



Home of the Tualatin River National Wildlife Refuge

PLANNING COMMISSION MEETING PACKET

FOR

Tuesday, February 12, 2013

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

**7:00 pm Planning Commission Meeting
(following the 6:00 pm Town Center Steering Committee Meeting)**



**City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
February 12, 2013 – 7PM**

AGENDA

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda:**
 - a. January 8, 2013 Planning Commission Minutes**
- 4. Council Liaison Announcements (Mayor Middleton)**
- 5. Staff Announcements (Julia Hajduk)**
- 6. Community Comments**
- 7. Old Business**

a. Public Hearing

PA 12-04 - VLDR PUD Text Amendment (Michelle Miller) - Continued from January 8, 2013

The applicant proposes to change the density standards in the Very Low Density Residential (VLDR) to four units per net acre, to reduce the minimum lot size to 8,000 square feet, and to allow lots a minimum of three acres in size to apply the planned unit development standards and process. Approval will forward a recommendation from the Planning Commission to City Council.

8. New Business

a. Public Hearing

SP 12-07 – U-Haul Moving & Storage Modification (Brad Kilby)

The applicant proposes to make interior modifications to the building and to increase the existing floor area from 54,024 square feet up to 80,061 square feet for both climate and non-climate controlled storage lockers. The applicant is also requesting a Conditional Use Permit to allow outdoor display.

9. Adjourn

Consent Agenda

City of Sherwood, Oregon
Planning Commission Minutes
January 8, 2013

Commission Members Present:

Chair Patrick Allen
Vice Chair Brad Albert
Commissioner John Clifford
Commissioner Russell Griffin
Commissioner Lisa Walker

Staff Present:

Julia Hajduk, Community Development Director
Bob Galati, City Engineer
Michelle Miller, Associate Planner
Kirsten Allen, Planning Dept. Program Coordinator

Commission Members Absent:

Commissioner Michael Cary
Commissioner James Copfer

Council Liaison

Councilor Krisanna Clark

Legal Counsel Present:

None

1. Call to Order/Roll Call

Vice Chair Brad Albert called the meeting to order at 7:09 pm.

2. Agenda Review

The agenda consisted of the Consent Agenda and a Public Hearing for PA 12-04, VLDR PUD Text Amendment.

3. Consent Agenda

- a. June 26, 2012 Planning Commission Corrected Minutes
- b. November 27, 2012 Planning Commission Minutes

Motion: From Commissioner Lisa Walker to accept the Consent Agenda as written, Seconded By Commissioner John Clifford. All Commission Members Present Voted In Favor (Chair Allen and Commissioners Cary and Copfer were absent)

4. Council Liaison Announcements

Councilor Krisanna Clark invited City staff and the public to the next City Council meeting for the swearing in of Mayor-elect Middleton and re-elected members of Council. Ms. Clark stated that the building intended for the Community Center was a loss and would be demolished after the EPA approves the asbestos removal. Ms. Clark asked City Engineer Bob Galati to explain about the project and the upcoming Downtown Streetscapes Project.

Bob explained the City will take about three months to take care of environmental concerns prior to demolition, get demolition permits, and prep the lot. Parallel to the demolition, the Streetscapes project will begin, the bids came in lower than expected, and K & E Excavating out of Eugene will be doing the work. Bob said there will be meet and greets between the contractor and the public before construction begins with the next week or two.

Recorder's note: Chair Allen arrived at 7:09pm and took over conducting the meeting.

5. Staff Announcements

Community Development Director Julia Hajduk informed the Commission that although the building was declared dangerous the City is planning on moving forward with the Community Center Project and any changes to the project will come before the Planning Commission as part of the Cannery Planned Unit Development (PUD). Commissioner Griffin asked if the committees or the Community Center Project will be reformed. Councilor Clark confirmed that it was planned to do so.

Julia notified the Commission that there will be a Town Center Open House on January 17, 2013 from 5:30-7:30pm at City Hall and that the LUBA appeal to the Langer Farms Phase 7 had been withdrawn, but there is still no word on the anchor tenant.

Michelle Miller, Associate Planner, reminded the Commission that the City had received a grant for the Cedar Creek Trail and gave an update of the project stating that a kick off meeting had been held in December and a Local Trail Advisory Committee was being formed to help advise the Parks Commission regarding the development of the trail. Advisory members may be appointed by Council in February. Michelle asked if any members from the Planning Commission would be willing to serve on the committee with John Clifford expressing his interest.

6. Community Comments

There were no community comments.

7. New Business

a. Election of new Chair and Vice Chair (per SZCDC 16.06.020)

Julia informed the Commission that, per code, a new chair and vice chair were to be elected in odd calendar years and opened the floor for nominations. Nominations were received and seconded with Commissioner Patrick Allen being re-elected as Planning Commission Chair and Commissioner James Copfer conditionally elected as Vice Chair, should he accept the position.

b. Public Hearing – PA 12-04 VLDR PUD Text Amendment

Chair Allen read the public hearing statement for a legislative hearing and stated the Planning Commission's role in the amendment was to make a recommendation to City Council. Chair Allen explained that because it was legislative there was no need to disclose ex parte contact and asked if there were any conflicts of interest. Commissioner Walker recused herself as a Commissioner in order to give testimony on the matter and would not be part of the deliberation or forward recommendation to Council.

Julia commented that she was questioned regarding any conflict of interest by Planning Commission members who were involved in the SE Sherwood Master Plan process and stated that because the amendment was legislative there is no conflict of interest.

Michelle Miller gave a presentation for PA 12-04 VLDR PUD Text Amendment (see record, Exhibit 1) and said that last year an application for an 8 lot subdivision known as the Denali PUD was forwarded by the Planning Commission and approved by Council as a 6 lot Subdivision based on the density standard or two units per acre. Michelle explained that the applicant was requesting several changes to the Development Code and the standards applied to a PUD for the Very Low Density Residential (VLDR) zone and not just the Denali site.

Michelle showed the City Zoning map and identified the VLDR zoning that includes the Fair Oaks subdivision to the north and Sherwood View Estates subdivision to the south, with undeveloped land in between. VLDR lots are for single residential lots only and are about 10,000 square feet in size if developed as a PUD, or have a 40,000 minimum lot size as a stand-alone subdivision.

Michelle explained that the amendments to the code for a PUD, in the VLDR zone proposed by the applicant are

- To change the net density requirements, from 2 units per acre to 4 units per net acre;
- To reduce the minimum lot size from 10,000 square feet to 8,000 square feet; and
- To specify that the minimum size for developing a PUD is 3 acres.

Michelle explained that the proposal stems from the work done with the SE Sherwood Master Plan, a collaborative effort between the city, neighbors, property owners, and developers, to address some of the environmental and topographical constraints that had been limiting development. The master planning included goals to preserve natural resources and to create a walkable neighborhood that increased density buffered by the larger lots on the perimeter of the area.

Chair Allen asked regarding the legal status of the plan and its adoption.

Michelle answered that the in 2006 Planning Commission adopted a resolution for the SE Sherwood Master Plan acknowledging the efforts of the group and set the principles in the plan would be applied when developments came in.

Julia added that the SE Sherwood Master Plan does not have the teeth of law; it was accepted by the Planning Commission that if people came forward to submit applications consistent with the plan, the Planning Commission was encouraging it.

Michelle said that another challenge with the area is the contaminated soils from the Ken Foster Farm site and explained that soil samples showed contamination. The contamination came from tannery waste from Frontier Leather dumped on the farm and Hexavalent Chromium was in the soil at levels that required clean up. Michelle said that the DEQ did a preliminary assessment in 2006 and required that cleanup of the site must be done before development or construction could occur on the site and a letter of no further action from DEQ must be received.

Michelle showed a comparison of the current code density requirements and the proposed code density language and explained that 20% of the acreage is taken out for roads and land that would not be part of a final lot to make the net acreage. That net acreage is multiplied by the number of dwelling units allowed. In the example given the current code would allow for 8 units; under the proposed language, 16 units would be allowed. Michelle described that another 20% added density allowance can be given for environmentally constrained sites and showed examples of those calculations.

Michelle showed an aerial view of lots off of Murdock road that compared 7,000-9,000 square foot lots to 10,000-12,000 square foot lots to show what the density change might look like. Michelle explained that the next steps are to hold a public hearing to consider the applicant's proposal, recommend or specify any changes to the Code Language, and to forward a recommendation to the

City Council. The Planning Commission was provided with the staff report containing Exhibit A, the proposed changes; Exhibit B, the applicant's supporting materials; Exhibit C, the SE Sherwood Master Plan; Exhibit D, the Resolution acknowledged by the Planning Commission; and Exhibit E, citizen comments from Kurt Kristensen. Exhibit F is a letter from Patrick Huske, was received by the Commission at the meeting (see PA 12-04 record, Exhibit F).

Chair Allen asked if there were any questions for staff.

Commissioner Griffin asked for the current density for Low Density Residential (LDR). Michelle answered that LDR ranges from 3.5 to 5 dwelling units per acre with a 7,000 square foot lot minimum and all calculations are by net density.

With no other questions from the Commission, Chair Allen asked to receive public testimony.

Kirsten Van Loo, representing the applicant, 30495 SW Buckhaven Road, Hillsboro. Ms. Van Loo reminded the Commission that she was before them about a year ago for the Denali PUD that was zoned VLDR.

Due to some misunderstanding regarding the time allotted to Ms. Van Loo, Chair Allen called for a short recess at 7:32 pm.

Chair Allen reconvened the meeting at 7:41 pm and explained that script that was read was for a legislative hearing that is appropriate for a City initiated code change. The code provides for an applicant initiated code change. Chair Allen said that the hearing would be treated as a Quasi-judicial hearing and the applicant would be allowed to give testimony and rebuttal, public testimony would be received, and the end result would be a recommendation to Council by the Planning Commission. Chair Allen asked if there was any ex parte contact, bias, or conflict of interest that needed disclosed by any of the seated commissioners and confirmed with the audience that there were no concerns regarding their participation in the hearing. The applicant was given thirty minutes to divide between testimony and rebuttal.

Ms. Van Loo continued her testimony and said that the City Council determined that there was no legal basis to approve a PUD in the VLDR considering any of the goals or policies of Planning Commission Resolution regarding the SE Sherwood Master Plan, because the resolution had not been carried forward to City Council. Ms. Van Loo said that City Council had encouraged the applicant to come back to the City and apply for a PUD text amendment to amend the code language for the density calculations, and other policies listed in the SE Sherwood Master plan. Ms. Van Loo explained that the text amendment before the Commission builds off of the resolution, makes changes to the development code, and provides a legal mechanism to allow the owner to come back to the Planning Commission with a new subdivision.

