uses with housing or office uses above. Except as provided in Section 16.162.080, subsection C below, the maximum height of structures in RC zoned property shall be forty (40) feet (3 stories) in the "Smockville Area" and fifty (50) feet (4 stories) in the "Old Cannery Area". Limitations in the RC zone to the height of commercial structures adjoining residential zones, and allowances for additional building height as a conditional use, shall not apply in the OT overlay zone. However, five foot height bonuses are allowed under strict conditions. Chimneys, solar and wind energy devices, radio and TV antennas, and similar devices may exceed height limitations in the OT overlay zone by ten (10) feet. Minimum height: A principal building in the RC and HDR zones must be at least sixteen (16) feet in height.**

FINDING: The subject site is located within the Old Cannery area. The applicant is proposing three story buildings at 32 feet, well below the four-story, 50-foot height limit and above the 16-foot minimum height. This standard is met.

- D. Coverage - Home occupations permitted as per Chapter 16.42 and Section 16.162.030 may occupy up to fifty percent (50%) of the entire floor area of all buildings on a lot.**

FINDING: The application is not seeking approval for any home occupations. This standard is not applicable.

16.162.070 Community Design

Standards relating to off-street parking and loading, environmental resources, landscaping, historic resources, access and egress, signs, parks and open space, on-site storage, and site design as per Divisions V, VIII and this Division shall apply, in addition to the Old Town design standards below:

A. Generally

In reviewing site plans, as required by Chapter 16.90, the City shall utilize the design standards of Section 16.162.080 for the "Old Cannery Area" and the "Smockville Design Standards" for all proposals in that portion of the Old Town District.

B. Landscaping for Residential Structures

- 1. Perimeter screening and buffering, as per Section 16.92.030, is not required for approved home occupations.**
- 2. Minimum landscaped areas are not required for off-street parking for approved home occupations.**
- 3. Landscaped strips, as per Sections 16.92.030 and 16.142.030A, may be a minimum of five (5) feet in width, except when adjoining alleys, where landscaped strips are not required.**
- 4. Fencing and interior landscaping, as per Section 16.92.030, are not required.**

FINDING: As discussed above, the site includes substantial landscaping. Home occupations are not proposed. As shown on the Preliminary Landscape Plan (Exhibit A, Sheet 09), all landscape strips will be a minimum of 5 feet wide. Interior landscaping, while not required, is provided on site. These standards are met.

C. Off-Street Parking

For all property and uses within the "Smockville Area" of the Old Town Overlay District off-street parking is not required. For all property and uses within the "Old Cannery Area" of the Old Town Overlay District, requirements for off-street automobile parking shall be no more than sixty-five percent (65%) of that normally required by Section 16.94.020. Shared or joint use parking agreements may be approved, subject to the standards of Section 16.94.010.

FINDING: The site is located within the Old Cannery area. Required parking is capped at 65%. As discussed above, the site includes on-site parking that exceeds these standards. These standards are met.

D. Off-Street Loading

- 1. Off-street loading spaces for commercial uses in the "Old Cannery Area" may be shared and aggregated in one or several locations in a single block, provided that the minimum area of all loading spaces in a block, when taken together, shall not be less than sixty-five percent (65%) of the minimum standard that is otherwise required by Section 16.94.030B.**
- 2. For all property and uses within the "Smockville Area" of the Old Town Overlay District, off-street loading is not required.**

FINDING: No off-street loading is required or proposed. These standards are not applicable.

E. Signs

In addition to signs otherwise permitted for home occupations, as per Section 16.42.010, one (1) non-illuminated, attached, exterior sign, up to a maximum of nine (9) square feet in surface area, may be permitted for each approved home occupation.

FINDING: No signage is proposed with this application. These standards are not applicable.

F. Non-conforming Uses

When a nonconforming lot, use, or structure within the OT overlay zone has been designated a landmark as per Chapter 16.166, or when a nonconforming lot within the OT overlay zone is vacant, and the proposed change will, in the City's determination, be fully consistent with the goals and standards of the OT overlay zone and other City guidelines to preserve, restore, and enhance historic resources, nonconforming use restrictions contained in Chapter 16.48 may be waived by the Commission.

FINDING: It is staff's understanding that the existing nonconforming material storage yard will be discontinued and redeveloped with the proposal. The applicant is not seeking waiver to nonconforming use restrictions. These standards are not applicable.

G. Downtown Street Standards

All streets shall conform to the Downtown Street Standards in the City of Sherwood Transportation System Plan and Downtown Streetscape Master Plan, and as hereafter

amended. Streetscape improvements shall conform to the Construction Standards and Specifications, and as hereafter amended.

STAFF ANALYSIS: The Public Street Frontage Improvement Plan (Exhibit A, Sheet 11) shows minor improvements to SW Oregon Street to straighten out a slight bend in the north bound travel lane that is adjacent to the site. As previously discussed, this improvement will result in the adjacent sidewalk to encroach on the subject site. The City Engineer and the property owner have agreed to locate this sidewalk encroachment within a public access easement on the subject property.

FINDING: These standards are not met but can be met as previously conditioned.

H. Color

The color of all exterior materials shall be earth tone. A color palette shall be submitted and reviewed as part of the land use application review process and approved by the hearing authority.

STAFF ANALYSIS: The proposed color palette is provided on the Building Elevations (Exhibit A, Sheets A-5 through A-9). The proposed color palette is consistent with the earth tone requirement.

FINDING: This standard is met.

16.162.080 – Standards for All Commercial, Institutional and Mixed-Use Structures in the Old Cannery Area.

The standards in this section apply to development of all new principal commercial, institutional and mixed-use structures in the "Old Cannery Area" of the Old Town Overlay District. These standards also apply to exterior alterations in this zone, when the exterior alteration requires full compliance with the requirements of applicable building codes.

STAFF ANALYSIS: The proposed development does not include commercial, institutional, or mixed use structures. These standards do not apply to residential townhome development. Rather, the design guidelines of the Townhomes Chapter (16.44) apply. As discussed earlier, the proposed development meets the Townhomes standards. Nonetheless, as the applicant demonstrates, the proposal includes numerous site and building design elements that implement the architectural guidance established for the Old Cannery area, including:

- Buildings have a strong vertical orientation that is accentuated by distinct roof forms, multiple articulations, balconies and supporting columns, and trim detail (see Exhibit A).
- All six buildings will include significant articulation and multiple volumes to avoid the appearance of a single, large volume (see Exhibit A).
- Roof pitches will vary from 6/12 to 8/12 on the hipped roofs included on Buildings 1-6. Additionally, all six buildings will include complex roof forms that are broken up by multiple dormers. Architectural grade composition shingle roofing will be used as the roofing material on all buildings (see Exhibit A).
- 4- to 6-inch horizontal and board and batten fiber cement siding and brick veneer will be used on all buildings (see Exhibit A).
- Buildings will incorporate a cement board and brick stringcourse, and corner boards (see Exhibit A).
- Buildings 1-4 will include ample glazing facing the SW Oregon Street frontage. Larger window openings on remaining building facades and Buildings 5 and 6 will be formed by grouping windows (see Exhibit A).
- The application includes the use of vinyl windows without internal divisions or reflective glazing (see Exhibit A).

- Primary entry doors will be full, lite-steel construction doors that are more than 25% transparent (see Exhibit A).
- Buildings fronting SW Oregon Street will include covered stoops (see Exhibit A).
- Where possible, roof and plumbing vents will be located on the interior-facing roof façades of all buildings (see Exhibit A).
- Off-street parking occupies less than 50% of the site area and will be located behind structures at the Oregon Street right-of-way line (see Exhibit A).

FINDING: These standards are not applicable.

Based upon review of the applicant's submittal information, review of the code, agency comments and consideration of the applicant's submittal, staff finds that the proposed site plan does not fully comply with the standards but can be conditioned to comply. Therefore, staff recommends Approval of the **Oregon Street Townhomes (SP 16-09/CUP 16-04)** with the following conditions of approval:

VI. CONDITIONS OF APPROVAL

A. General Conditions

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. This land use approval shall substantially comply with the submitted preliminary site plans and narrative dated May 5, 2017 and prepared by AKS Engineering and Forestry, except as indicated in the following conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.
3. The authorization of the conditional use shall be void after two years unless substantial construction has taken place. The Hearing Authority may extend authorization for an additional period, not to exceed one year, upon a written request from the applicant showing adequate cause for such extension and payment of an extension application fee as per Section 16.74.010. The completion of Phase I shall constitute substantial completion.
4. The developer/owner/applicant is responsible for all costs associated with private/public facility improvements.
5. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
6. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
7. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies even if not specifically required by this decision.
8. Prior to commencement of the design, the developer shall attend a predesign meeting with the Sherwood Engineering Department.
9. Existing acorn street lights along the subject property frontage shall be relocated to outside of the sidewalk and replaced with Westbrook street lights meeting Sherwood Engineering Department standards in Phase 2 of the development. If the new public street light(s) are located outside of the right-of-way then an easement shall be granted to the city as approved by the Sherwood Engineering Department in Phase 2 of the development.

10. Existing driveways not being reused shall be removed and replaced with standard curb and gutter and sidewalk meeting Sherwood Engineering Department standards.
11. The proposed development shall supply sanitary service to the development as needed meeting Sherwood Engineering standards.
12. Private sanitary sewer shall be installed in compliance with the current Oregon Plumbing Specialty Code.
13. The proposed development shall supply domestic, irrigation and fire water to the development as needed meeting Sherwood Engineering standards.
14. Water meters located on site shall have a public water line easement meeting the approval of the Sherwood Public Works Department.
15. Water flows calculations (domestic, irrigation and fire) shall be provided by the developer.
16. If on-site fire protection is connected to the public water system, backflow protection meeting Sherwood Engineering Department standards shall be installed with a public water line easement as necessary.
17. Private water lines shall be installed in compliance with the current Oregon Plumbing Specialty Code.
18. The developer shall provide water quality treatment for all new impervious area constructed and any existing impervious area to remain as required by Clean Water Services standards unless otherwise approved by the City Engineer and Clean Water Services. Also the developer shall provide an updated impervious area amounts for the subject property being treated by any existing water quality facility or an updated calculation for the existing water quality facility when additional untreated impervious area beyond what currently drains to the existing facility is added.
19. The developer shall adhere to the conditions of the Clean Water Services Provider Letter.
20. All new utilities to be installed for the development of the subject property shall be underground.
21. The proposed development shall provide storm sewer improvements and service to the development as needed meeting Sherwood Engineering standards.

B. Prior to Final Site Plan Approval:

1. Prior to Final Site Plan approval, submit a copy of the proposed CC&Rs and Home Owners Association (HOA) Agreement for staff review and approval. At a minimum, the CC&Rs and HOA agreement must include the landscape maintenance standards for any and all common open space and water quality facilities, a provision for how the common facilities (open space, parking, driveways) will be maintained with ultimate responsibility assigned, and a provision for the HOA to maintain any water quality facility per the City standards.
2. Prior to Final Site Plan approval, submit a revised Landscape Plan with open space calculations documenting the size of each open space area in square feet as well as the percent of total area.
3. Prior to Final Site Plan approval, revise plans to show that there are no sight obstructing objects within the clear vision area in accordance with Section 16.58.010.
4. Prior to Final Site Plan approval, submit a final landscape plan that has been verified by a qualified landscape professional.

5. Prior to Final Site Plan approval, provide revised plans consistent with the requirements in the ODOT comment letter dated December 5, 2016 or provide documentation from ODOT that the requirements have been satisfied or are no longer necessary.
6. Prior to Final Site Plan approval, submit revised plans showing all mechanical equipment screen from view from all public streets and any adjacent residential zones.
7. Prior to Final Site Plan approval, submit a final landscape plan that addresses the installation and maintenance standards of Section 16.92.040 to the Planning Department for review and approval.
8. Prior to Final Site Plan approval, provide a revised site plan that clearly illustrates a marked crosswalk where pedestrian pathways cross vehicle parking areas.
9. Prior to Final Site Plan approval, provide a revised site plan that illustrates where refuse and recycling bins will be stored on collection and non-collection days. If bins are to be stored within the garages, provided a copy of Covenants, Conditions and Restrictions (CC&Rs) requiring such storage.
10. Prior to Final Site Plan approval, submit revised plans demonstrating compliance with the Fire Marshall's letter dated November 29, 2016.

C. Prior to Issuance of a Grading Permit:

1. Prior to issuance of a grading permit, a final tree preservation plan consistent with the requirements of Section 16.142.070.G. will be submitted.

D. Prior to Engineering Approval of the Public Improvement Plans:

1. Prior to Sherwood Engineering Department approval of the public improvement plans, the developer shall submit a plan to realign the curb and sidewalk along the subject property frontage in Phase 2 of the development and dedicate an access easement for public sidewalk that will be located on private property meeting the approval of the Sherwood Engineering Department.
2. Prior to Sherwood Engineering Department approval of the public improvement plans, all public transportation infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.
3. Prior to Sherwood Engineering Department approval of the public improvement plans, all public sanitary sewer infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.
4. Prior to Sherwood Engineering Department approval of the public improvement plans, all public water infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.
5. Prior to Sherwood Engineering Department approval of the public improvement plans, all public storm sewer infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.
6. Prior to Sherwood Engineering Department approval of the public improvement plans, a Clean Water Services Storm Water Connection Permit Authorization must be obtained in accordance with the comments submitted by Clean Water Services dated June 2, 2017.
7. Prior to Sherwood Engineering Department approval of the public improvement plans, provide street trees in graded tree wells in the public sidewalk for Phase II consistent with the requirements of Section 16.142.060.