Ms. Van Loo commented regarding the gross density and referred to the Alternatives Comparison chart found in the SE Sherwood Master Plan on page 56 of the Planning Commission packet. Ms. Van Loo described the chart as showing the four different concept plans put forth during the SE Sherwood Master planning process and pointed out that the net density is the number of lots divided by the net acres of developable land. Ms. Van Loo suggested that the right net density to support the concepts in the SE Sherwood Master Plan was about 4 units per net acre; a lower number than three of the four proposed alternatives. Ms. Van Loo said that the Planning Commission Resolution was looking for a total of approximately 72 lots and by using a net density

of four units per acre and the proposed language achieves a density that is less than what most of the alternatives proposed and is comparable to the resolution adopted in 2006 by the Planning Commission.

Ms. Van Loo commented that there are only about six or seven parcels of VLDR land in the City of Sherwood that are developable. Five parcels are vacant or have only a single house on the land. Of the other parcels, one of them has access to Murdock Road which would make redevelopment challenging; another parcel is not likely to be able to be re-developed based on the value and location of the house along with parcel access. This owner has indicated on public record that they may want to redevelop with at least a minor partition. Ms. Van Loo explained that the five parcels total about 36 acres of potentially developable land and are adjacent to each other; the land to the south, Sherwood View Estates has been developed as a PUD and has some vacant lots; and the land north, Fair Oaks Subdivision, was developed as a PUD, and is fully built out.

Ms. Van Loo commented on a portion of the resolution which states that *the City has approved recent subdivisions and partitions in the proposed study area without adequate public improvements because the City cannot require urban levels of service in proportion to the impact of the projects* and referred to the Nollan case and Dolan case. Ms. Van Loo said that if land is developed at one or two units per acre and developers are required to build full urban services, as required by the City Engineer and the Transportation Plan, the City will run into a Dolan conflict. At one or two units per acre the impacts of that development are too small to justify the expensive public infrastructure mandated; full streets, sidewalks, curbs, street trees, planter strips, sewer, storm, electricity, gas, etc. Ms. Van Loo said the SE Sherwood area was studied because Ironwood Estates subdivision was developed in the area and the hearings officer made findings and set conditions for the project to build infrastructure that was less than current urban service standards.

Ms. Van Loo said that the application allows the five parcels to develop at a standard that supports urban services and infrastructure, is in compliance with the findings and conclusions of the adopted Planning Commission, and allows development that is similar to the existing development in the area. Ms. Van Loo commented that it will not create something that is incompatible, but will allow these five property owners to build and contribute to the city's vitality.

Chair Allen asked regarding the other elements of the resolution.

Ms. Van Loo answered that the proposal for the text amendment addresses two numerical standards; the number of units per net developable acre, and the minimum lot size. Every other requirement in the PUD language is the same and it does not change. The proposed language changes the numerical standards to facilitate denser development. Any PUD would have to be a minimum of three acres and still go through the same PUD, Type V process, which requires two public hearings in front of the Planning Commission and one in front of City Council.

Chair Allen asked how much time the applicant had for rebuttal and was told 11 minutes.

Patrick Huske, 23352 SW Murdock Road, Sherwood. Mr. Huske said he was a business owner and he owns property in this neighborhood in the form of his personal home, a 4.88 acre piece that has been through the land use process, and two lots remaining in the Iron Acres subdivision. Mr. Huske said that this code amendment will benefit the public with streets, trails, sidewalks, and additional trees. The other thing it will do is to bring that raw land into productive use. It will bring dollars to the City to deal with DEQ issues, have tax benefits, and benefit the schools.

Kurt Kristensen, 22520 SW Fair Oaks Court, Sherwood. Mr. Kristensen said he lived directly north of the proposed land use change and commented regarding the two to three years it took to develop a consensus on what to do about the land in question. Mr. Kristensen said that Chair Allen was on the Planning Commission at that time and Commissioner Walker was part of the community group. Mr. Kristensen said the community did not get everything that they wanted, but instead something that was a productive and good east side for the City of Sherwood and was a design that respected the challenges of the geological formations in the area. Mr. Kristensen said he had submitted an extensive written testimony (See PA 12-04, Exhibit E) that he hoped the Commission would wait until the DEQ rules on the increased standards for Chromium and the City Council has a hearing on the SE Sherwood Master Plan. Mr. Kristensen commented that Denali represents a small portion of the land and is an example of front loading the density and the open land proposed by the applicant was the portion used as a non-fenced dump for DEQ pollution material right in front of the current development.

Mr. Kristensen stated that in 2006 there was a collaborative effort by the community and the text amendment proposal was not a collaborative effort, but a developer push, partly engineered by City staff to accomplish something that they did not want to accomplish through the formal process of having a hearing on the SE Sherwood Master plan.

Mr. Kristensen expressed his concern for the hybrid format of the public hearing saying that Ms. Van Loo had an extended amount of time to state her views and he may be the single person with the most historical knowledge and involvement in the process and asked that the record would reflect that the community was not afforded a balanced ability to represent itself under this format.

Lisa Walker, 23500 SW Murdock Road, Sherwood. Ms. Walker informed the Commission that she had submitted written testimony (see PA 12-04, Exhibit G) that was a basis for her comments and stated that she and her husband, Roger, were property owners in the VLDR zone. Ms. Walker acknowledged that the Planning Commission had many projects that came before them and suggested that this decision may be one of the bigger decisions made. Ms. Walker said that a lot of decisions by the Commission require research on the impacts and gave the example of the code clean up that has taken over two years. This decision is affecting fundamental code language that will require more due diligence and is a continuation of the SE Sherwood Master plan discussion that began seven years ago. Ms. Walker commented that nothing was adopted and the resolution has no teeth as it is not legislative; it was a huge endeavor that involved a lot of people with no consensus reached. Ms. Walker asked that more citizen testimony be received and considered, and additional time be given for further investigation.

Ms. Walker referred to the staff report, on page 24 of the packet, under 16.80.030.1 and said the applicant claims that the need for the proposed amendment is found in the resolution, but the applicant is relying almost solely on a resolution that had no consensus. Ms. Walker commented that Alternatives Comparison chart consisted of proposals nobody liked and the citizens were not informed enough to know that a decision did not have to be made. Neither the citizens nor the Planning Commission felt strongly about the Plan and that is why it did not move on to Council. Ms. Walker said that the Planning Commission had not used the resolution process before or since which negates its strength; the resolution was a way move on. Ms. Walker said the resolution was done seven years ago, it was prudent to look into the intent to determine the current validity of the issues, and it should not be accepted at face value.

Roger Walker, 23500 SW Murdock Road, Sherwood. Mr. Walker commented that the Moser property has been logged and could no longer have the park that was planned. Mr. Walker said that the resolution supported a plan that could not be legally done and supports the position of a process that was stopped prematurely, prior to due diligence. Mr. Walker stated that the proposed text amendment did not satisfy all issues identified in the SE Sherwood Master plan which included the hilltop viewpoint and was to have density buffering with high density in the middle and lower density on the outskirts.

Mr. Walker referred to Citizen Involvement, as noted on page 25 of the packet, and said that seven years ago there were approximately 120 people that participated in 5 months of discussions regarding the plan. Mr. Walker commented regarding the need to have more input and perhaps more plans of what wants to be done to this site, because this is the last low density land in Sherwood. Mr. Walker said that the DEQ has changed the specifications of their findings and have loosened the requirements regarding the Chromium that was found. They have not come back to the land owners to let them know if the land is less or more contaminated. Mr. Walker commented that this change should be reflected in the Commission's decision as the money needed to clean up, may be less than anticipated and money may be a reason for proposing an increase in density. Mr. Walker said that the packet contained citizen comments received during the SE Sherwood Master Plan discussion and suggested that time should be spent to review and obtain new comments in a similar manner. Mr. Walker explained that the B/C plan in the Alternative Comparisons chart was the last plan that was decided on and it was the "least worst" plan, not the most liked.

Jean Simson, 22466 SW Nottingham Court, Sherwood. Ms. Simson submitted written testimony (see PA 12-04, Exhibit H) then referred to the proposed language in Section 16.12.01A.2 that states *Minor land partitions shall be exempt from the minimum density requirement*, and asked what the purpose and the impact of the statement was and if land partitions would be subject to the minimum lot size.

Ms. Simson said she participated in the 2006 SE Sherwood Master Plan process and was a proponent to updating the code, however she was concerned that increasing the density may have a negative impact on the area. Ms. Simson asked the Commission to pursue implementing the Master Plan or to incorporate the intent of it in the PUD text as the applicant relies on the master plan in proposing the changes for the text. Ms. Simson explained that the SE Sherwood Master Plan was the result of a study done by a consulting firm called OTAK, through multiple public meetings, work sessions, and public hearings, and many factors were considered and integrated into this comprehensive plan. The final preferred alternative was an 82 lot design with significant open space amenities including a one acre neighborhood park with pedestrian paths. Ms. Simson said that consideration was made for preserving the natural environment on the site that included a buffer with larger lots planned for the southwest area and smaller lots were located to the north. Ms. Simson commented that the proposed text amendment keeps one acre, but allows four units per acre on a PUD; this is twice the density without any safeguards provided in the master plan. The final 2006 resolution was for 72 lots and twelve and half acres of open spaces, the text amendment does not have that safeguard. Ms. Simson observed that the text amendment does not reference or incorporate the master plan and encouraged the Commission to move the actual master plan document forward to the Council or at a minimum reference the purpose and intend of the plan into the PUD text language as suggested in the staff report. Ms. Simson commented that the Commission did not have to move forward because the action was legislative.

Roni Craigmiles, 23500 SW Murdock Road, Sherwood. Ms. Craigmiles reminded the Commission that the application concerned all the property, not just the property at the end of Denali Lane, and the decision will affect the whole area. Ms. Craigmiles said that if the zoning is changed the density for her property would increase to support twelve houses and in combination with the adjoining neighbor's land, there could be twenty-four houses backing up to Sherwood View Estates. Ms. Craigmiles stated that this would not happen while she lived there, and said we should be responsible stewards. Ms. Craigmiles commented that the SE Sherwood Master Plan was developed under a time constraint that is no longer present and there had been a push to come up with something that was agreeable to multiple property owners that was environmentally responsible, legal, and compatible with the City's hope for the future. Ms. Craigmiles said that what was developed made no one happy and consequently, nothing became of the recommendations. This is a legislative action and does not require swift movement or any change at all. The SE Sherwood Master Plan should be revisited, considering changes that have taken place since it was adopted. Ms. Craigmiles suggested a review of what has changed in seven years, taking into account that ideas, people, and concerns may be different. Ms. Craigmiles commented regarding the different lot sizes and zoning available throughout Sherwood and each filling a need. Metro has always touted diversity in housing we should protect this unique part of Sherwood. Ms. Craigmiles said Sherwood has one area zoned VLDR and the initial intent was to recognize the uniqueness of it; the wetlands, the topography, and natural habitat. There will never be an area like this again.