8. Prior to Sherwood Engineering Department approval of the public improvement plans, the developer shall obtain a DEQ NPDES 1200CN permit if required by Clean Water Services.

E. Prior to Obtaining Building Permits:

1. Prior to issuance of a building permit for Phase II, obtain approval for and record a lot consolidation or lot line adjustment and provide evidence of a recorded cross-access easement between the two parcels.
2. Prior to issuance of a building permit, the developer shall execute an Engineering Compliance Agreement for the phase being constructed.
3. Obtain Final Site Plan approval prior to issuance of any building permits in any phase of development.

F. Prior to Acceptance of Public Improvements:

1. Prior to Sherwood Engineering Department acceptance of the public improvements, the developer shall record Private Stormwater Facility Access and Maintenance Covenant for any on-site private water quality facilities. Also an Operations and Maintenance Plan is required for all private water quality facilities.

G. Prior to Receiving Occupancy:

1. Prior to Final Occupancy of the last building in any Phase, a copy of the recorded CC&Rs and HOA formation must be submitted to the Planning Department.
2. Prior to Occupancy, all site improvements, including but not limited to landscaping, parking and site lighting shall be installed per the approved final site plan and inspected and approved by the Planning Department. If constructed in phases, site improvements shall be installed consistent with the phases shown.
3. Prior to Final Occupancy for Phase 2, any access/parking/utilities that serve the adjoining tax lot as determined by the Sherwood Engineering Department shall have private easements recorded.
4. Prior to Final Occupancy, final acceptance of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department.

VII. Exhibits

- A. Applicant's submittal with narrative and supporting documents dated May 5, 2017
- B. Engineering comments dated December 5, 2016
- C. Clean Water Services comments dated June 2, 2017
- D. Tualatin Valley Fire & Rescue comments dated November 29, 2016
- E. Pride Disposal comments dated May 19, 2017 and December 5, 2016
- F. ODOT comments dated May 24, 2017 and December 5, 2016

The site plan approval is valid for a period of two (2) years from the date of the decision, per Section 16.90.020.

Exhibit A

Exhibit A can be reviewed electronically at the web address below with the following files:

www.sherwoodoregon.gov/planning/project/oregon-street-townhomes

[Application Materials – Revised 05.05.17](#)

[Revised Design Review Plans](#)

[Civil Plans](#)



Engineering Land Use Application Comments

To: Connie Randall, Senior Planner

From: Craig Christensen, P.E., Engineering Department

Project: Oregon Street Townhomes (SP 16-09)

Date: June 6, 2017

Engineering staff has reviewed the information provided for the above cited project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer

Currently there are 2 locations where sanitary sewers exist that can serve the subject property. There is existing 8-inch diameter sanitary sewer northwest of the subject property within SW Oregon Street and within the trail corridor. There is also an existing 8-inch diameter sanitary sewer within SW Oregon Street at the northeast end of the subject property. All surrounding properties can be served by the existing public sanitary sewers in this area, therefore no public sanitary sewer main extension is required.

CONDITION: The proposed development shall supply sanitary service to the development as needed meeting Sherwood Engineering standards.

CONDITION: Private sanitary sewer shall be installed in compliance with the current Oregon Plumbing Specialty Code.

CONDITION: Prior to Sherwood Engineering Department approval of the public improvement plans, all public sanitary sewer infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

Water

Currently a public 10-inch diameter water main exists along SW Oregon Street along the frontage of the subject property. All surrounding properties can be served by the existing public water mains in this area, therefore no public water main extension is required.

Project: Oregon Street Townhomes (SP 16-09)
Date: June 6, 2017
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CONDITION: The proposed development shall supply domestic, irrigation and fire water to the development as needed meeting Sherwood Engineering standards.

Domestic water is shown on the preliminary plan to be through a bank of water meters on site. Each parcel will need to have its water service(s) within the right-of-way frontage or parcel that it is serving.

CONDITION: Water meters located on site shall have a public water line easement meeting the approval of the Sherwood Public Works Department.

Existing water services that will not be used by the development of the subject property shall be abandoned meeting Sherwood Engineering Department standards.

CONDITION: Water flows calculations (domestic, irrigation and fire) shall be provided by the developer.

Currently there are 2 fire hydrants that exist along the frontage of the subject property.

Fire protection shall meet the conditions imposed by Tualatin Valley Fire & Rescue.

CONDITION: If on-site fire protection is connected to the public water system, backflow protection meeting Sherwood Engineering Department standards shall be installed with a public water line easement as necessary.

CONDITION: Private water lines shall be installed in compliance with the current Oregon Plumbing Specialty Code.

CONDITION: Prior to Sherwood Engineering Department approval of the public improvement plans, all public water infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

Storm Sewer

Currently there is existing 10-inch diameter storm sewer northwest of the subject property within SW Oregon Street and within the trail corridor. There is also an existing 12-inch diameter storm sewer within SW Oregon Street at the northeast end of the subject property. All surrounding properties have access to the public storm sewer system, therefore no public storm sewer main extension is required.

CONDITION: The proposed development shall provide storm sewer improvements and service to the development as needed meeting Sherwood Engineering standards.

The proposed development consists of redeveloping of the subject property which is currently paved with buildings.

Project: Oregon Street Townhomes (SP 16-09)
Date: June 6, 2017
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CONDITION: The developer shall provide water quality treatment for all new impervious area constructed and any existing impervious area to remain as required by Clean Water Services standards unless otherwise approved by the City Engineer and Clean Water Services. Also the developer shall provide an updated impervious area amounts for the subject property being treated by any existing water quality facility or an updated calculation for the existing water quality facility when additional untreated impervious area beyond what currently drains to the existing facility is added.

CONDITION: Prior to Sherwood Engineering Department approval of the public improvements, the developer shall record a Private Stormwater Facility Access and Maintenance Covenant for any on-site private water quality facilities. Also an Operations and Maintenance Plan is required for all private water quality facilities.

CONDITION: Prior to Sherwood Engineering Department approval of the public improvement plans, all public storm sewer infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

Transportation

The subject property is bordered by the SW Oregon Street (Collector) to the northwest. Currently SW Oregon Street frontage along the subject property has a street curve issue that affects the drivability of the street. Due to this issue a section of the existing street and sidewalk will need to be realigned.

CONDITION: Prior to Sherwood Engineering Department approval of the public improvement plans, the developer shall submit a plan to realign the curb and sidewalk along the subject property frontage in Phase 2 of the development and dedicate an access easement for public sidewalk that will be located on private property meeting the approval of the Sherwood Engineering Department.

Currently the sidewalk/multi-use path along the frontage of the subject property is curb tight. Collector standards call for a 5-foot wide landscape strip. Sidewalk varies in this area with some being curb tight while some has a landscape strip. The lack of a landscape strip causes issues with 2 acorn street lights that currently exist within the sidewalk in the location where the landscape strip would typically be.

CONDITION: Existing acorn street lights along the subject property frontage shall be relocated to outside of the sidewalk and replaced with Westbrook street lights meeting Sherwood Engineering Department standards in Phase 2 of the development. If the new public street light(s) are located outside of the right-of-way then an easement shall be granted to the city as approved by the Sherwood Engineering Department in Phase 2 of the development.

Currently the property has 3 driveways to SW Oregon Street. The proposed development indicates that the southwesternmost driveway is to be reused and a new driveway being constructed slightly northeast of the existing driveway across the street.

Project: Oregon Street Townhomes (SP 16-09)
Date: June 6, 2017
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CONDITION: Existing driveways not being reused shall be removed and replaced with standard curb and gutter and sidewalk meeting Sherwood Engineering Department standards.

CONDITION: Prior to Sherwood Engineering Department approval of the public improvement plans, all public transportation infrastructure shall meet City of Sherwood standards and be approved by the Sherwood Engineering Department.

Grading and Erosion Control:

City policy requires that prior to grading, a permit is obtained from the Building Department for all grading on the private portion of the site.

The Engineering Department requires a grading permit for all areas graded as part of the public improvements. The Engineering permit for grading of the public improvements is reviewed, approved and released as part of the public improvement plans.

An erosion control plan and permit is required from the City of Sherwood Engineering Department for all public and private improvements. The erosion control permit is reviewed, approved and released as part of the public improvement plans.

The total proposed development will disturb approximately 1.2 acres.

CONDITION: Prior to Sherwood Engineering Department approval of the public improvement plans, the developer shall obtain a DEQ NPDES 1200CN permit if required by Clean Water Services.

Other Engineering Issues:

A Clean Water Services Service Provider Letter has been obtained by the developer.

CONDITION: The developer shall adhere to the conditions of the Clean Water Services Service Provider Letter.

CONDITION: Prior to Sherwood Engineering Department approval of the public improvement plans, a Storm Water Connection Permit Authorization shall be obtained.

The proposed development currently encompasses 2 existing tax lots and is proposed to be constructed in 2 phases. Phase 1 is entirely within the western tax lot. One of the proposed buildings within phase 2 is within both tax lots. Buildings are not allowed to cross property lines.

CONDITION: Prior to building plan approval, either the buildings on the plan shall be adjusted to be in compliance with the existing property line, the property line shall be adjusted to work with the building layout, the 2 properties shall be consolidated or any combination thereof.

Project: Oregon Street Townhomes (SP 16-09)
Date: June 6, 2017
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Once parcel 2 is developed and if the existing tax lots have not been consolidated, access and private utilities may be crossing tax lot lines to serve the adjoining tax lot.

CONDITION: Prior to building occupancy for Phase 2, any access/parking/utilities that serve the adjoining tax lot as determined by the Sherwood Engineering Department shall have private easements recorded.

As shown the proposed sanitary sewer and storm sewer on the preliminary development plan will not meet Clean Water Services for Phase 2 if the existing tax lot line remains at its current location. Either the property line will need to be adjusted, the lots consolidated or the sanitary sewer and storm utilities will need to be redesigned unless otherwise approved by the Sherwood Engineering Department and Clean Water Services.

CONDITION: Prior to the commencement of the design, the developer shall attend a predesign meeting with the Sherwood Engineering Department.

CONDITION: Prior to site plan approval, the developer shall provide the Sherwood Planning Department conditions/approval from the railroad company for the changed usage of and/or for any work to be performed within railroad right-of-way.

CONDITION: Prior to issuing of a building permit, the developer shall execute an Engineering Compliance Agreement for the phase being constructed.

CONDITION: Prior to obtaining occupancy, final approval of the constructed public improvements shall be obtained from the City of Sherwood Engineering Department.

CONDITION: All new utilities to be installed for the development of the subject property shall be underground.

END OF COMMENTS.

MEMORANDUM

Date: June 2, 2017

To: Connie Randall, Senior Planner, City of Sherwood

From: Jackie Sue Humphreys, Clean Water Services (CWS)

Subject: Oregon Street Townhomes Revision, SP 16-09/CUP 16-04, 2S132BA04000
2S132BD06600

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE

A Clean Water Services (CWS) Storm Water Connection Permit Authorization must be obtained. Application for CWS Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 17-5, (or current R&O in effect at time of Engineering plan submittal), and is to include:

- a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.
- b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit.
- c. Detailed plans showing each lot within the development having direct access by gravity to public storm and sanitary sewer.
- d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 17-5, Section 4.05. Access shall be provided for maintenance of facility per R&O 17-5, Section 4.02.4.

- e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.
- f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.
- g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.
- h. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute CWS approval of storm or sanitary sewer compliance to the NPDES permit held by CWS. CWS, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.



November 29, 2016

Connie Randall
Senior Planner
City of Sherwood
22560 SW Pine St
Sherwood, Oregon 97140

**Re: Oregon Street Townhomes
Tax Lot I.D: 4000 & 6600**

Dear Connie,

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. These notes are provided in regards to the plans dated October 12, 2016. There may be more or less requirements needed based upon the final project design, however, Tualatin Valley Fire & Rescue will endorse this proposal predicated on the following criteria and conditions of approval.

FIRE APPARATUS ACCESS:

1. **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDINGS AND FACILITIES:** Access roads shall be within 150 feet of all portions of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility. An approved turnaround is required if the remaining distance to an approved intersecting roadway, as measured along the fire apparatus access road, is greater than 150 feet. (OFC 503.1.1))

This requirement is met.

2. **DEAD END ROADS AND TURNAROUNDS:** Dead end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved turnaround. Diagrams can be found in the corresponding guide that is located at <http://www.tvfr.com/DocumentCenter/View/1296>. (OFC 503.2.5 & D103.1)

This requirement is met.

3. **FIRE APPARATUS ACCESS ROAD WIDTH AND VERTICAL CLEARANCE:** Fire apparatus access roads shall have an unobstructed driving surface width of not less than 20 feet (26 feet adjacent to fire hydrants (OFC D103.1)) and an unobstructed vertical clearance of not less than 13 feet 6 inches. (OFC 503.2.1 & D103.1)

This requirement is met.

Exhibit D

Command & Business Operations Center
and North Operating Center
11945 SW 70th Avenue
Tigard, Oregon 97223-9196
503-649-8577

South Operating Center
8445 SW Elligsen Road
Wilsonville, Oregon
97070-9641
503-259-1500

Training Center
12400 SW Tonquin Road
Sherwood, Oregon
97140-9734
503-259-1600

4. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)

Install signs along roadway within complex.

5. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
1. 20-26 feet road width – no parking on either side of roadway
 2. 26-32 feet road width – parking is allowed on one side
 3. Greater than 32 feet road width – parking is not restricted
- Note:** For specific widths and parking allowances, contact the local municipality.