Tony Britton, 23559 SW McLoughlin Court, Sherwood. Mr. Britton said that it seems the applicant did not need to double the density to get through the hurdles specified and compared the density changes to doubling the number of students per classroom, stating it would have a major effect on the quality of their experience. Mr. Britton commented on other high density areas available in the City and said no new feeder streets to deal with the traffic increases would be added to the existing high traffic on Murdock Road going up to the different neighborhoods near Sunset Blvd. Mr. Britton said he did not think it will have a very positive impact and could be done well with 54-60 houses; which is a lot better than 82.

Beth Cook, 23598 SW McLoughlin Court, Sherwood. Ms. Cook commented that it was important to maintain a variety of lot sizes and there are very few parcels that remain within the City of Sherwood that can accommodate the need for larger lots. The VLDR zone includes environmentally sensitive areas the Commission should take that into consideration. Ms. Cook requested that the Planning Commission consider changing the net density for the VLDR zone to 3 units per acre while maintaining the required minimum lot size of 10,000 square feet. Ms. Cook commented that the SE Sherwood Master Plan was not adopted and should be reviewed again consider carefully what these changes mean for the city as a whole and to consider other options that can be explored.

John Satterberg, 3437 Cascade Terrace, West Linn. Mr. Satterberg said he was the banker who foreclosed the property [Denali] and had been charged with finding solutions to dispose of properties. Mr. Satterberg explained that he was led to believe that the property could be approved for an 8 lot subdivision and at 2 units per acre and any man would have said 3.91 acres would be 7 units, but that City Council approved it for a 6 lot plat. Mr. Satterberg commented that the off-site improvements on Ironwood Road would bring the cost of the project up to \$550,000 to develop, which would not work. Mr. Satterberg said the only intent was to get [Denali] approved for an eight lot subdivision, not to increase the density too much, but to have a conformity with Sherwood View Estates with lot sizes at 8,000 to 12,000 square feet. Mr. Satterberg explained that the

Chromium has to be cleaned up and a circular loop would be created to come out through Sherwood View for fire truck access.

Before going back to the applicant for rebuttal, Chair Allen asked Councilor Krisanna Clark to characterize the instructions given to the applicant from City Council regarding the way to fix the unenforceable Master Plan.

Councilor Clark said she believed that legal counsel gave the applicant a few options because Council could not approve the recommendation by the Planning Commission as it did not fit the code.

With no other public testimony Chair Allen gave the applicant 11 minutes for rebuttal and was informed that the applicant has used 11 minutes and had 19 minutes of remaining time.

The applicant's representative, Ms. Van Loo, began by clarifying that a minor partition in VLDR is currently exempt from minimum density requirements and would continue to be exempt.

Ms. Van Loo said she appreciated the suggestions from community members to bring the entire SE Sherwood Master Plan back to the Planning Commission for adoption as it was not something that an individual property owner could do; financially or legally. Ms. Van Loo commented that the Planning Commission had spent significant time talking about the Sherwood Master Plan and the resolution did adopt it. Ms. Van Loo commented that staff could give stories as to why the master plan was not carried through to City Council, but could only propose a text amendment that embodies the precepts of the master plan. The master plan was a vision developed by about 120 people who participated in a process. Ms. Van Loo stated that she mailed out 114 invitations on bright yellow paper to households who had VLDR zoning in the City and invited them to an open house that was held on January 2, 2013 but because of lack of interest less than 20 people showed. Ms. Van Loo said she held a meeting last fall inviting all the property owners who had vacant land and not many attended the meeting, but she received feedback from several owners. Ms. Van Loo spoke of the comfort and lifestyle enjoyed by homeowners in Sherwood View Estates and Fairoaks subdivision and said property owners who live in a developed PUD enjoy.

Ms. Van Loo commented on testimony regarding the need to come up with an affordable methodology appropriate for the undeveloped land and said that staff had made it clear that they did not have it in the work plan to take the SE Sherwood Master Plan through to City Council for ratification. Ms. Van Loo said that staff strongly encouraged her to make an application because they said were looking for members of the community, who have a vested interest in the property, to carry forth with the precepts that are in the SE Sherwood Master Plan.

Ms. Van Loo agreed that the SE Sherwood Master Plan is not a consensus plan; every community plan was a compromise, because of varied ideals, beliefs and perceptions of what is appropriate for their land and for their neighbors land. The B/C plan in the SE Sherwood Master Plan is a compromise based on a lot of work that is reasonable and practicable, and possible through the PUD process.

Ms. Van Loo commented that the current PUD process provides for open space and design options and would provide the citizens and members of the VLDR community opportunity to participate in the design of any piece of property proposed for development. Ms. Van Loo conceded that some things have changed, on the Moser property specifically, but the concepts, circulation plan and

some of the vision accomplished with the plan can go forward. Regardless of adoption, each property owner will hire their own consultants with their own vision for the property based on the needs and desires of the property owners, clients and community.

Ms. Van Loo described the VLDR land, prior to its annexation by the City of Sherwood as urban, unincorporated Washington County, zoned R5, or five units per acre and commented that when property is annexed from a county to a city there is normally a provision of urban services and an urban scale of development but the property was down zoned to one unit per acre. Ms. Van Loo commented that she could not propose 5 units per acre on the land for a variety of reasons, including that there is a master plan that dictates 4- 5 units per acre.

Ms. Van Loo commented regarding the compromise between vacant and developable land and the phrase “Paralysis by Analysis” where concepts are analyzed to where nothing happens. Ms. Van Loo said she did not believe that the Planning Commission and the City Council wanted to do nothing with the land and encouraged the Commission to remember the section of the resolution that states that the City cannot require urban levels of impact and improvements if they cannot make the connection between quantity of the development and the cost of the infrastructure.

Chair Allen asked for questions for the applicant. Seeing none, Chair Allen closed the public hearing and moved to staff comments.

Julia Hajduk reminded the public that the Planning Commission would provide a recommendation to Council and there would be further opportunities for the public to add comments at a Council meeting. Julia asked if the Commission had any questions regarding the SE Sherwood Master Plan or the process.

Chair Allen said he remembered working on the master plan and asked if the Commission had options to try to address the issues other than changing all VLDR in the City. There are sets of issues that apply to all of VLDR and there are sets of issues that apply more narrowly to the Denali PUD that went to Council previously.

Julia explained that the Commission could apply rules under certain circumstances and there might be other zoning or map changes available. Discussion followed.

Commissioner Clifford inquired about the area being the last VLDR in the city and asked if there were annexations that might include the zoning.

Michelle answered that VLDR zoning is unique to the metropolitan area and as the City annexes new area there are Metro guidelines requiring average density for the entire city that would rule out a similar density of this size. It is the last VLDR zone in the city.

Chair Allen commented that the challenge is to take this unique density, put it on top of our most geographically and topographically challenged properties with a zoning that is very difficult to actually apply. Chair Allen commented regarding the difficulty for staff to direct Denali as to what can be done and the applicant’s aim to increase density without the rest of the package stating that he was not sure this is how to fix the problem.

Julia stated that staff was looking for questions or requests for information needed by the Commission for making a recommendation and said she was hearing concerns about the impacts.

Commissioner Clifford asked regarding how it works when a property owner gives up land for public use; what land becomes dedicated and what becomes preserved; who maintains it; and whether it is open space for the City of Sherwood or just for that community.

Michelle answered that a PUD requires 15% open space that would be dedicated to the general public, but it would be localized to some extent giving an example of the walking trails in the Woodhaven neighborhood that are used for open space and maintained by the City, but most appealing to Woodhaven and nearby neighborhoods. Michelle explained that with the SE Sherwood Master Plan, there was a specific property that had been identified as a park and the difficulty may be if the area is not proportional to the development and how to get the specific area for the City's benefit.

Julia indicated that staff does not have recommendation for the Commission. A proposal has been submitted that has been analyzed and is consistent with the Comprehensive Plan and the SE Sherwood Master Plan and ultimately it is the Planning Commission's decision regarding a recommendation to Council.

Michelle submitted that an issue might be to pull out of the SE Sherwood Master Plan the meatier issues and be able to get the walkability, connections, and open space from the Plan out of a Planned Unit Development.

Chair Allen added that it might be through a series of Planned Unit Developments, but with the leverage of an adopted master plan there is an assurance that the various puzzle pieces of multiple ownerships fit together as they individually come forward to develop. If the density increase and adjustment to the PUD size is done we end up with each land owner bringing forward their five or six acres to do a PUD and making their individual Nollan and Dolan cases. Chair Allen went on that the master plan was an exchange of a higher density for a "set of stuff" and we never really got to the place where we could get very much agreement that the "stuff" was worth the higher density.

Julia said that the Commission could consider the suggestion to reference the SE Sherwood Master Plan as something to weigh against the PUDs that get the bonus density. If the commission would like to go that direction then staff can bring back recommendations. Julia explained that it would be comparable to what the resolution tried to do which stated that the City would accept something consistent with the SE Sherwood Master plan. In the case of the Denali PUD, it may be consistent with the SE Sherwood Master Plan without any other property, but other property owners may need to work with their neighbors to develop a portion that is consistent with the plan. Julia stated that the Commission would need to make sure that the criteria was very clear and reminded the Commission that a PUD is a quasi-judicial legislative action and does not have to be approved because you are applying an overlay through the PUD process that allows some flexibility if criteria is met and is a benefit to the community.

Chair Allen commented that it would make the leap that was not made because the master plan was not recommended to or considered by Council.

Julia suggested that through the PUD process it does not happen as wholly as envisioned, but there could be language and criteria that could reference the plan to help get there. Julia explained that it

would still be a vision and could not have the teeth of the code and said staff could come back with proposed language and run the idea past our attorneys.

Chair Allen said he thought the right thing to do was to revisit the Master Plan in this area, but it is not in the work plan so Council should direct staff as to what work should be done. Chair Allen expressed his preference to attach something as a hook when for individual PUDs come forward that allows the Commission to point toward the master plan as well as his discomfort because so much has changed, particularly the removal of the trees on the Moser property which has had a big impact on the viability of the rest of the plan. Discussion followed.

Commissioner Griffin acknowledged that the Commission should act in a timely manner, which the area is developable land with constraints, and the SE Sherwood Master Plan was a compromise that did not go to Council.

Chair Allen commented that it did not go to Council because Commission members did not think it was a final work product that it could recommend and the Planning Director had said there were no more resources to do any more work.

Chair Allen posed that there were two ideas; a map amendment to change a portion of the VLDR or to put some language in the PUD in the VLDR language that ties to the SE Sherwood Master Plan.

Julia intimated that the first option would be more challenging.

Chair Allen suggested that the Commission task staff to bring forward refinement to the language, that attaches the SE Sherwood Master Plan to the use of the PUD tool in VLDR, and deliberate further at that point.

After a discussion of what staff has been tasked to do and possible meeting dates, the following motion was received.

Motion: From Vice Chair Brad Albert for The Planning Commission to Continue The Hearing (PA 12-04) to the February 12, 2013 Planning Commission Meeting. Seconded By Commissioner Russell Griffin. All Seated Commissioners Voted In Favor (Commissioner Walker had stepped down; Commissioners Cary and Copfer were absent).

Adjourn

Chair Allen adjourned the meeting at 9:07 pm.

Submitted by:



Kirsten Allen

Planning Department Program Coordinator

Approval Date: February 12, 2013

Old Business Agenda

Item A



Home of the Tualatin River National Wildlife Refuge

MEMORANDUM

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

Mayor
Bill Middleton

Council President
Linda Henderson

Councilors
Dave Grant
Robyn Folsom
Bill Butterfield
Matt Langer
Krisanna Clark

City Manager
Joseph Gall, ICMA-CM

Assistant City Manager
Tom Pessemier, P.E.

To: Planning Commission
From: Michelle Miller, AICP Associate Planner
RE: Very Low Density Planned Unit Development Text Amendment (PA 12-02)
Date: February 5, 2013

At the hearing on January 8, 2013, the Planning Commission heard a proposal for a text amendment amending the Very Low Density Residential (VLRD) zone. The amended language would allow higher densities for properties that are developed as planned unit developments. The Planning Commission heard from staff, the applicant, and the public. The applicant, a property owner within the VLDR area proposed to reduce the minimum lot size from 10,000 to 8,000 square feet and increase density from two units to a maximum four units per net buildable acre when developed under planned unit development standards.

The Commission took public testimony and several members of the community submitted materials at the hearing. The Commission then closed the public hearing and began their deliberations. The Commission directed staff to review the SE Sherwood Master Plan to determine whether additional concepts from the master plan could be incorporated into the plan text amendment to better reflect the Plan as a whole and achieve the goals and objectives of that planning effort for all new developments within the SE Sherwood Master Plan area.

Since that hearing, the applicant requested a continuance due to a scheduling conflict and requests that the hearing be continued to February 26, 2013 in order to review the new information and any proposed text changes. Staff has no objection to this request. Since the hearing, staff received three additional citizen comments. Should the Commission reopen the record to take additional testimony at the hearing on February 12, 2013; staff will have those available.



2009 Top Ten Selection



2007 18th Best Place to Live



New Business Agenda

Item A

CITY OF SHERWOOD
Staff Report

Date: January 31, 2013
File No: SP 12-07/ CUP 12-03
U-Haul Moving and Storage
Expansion

To: Planning Commission

Pre-App. Meeting: May 25, 2012
App. Submitted: October 23, 2012
App. Complete: December 17, 2012
120-Day Deadline: April 16, 2013
Hearing Date: February 12, 2013

FROM:



Brad Kilby, AICP, Senior Planner

Proposal: The applicant proposes a major modification to make improvements to an existing building increasing the floor area from 54,024 square feet to 80,061 square feet by adding an interior floor for both climate, and non-climate controlled storage lockers. The applicant is also requesting a Conditional Use Permit (CUP) for outdoor display of U-Haul rental vehicles and trailers. The property is zoned General Industrial (GI).

I. BACKGROUND

- A. Applicant/Owner:
Amerco Real Estate
Attn: David Pollock
2727 N. Central Avenue
Phoenix, AZ 85004
- B. Location: The property is located at 13921 SW Tualatin-Sherwood Road, and located on the north side of Tualatin-Sherwood Road. The property is identified as tax lot 0500 on Washington County Assessor Map 2S128BD.
- C. Parcel Size: The subject property is approximately 3.43 acres in size.
- D. Existing Development and Site Characteristics:
The property had recently been acquired by U-Haul and is currently developed with an existing U-Haul business and the Sherwood Auto Center, a mix of auto-oriented services. The site is fairly flat and is located between an existing railroad line to the east, and a Bonneville Power Administration (BPA) power line easement to the west. The property is surrounded by existing industrial uses. Access into the site is provided via an easement over the BPA powerline easement to the east.
- E. Site History: The site was developed with the existing uses under City file SP 95-13 Sherwood Auto Center. Under that decision, the property was developed with the existing building, and included the following uses, a 47,500 sq. ft. warehouse with machine shop; a 1,260 sq. ft. oil and lube shop; a 2,250 sq. ft. auto body shop; and a car wash. The car wash was never constructed, and according to a hand written note in the file, that request was withdrawn. The only approved access into the site is from a 35-foot

wide easement from the south across a BPA power line easement. Prior to development the site was farmed.

- F. Zoning Classification and Comprehensive Plan Designation: The property is zoned General Industrial (GI). Mini-warehousing and self-storage is a permitted use within the GI zone. The motor vehicle related uses within the building, are not proposed to be expanded, and are pre-existing uses that were allowed at the time that the site was originally permitted; therefore, it is not necessary to require the owner to obtain a separate permit for those uses.

The Sherwood Zoning and Development Code, specifically within the use tables within § 16.31.020, allows Tool and Equipment Rental and Sales, including Truck Rentals outright. This use is subject to a size limitation of 5,000 square feet in a single outlet, or 20,000 square feet in multiple outlets in the same development. Since the applicant is proposing to prominently display the equipment in the front of the building, and the original decision expressly prohibited outdoor storage because it was not request at that time, the applicant has requested the outdoor merchandising and display as a conditional use. The applicant is proposing to store the trucks and trailers in the front of the building and in plain view from SW Tualatin Sherwood Road.

- G. Adjacent Zoning and Land Use: Properties surrounding the site are developed with industrial uses including a pallet manufacturer to the north, a tow yard to the east, a mix of manufacturers to the west, and the Pride Disposal headquarters to the south of Tualatin-Sherwood Road. The site is also immediately adjacent to a Southern Pacific Railroad Line to the north and a BPA power line easement to the immediate east.
- H. Review Type: According to § 16.72.010.4.c, site plans for developments over 40,000 square feet require a Type IV review with a decision made by the Planning Commission after consideration of public comments. Type III permits are typically reviewed by a Hearings Officer, but when multiple applications are filed concurrently, the application is considered by the highest review authority. In this case, the highest review authority is the Planning Commission. An appeal would be heard by the City of Sherwood City Council so long as the person appealing had provided comments prior to the close of public testimony at the public hearing and has filed an appeal within fourteen 14 days after the decision has been mailed. Further, the applicant is proposing an increase in the floor area for a non-residential use by more than 10 percent which dictates that this application be reviewed as a major modification pursuant to § 16.90.030(A)1.a.5.
- I. Neighborhood Meeting: The applicant held a neighborhood meeting on September 12, 2012 at the facility. The applicant discussed the proposed development. The applicant provided notes, the sign in sheet, and an affidavit of mailing with the application materials. One person from the public attended the meeting and requested that the applicant reconsider the use as it would compete with his existing storage facility.
- J. Public Notice and Hearing: Notice of the application was mailed to property owners within 1000 feet, posted on the property and in five locations throughout the City on January 22, 2013 in accordance with the notice provisions of § 16.72.020 of the SZCDC.
- K. Review Criteria: Sherwood Zoning and Community Development Code, 16.31 (Industrial Land Use Districts); 16.58.010 (Clear Vision), 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-Street Parking and Loading), 16.96 (On-Site Circulation);

16.98 (On-site Storage), All of Division VI - 16.104-16.118 (Public Improvements), 16.142 (Parks and Open Space), 16.146 (Noise), 16.48 (Vibrations), 16.150 (Air Quality), 16.52 (Odors), 16.154 (Heat and Glare).

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property and in five locations throughout the City on January 22, 2013. Staff has not received any public comments as of the date of this report on the proposal.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on December 26, 2012. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Information Technology Department: Brad Crawford, the Sherwood Broadband and City IT Director submitted comments on January 3, 2013. The department has no comments on the application. Mr. Crawford's comments are attached to this report as Exhibit A.

Sherwood Engineering Department: Jason Waters, PE, the City's Civil Engineer submitted comments on January 9, 2013. He states that the site plan cover sheet indicates the project will not convert any pervious surfaces to impervious. If that's the case they will not need to bring their public infrastructure and private water quality facility (WQF) into compliance with current standards, but they will need to ensure the water quality facility is functioning and the plants are in good condition.

- Gross floor area increases, therefore System Development Charges/Transportation Development Tax SDC/TDT will need to be recalculated
- Existing WQF must be maintained and brought into compliance with the original design
- Access & maintenance covenant must be established for the private water quality facilities
- Public water easement must be established around existing water meters and fire flow vaults, if not already in place
- Reciprocal access easement/agreement with Blakeslee Properties, LLC should be provided to assure the site has legal access to Tualatin-Sherwood Road
- City grading & erosion control permit will be required for the 510 square feet of landscaping

The Engineering Department comments are incorporated throughout the report, and where appropriate conditions have been imposed to ensure that the proposal meets the standards which the engineering department is responsible to enforce. Mr. Waters' comments are attached to this report as Exhibit B.

Clean Water Services (CWS): The CWS Pre-screen letter is attached to this report as Exhibit C. CWS did not provide comments specific to the request beyond the pre-screen letter stating that a service provider letter was not necessary.

Tualatin Valley Fire and Rescue: John Wolff, Deputy Fire Marshal II with Tualatin Valley Fire and Rescue (TVFR), submitted comments for this proposal on January 17, 2013. Mr. Wolff indicated that the district endorses the application provided their fire, life, and safety requirements, listed in the comments, were satisfied. Mr. Wolff's comments are attached to this report as Exhibit D.