No parking will be allowed along the curb throughout the complex.

6. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)

Paint curbing red in color throughout complex.

7. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)
8. **TURNING RADIUS:** The inside turning radius and outside turning radius shall not be less than 28 feet and 48 feet respectively, measured from the same center point. (OFC 503.2.4 & D103.3)
9. **ACCESS ROAD GRADE:** Fire apparatus access roadway grades shall not exceed 15%. Alternate methods and materials may be available at the discretion of the Fire Marshal (for grade exceeding 15%).

This requirement is met.

10. **ANGLE OF APPROACH/GRADE FOR TURNAROUNDS:** Turnarounds shall be as flat as possible and have a maximum of 5% grade with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
11. **ANGLE OF APPROACH/GRADE FOR INTERSECTIONS:** Intersections shall be level (maximum 5%) with the exception of crowning for water run-off. (OFC 503.2.7 & D103.2)
12. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)
13. **TRAFFIC CALMING DEVICES:** Shall be prohibited on fire access routes unless approved by the Fire Marshal. (OFC 503.4.1).

FIREFIGHTING WATER SUPPLIES:

14. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration shall be determined in accordance with OFC Table B105.2. The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi residual. (OFC B105.3)

Note: OFC B106, Limiting Fire-Flow is also enforced, except for the following:

- The maximum needed fire flow shall be 3,000 GPM, measured at 20 psi residual pressure.
- Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1

15. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

Provide documentation of fire flow.

16. **WATER SUPPLY DURING CONSTRUCTION:** Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)

FIRE HYDRANTS:

17. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)

- This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.
- The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.

18. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)

- Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
- Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the Fire Marshal.
- Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the Fire Marshal.
- Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the Fire Marshal.

19. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the Fire Marshal. (OFC C102.1)

20. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)

21. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)
22. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)
23. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be **located on the same side** of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)
 - Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
 - FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.

Fire department connections for buildings 2,3,4 & 6 are more than 100 ft from a fire hydrant. An additional fire hydrant will need to be installed.

BUILDING ACCESS AND FIRE SERVICE FEATURES

24. **KNOX BOX:** A Knox Box for building access may be required for structures and gates. See Appendix B for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1)
25. **FIRE PROTECTION EQUIPMENT IDENTIFICATION:** Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1)
26. **PREMISES IDENTIFICATION:** New and existing buildings shall have approved address numbers; building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property, including monument signs. These numbers shall contrast with their background. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 1/2 inch. (OFC 505.1)

If you have questions or need further clarification, please feel free to contact me at 503-259-1419.

Sincerely,

Tom Mooney

Tom Mooney
Deputy Fire Marshal II

Thomas.mooney@tvfr.com

Cc: File

<http://www.tvfr.com/DocumentCenter/View/1296>

Connie Randall

From: Kristin Leichner <kristinl@pridedisposal.com>
Sent: Friday, May 19, 2017 2:25 PM
To: Connie Randall
Subject: RE: SP 16-09/CUP 16-04 Oregon Street Townhomes Agency Notice
Attachments: 12.5.16 Oregon Street Townhomes-Sherwood.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Connie,

Our original letter is still valid for the changes that have been made. I've attached it for reference.

Kristin Leichner
Pride Disposal Co.
(503) 625-6177
www.priededisposal.com
[Facebook](#)
[Twitter](#)

From: Connie Randall [mailto:RandallC@SherwoodOregon.gov]
Sent: Friday, May 19, 2017 2:05 PM
To: Andrea Kuehnel <afk@nwnatural.com>; Andrew Stirling <StirlingA@SherwoodOregon.gov>; 'anita.huffman@dsl.state.or.us' <anita.huffman@dsl.state.or.us>; baldwinb@trimet.org; Bob Ebeling <robert.w.ebeling@odot.state.or.us>; Bob Galati <GalatiB@SherwoodOregon.gov>; Brad Crawford <CrawfordB@SherwoodOregon.gov>; Craig Christensen <ChristensenC@SherwoodOregon.gov>; Craig Sheldon <SheldonC@SherwoodOregon.gov>; crbelt@bpa.gov; d5b@nwnatural.com; Henry English <Henry.English@pgn.com>; humphreysj@CleanWaterServices.org; Jason Waters <WatersJ@SherwoodOregon.gov>; Jill Hendrickson () <Jill.M.Hendrickson@odot.state.or.us>; Jo Guediri <GuediriJ@sherwoodoregon.gov>; Karen Mohling <karen.mohling@tvfr.com>; Kevin_Rolph@kindermorgan.com; Kristin Leichner <kristinl@pridedisposal.com>; kurt.A.MOHS@odot.state.or.us; Larry_Klimek@fws.gov; 'michaela.skiles@oregonmetro.gov' <michaela.skiles@oregonmetro.gov>; mwerner@gwrr.com; Naomi_Vogel@co.washington.or.us; paulette.Copperstone@oregonmetro.gov; 'pjohanson@sherwood.k12.or.us' <pjohanson@sherwood.k12.or.us>; r2g@nwnatural.com; raindrops2refuge@gmail.com; Region1DEVREVApplications@odot.state.or.us; rfagliano@sherwood.k12.or.us; Richard Sattler <SattlerR@SherwoodOregon.gov>; Sambo Kirkman (sambo_kirkman@co.washington.or.us) <sambo_kirkman@co.washington.or.us>; Seth.A.BRUMLEY@odot.state.or.us; spieringm@CleanWaterServices.org; stephen_roberts@co.washington.or.us; Theresa Cherniak (Theresa_Cherniak@co.washington.or.us) <Theresa_Cherniak@co.washington.or.us>; Tom Mooney <thomas.mooney@tvfr.com>; Tom Pessemier <PessemierT@SherwoodOregon.gov>; tumpj@trimet.org
Subject: SP 16-09/CUP 16-04 Oregon Street Townhomes Agency Notice

Good Afternoon,

The City of Sherwood Planning Department is requesting agency comments on the Oregon Street Townhomes project, 25 residential townhomes on approximately 1.2 acres of property located in the Old Town Overlay District.

Exhibit E

NOTE: This is a resubmittal of a previously routed project. The primary changes include a reduction in the number of dwelling units from 29 to 25 (elimination of studio units) and reconfiguration of the parking area.

Detailed project information can be found online at: <http://www.sherwoodoregon.gov/planning/project/oregon-street-townhomes>

If you have comments on this proposal, please respond by **June 2, 2017** in order to be included in the staff report.

Thank you in advance for your time,
Connie

Connie Randall
Planning Department
Planning Manager
City of Sherwood
(503) 625-4208
randallc@sherwoodoregon.gov





December 5, 2016

Connie Randall
Planning Department, Senior Planner
City of Sherwood

RE: Oregon St Townhomes

We have reviewed the site plan for the above mentioned site plan.

There is an enclosure on site. This enclosure is intended for residential style roll carts for the studio units. No front load commercial containers can go in that enclosure. That shared service for the studios will be managed by the property management company.

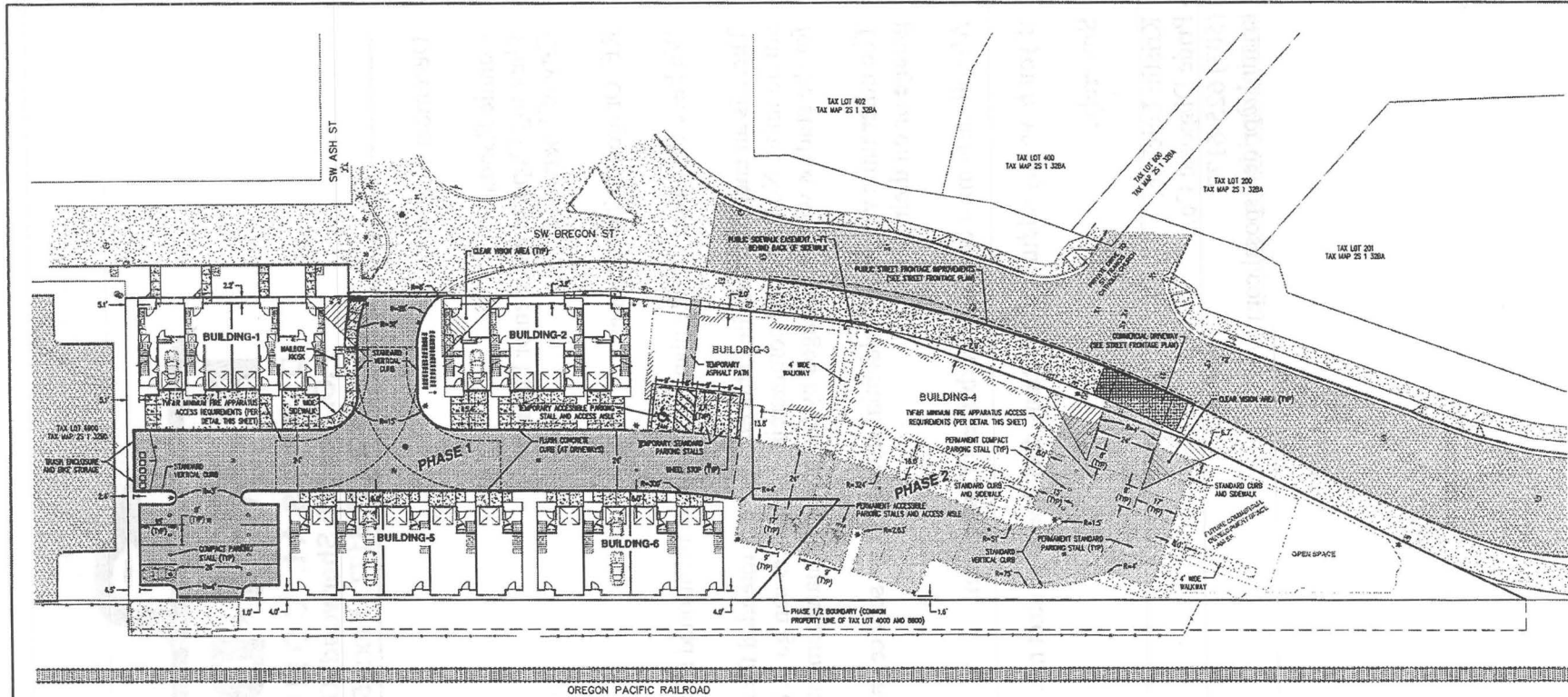
The other units will have residential style roll cart service and the roll carts will be stored in their garage or on their property.

All roll carts must be placed curbside for collection.

If you have any additional questions, feel free to contact me.

Sincerely,

Kristin Leichner
Pride Disposal Co.
(503) 625-6177
kristinl@pridedisposal.com



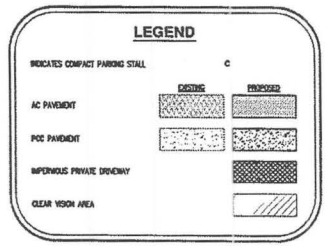
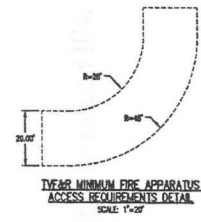
NOTE:
THE PROJECT WILL BE COMPLETED UNDER TWO CONSTRUCTION PHASES. THIS APPLICATION IS BEING SUBMITTED FOR BOTH PHASES. IMPROVEMENTS TO BE CONSTRUCTED DURING PHASE 2 ARE SHOWN FACED TO ILLUSTRATE THE LIMITS OF CONSTRUCTION BETWEEN PHASES.

PROJECT PHASING SUMMARY:

PHASE 1:
INCLUDES THE CONSTRUCTION OF BUILDINGS 1, 2, 5, 6 AND SITE IMPROVEMENTS ON TAX LOT 400 (25 1 3200).

ONE TEMPORARY ADA PARKING STALL WILL BE PROVIDED IN PHASE 1 OVER THE FOOTPRINT OF THE PHASE 2 DRIVEWAY.

PHASE 2:
INCLUDES THE CONSTRUCTION OF BUILDINGS 3 AND 4, SITE IMPROVEMENTS ON TAX LOT 400 (25 1 3204) AND OREGON STREET FRONTAGE IMPROVEMENTS.