Washington County: Naomi Vogel of Washington County TLS indicated that they had reviewed the proposal and indicates that improvements to SW Tualatin-Sherwood Road are not warranted with this proposal. Mrs. Vogel's comments are attached to this report as Exhibit E.

Pride Disposal Co.: Kristin Leichner of Pride Disposal provided an e-mail stating that they have no comments as the proposal would not affect their ability to service the site. Ms. Leichner's e-mail is attached to this report as Exhibit F.

Sherwood Public Works Department: Rich Sattler of the Sherwood Public Works Department provided the following comments:

- Site does not appear to have adequate backflow protection on the domestic water service, the existing double check valve assembly at the meter is not commensurate with the degree of hazard (area in back of building has a pump system for detailing cars). Install Reduced Pressure Principle Backflow Assembly at the point of connection to the pump system, remove use of pump or install a Reduced Pressure Principle Backflow Assembly at the water meter.
- Site does not appear to have adequate backflow prevention on the fire suppression system, the existing Double Detector Backflow Assembly is not commensurate with the degree of hazard (an anti-freeze loop existing within the building). Install a Reduced Pressure Principle Backflow Assembly at the point of connection to the anti-freeze loop or install a Reduced Pressure Principle Backflow Assembly at the property line. Ensure that an adequate drain line is supplied to the relief port of the backflow assembly.
- We are unable to locate a storm water report for the site, provide. Site detention pond does not have all of the plumbing connected. Offsite swale on adjacent proper does not appear to have easement for maintenance and is in need of repair (vegetation of swale is sparse, inlet is submerged). Site does not have a maintenance agreement for the swale.
- Will access to west and north side of building be gated? If so how will the City be granted access during all hours to maintain the sanitary sewer system? Mr. Sattler's comments are attached to this report as Exhibit G.

ODOT, Metro, Tri-Met, Kinder Morgan Energy, PGE, and NW Natural Gas were also notified of this proposal and did not respond or provided no comments to the request for agency comments by the date of this report.

Conditional Use Permit Required Findings (SECTION 16.82)

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.**

FINDING: All of the listed facilities are currently available to the site, and where deficient, have been discussed and conditioned in more detail later in this report. This criterion can be satisfied as conditioned in this report.

- 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 proposed primary use for the site as a mini-storage facility would be constructed entirely within the existing building and does not propose any improvements that would be non-conforming with respect to the currently approved dimensional standards of the zone as discussed throughout this report. It should be noted that the applicant was advised within the pre-application conference, held before the passage of the revised industrial code language that permanent outdoor storage and merchandising was required to obtain a conditional use permit. Therefore, the reason for the conditional use stems from a specific request for the storage of the trucks and the trailer as permanent outdoor display and merchandising. The proposed conditional use is not related to any physical improvements to the building.

As proposed, the applicant wishes to utilize 12 parking spaces on the south side of the building and an additional equipment staging area on the southwest corner of the site.

It should be noted that the original decision for the development expressly prohibited outdoor storage. Other industrial uses within the area do have outdoor storage associated with them, but it has been typically screened from public view by fencing and/or landscaping. U-Haul maintains that the outdoor storage and merchandising is a key component to the visibility and success of their business.

Properties surrounding the site are developed with industrial uses including a pallet manufacturer to the north, a tow yard to the east, a mix of manufacturers to the west, and the Pride Disposal headquarters to the south of Tualatin-Sherwood Road. The site is also immediately adjacent to a Southern Pacific Railroad Line to the west and a BPA power line easement to the immediate east. The proposed location of the outdoor storage and merchandising area is located along the sites frontage with SW Tualatin Sherwood Road.

Finally, in a recent site visit staff observed approximately 37 U-Haul vehicles and trailers located along the sites frontage leading staff to beg the question of whether or not the operation can operate with a limitation of only 12 spaces and the associated equipment staging area. Tool and Equipment Rental and Sales, including Truck Rentals is an outright permitted use subject to a size limitation of 5,000 square feet in a single outlet, or 20,000 square feet in multiple outlets in the same development.

The permanent outdoor display and merchandising use is a Conditional Use Permit and the following condition is warranted.

FINDING: The proposed conditional use is a use that is customarily associated with the operation of the business. There is no evidence in the request to suggest that the proposed outdoor sales area would compromise public safety or create any noise that would be outside of the acceptable parameters of the Sherwood Municipal Code or operations typical of general industrial property. It should be noted that the property owner and business would be subject to code enforcement proceedings should such a situation arise.

Staff has expressed concern that the existing business does not have a conditional use to store the equipment and outdoor merchandising that is being stored along SW Tualatin-Sherwood Road at this time. The business is currently operating outdoor merchandising and display that exceeds the proposed area as well as beneath the Bonneville Power Associates (BPA) powerline easement, which according to a telephone conversation with the BPA representative is not allowed. Therefore, staff would suggest that the Planning Commission impose a condition of approval that requires that the business owner comply with the proposed amount of area proposed for the conditional use and keep all equipment and trucks outside of the limits of the BPA powerline easement.

RECOMMENDED CONDITION: The outdoor storage and display area is limited to the proposed 12 parking areas shown on plan sheet SP1 dated 10/03/12, and shall not extend beyond that area without prior approval from the City of Sherwood Planning Commission as an amendment to the Conditional Use Permit.

- 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 use of the site as a proposed mini-warehousing and self-storage is a permitted use consistent with the allowed uses within the GI zone. The zone is intended to implement the goals and objectives of the Comprehensive Plan and would arguably meet the overall needs of the community as spelled out within the Plan. The outdoor merchandising and display area is in a location on the site that is not likely to create off-site traffic issues, and does not preclude the City or any adjacent development from complying with the city's Transportation System Plan (TSP). The outdoor merchandising and display area is intended to support the primary use.

FINDING: The proposed outdoor merchandising and display area will occupy approximately 6,360 square feet or 4% of the overall site, and is proposed in a location that is well away from existing residential uses, within the industrial area but visible to the street. There is no evidence to suggest that the area would be incompatible with surrounding uses, or in itself create any adverse impacts or conflicts that cannot be mitigated for by meeting the site design standards of the SZCDC. This criterion is satisfied.

- 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: Because of the nature of the use, the surrounding uses, and the proposed location of the outdoor merchandising and display area, the conditional use requested is not likely to adversely affect surrounding uses in that it is adjacent to uses that are also zoned industrial as opposed to residential where the impacts would be greater. Impacts of the primary use of the site are evaluated, and where appropriate conditioned to make sure that impacts to the community are mitigated to the extent that the Code allows.

FINDING: The proposed outdoor merchandising and display area is in a location on the overall site that is not likely to adversely affect surrounding properties or uses. 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 outdoor merchandising and display area, the subject of the CUP request, would occupy approximately 4% percent of the overall site. There are no topographic or natural features designated for protection on the site. The subject site can easily accommodate the proposed area. 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: The subject property does not have any designated or protected sensitive wildlife species.

FINDING: The proposed outdoor merchandising and display area is unlikely to pose significant impacts to any designated natural resources as the area being considered is already developed. This criterion is satisfied.

7. For a proposed conditional use permit in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of § 16.108.070 Highway 99W Capacity Allocation Program, unless excluded herein.

FINDING: The proposed development is located within the General Industrial (GI) zone, and is subject to the Highway 99W Capacity Allocation Program (CAP) which limits a development to 43 trips/per acre for the P.M. peak hour. As discussed in greater detail later in this report, specifically within the discussion of § 16.106.070. As proposed, the development has been evaluated by the City Engineer, and will not exceed the CAP. This criterion is satisfied.

8. For wireless communication facilities, no conditional use permit shall be granted unless the following additional criteria is found:

- a. The applicant shall demonstrate 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 shall demonstrate 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 requested CUP does not include a wireless communication facility; therefore, this criterion is not applicable to the proposed development.

9. The following criteria apply to transportation facilities and improvements subject to Conditional use approval (in addition to criteria 1--7) per 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 subdivision or partition subject to site plan review.
- 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 shall 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) shall provide a narrative statement with the application demonstrating compliance with all of the criteria and standards in § 1--7 and 9.a--9.d. Where applicable, an Environmental Impact Statement or Environmental Assessment may be used to address one or more of these criteria.

FINDING: The requested CUP does not include a transportation system facility that is being requested outside the scope of the TSP; therefore, this criterion is not applicable

to the proposed development.

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.**
- 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.**
- 3. Increased required lot sizes, yard dimensions, street widths, and off-street parking and loading facilities.**
- 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.**
- 5. Submittal of final site plans, land dedications or money-in-lieu of parks or other improvements, and suitable security guaranteeing conditional use requirements.**
- 6. Limiting the number, size, location, height and lighting of signs.**
- 7. Requirements for the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.**
- 8. Requirements for design features which minimize potentially harmful environmental impacts such as noise, vibration, air pollution, glare, odor and dust.**

FINDING: The CUP is being requested to allow an outdoor merchandising and display area along SW Tualatin-Sherwood Road. That frontage is currently landscaped with mature street trees, shrubs and grass. The proposed use would occur in a location that would take up approximately 12 parking spaces along that frontage, and another paved area behind the parking. According to the applicant, the 12 spaces are not included in the applicant's minimum parking requirements. The impacts of the revisions to the building and site are evaluated against the applicable provisions of the SZCDC throughout this report and conditions have been recommended where the proposal does not meet the code to ensure that the proposal is modified in a manner that does satisfy and meet the code prior to being approved for construction. There is not any evidence within the record to suggest that the proposed outdoor merchandising and display area would create impacts that warrant any of the additional conditions discussed above. These criteria are not applicable to the proposed development.

IV. SITE PLAN REVIEW REQUIRED FINDINGS (SECTION 16.90)

As mentioned previously, the applicant is proposing an increase in the floor area for a non-residential use by more than 10 percent which dictates that this application be reviewed as a major modification pursuant to § 16.90.030(A)1.a.5. In the case of major modifications, the scope of the review is limited to the modification request and does not open the entire site up for additional review unless impacted by the proposed modification. For this reason, the following discussion is focused on the provisions of the Code that are applicable to the requested improvements in the proposal.

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

FINDING: This standard can be met as discussed and conditioned in this report.

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: The site is already served by existing water, sanitary, storm water, solid waste, public safety, electrical power and communications providers. The applicant is not proposing any new utility improvements, as the majority of the revisions will be to the interior of the existing building on site. This criterion is satisfied.

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.**

FINDING: The site is owned by U-Haul and already developed. The maintenance of structures, landscaping, and other on-site features have been on-going, and do not appear to be neglected. This criterion is satisfied.