AKS
AKS ARCHITECTURE & INTERIORS, LLC
7700 N. FEDERAL RD. STE 100
PORTLAND, OREGON 97217
P. 503.254.0101
F. 503.254.0102
441-00000000
ARCHITECTURE & INTERIORS
PLANNING & LANDSCAPE ARCHITECTURE

OREGON STREET TOWNHOMES
SHERWOOD
TAX LOTS 400 & 402
MAPS 25 1 3204 & 25 1 3200

PRELIMINARY SITE PLAN

DESIGNED BY: JCS
DRAWN BY: JCS
CHECKED BY: JCS
SCALE: AS NOTED
DATE: 10/12/2016
REVISION DATE: 12/11/17
REVISION:

JOB NUMBER: 5416
SHEET: 04

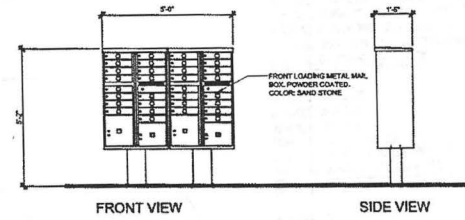
AKS DRAWING FILE: 5416_P-04_SITEPLAN_170616.dwg

Shan Gumusoglu
Architecture, LLC
12284 SW Main Street
Tigard, OR 97229
503 366 8076

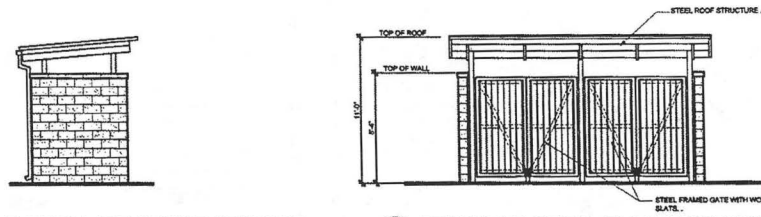
Oregon Street Townhouses
15678 + 15680 SW Oregon Street
Sherwood, OR 97140

JDR, LLC
23225 NE Dixon Road
NEWBERG, OR 97132

Trash/Recycling and Bike Storage
Mail Kiosk

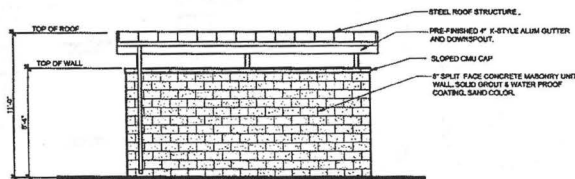


6 MAIL KIOSK
A-10 SCALE: 1/2" = 1'-0"

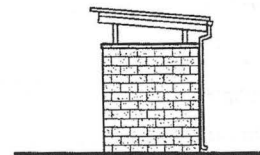


3 SIDE ELEVATION - TRASH/BIKE STORAGE
A-10 SCALE: 1/4" = 1'-0"

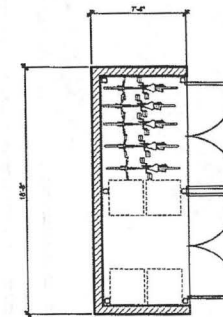
2 FRONT ELEVATION - TRASH/BIKE STORAGE
A-10 SCALE: 1/4" = 1'-0"



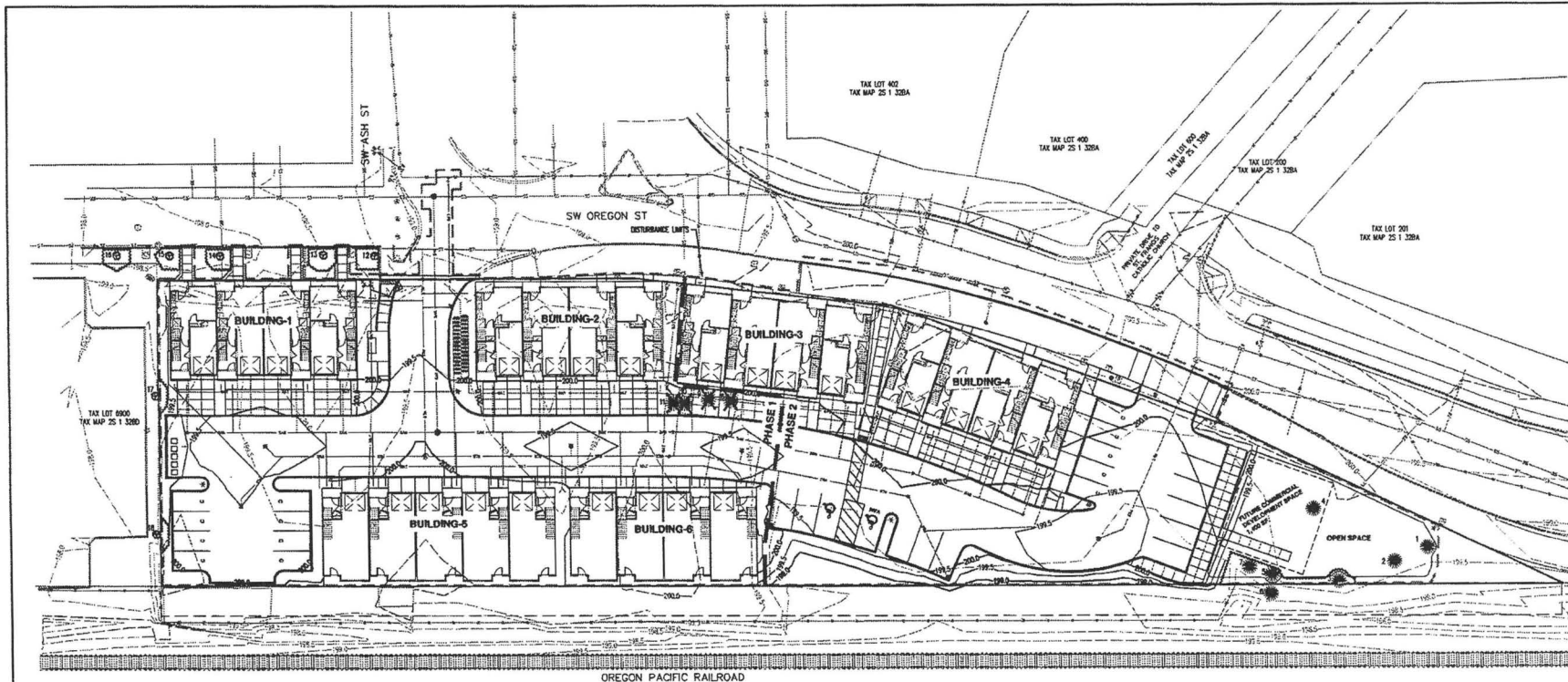
4 REAR ELEVATION - TRASH/BIKE STORAGE
A-10 SCALE: 1/4" = 1'-0"



5 SIDE ELEVATION - TRASH/BIKE STORAGE
A-10 SCALE: 1/4" = 1'-0"



1 FLOOR PLAN - TRASH/BIKE STORAGE
A-10 SCALE: 1/4" = 1'-0"



AKS
AKS CONSULTING & DESIGN, LLC
1790 S. OF TOWN, SUITE 100
PORTLAND, OREGON 97202
P: 503.251.1212
F: 503.251.1213
www.aksdesign.com

ENGINEERING - SURVEYING - NATURAL RESOURCES
FORESTRY - PLANNING - LANDSCAPE ARCHITECTURE

OREGON STREET TOWNHOMES
SHERWOOD
TAX LOTS 4000 & 6000
MAP 25 T.20N E.21.120W

PRELIMINARY TREE PROTECTION AND REMOVAL PLAN

Detailed Tree Inventory for Oregon Street Townhomes
LIST No. 4416

Tree #	DBH (in)	Tree Species (Common Name / Botanical Name)	Comments	Health Rating*	Removal Policy**	Remove/Preserve
1	78	Redwood Tree (Sequoia sempervirens)		1	1	Preserve
2	26	Redwood Tree (Sequoia sempervirens)		1	1	Preserve
3	12	Redwood Tree (Sequoia sempervirens)	Undergrowth tree	1	2	Preserve
4	28	Redwood Tree (Sequoia sempervirens)	Undergrowth tree	1	2	Preserve
5	24	Redwood Tree (Sequoia sempervirens)		1	1	Preserve
6	22	Chaparral Oak (Quercus chrysolepis)	OPPOSITE, Leaves 1/2", Hair around leaf, 1/8" above ground	1	1	Preserve
7	21	Redwood Tree (Sequoia sempervirens)		1	1	Preserve
8	21	Redwood Tree (Sequoia sempervirens)		1	1	Remove
9	20	Redwood Tree (Sequoia sempervirens)		1	1	Remove
10	19	Redwood Tree (Sequoia sempervirens)	Minor decay in hole	1	1	Remove
11	19	Redwood Tree (Sequoia sempervirens)		1	1	Remove
12	9	Calder Palm (Sabal palmetto)	OPPOSITE	1	1	Preserve
13	7	Calder Palm (Sabal palmetto)	OPPOSITE	1	1	Preserve
14	9	Calder Palm (Sabal palmetto)	OPPOSITE	1	1	Preserve
15	8	Calder Palm (Sabal palmetto)	OPPOSITE	1	1	Preserve
16	8	Calder Palm (Sabal palmetto)	OPPOSITE, Undergrowth	1	2	Preserve
17	10	Calder Palm (Sabal palmetto)	OPPOSITE	1	1	Preserve
18	10	Calder Palm (Sabal palmetto)	OPPOSITE	1	1	Preserve

Total # of Existing Trees Inventory = 18
Total # of Existing Open Space Trees = 6
Total # of Existing Open Space Trees to be Preserved = 6
Total # of Existing Open Space Trees to be Removed = 0

Health Rating:
1 - Good Health - A tree that exhibits typical shape, form, and no observations for its respective species, shows no signs of decline or imbalance, and has a high level of vigor and vitality.
2 - Fair Health - A tree that exhibits some abnormal shape characteristics and/or shows some signs of decline or imbalance, but has not yet reached a point where supplemental treatment is required.
3 - Poor Health - A tree that is in significant decline, to the extent that supplemental treatment would not likely result in re-vigoration or adequate tree function.

Removal Policy:
1 - Good Specimen - A tree that exhibits typical physical form characteristics, for its respective species, shows no signs of structural defects of the canopy, trunk, and/or root system.
2 - Fair Specimen - A tree that exhibits some abnormal physical form characteristics and/or some signs of structural defects, which reduce the structural integrity of the tree, but are not indicative of imminent physical failure, and may be corrected using arboricultural treatment methods.
3 - Poor Specimen - A tree that exhibits abnormal physical form characteristics and/or significant structural defects that substantially reduce the structural stability of the tree, cannot be safely treated, and are indicative of imminent physical failure.

Additional Information:
As shown on this report, all trees were inspected, measured, and evaluated to determine the health of trees, and to determine the need for any special care. The Client and Subcontractor may choose to accept or disregard the recommendations of the arborist, or seek additional advice. Arborescence cannot detect every condition that could possibly lead to the structural failure of a tree. Trees are living organisms that fail in ways we do not fully understand. Conditions are often hidden within trees and below ground. Subcontractor cannot guarantee that any tree will be healthy or safe until all circumstances, or the specified point of time. Likewise, structural treatments, the methods, cannot be guaranteed. There can be no warranty, but they can be controlled. The arborist will accept no liability for any damage to the tree or to the property of the client. The only way to ensure the health of a tree is to remove it all at once. Under the authority of AKS Engineering & Design, LLC, the arborist has assumed any responsibility for liability associated with the tree or its removal to the site. At the completion of construction, all trees should be inspected. Land clearing and removal of all adjacent trees can expose previously unseen defects and otherwise healthy trees can be damaged during construction.

NOTE:
ALL TREE REMOVAL TO TAKE PLACE DURING PHASE 1. PHASE BOUNDARY LINE ONLY REPRESENTS EVENTS OF CONSTRUCTION BETWEEN PHASES.
OPEN SPACE DESIGN IS SUBJECT TO CHANGE DURING FINAL ENGINEERING TO ALLOW EXISTING TREES NUMBER 1-7 TO BE PRESERVED.



DESIGNED BY: JRS
DRAWN BY: JRS
CHECKED BY: JRS
DATE: 10/12/2016

PRELIMINARY NOT FOR CONSTRUCTION

JOB NUMBER: 5416
SHEET: 05

Connie Randall

From: BROOKING Joshua C <Joshua.C.BROOKING@odot.state.or.us>
Sent: Wednesday, May 24, 2017 4:26 PM
To: Connie Randall
Cc: BROOKING Joshua C
Subject: RE: SP 16-09/CUP 16-04 Oregon Street Townhomes Agency Notice
Attachments: SP 16-09/CUP 16-04: Oregon Street Townhouses

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Connie –

We do not have any changes to our previously submitted comments, attached. Please let me know if you need anything else! Thanks!

Josh

From: Connie Randall [mailto:RandallC@SherwoodOregon.gov]
Sent: Friday, May 19, 2017 2:06 PM
To: Andrea Kuehnel; Andrew Stirling; 'anita.huffman@dsl.state.or.us'; baldwinb@trimet.org; EBELING Robert W; Bob Galati; Brad Crawford; Craig Christensen; Craig Sheldon; crbelt@bpa.gov; d5b@nwnatural.com; Henry English; humphreysj@CleanWaterServices.org; Jason Waters; HENDRICKSON Jill M; Jo Guediri; Karen Mohling; Kevin_Rolph@kindermorgan.com; Kristin Leichner; MOHS Kurt A; Larry_Klimek@fws.gov; 'michaela.skiles@oregonmetro.gov'; mwerner@gwrr.com; Naomi_Vogel@co.washington.or.us; paulette.Copperstone@oregonmetro.gov; 'pjohanson@sherwood.k12.or.us'; r2g@nwnatural.com; raindrops2refuge@gmail.com; Region 1 DEVREV Applications; rfagliano@sherwood.k12.or.us; Richard Sattler; Sambo Kirkman (sambo_kirkman@co.washington.or.us); BRUMLEY Seth A; spieringm@CleanWaterServices.org; stephen_roberts@co.washington.or.us; Theresa Cherniak (Theresa_Cherniak@co.washington.or.us); Tom Mooney; Tom Pessemier; tumpj@trimet.org
Subject: SP 16-09/CUP 16-04 Oregon Street Townhomes Agency Notice

Good Afternoon,

The City of Sherwood Planning Department is requesting agency comments on the Oregon Street Townhomes project, 25 residential townhomes on approximately 1.2 acres of property located in the Old Town Overlay District.

NOTE: This is a resubmittal of a previously routed project. The primary changes include a reduction in the number of dwelling units from 29 to 25 (elimination of studio units) and reconfiguration of the parking area.