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: The site does not include any significant natural features, and the proposed development would be primarily interior to the existing building, or in the case of the outdoor merchandising and display located on existing pavement. Therefore, this criterion is not applicable to the proposed development.

5. **For a proposed site plan in the Neighborhood Commercial (NC), Office Commercial (OC), Office Retail (OR), Retail Commercial (RC), General Commercial (GC), Light Industrial (LI), and General Industrial (GI) zones, except in the Old Town Overlay Zone, the proposed use shall satisfy the requirements of Section 16.108.080 Highway 99W Capacity Allocation Program, unless excluded herein.**

FINDING: The applicant submitted a CAP analysis by Heath and Associates Inc., a transportation and civil engineering firm from Washington, which indicates that the revised project and existing uses will generate 58 PM peak trips. The existing CAP standards would allow the 3.25 acre site to generate 140 vehicular trips in the PM peak hour. Therefore, the expected combination of existing and new trips would fall well below the allowed 43 trips per acre standard allowed by the CAP and this criterion is satisfied.

6. **For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant shall provide adequate information, such as a traffic impact analysis or traffic counts, to demonstrate the level of impact to the surrounding street system. The developer shall be required to mitigate for impacts attributable to the project. The determination of impact or effect and the scope of the impact study shall be coordinated with the provider of the affected transportation facility.**

STAFF ANALYSIS: The applicant provided a technical memorandum from Gregory Heath, a professionally licensed traffic engineer from Heath and Associates Inc., which indicates that the facility could be expected to generate 604 average daily trips. Consistent with the direction from the City Engineer, further traffic study or analysis was not warranted due to meeting the CAP requirements.

FINDING: A full traffic impact analysis beyond the analysis required to satisfy the City's CAP ordinance, was not warranted based on the expected traffic generation for the proposed site. This criterion is not applicable to the proposed development.

7. **The proposed office, retail, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards shall include the following:**
 1. **Primary, front entrances shall be 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.**
 2. **Buildings shall be located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.**
 3. **The architecture of buildings shall be oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding shall be prohibited. Street facing elevations shall 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 shall be installed unless other architectural elements are provided for similar protection, such as an arcade.**

STAFF ANALYSIS: This proposal is zoned GI and the physical improvements would be developed primarily within the existing building as a mini-storage and warehouse.

FINDING: The building is pre-existing, and already oriented to SW Tualatin-Sherwood Road, a more detailed analysis of the buildings compliance with the Industrial Design Standards that are applicable to this development can be found under the discussion of

Industrial Design Guidelines. As conditioned throughout this report, the proposed development will satisfy the development requirements for allowed industrial uses within the zone.

- 8. 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 shall include the following:**
- a. Portions of the proposed industrial development within 200 feet of an arterial or collector street and visible to the arterial or collector (i.e. not behind another building) shall meet any four of the following six design criteria:**
 - (1) A minimum 15% window glazing for all frontages facing an arterial or collector.**
 - (2) A minimum of two (2) building materials used to break up vertical facade street facing frontages (no T-111 or aluminum siding).**
 - (3) Maximum thirty-five (35) foot setback for all parts of the building from the property line separating the site from all arterial or collector streets (required visual corridor falls within this maximum setback area).**
 - (4) Parking is located to the side or rear of the building when viewed from the arterial or collector.**
 - (5) Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If the loading area is visible from an arterial or collector, they must be screened with vegetation or a screen made of materials matching the building materials.**
 - (6) All roof-mounted equipment is screened with materials complimentary to the building design materials.**
 - b. As an alternative to 8.a above, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the applicable industrial design objectives below (this design review hearing will be processed as a Type IV review):**
 - (1) Provide high-value industrial projects that result in benefits to the community, consumers and developers.**
 - (2) Provide diversified and innovative working environments that take into consideration community needs and activity patterns.**
 - (3) Support the City's goals of economic development.**
 - (4) Complement and enhance projects previously developed under the industrial design standards identified in Section 16.90.020.4.H.**
 - (5) Enhance the appearance of industrial developments visible from arterials and collectors, particularly those considered "entrances" to Sherwood, including but not limited to: Highway 99W, Tualatin-Sherwood Road and Oregon Street.**

(6) Reduce the "bulk" appearance of large industrial buildings as viewed from the public street by applying exterior features such as architectural articulation, windows and landscaping.

(7) Protect natural resources and encourage integration of natural resources into site design (including access to natural resources and open space amenities by the employees of the site and the community as a whole).

STAFF ANALYSIS: SW Tualatin-Sherwood Road is classified as an arterial, and the proposed development would be located within 200 feet of this street. It should also be noted that while there are proposed improvements to the exterior of the building, the primary improvements would be constructed within the interior of the existing structure. The existing building is constructed of painted concrete, metal, and glass, and is somewhat articulated in that there are four distinct planes associated with the front façade of the building.

Within the narrative, the applicant has indicated that the proposed glazing for the street facing façade will be increased by expanding the window areas to a total of 1,016 square feet which constitutes 15.7% of the 6,460 square feet building façade. The loading areas for the development will be located to the rear of the building. The applicant has stated that there will not be any new roof mounted equipment associated with the modifications.

FINDING: The building is within 200-feet of SW Tualatin-Sherwood Road, which is classified as an arterial. As discussed above and illustrated on Sheets SP1 and A2, the proposal satisfies at least four of the applicable industrial design standards.

V. APPLICABLE CODE STANDARDS

Chapter 16.31 Industrial Land Use Districts

16.31.020 Uses

The table speaks to land uses that are permitted outright, permitted conditionally, or not permitted within the Industrial zoning districts. In this instance, the property is zoned General Industrial (GI)

FINDING: The applicant is proposing to develop a self-storage business within the existing structure. Within the General Industrial zoning district the use table indicates that mini-warehousing and self-storage is an outright permitted use subject to site plan approval. The proposed outdoor display and merchandising is addressed as a conditional use permit previously in this report.

16.31.030 Dimensional Standards

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.

A. Lot Dimensions

Except as otherwise provided, required minimum lot areas and dimensions shall be:

1. Lot area: 20,000 sq ft
2. Lot width at front property line: 100 feet
3. Lot width at building line: 100 feet

FINDING: The existing lot area, lot width and width at the building line exceed the minimum requirement prescribed above. The applicant is not proposing to modify the dimensions of the existing lot; therefore, this criterion is satisfied by the proposed development.

B. Setbacks

Except as otherwise provided, required minimum setbacks shall be:

1. Front yard:	None
2. Side yard:	None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.
3. Rear yard:	None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.
4. Corner lots:	None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.

STAFF ANALYSIS: The lot is not adjacent to residentially zoned lots therefore there is not a setback requirement for the side or rear property lines.

FINDING: As proposed, the building is set back is 40 feet to the front lot line. The setbacks are not affected by the proposed development. This criterion is not applicable.

16.31.060 Community Design

For standards 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, see Divisions V, VIII and IX.

STAFF ANALYSIS: The applicable standards that are listed in the Community Design section are addressed elsewhere in this narrative. As proposed, the development will meet these standards: off – street parking, energy conservation, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design. There are not any historic resources on site therefore that standard is not applicable.

Chapter 16.58 Clear Vision and Fence Standards

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 (2 1/2) 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: The site is located in the General Industrial zone, and not subject to any setbacks, however, the applicant is not proposing to construct any new improvements within the clear vision area, so this standard is not applicable to the proposed development.

Division V- Community Design

The applicable provisions of Chapter 5 include: 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-street parking and Loading), and 16.96 (On-site Circulation). 16.98

Compliance with the standards in these sections is discussed below:

16.92 Landscaping

16.92.010 Landscape Plan

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan which 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. Maintenance of

existing not-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.

FINDING: The proposed site plans illustrate that the applicant is adding three new landscape islands within the parking lot. The site plan shows planting areas on the site in all areas which are not paved. All existing landscaping is proposed to be retained on site. This standard is met.

16.92.020 Landscaping Materials

A. Type of Landscaping

Required landscaped areas shall include an appropriate combination of 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 verified by a landscape architect or certified landscape professional.

STAFF ANALYSIS: The proposed development includes the addition of three landscape islands in an effort to improve a preexisting non-conforming parking lot. The applicant is proposing to maintain all existing on-site landscaping. The proposed additional landscaping will ensure that 19,887 square feet, or approximately 13.3% of the overall site is landscaped.

FINDING: This standard is met.

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.**

FINDING: The proposed landscaping plan does not identify how the new landscape materials will be established and maintained in a healthy condition and sufficient size. The landscaping plans do not indicate how the topsoil or subsoil preparation will be undertaken. This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: Prior to final site plan approval submit additional information on the proposed planting and maintenance plan to ensure that the new landscape islands will be appropriately maintained.

C. Existing Vegetation

- 1. All developments subject to site plan review as per Section 16.90.020 and required to submit landscaping plans as per Section 16.92.020 shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Commission, in addition to complying with the provisions of 16.142.060.**

FINDING: The applicant has noted that they are proposing to maintain all existing landscaping; therefore, this criterion is satisfied.

D. Non-Vegetative Features

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. Impervious paving shall not be counted as landscaping. Artificial plants are prohibited in any required landscaped area.

FINDING: The proposed plans show a mixture of existing trees, shrubs and low growing ground cover. It does not appear that there are any hardscapes being proposed to be counted towards the landscape requirement, therefore this standard is met.

16.92.030 Site Area Landscaping and Perimeter Screening Standards

A. Perimeter Screening and Buffering

2. Perimeter Landscape Buffer

- a. A ten (10) foot wide landscaped strip shall be provided between off-street parking, loading, or vehicular use areas on separate, abutting, or adjacent properties.**

STAFF ANALYSIS: The site takes access from an easement across a BPA powerline easement. The parking areas long the Tualatin-Sherwood Road are provided with perimeter landscaping. Parking areas at the rear of the building are buffered from the adjacent property by a tall chainlink fence, but the applicant did not provide information to demonstrate how those parking areas are buffered from the abutting properties.

FINDING: As discussed above, the applicant has not demonstrated that this standard is satisfied in that there are parking areas at the rear of the building which have not been provided with any type of screening. Therefore, the following condition is warranted.

RECOMMENDED CONDITION: Prior to final site plan approval, the applicant shall provide a revised site/landscape plan that demonstrates perimeter landscaping is provided for the parking areas at the rear of the site.

B. Parking Area Landscaping

FINDING: The only modifications to the existing parking areas is the addition of three new landscape islands or the equivalent of about 510 square feet of landscape. All parking areas are primarily located at the front and rear of the building, and are already provided with the majority of site landscaping. However, the applicant did not provide the information needed to demonstrate compliance with the standards listed in 16.92.030.B. It appears feasible that the proposed development could satisfy this standard as conditioned below. Since the proposal is a major modification, the applicant is required to demonstrate compliance; therefore, the following condition is warranted.

RECOMMENDED CONDITION: Prior to final site plan approval, the applicant shall provide a revised site/landscape plan that demonstrates compliance with the Parking Area Landscaping Requirements of the Sherwood Zoning and Community Development Code in Section 16.92.030.B.

16.94. Off-Street Parking and Loading (relevant sections)

16.94.010 Generally

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.

STAFF ANALYSIS: The applicant is proposing to utilize the existing parking spaces on site to meet their minimum parking requirements. The applicant has indicated that there is 3,724 square feet of proposed retail, and 88,626 square feet of proposed warehousing for a total of 91,327 square feet of space. The development code requires 0.3 parking spaces per 1,000 square feet for warehouses that are 150,000 gross square feet or greater.

FINDING: In this instance, the applicant has suggested that the development is required to provide 43 parking spaces, but has provided 56 spaces, including two ADA accessible spaces. Under this provision, the applicant could request a reduction of up to 25% for required parking, but does not need it. This standard is satisfied.

16.94.020 Off-street parking standards

16.94.020.A provides the required minimum and maximum parking spaces for uses permitted by the SZCDC.

FINDING: As discussed above, the minimum parking requirements have been satisfied by the proposed development.

16.96 On-Site Circulation

16.96.010 – On-site pedestrian and bicycle circulation

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 at least 6 feet wide.

STAFF ANALYSIS: All proposed access into and along the perimeter of the site is existing. As proposed, the site provides safe, marked, and to the extent practical, convenient pedestrian access, but the site is being developed with an industrial use which already has public sidewalks into the site.

FINDING: Because the proposed use is industrial, the above criterion is not applicable.

16.96.010.D - Connection to Streets

- 1. Except for joint access as per 16.96.010, all ingress and egress to a use or parcel shall connect directly to a public street, excepting alleyways.**
- 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.**

FINDING: The proposed development will have shared/joint access to SW Tualatin Sherwood Road, a public street via an access across the BPA powerline easement, and with the industrial park located north of the site. This criterion is satisfied.

16.98.020 - Solid Waste Storage

All uses shall provide solid waste storage receptacles which are adequately sized to accommodate all solid waste generated on site. All solid waste storage areas and receptacles shall be located out of public view. Solid waste receptacles for multi-family, commercial and industrial 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: The preliminary plans are that the applicant will use the existing waste facilities on site. Pride Disposal submitted an e-mail which indicates that the existing enclosure is adequate to meet the needs of the proposed modification. This criterion is satisfied.

16.98.040 Outdoor Sales and Merchandise Display

Outdoor sales and merchandise display activities, including sales and merchandise display that is located inside when the business is closed but otherwise located outside, shall be permitted when such activities are deemed by the Commission to be a customary and integral part of a permitted commercial or industrial use.

- 1. Permanent outdoor sales and merchandise display are in use year round or in excess of four (4) months per year and require the location to be reviewed through a site plan review. They will be reviewed as conditional uses in accordance with Chapter 16.82. Permanent outdoor and merchandise display are subject to the standards outlined in subsection B, below.**

FINDING: The development includes a proposal for permanent outdoor sales and merchandise display along the sites frontage with SW Tualatin-Sherwood Blvd. Consistent with this section, a Conditional Use Permit has been requested by the applicant.

B. Standards

- 1. Outdoor sales and merchandise display areas shall be kept free of debris. Merchandise shall be stacked or arranged, or within a display structure. Display structures shall be secured and stable.**
- 2. Outdoor sales and merchandise display shall not be located within required yard, building, or landscape setbacks, except where there is intervening right-of-way of a width equal to or greater than the required setback; and shall not interfere with on-site or off-site pedestrian or vehicular circulation.**

3. **Outdoor retail sales and merchandise display areas for vehicles, boats, manufactured homes, farm equipment, and other similar uses shall be improved with asphalt surfacing, crushed rock, or other dust-free materials.**
4. **Additional standards may apply to outdoor sales and merchandise display dependent on specific restrictions in the zone.**

FINDING: The proposed outdoor merchandising is not located within any required yard area or landscape setback, and is proposed to occur on an existing asphalt surface. Keeping the site free and clear of debris and secure and stable is an on-going requirement of the development. Any instance where the site is out of compliance with these sections will warrant action by the City Code Enforcement Officer. These criteria are satisfied.

Division VII. Public Infrastructure

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.

FINDING: The site takes access from SW Tualatin-Sherwood Road. According to the City Engineer, no additional improvements or right-of-way is needed with this development. This standard is met.

B. Existing Streets

Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.

FINDING: This development will take access from an access easement connecting to SW Tualatin-Sherwood Road. According to the City Engineer, there are no public improvements needed at this time. This standard is not applicable.

16.106.030 Location

A. Generally

The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, and proposed land uses. The proposed street system shall provide adequate, convenient and safe traffic and pedestrian circulation, and intersection angles, grades, tangents, and curves shall be adequate for expected traffic volumes. Street alignments shall be consistent with solar access requirements as per Chapter 16.156, and topographical considerations.

B. Street Connectivity and Future Street Systems

1. Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-8).

STAFF ANALYSIS: As previously discussed in this report, the site will take access from an easement to Tualatin-Sherwood Road. The site is surrounded by existing development where there are no proposed extensions of any public streets.

FINDING: As discussed above, there will not be future street systems required in this location; therefore this standard is not applicable.

16.106.040 .J. Transit Facilities

Development along an existing or proposed transit route, as illustrated in Figure 7-2 in the TSP, is required to provide areas and facilities for bus turnouts, shelters, and other transit-related facilities to Tri-Met specifications. Transit facilities shall also meet the following requirements:

1. Locate buildings within 20 feet of or provide a pedestrian plaza at major transit stops.
2. Provide reasonably direct pedestrian connections between the transit stop and building entrances on the site.
3. Provide a transit passenger landing pad accessible to disabled persons (if not already existing to transit agency standards).
4. Provide an easement or dedication for a passenger shelter and underground utility connection from the new development to the transit amenity if requested by the public transit provider.
5. Provide lighting at a transit stop (if not already existing to transit agency standards).

FINDING: There are no existing or proposed transit routes adjacent to or near this site. It is not anticipated that pedestrians will be visiting the site. Transit facilities are not currently available to the site, and do not appear to be necessary for this development. This criterion is not applicable.

16.110 - Sanitary Sewers

16.110.010 Required Improvements

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.

FINDING: The site is already provided with public sanitary sewer service. The applicant will be required to obtain plumbing permits from the building division for any future plumbing improvements to the site.

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 in compliance with 16.112.

FINDING: The site is already provided with public water service. The applicant will be required to obtain plumbing permits from the building division for any future plumbing improvements to the site.

16.114 - Storm Water

16.114.010 Required Improvements

Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage system consistent with the Comprehensive Plan, the requirements of the Clean Water Services water quality regulations and section 16.114.

FINDING: The proposed development does not increase the amount of impervious surface on the site, as the majority of physical improvements will occur on the interior of the building. The site is already served by an existing water quality facility, and there is no requirement to upgrade the facility.

16.116 Fire Protection

16.116.020 Standards

A. Capacity

All fire protection facilities shall be approved by and meet the specifications of the Fire District, and shall be sized, constructed, located, and installed consistent with this Code, Chapter 7 of the Community Development Plan, and other applicable City standards, in order to adequately protect life and property in the proposed development.

B. Fire Flow

Standards published by the Insurance Services Office, entitled "Guide for Determination of Required Fire Flows" shall determine the capacity of facilities required to furnish an adequate fire flow. Fire protection facilities shall be adequate to convey quantities of water, as determined by ISO standards, to any outlet in the system, at no less than twenty (20) pounds per square inch residual pressure. Water supply for fire protection purposes shall be restricted to that available from the City water system. The location of hydrants shall be taken into account in determining whether an adequate water supply exists.

C. Access to Facilities

Whenever any hydrant or other appurtenance for use by the Fire District is required by this Chapter, adequate ingress and egress shall be provided. Access shall be in the form of an improved, permanently maintained roadway or open paved area, or any combination thereof, designed, constructed, and at all times maintained, to be

clear and unobstructed. Widths, height clearances, ingress and egress shall be adequate for District firefighting equipment. The Fire District, may further prohibit vehicular parking along private accessways in order to keep them clear and unobstructed, and cause notice to that effect to be posted.

D. Hydrants

Hydrants located along private, accessways shall either have curbs painted yellow or otherwise marked prohibiting parking for a distance of at least fifteen (15) feet in either direction, or where curbs do not exist, markings shall be painted on the pavement, or signs erected, or both, given notice that parking is prohibited for at least fifteen (15) feet in either direction.

(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 91-922, § 3; Ord. 86-851, § 3)

FINDING: The fire district comments indicate the site would need to be constructed consistent with the standards of the fire district for the proposed use. This standard can be satisfied as conditioned below.

RECOMMENDED CONDITION: Prior to the final site plan approval, provide verification that the fire department has reviewed and approved the plans for fire suppression and emergency services.

16.118. – Public and Private Utilities

16.118.020 Standards

- 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 feet in width unless a reduced width is specifically exempted by the City Engineer.**
- C. Where necessary, in the judgment of the City Manager or his designee, to provide for orderly development of adjacent properties, public and franchise utilities shall be extended through the site to the edge of adjacent property (ies).**
- D. Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.**
- E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.**
- F. Exceptions: Installation shall not be required if the development does not require any other street improvements. In those instances, the developer shall pay a fee in lieu that will finance installation when street or utility improvements in that location occur.**

STAFF ANALYSIS: The site is served by existing utilities.

FINDING: Utilities are available to the property and, as demonstrated within the plans and narrative will not be altered by the proposed development. These criteria are not applicable to the proposed development.

16.142.050. 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) inches DBH and minimum height of six (6) feet. Diameter at breast height (DBH) shall be measured as defined by the International Society of Arboriculture.
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.

FINDING: No new street trees are required for this proposal. Street trees were provided along the sites frontage with the original development. These criteria are not applicable to the proposed development since there are already street trees along the sites frontage with SW Tualatin-Sherwood Road.

16.142.060 - Trees on Property Subject to Certain Land Use Applications

All site developments subject to Section 16.92.020 shall be required to preserve trees or woodlands to the maximum extent feasible within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, as determined by the City. Review and mitigation shall be consistent with 16.142.060 A, B, C and D.