Detailed project information can be found online at: <http://www.sherwoodoregon.gov/planning/project/oregon-street-townhomes>

If you have comments on this proposal, please respond by **June 2, 2017** in order to be included in the staff report.

Thank you in advance for your time,
Connie

Connie Randall
Planning Department

Exhibit F



Oregon

Kate Brown, Governor

Department of Transportation

Region 1 Headquarters
123 NW Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

December 5, 2016

ODOT #7463

ODOT Response

Project Name: Oregon Street Townhomes	Applicant: JDR, LLC
Jurisdiction: City of Sherwood	Jurisdiction Case #: SP16-09
Site Address: 15678 SW Oregon Street	Legal Description: 2S132BA; 2S132BD Tax Lot(s): 04000; 06600

The site of this proposed land use action is adjacent to a railroad right of way. ODOT Rail and Public Transit have authority and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

COMMENTS/FINDINGS

Based on ODOT RPTD's review, the slopes are toward the railroad tracks and there are no catch basins that move the water away from the tracks. The developer should slope the property so it does not impact the railroad. Be conscious of property setbacks from the property lines to include the roof overhanging so that the roof does not overhang off of or adjacent to other property and/or water does not sheet off of the roof to another property or railroad property, nor is there an outflow pipe which leads to railroad property. Excess water can cause damage to the rail tracks, ballast, ties, and crossing. There needs to be a setback for all structures no matter how small.

ODOT RECOMMENDED LOCAL CONDITIONS OF APPROVAL

Property Location Adjacent to Rail Tracks

- The applicant shall install fencing along the property line fronting the rail tracks to ensure the safe operation of trains by preventing illegal trespassing of pedestrians across the tracks (see attached Rail Fence Detail).
- No roof hangs, structures, or discharge/drainage facilities shall encroach or impact the rail right-of-way.

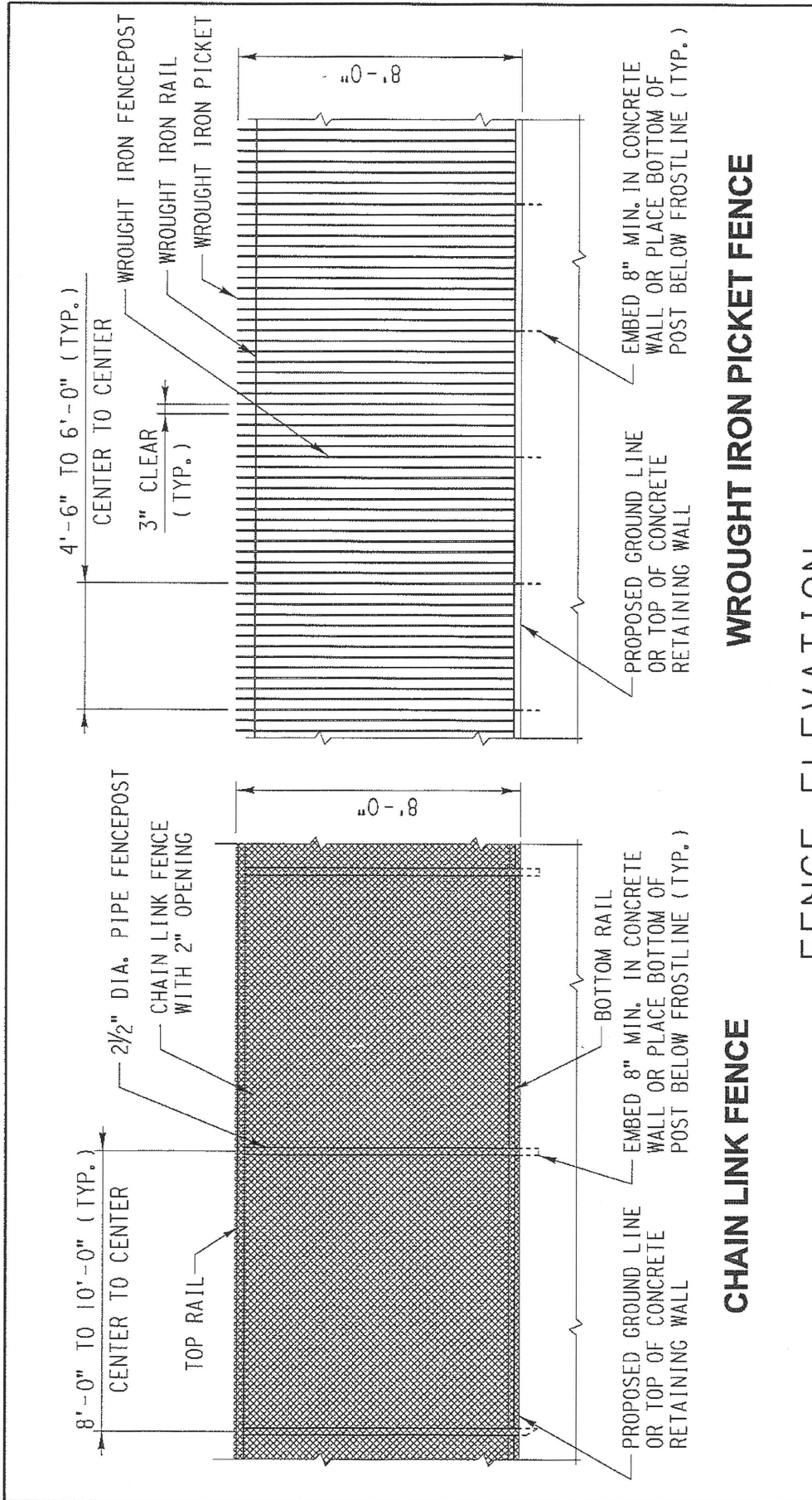
ADVISORY INFORMATION

Noise

- The applicant is advised that a residential development on the proposed site may be exposed to noise from heavy rail freight trains, passenger trains or transit vehicles. It is generally not the State's responsibility to provide mitigation for receptors that are built after the noise source is in place. Builders should take appropriate measures to mitigate the noise impacts.

If there are any questions, please direct the applicant to the Rail Contact indicated below. Please send a copy of the Staff Report and/or Notice of Decision including conditions of approval to:

ODOT Region 1 Planning
Development Review



WROUGHT IRON PICKET FENCE

FENCE ELEVATION

SCALE: $\frac{3}{16}'' = 1'-0''$

BNSF RAILWAY

UNION PACIFIC

BRIDGE STANDARDS

RIGHT-OF-WAY FENCING

FENCE DETAILS

FILE OWNER: UPRR | DATE: 1/24/07

PLAN NO.: 711000 | SHEET: 1

DATE	LTR.	DESCRIPTION	DESIGN BY: RAF	DRAWN BY: FJS	CHECKED BY: KIJ
/	/				
/	/				
/	/				
/	/				
/	/				

APPROVED: *K.H. Tennison*
 BNSF - ASSISTANT DIRECTOR STRUCTURES DESIGN

Gregory J. Meyer
 UPRR - MGR SPECIAL PROJECTS/STRUCTURES DESIGN

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 6-13-17 Agenda Item: JDR Townhomes (From Agenda)

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

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: _____ Proponent: Opponent: _____ Other: _____

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: Jamie O'Halloran

Address: 22555 SW Highland Way #156

City/State/Zip: Sherwood OR 97140

Email Address: johalo360@aol.com

I represent: **Myself** _____ **Other**

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 01/13/2017 Agenda Item: 11A (From Agenda)

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

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: Proponent: Opponent: Other:

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: Zach Peltz

Address: 12945 SW Harman Rd., Suite 100

City/State/Zip: Tualatin, OR 97062

Email Address: peltz@aks-org.com

I represent: **Myself** **Other**

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 6/13/17 Agenda Item: SP16-09 / CUP 16-04 (From Agenda)

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

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: X Proponent: _____ Opponent: _____ Other: _____
(Rep)

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: John Christiansen

Address: 12965 SW HERMAN RD, Ste 100

City/State/Zip: Tualatin, OR 97062

Email Address: johnc@aks-eng.com

I represent: **Myself** _____ **Other** X Applicant's Engineer

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 6/13/17 Agenda Item: ore street cup 1604 (From Agenda)

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

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: Proponent: Opponent: Other:

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: Jim Fisher
Address: 23225 NE Dillon Rd
City/State/Zip: Newberg OR
Email Address: Jim@primetimeDev.com

I represent: **Myself** **Other**

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 7/13/17 Agenda Item: Jim Fisher Candor (From Agenda)

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

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: _____ Proponent: X Opponent: _____ Other: _____

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: Larry Pursel
Address: 21913 SW Sherwood Blvd
City/State/Zip: Sherwood, OR 97146
Email Address: LPursel@gmail.com

I represent: **Myself** X **Other** _____

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 6/13/17 Agenda Item: Fisher town homes (From Agenda)

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

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: _____ Proponent: X Opponent: _____ Other: _____

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: Gary Rychnick
Address: 25190 SW Graham Ferry Rd
City/State/Zip: Sherwood

Email Address: grychnick@gmail.com

I represent: **Myself** X **Other** _____

4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

I HAVE READ AND UNDERSTOOD THE RULES FOR MEETINGS IN THE CITY OF SHERWOOD.

1. PLEASE INDICATE THE ITEM YOU WOULD LIKE TO SPEAK ABOUT

Date: 6-13-17 Agenda Item: OR STREET TOWNHOME (From Agenda)

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

2. PLEASE MARK YOUR POSITION/INTEREST ON THE AGENDA ITEM

Applicant: _____ Proponent: X Opponent: _____ Other: _____

3. PLEASE PROVIDE YOUR NAME AND ADDRESS IN A LEGIBLE FORMAT TO RECEIVE A COPY OF THE NOTICE OF DECISION ON THIS MATTER.

Name: Gregg Jacot

Address: 23040 SW Conifer Dr

City/State/Zip: Sherwood OR 97140

Email Address: Jacot20@yahoo.com

I represent: **Myself** X **Other** _____

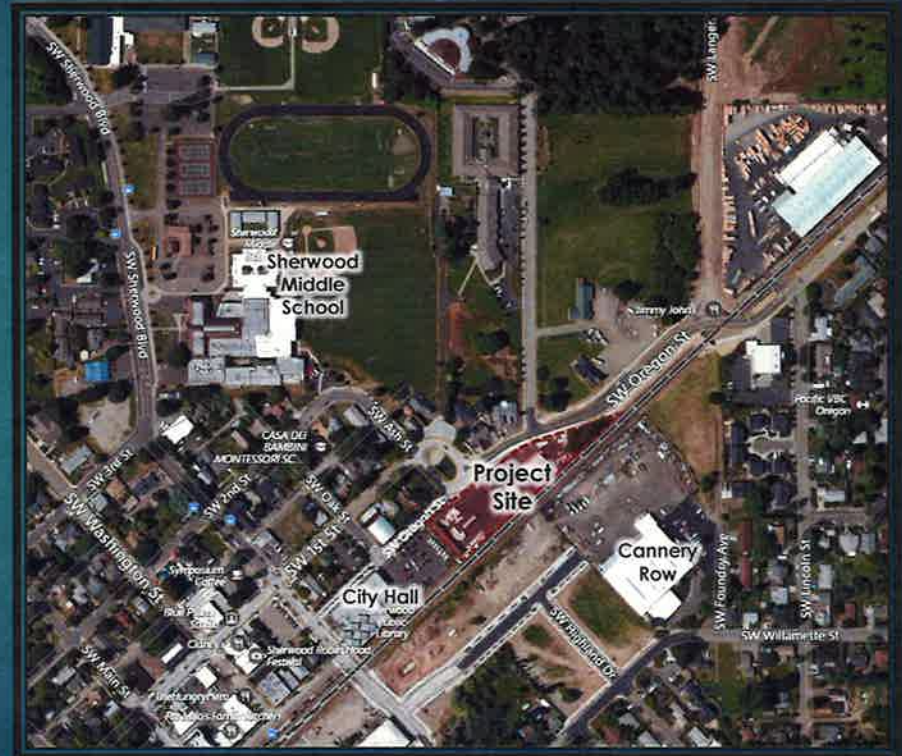
4. PLEASE GIVE THIS FORM TO THE RECORDING SECRETARY PRIOR TO YOU ADDRESSING THE PLANNING COMMISSION. Thank you.

Oregon Street Townhomes

SP 16-09 & CUP 16-04

PLANNING COMMISSION
PUBLIC HEARING

JUNE 13, 2017



6-13-17

Date

PC

Gov. Body

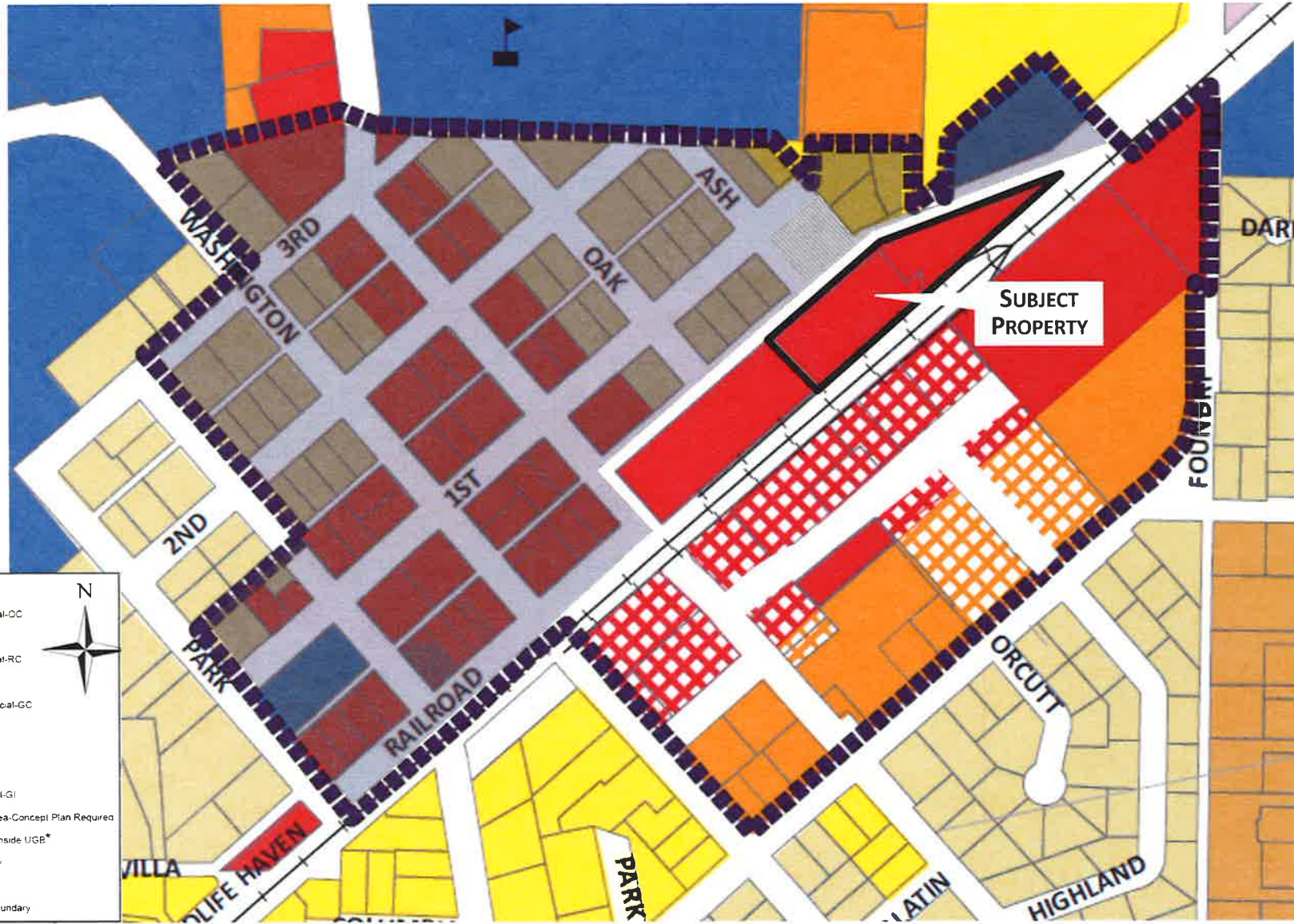
6a

Agenda Item

1

Exhibit #

Sherwood Plan and Zone Map

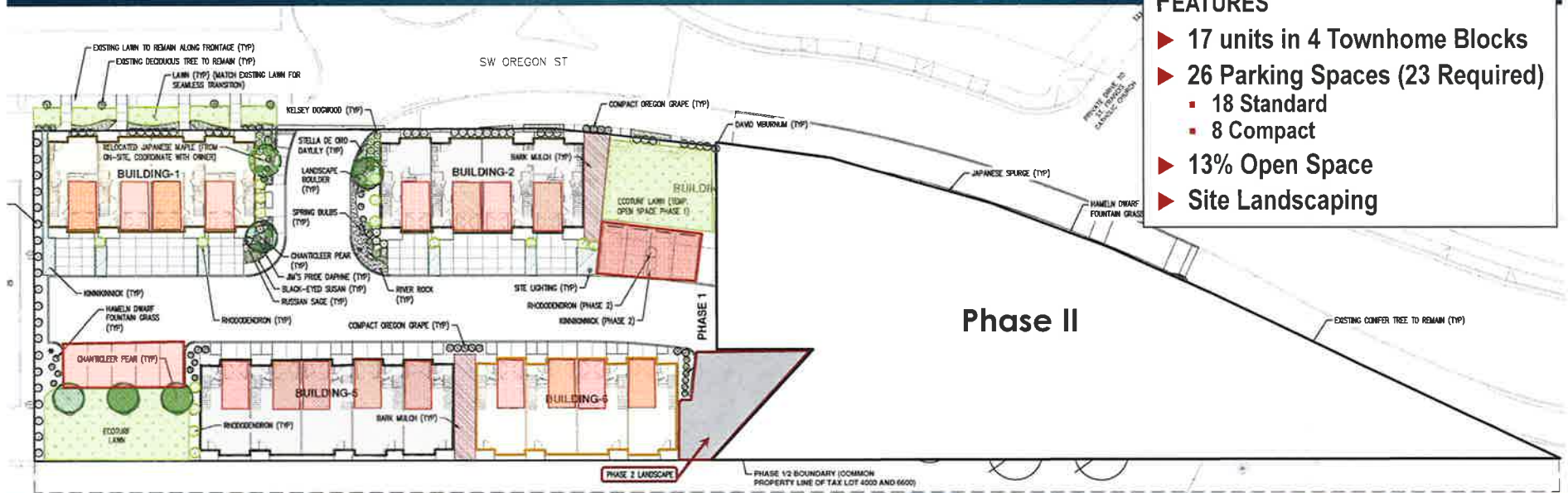


Legend

	Very Low Density Residential-VLDR		Office Commercial-OC
	vLDR-PUD (Planned Unit Development)		OC- PUD
	Low Density Residential LDR		Retail Commercial-RC
	LDR- PUD		RC- PUD
	Medium Density Residential Low-MDRL		General Commercial-GC
	MDRL- PUD		Open Space
	Medium Density Residential High-MDRH		Light Industrial-LI
	High Density Residential		LI PUD
	High Density Residential PUD		General Industrial-GI
	Institutional and Public		Urban Growth Area-Concept Plan Required
	Neighborhood Commercial		Unannexed Area-Inside UGB*
			Old Town Overlay
			City Boundary
			Urban Growth Boundary

* Zoning of unannexed parcels does not apply until annexed into the City

Proposed Site & Landscape Plan – Phase I



FEATURES

- ▶ 17 units in 4 Townhome Blocks
- ▶ 26 Parking Spaces (23 Required)
 - 18 Standard
 - 8 Compact
- ▶ 13% Open Space
- ▶ Site Landscaping

Proposed Site & Landscape Plan – Build-Out

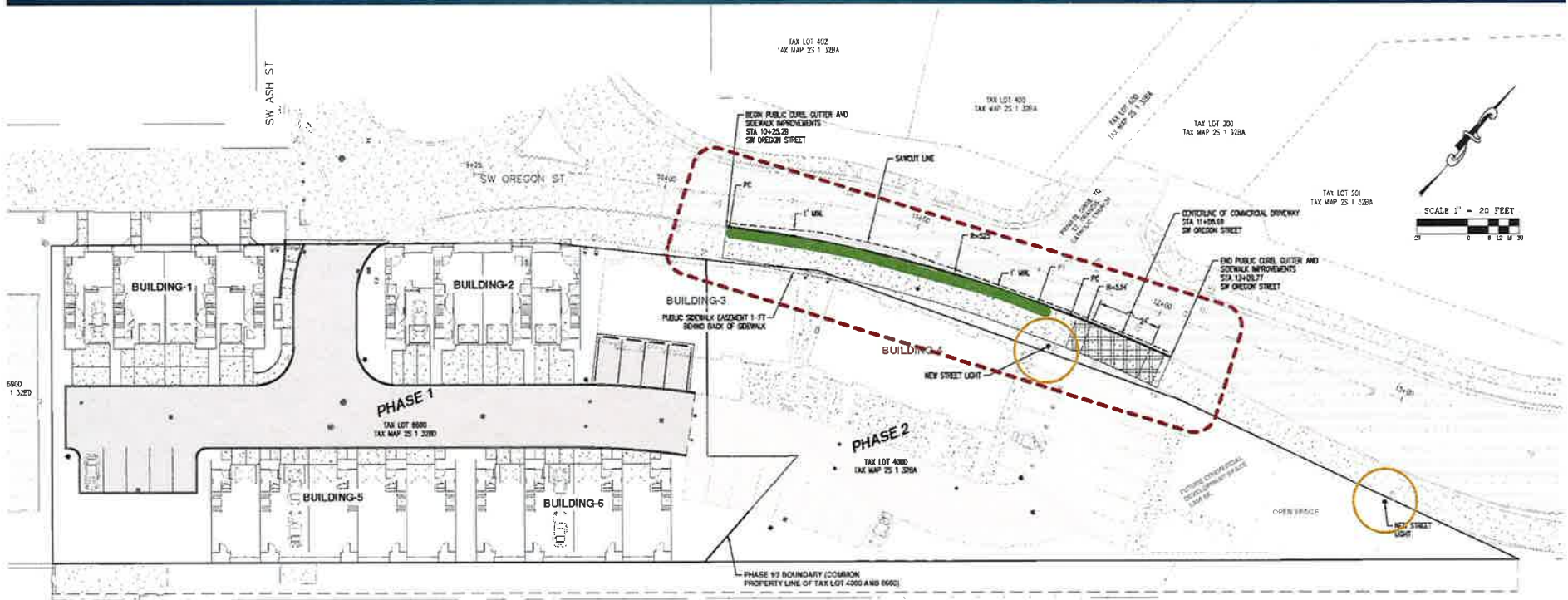


FEATURES

- ▶ 25 units in 6 Townhome Blocks
- ▶ 50 Parking Spaces (33 Required)
 - 28 Standard
 - 22 Compact
- ▶ 18% Open Space
- ▶ Site Landscaping
- ▶ Future Commercial Pad

Property Line Adjustment or Lot Consolidation with Phase II

Proposed Street Improvements



Proposed Elevations – Buildings 1 & 4



FEATURES

- ▶ Height: 31 feet, 8 inches
- ▶ Block Width: 76-95 feet
- ▶ 4 and 5 Units per Block
- ▶ Unit Size: 1,372 – 1,751 sq ft
- ▶ Distinct Units
- ▶ Homes Front onto Public Street w/ Garage in Rear

- ▶ Distinct and Varied Roof Lines
- ▶ Multiple Building Materials and Colors
- ▶ Covered Porches and Balconies
- ▶ Four-Side Architecture
- ▶ Pedestrian Scale First Floor
- ▶ Window Trim on All Windows



Proposed Elevations – Buildings 2 & 3

FEATURES

- ▶ Height: 31 feet, 8 inches
- ▶ Block Width: 76-95 feet
- ▶ 4 and 5 Units per Block
- ▶ Unit Size: 1,372 – 1,751 sq ft
- ▶ Distinct Units
- ▶ Homes Front onto Public Street w/ Garage in Rear



- ▶ Distinct and Varied Roof Lines
- ▶ Multiple Building Materials and Colors
- ▶ Covered Porches and Balconies
- ▶ Four-Side Architecture
- ▶ Pedestrian Scale First Floor
- ▶ Window Trim on All Windows



Proposed Elevations – Oregon Street





Site Plan Required Findings

1. Meets applicable zoning district and design standards.
 - ▶ Conditional Use in RC in Old Cannery area of OT Overlay
2. Public water, sanitary sewer and storm sewer services are available to the site and are required.
3. Conditions, Covenants and Restrictions (CC&Rs) and a Home Owners Association (HOA) Agreement are required.
4. No significant natural features on site.
5. Estimated to generate 145 daily trips, increasing average daily trips about 2%.
- 6/7. Commercial & Industrial design standards not applicable. Building design conforms to Old Town Design Standards.
8. No existing or planned driveways that exceed 24 feet in width.

Conditional Use Required Findings

1. Public facilities and services are available.
2. Applicable zoning standards are met and is compatible with abutting land uses.
3. Proposed facility meets the overall needs of the community:
 - ▶ Implements primary goal of the *Sherwood Town Center Plan*
 - ▶ Implements Chapter 4 of the *Comprehensive Plan*
4. Surrounding properties will not be adversely affected.
5. Site is of adequate shape and size.
6. Will not result in any likely adverse impacts to sensitive wildlife species or the natural environment.
- 7/8. Not a wireless communication facility or a transportation facility or improvement.



Recommendation

Based on a review of the applicant's submittal, the Sherwood Zoning and Community Development Code, agency comments, and findings of fact in the staff report, Staff recommends **APPROVAL** of the **Oregon Street Townhomes Site Plan and Conditional Use Permit** subject to **Conditions of Approval** in the staff report as modified in the Planning Commission Memo.



Home of the Tualatin River National Wildlife Refuge

06-13-17

Date

PC

Gov. Body

600

Agenda Item

Z

Exhibit #

MEMORANDUM

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

To: Sherwood Planning Commission

From: Connie Randall, Planning Manager

RE: Proposed Edits to the Staff Report for SP 16-09 and CUP 16-04

Date: June 13, 2017

Mayor

Krisanna Clark

Council President

Jennifer Harris

Councilors

Dan King
Jennifer Kuiper
Sally Robinson
Kim Young
Sean Garland

City Manager

Joseph Gall, ICMA-CM

Assistant City Manager

Tom Pessemier

After reviewing the Staff Report and proposed conditions of approval, the applicant notified staff of an error in the submitted project narrative (Attached). An early conception of the proposed project included multi-family units rather than condominium platted townhome units. Multi-family developments are required to provide accessible parking spaces and on-site pedestrian pathways. The narrative included a statement in response to Section 16.96.020.B that "where pedestrian pathways cross vehicle parking areas, a clearly marked crosswalk will be in place." Finding no evidence of a crosswalk, staff included Condition of Approval B8 (page 52 of the Planning Commission (PC) packet). The applicant has requested that Condition of Approval B8 be removed, as accessible parking and private pathways are not required for single-family or townhome development. Staff is agreeable to the request and proposed the following change to the staff report:

PC Packet Page 52; Section 16.96.020.B

STAFF ANALYSIS: A system of on-site pedestrian connections has been designed to promote safe and convenient access between residences, vehicle parking areas, and existing pedestrian facilities on SW Oregon Street and the pedestrian promenade. Private pedestrian pathways will be a minimum of five feet in width and of a durable surface, compliant with the American with Disabilities Act (ADA) access requirements. ~~The applicant states that the Preliminary Development Plans included in Exhibit A illustrate that where pedestrian pathways cross vehicle parking areas, a clearly marked crosswalk will be in place. Staff cannot find evidence of a marked crosswalk on the provided plans.~~

FINDING: This standard is ~~not met but can be met as conditioned below.~~

~~**RECOMMENDED CONDITION:** B8. Prior to Final Site Plan approval, provide a revised site plan that clearly illustrates a marked crosswalk where pedestrian pathways cross vehicle parking areas. following information is being submitted by staff for your consideration and for the record:~~

If approved, staff would renumber Conditions of Approval B9 and B10 accordingly.

Exhibit G

PC Packet Page 72; VII. Exhibits

- A. Applicant's submittal with narrative and supporting documents dated May 5, 2017
- B. Engineering comments dated June 6, 2017~~December 5, 2016~~
- C. Clean Water Services comments dated June 2, 2017
- D. Tualatin Valley Fire & Rescue comments dated November 29, 2016
- ~~E. Pride Disposal comments dated May 19, 2017 and December 5, 2016~~
- F. ODOT comments dated May 24, 2017 and December 5, 2016
- G. Staff Memorandum to Planning Commission dated June 13, 2017

Attached: Email correspondence from Zach Pelz, AKS Engineering and Forestry, Inc., dated June 13, 2017

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission
June 13, 2017

Planning Commissioners Present:

Chair Jean Simson
Vice Chair Russell Griffin
Commissioner Justin Kai
Commissioner Daniel Matzinger

Staff Present:

Julia Hajduk, Community Development Director
Bob Galati, City Engineer
Connie Randall, Planning Manager
Joy Chang, Associate Planner
Kirsten Allen, Department Program Coordinator

Planning Commission Members Absent: Council Members Present:

Commissioner Chris Flores
Commissioner Rob Rettig
Commissioner Lisa Walker

Councilor Sean Garland

1. Call to Order/Roll Call

Chair Jean Simson convened the meeting at 7:00 pm.

2. Consent Agenda

- a. May 9, 2017 Planning Commission Minutes approval
- b. May 23, 2017 Planning Commission Minutes approval

Vice Chair Griffin asked that minutes reflect that he wanted serpentine landscaping instead of serpentine sidewalks at Edy Road along the assisted living facility in the May 9th minutes.

Motion: From Commissioner Justin Kai to approve the consent agenda as amended, seconded by Vice Chair Russell Griffin. All Present Commissioners voted in favor.

3. Council Liaison Announcements

No report was given.

4. Staff Announcements

Connie Randall, Planning Manager stated the Planning Department was fully staffed and introduced Joy Chang, Associate Planner. Ms. Chang has more than 20 years of planning experience and has worked for the City of Portland and Washington County. She will work on current planning applications. Carrie Brennecke, Senior Planner has also joined city staff and has a lot of experience with the Comprehensive Plan process and community outreach. She will be working exclusively on long range planning and the Comprehensive Plan Update. Ms. Randall announced that her family was moving to Chicago and her last day would be July 12, 2017. Julia Hajduk, Community Development Director indicated that recruitment had already begun for a new Planning Manager. She asked the Commission to help facilitate public input at the at a public work session on the Tannery Site on July 25, 2017. Ms. Randall noted there would be a Planning Commission vacancy as of July 1, 2017; interested parties were encouraged to apply. Chair Simson

commented that over the next three years the Planning Commission would be working on the Comprehensive Plan which would help shape the future of the City. The update would involve a Community Advisory Committee and be heard by the Planning Commission before approval by the City Council.

5. Community Comments

None were received.

6. New Business

a. Public Hearing – SP 16-09/CUP 16-04 Oregon Street Townhomes

Chair Simson read the public hearing statement, said the Planning Commission was the final hearing authority, and asked for ex parte contact, bias, or conflict of interest from Commission members.

Vice Chair Griffin disclosed he lived near the proposed development and his acquaintance with Mr. Fisher would not affect his ability to make a decision. Chair Simson asked if any member of the audience wished to challenge any Commissioner's ability to participate. None were received.

Connie Randall provided a memo to the Commission and gave a presentation of the staff report (see record, Exhibits 1-2). She said the matter before the Planning Commission was a request for Site Plan and Conditional Use Permit approvals for a 25-unit townhome development along the southeastern side of Oregon Street in Old Town. The site was located behind City Hall on a 1.2 acres site; on the southeast were the railroad tracks and the Cannery Square PUD area, to the north were single-family homes, the Springs Senior Living Facility and the New Life Assembly of God Church, and to the west was City Hall. Ms. Randall explained the site was located within the Old Cannery area of Old Town Overlay district, zoned Retail Commercial (RC) and said this was important because townhomes were allowed on properties zoned RC in the Old Cannery Area of the Old Town Overlay with a Conditional Use Permit. Additionally the site was being proposed to develop as condominium platted townhomes, which meant it would be processed as a site plan instead of a subdivision. Subdivisions would be platted units on individual lots that were attached at the property line. Condominiums were processed as a site plan with one parent lot and each unit condo platted above the lot. Ms. Randall noted the project was proposed to be constructed in two phases. Phase I consisted of 17 units in four Townhome Blocks with 26 proposed parking spaces (23 were required). She said it was important to note that the Townhome section of the Code required two parking spaces per unit which would normally mean 34 required parking spaces on a townhome development, however the Old Town Overlay capped the required parking at 65% of what would be required; 18 spaces would be standard spaces and 8 would be compact.

Ms. Randall reported townhome projects were required to provide 5% open space and the site was proposing 13% open space. A condition of approval required the final site plan delineate the open space in square footage and the percent of total space so staff could ensure the required amount was provided. The site featured a variety of landscaping materials, trees, shrubs and groundcover in accordance with the Code. At build-out, the site would have 25 units in six Townhome Blocks. Buildings 1 and 4 would be similar in elevation to each other and Buildings 2 & 3 would be similar to each other. Buildings 5 & 6 were set back from the road and would have unique elevations. Ms. Randall said 50 parking spaces would be provided after all phases were complete, which would be required for a townhome development in any

other part of the city, but within the Old Town Overlay only 33 spaces were required; 28 of the spaces would be standard spaces and 22 would be compact. The full site featured 18% open space with appropriate site landscaping including the retention of a stand of trees on the northern side of the site. She said there was a future commercial pad identified at the north end of the site and the site had two points of access; one was the existing drive off SW Oregon Street which would serve Phase I, a second driveway entrance would be at the west end of the site. If the future commercial pad were to develop it would be required to come back to the Planning Commission for site plan review and approval as well as be required to take access from the second private drive.

Ms. Randall explained the site was two properties. Prior to Phase II being built the applicant was required to do a property line adjustment or a lot consolidation. The main issue was that the property line split Building 3 and that would not be allowed unless there was a fire wall at the property line.

Ms. Randall explained that Mr. Fisher's site had been reduced over time for the development of Oregon Street and he had given part of his property to the city for the construction of Oregon Street. The construction of Phase II included improvements to Oregon Street to correct a bump in the curb line along with reconstructing the sidewalk and relocating the street lights. Included in the staff report was a condition of approval to require street trees be planted in tree wells in the sidewalk, consistent with other street trees in Old Town, was.

Ms. Randall showed elevations of the proposed buildings along Oregon Street. She said the buildings were 31 feet 8 inches tall where 50 feet was allowed on retail commercial properties in Old Town's Old Cannery Area. The block width ranged from 76-95 feet, well within the 150 foot maximum and there would be four or five units per block; code required townhome blocks to be between two and six units. She said Code required townhomes be subject to the standards in the High Density Residential (HDR) zone with a minimum 1,200 square foot size. The units would be between 1,372-1,751 square feet. Ms. Randall explained that the requirement for distinct looking units was achieved through a variety of colors and materials. The homes would front onto the public street with garage access in the rear and a distinct, varied roof lines with multiple building materials and colors used throughout. Each unit had covered porches and balconies. Ms. Randall pointed out the four-sided architecture and said it was not required by code, but the applicant had done a great job by wrapping treatment around the sides and back of the building that faced internally to the site or the railroad on the other buildings. The stone on the first floor and the banding between the upper stories and window trim around all of the windows provided pedestrian scale, a requirement in Old Town. She showed the elevations of two buildings next to each other to show what the completed project would look like.

Ms. Randall reviewed the required findings for Site Plan approval. She said the project should meet the applicable zoning district and design standards with the approval of the Conditional Use Permit in RC zoned property in the Old Cannery Area of Old Town Overlay as well as public water, sanitary sewer and storm sewer services requirements. She said Conditions, Covenants and Restrictions (CC&Rs) and a Home Owners Association (HOA) Agreement would be required with the Final Site Plan and would be used as a vehicle to ensure the common areas and the private driveways were maintained, because the site was going to be condominium platted. She clarified that the city did not enforce CC&Rs, but required they be recorded with Washington County to address maintenance responsibilities. There were no significant

natural features on site and the project was estimated to generate 145 daily trips. The estimate was below the threshold requiring a traffic analysis. Ms. Randall explained that staff had researched past traffic studies and found that 145 daily trips would increase the average daily trips in the area about two percent. She noted the commercial and industrial design standards were not applicable and the building design conformed to Old Town Design Standards.

Ms. Randall explained the required findings for Conditional Use Permit approval. She noted the proposed facility met the overall needs of the community by implementing goals from the Sherwood Town Center Plan which set goals for future residential growth, economic development, and public investment into the Town Center to enhance urban vibrancy, encourage active transportation, and improve safety and efficiency for all modes of traffic. She stated by having people living in townhomes downtown it would support the businesses with trips made on foot or by bicycle instead of driving. Ms. Randall said Chapter 4 of the Comprehensive Plan sought to locate land uses to minimize the adverse effects of one another, to provide convenient and energy efficient movement of people, vehicles and goods within and among the major land use categories and to minimize the adverse effects of human activity on the natural environment. She said the proposal also supported the Comprehensive Plan's desire to provide a diverse mix of housing types. She further explained that the proposal would not negatively affect surrounding properties, it was compatible with the proposed senior living facility proposed north of the site, and was consistent with supporting the businesses in Old Town. Ms. Randall relayed that the site was linear and narrowed to a point at one end. The site had been reduced to accommodate the need for the public roadway over time, but was of adequate shape and size and the applicant found a creative way to use the site. It would not have adverse impact to sensitive wildlife species or the natural environment and was not a wireless communication facility or a transportation facility improvement. Staff recommended approval in accordance with the Conditions of Approval.

Ms. Randall pointed out a correction to the Conditions of Approval in the memo received by the Commission (Exhibit 2). She explained that in an earlier submission of the project the applicant was considering multi-family which required ADA accessible parking and connectivity between the drive aisles and private pedestrian pathways to the accessible parking. The narrative was not corrected when the application was revised to propose the townhome development which was considered single family attached residential, not multi-family. Ms. Randall said the staff report required marked crosswalks be provided on the final site plan. The applicant had informed staff of the mistake and the memo proposed a correction to the staff analysis and findings regarding the marked crosswalk and accessible parking. She said there were other typos and corrections noted in the memo. Staff was available to answer questions.

Commissioner Kai asked if each unit would have individual water meters. Staff deferred to the applicant and said it would be expected that each condo would have a meter.

Chair Simson asked for testimony from the applicant.

Zach Pelz, AKS Engineering and Forestry, and Jim Fisher, applicant/property owner, came forward. Mr. Pelz thanked the Commission and commended staff for the presentation and support throughout the project. He gave a presentation (see record, Exhibit 3) which showed how the architecture complemented the surrounding area and was a good fit for the site in the context of existing and planned development.

Jim Fisher said he moved his business to Sherwood in 1983 with a sublease from Sherwood Lumber Yard then he purchased property from Southern Pacific Railroad in 1985 where the townhomes were proposed. He said he owned and operated Jim Fisher Roofing until 2008 when they sold the company and built a new complex on Galbreath Drive, choosing to stay in Sherwood because he liked the community. Personally, Mr. Fisher has been involved with Sherwood for many years by serving on the first SURPAC Board and as an active member of the Sherwood Chamber of Commerce he has watched Sherwood grow to the community it is today. He said he understood Old Town history and believed the design fit Sherwood well. Mr. Fisher commented on Sherwood being named a top place to live in the country more than once and said the credit had to go to the Planning Commission. He felt like the Oregon Street Townhomes were the right fit for Old Town Sherwood; it would enhance the livability of an already vibrant Old Town community with the walkway ending right at the entrance and it would allow families in the townhomes to walk or ride their bikes to Old Town to visit the shops and restaurants to be a part of the culture of Sherwood. Mr. Fisher specified a few amenities of the project; 170% of the open space requirement, 150% of the parking with every unit having an attached garage, playground, garden spot with raised beds, outside picnic area, and each unit would have a personal patio on the ground floor and decks on the second floor.

Zach Pelz showed the subject site off of Oregon Street and said it was behind the city hall parking lot, west of the Oregon Pacific Rail right of way. He stated there was an excellent network of existing streets and sidewalks that served the site, including the pedestrian promenade, which provided a direct connection between Old Town Sherwood and the site. In addition there was a good mix of commercial, civic, and residential uses in the immediate vicinity and the inclusion of the townhome project would continue to complement the existing mixed uses in the area. He showed there were three existing buildings on the site, which would all be demolished as part of the development, that were used for a landscaping business and outdoor storage. The majority of the site was a large expanse of asphalt that served as a quasi-industrial use since the 1980's.

Mr. Pelz pointed out the townhome units were slightly larger than staff mentioned, because of added articulation on the third floor which increased the square footage. The two bedroom units would be between 1,350 and 1,900 square feet. Mr. Pelz reported there was ample landscaping, open space, and off street parking. He displayed some 3-D renderings and believed they showed how the site complemented the City's objectives for the architectural style of Old Town. He said the design had a number of features to be consistent with the requirements for townhomes through the use of different types of siding materials, colors on the units, various roof forms and articulation which helped distinguish one townhome unit from the next. He showed views from different perspectives and said the project would help frame the pedestrian realm around Oregon Street and provide an inviting and attractive streetscape for pedestrians and motorists as they entered into Sherwood's Old Town, creating a nice gateway. Mr. Pelz pointed out the first floor stoops and second floor balconies and said they created an outdoor open space for residents that would promote social interaction between residents and people walking by. He said staff did a good job of talking about the criteria, but because it was a conditional use, he wanted to cover the discretionary criteria. Mr. Pelz said there were adequate public facilities, and the proposed use was compatible with abutting uses. He spoke of City objectives for development in the area and said the applicant felt that any impacts to the environment were mitigated as there were not any environmental

resources on site. Mr. Pelz went over the two policy considerations from the Comprehensive Plan discussed by staff. The first was the Sherwood Town Center Plan that talked about future residential growth in the area, promoting economic development, encouraging public investment in the Town Center, enhancing urban vibrancy, encouraging active transportation and improving safety and efficiency for all modes of transportation. He stated the proximity of the townhome units to Sherwood's Old Town would help put people in proximity to businesses and services in the area create a good synergy to continued investment in Sherwood's Old Town. The second policy was Chapter 4 of the Comprehensive Plan that talked about minimizing impacts and making the use complementary with the existing development pattern. Mr. Pelz stated the proposal created opportunities for a more walkable and vibrant Old Town in Sherwood. To support his statement, he showed a piece of the Sherwood Main Street Map which had a full range of services and uses within a short walk from the townhome site. He cited that Sherwood had received awards for being a great place to live, commented on Sherwood's growth between 2000 and 2016, and said there were more and more reasons why people would continue to move to Sherwood. He added that the proposed development would provide an alternative to the typical single family home and it met the needs of Sherwood. Mr. Pelz offered to answer questions from the Commission and confirmed the applicant was in agreement with the revised conditions.

Commissioner Matzinger asked for the distance to the railroad tracks from the back of the building and if there were any changes in construction on those units to account for sound or vibration. Mr. Pelz responded the building was setback two feet from the rear property line and there were no mitigation strategies employed. Commissioner Matzinger asked if the fence was a sound wall. It was not.

Commissioner Kai asked if each unit would have individual water meters. Mr. Pelz stated it was undetermined and condos had the option to go either individual or a shared meter. Mr. Galati, City Engineer, responded that the City would bill the entity that owned the meters. If each unit had a meter they would pay for what they used. If there was a master meter with sub-meters the tenants could pay a proportionate share based on the meter readings. Commissioner Kai asked if each unit would be sold. Mr. Pelz said the units would be condominium platted and could be sold at some point, but the owner expected to retain them at this time. Ms. Randall explained that the units would be on a parent lot and for development purposes it was treated as one site plan; the CC&R's and an HOA were required to clarify maintenance responsibilities for common areas, but per Code in terms of ownership, townhomes were defined as single family attached products and Code was written in a way that they needed to be platted on individual lots or condominium platted. She reminded the Commission the city did not regulate people renting out their individual single family homes and had no jurisdiction or authority to force the owners to sell or not to rent them out. She clarified that the purchase of a condo unit would be for the building space not the land; the exterior and roofs of the building were part of the shared common area, and the condo spaces would be taxed individually.

Commissioner Kai asked if there was any remediation necessary to go from a light industrial use to a residential use. Mr. Pelz was not aware of any. The site was relatively vacant and did not have any contaminants.

Chair Simson asked for public testimony.

Larry Pursel, Sherwood resident and pastor at New Life Family Center across from the development said

he was in favor of the development as a neighbor. He thought it created a great community and had all of the assets of Old Town. He commented that the proximity to the faith community was overlooked and indicated there were two churches located nearby. Mr. Pursel thought it met the needs of Sherwood and it was a great opportunity to help keep Sherwood's Old Town alive.

Gregg Jacot, Sherwood resident for 21 years and president of Sherwood Main Street said Mr. Fisher and Mr. Pelz had been invited to present the development project at the next Sherwood Main Street general meeting. Mr. Jacot commented that cities in urban areas around the country were changing to first floor retail and second floor residential, however in Sherwood there was not a lot of upstairs living spaces. By having the extra living space from the project it would help pedestrian traffic and economic development. He said the townhomes would add to the pedestrian traffic in downtown Sherwood and the merchants in Sherwood would love to have more people walking around visiting their shops, eating in their restaurants, having pastries and painting plates. Mr. Jacot remarked there were five main entrances to Sherwood and Oregon Street was one of them. Right now it was unclear when people actually enter Old Town, so if the area could be cleaned up where the current Fisher lot was it would look wonderful; hopefully with some signage. He said 25 units with three or four people per unit was only about 100 people, but they could bring grandparents, families and friends to Sherwood to the Old Town events and build up the economic development in the area. Sherwood would have merchants lined up to lease or buy space and there would be no vacancies.

Jamie O'Halloran, resident in the Cannery Row Apartments, also in Old Town, said she had been in the community for a short while. They moved to Sherwood while building a home and loved walking in Old Town. She said the porches and balconies were one of the best parts of living in Cannery Row, because they built community. She lived across from Saturday Market and she was able to sit out on the front porch and visit with people as they walked by. When the grandkids came over it gave them some outdoor space that was close and she was glad the owner of the project was putting porches in.

Gary Rychlick, Sherwood community member from Grahams Ferry Road who attended Sherwood schools said he was also a member of the Sherwood Chamber and Rotary Club. He said he met Mr. Fisher right before the Rotary's annual tree sale many years ago where Mr. Fisher donated the use of three dump trucks which resulted in more money for high school scholarships and city park projects. Mr. Rychlick said he was initially concerned about parking in Old Town, but when he looked at the project he realized residents would not be driving to Old Town, but would walk to businesses. He commented that it would be a quality product and he was in favor of it.

Chair Simson invited the applicant for rebuttal. Mr. Pelz said he had no responses and offered to answer questions.

Vice Chair Griffin said the lighting in the photometric plan showed lights between Buildings 2 and 3, but not between Building 5 and 6. He said there were Oregon Grape plants across the front of the space, blocking it off, and a fence at the other end, but even though there was no pathway, kids could squeeze through. John Christiansen, from AKS, responded that no light was proposed, there were side windows on the units and a fence in the back that might shed some light.

Mr. Pelz noted the rear fence was 2-4 feet from the patios depending on the articulation of the building.

Ms. Randall added that ODOT Rail had requested a fence be placed on the property as reflected in the condition of approval, a new fence would be placed on the property line or the applicant would need to provide documentation from ODOT Rail affirming the existing fence was sufficient. The existing wrought iron fence was to prevent people from running onto the track. Mr. Fisher said his company had used the property from the railroad by since 1985 when the property was purchased and the fence was rebuilt at that time. ODOT Rail does not want to sell the property, but have given permission to use it. The applicant intends to get a letter so the existing fence could remain in the same location. Vice Chair Griffin asked about landscaping for the space between the property line and the existing fence. Mr. Fisher said it would be grass; because it was not part of the property, it could not be included as part of the required open space.

Vice Chair Griffin received confirmation that each unit would have a rolling garbage cart and there would be no parking along the curb in front of the units. Mr. Fisher said the curbs would be painted and the narrow street prevented curb parking because there was no room. The driveways did not meet the code required depth, but might be used for compact parking. Commissioner Kai asked where overflow parking could be found. Ms. Randall indicated there were several locations for legal parking in Old Town.

Chair Simson commented that the 18% open space included the space for the future commercial pad. Staff confirmed and said there would have to be a separate Site Plan approval for the commercial pad where the review would insure that the required open space for residential was not diminished. It appeared that it would be feasible.

Vice chair Griffin commented the west elevation that faced City Hall on Building 1 showed windows on the lower level, but the applicant's 3-D renderings did not show windows. He asked what would separate the City Hall parking lot from the people living in the first unit. Ms. Randall said there was landscaping with a row a trees. Sinan Gumusoglu, project architect, said there were windows on the façade of the lower level, second level, and the third floor that faced the City Hall parking lot. The first floor windows were not in living spaces, but a utility room and kitchenette. Vice Chair Griffin asked if there would be a fence between the properties. He was told it had not been determined and a fence was not required.

Vice Chair Griffin said he loved the pedestrian pathway and asked if the CC&R's would control how the area was maintained. Mr. Fisher replied the CC&R's would take care of all of the landscaping. Vice Chair Griffin expressed concern about extra loud noise coming into the public space, people hanging laundry or storing items on the balcony, regarding how that would look for the entrance of Sherwood. Mr. Fisher responded the goal was to retain ownership and rent them through a rental management company. The management company would ensure that does not happen.

Chair Simson noted the CC&R's would have the original intent of the patios to remain free of excessive debris if the property changed hands. The applicant would address concerns in the CC&R's. Chair Simson noted that the city did not enforce CC&R's, but if in the future if something egregious were to happen the Commission had done due diligence. She commented that garbage cans should be put out on garbage day and stored in the garages. She looked to staff to ensure that the conditions of approval had a review of the CC&R's to reflect those two items. Ms. Hajduk added that maintenance of the site in accordance with the approved plan was an ongoing requirement for site plans and could be covered in the CC&R's, but the city had the ability to utilize code compliance if something was completely changed from what was

originally approved. Ms. Randall cautioned on requiring something that would not be required for another single family homes in Sherwood. Vice Chair Griffin how the development would be a gateway to Old Town and though he did not know how property maintenance would be regulated, he wanted to bring the concept to the applicant. Ms. Randall explained a condition of approval was for CC&R's to be submitted prior to final site plan approval and in terms of nuisances and eye sores, the city had property maintenance code language in the Municipal Code to address non-compliance issues. The condition of approval was not changed.

Chair Simson commented on the street tree wells along Oregon Street and if they would interfere with the wide sidewalks. Ms. Randall said it should look similar to what was shown in the rendering and would look like the existing streets in Old Town unless the Commission wanted to exempt the applicant from providing street trees, but she thought the Commission was supportive of having trees. Mr. Pelz indicated the sidewalk would be 12 feet wide. Mr. Fisher said the trees were added at the last minute in response to the staff report. He was not opposed to the street trees, but they were a concern for Engineering and street lights that would be moved as a result. Discussion followed. The Commission did not support an exemption for street trees.

Commissioner Kai asked where the playground would be located. Mr. Fisher said there were a number of possibilities; the southwest corner, where the current office was or behind the commercial pad.

Chair Simson congratulated the applicant on a design that would fit into the community and complement the addition to the Springs Living across the street, and hoped it would continue to invigorate Old Town.

Chair Simson closed the public hearing and the Commission began deliberation. The following motion was received.

Motion: From Vice Chair Russell Griffin to approve the application for Oregon Street Townhomes SP 16-09/ CUP 16-04 based on the applicant testimony, public testimony received and the analysis, findings, and conditions in the staff report as revised. Seconded by Commissioner Justin Kai. All present Commissioners voted in favor.

7. Planning Commissioner Announcements

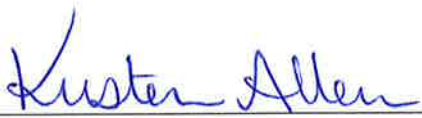
Chair Simson wanted to ensure the Washington County widening project for Roy Rogers was kept at the forefront with an update from City staff when the information was received and a page on the City website. She also noted the Police Advisory Committee minutes regarding traffic calming and said it was an issue that had come before the Planning Commission and she wanted to find a path by which citizens could have their voices heard for neighborhoods that had concerns about speeding in their neighborhood. Ms. Hajduk stated traffic concerns did come up regularly and staff could do a better job of explaining the process to the public. The council discussed this issue at their last work session and the City Manager suggested there should be more conversations about neighborhood traffic management and a more formal program. Councilor Garland added that it was something discussed during Council goal setting session as well and City Council received feedback from the citizens regularly regarding how to contact the police about people speeding and running stop signs. Chair Simson said there were scenarios where one offender was the neighbor that you can tell to slow down vs. a few streets that have become cut through streets that need to be addressed differently than a neighborhood street. Councilor Garland commented on the

flashing stop sign near Snyder Park that people still neglected to yield to. He said it was a matter of public outreach and awareness of common courtesy in driving.

8. Adjourn

Chair Simson adjourned the meeting at 8:45 pm.

Submitted by:



Kirsten Allen, Planning Department Program Coordinator

Approval Date: Nov. 14, 2017