FINDING: The applicant is not proposing to remove any of the existing on-site landscaping; therefore, this criterion is not applicable to the proposed development.

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: It is not anticipated that this development would create high levels of vibration beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

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: It is not anticipated that there will be high levels of air pollution beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

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: It is not anticipated that there will be high levels of odor or unusual beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

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.

STAFF ANALYSIS: The applicant did not provide a proposed lighting plan, or speak to the site lighting within the narrative. It is likely that the only additional lighting will be placed at the proposed new man door and sidewalk along the south side of the building, and there is the potential that additional lighting would be added along the new parking provided at the rear of the site. However, there is not enough information provided to ensure that the development satisfies this standard.

FINDING: The proposed lighting plan shows two potential locations where fugitive lighting may occur on the property to the east and south of the site. The applicant did not respond, and it is not clear from the proposed plans whether or not lighting would be added or required in these areas. Therefore, the following condition is warranted.

RECOMMENDED CONDITION: Prior to final site plan approval submit a revised lighting plan showing that the lighting will not be more than 0.5 foot candle from the property onto adjacent properties.

RECOMMENDATION

Based upon review of the applicant's submittal information, review of the Code, agency comments and consideration of the applicant's revised submittal, staff finds that the proposed site plan (SP 12-07) and Conditional Use Permit (CUP 12-03) does not fully comply with the standards but can be conditioned to comply, and recommends **approval** of the requests subject to compliance with the following conditions of approval.

VI. CONDITIONS OF APPROVAL

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 dated October 3, 2012 prepared by Amerco Real Estate Company 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 outdoor storage and display area is limited to the proposed 12 parking areas shown on plan sheet SP1 dated 10/03/12, and shall not extend beyond that area without prior approval from the City of Sherwood Planning Commission as an amendment to the Conditional Use Permit.
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. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan.
7. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
8. A temporary use permit must be obtained from the Planning Department prior to placing a construction trailer on-site.
9. 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.

Prior to issuance of grading or erosion control permits from the Building Department:

1. Obtain City of Sherwood Building Department approval for any grading plans.

Prior to Final Site Plan Approval:

1. Submit the required final site plan review fee along with a brief narrative and supporting documents demonstrating how each of the final site plan conditions are met.
2. Prior to final site plan approval submit additional information on the proposed planting and maintenance plan to ensure that the new landscape islands will be appropriately maintained.
3. Prior to final site plan approval, the applicant shall provide a revised site/landscape plan that demonstrates compliance with the Parking Area Landscaping Requirements of the Sherwood Zoning and Community Development Code in Section 16.92.030.B.
4. Prior to the final site plan approval, provide verification that the fire department has reviewed and approved the plans for fire suppression and emergency services.
5. Prior to final site plan approval submit a revised lighting plan showing that the lighting will not be more than 0.5 foot candle from the property onto adjacent properties.

Prior to Issuance of a Building Permit:

1. Receive Sherwood Engineering Department approval of engineering plans for all public improvements and/or connections to public utilities (water, sewer, storm water, and streets) including compliance with all conditions specified in "Prior to approval of public improvement plans.
2. Obtain final site plan approval from the Planning Department.

Prior to Issuance of Certificate of Occupancy:

1. 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.
2. Prior to the issuance of a final Certificate of Occupancy for the site, the applicant shall provide verification to the planning department that all other appropriate department and agency concerns listed in the exhibits have been satisfied.

3. All Building Department permits must have passed final inspections and have completed Building Department Final Approval.

VII. Exhibits

- A. E-mail from Brad Crawford – Sherwood Broadband/IT Director
- B. E-mail from Jason Waters – Sherwood Engineering Department
- C. Copy of the Clean Water Services pre-screen determination
- D. Comments from John Wolf – Tualatin Valley Fire and Rescue
- E. E-mail from Naomi Vogel – Washington County Transportation and Land Services
- F. E-mail from Kristin Leichner – Pride Disposal (garbage/recyclable service provider)
- G. Comments from Rich Sattler – Sherwood Public Works Department
- H. Applicant's Materials

Bradley Kilby

From: Brad Crawford
Sent: Thursday, January 03, 2013 3:14 PM
To: Bradley Kilby
Subject: RE: New Development proposal in Sherwood off of Tualatin-Sherwood Road

Hi Brad,

I have no comments on this application.

Regards,
Brad

From: Bradley Kilby
Sent: Wednesday, December 26, 2012 3:57 PM
To: 'Wendy.S.ELSTUN@odot.state.or.us'; 'baldwinb@trimet.org'; 'rmk@nwnatural.com'; Brad Crawford; 'Charles.redon@state.or.us'; 'crbelt@bpa.gov'; Craig Sheldon; 'paulette.Copperstone@oregonmetro.gov'; 'ehays@sherwood.k12.or.us'; 'karen.mohling@tvfr.com'; 'kristinl@pridedisposal.com'; 'kurt.A.MOHS@odot.state.or.us'; 'd5b@nwnatural.com'; Bob Galati; 'raindrops2refuge@gmail.com'; 'mwerner@gwrr.com'; 'Raymond.Lambert@pgn.com'; 'Naomi_Vogel@co.washington.or.us'; 'Kevin_Rolph@kindermorgan.com'; 'r2g@nwnatural.com'; 'Seth.A.BRUMLEY@odot.state.or.us'; 'brian.harper@oregonmetro.gov'; 'stephen_roberts@co.washington.or.us'; 'steven.b.schalk@odot.state.or.us'; 'john.wolff@tvfr.com'; Andrew Stirling; 'humphreysj@CleanWaterServices.org'; 'tumpj@trimet.org'; 'spieringm@CleanWaterServices.org'; 'Region1DEVREVAApplications@odot.state.or.us'; 'Paulette.Copperstone@oregonmetro.gov'; Jason Waters; Richard Sattler; Craig Sheldon
Cc: Julia Hajduk; Kirsten Allen; Stephanie Guediri
Subject: New Development proposal in Sherwood off of Tualatin-Sherwood Road

Good afternoon all,

I am attaching plans and a request for comments for an expansion within an existing building along with a proposal for outdoor storage. Please have comments back to me no later than January 9, 2013. Thank you.

Brad Kilby, AICP, Senior Planner
22560 SW Pine Street
Sherwood, Oregon 97140
503-625-4206



Please consider the environment before printing this e-mail.

Bradley Kilby

From: Jason Waters
Sent: Thursday, January 10, 2013 9:22 AM
To: Bradley Kilby
Cc: Bob Galati; Stephanie Guediri
Subject: RE: New Development proposal in Sherwood off of Tualatin-Sherwood Road

Brad,

The site plan cover sheet indicates the project will not convert any pervious surfaces to impervious. If that's the case they will not need to bring their public infrastructure and private WQF into compliance with current standards, but they will need to ensure the water quality facility are functioning and plants are in good condition. Here are some items to note; let me know if you want to discuss things further:

- Applicant must obtain a valid Trip Allocation Certificate
- Gross floor area increases, therefore SDC/TDT will need to be recalculated
- Existing water quality facilities must be maintained and brought into compliance with the original design
- Access & maintenance covenant must be established for the private water quality facilities
- Public water easement must be established around existing water meters and fire flow vaults, if not already in place
- Reciprocal access easement/agreement with Blakeslee Properties, LLC should be provided to assure the site has legal access to Tualatin-Sherwood Road
- City grading & erosion control permit will be required for the 510sf of landscaping

Please let me know if anything changes related to converting pervious surfaces to impervious, even if it's gravel. I recall some discussion about putting some gravel down along the right side of the building, but did not see that on the site plan.

Thanks,
Jason

Jason Waters
City of Sherwood
503-925-2304
watersj@sherwoodoregon.gov

From: Bradley Kilby
Sent: Wednesday, December 26, 2012 3:57 PM
To: 'Wendy.S.ELSTUN@odot.state.or.us'; 'baldwinb@trimet.org'; 'rmk@nwnatural.com'; Brad Crawford; 'Charles.redon@state.or.us'; 'crbelt@bpa.gov'; Craig Sheldon; 'paulette.Copperstone@oregonmetro.gov'; 'ehays@sherwood.k12.or.us'; 'karen.mohling@tvfr.com'; 'kristinl@pridedisposal.com'; 'kurt.A.MOHS@odot.state.or.us'; 'd5b@nwnatural.com'; Bob Galati; 'raindrops2refuge@gmail.com'; 'mwerner@gwrr.com'; 'Raymond.Lambert@pgn.com'; 'Naomi_Vogel@co.washington.or.us'; 'Kevin_Rolph@kindermorgan.com'; 'r2g@nwnatural.com'; 'Seth.A.BRUMLEY@odot.state.or.us'; 'brian.harper@oregonmetro.gov'; 'stephen_roberts@co.washington.or.us'; 'steven.b.schalk@odot.state.or.us'; 'john.wolff@tvfr.com'; Andrew Stirling; 'humphreysj@CleanWaterServices.org'; 'tumpj@trimet.org'; 'spieringm@CleanWaterServices.org'; 'Region1DEVREVApplications@odot.state.or.us'; 'Paulette.Copperstone@oregonmetro.gov'; Jason Waters; Richard Sattler; Craig Sheldon
Cc: Julia Hajduk; Kirsten Allen; Stephanie Guediri
Subject: New Development proposal in Sherwood off of Tualatin-Sherwood Road

Good afternoon all,

EXHIBIT B

I am attaching plans and a request for comments for an expansion within an existing building along with a proposal for outdoor storage. Please have comments back to me no later than January 9, 2013. Thank you.

Planning Commission Packet
February 12, 2013

Brad Kilby, AICP, Senior Planner
22560 SW Pine Street
Sherwood, Oregon 97140
503-625-4206



Please consider the environment before printing this e-mail.



Clean Water Services File Number

12-002113

Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: <u>Washington County</u> <u>City of Tualatin</u>	
2. Property Information (example 1S234AB01400) Tax lot ID(s): _____ _____ _____ Site Address: <u>13921 SW Tualatin Sherwood road</u> City, State, Zip: <u>Sherwood, or. 13921</u> Nearest Cross Street: _____	3. Owner Information Name: <u>Amerco real estate company</u> Company: <u>Amerco real estate company</u> Address: <u>2727 n central ave.</u> City, State, Zip: <u>Phoenix, Alzheimer's. 85004</u> Phone/Fax: <u>602-263-6502 / 602-277-1026</u> E-Mail: <u>David_pollock@uhaul.com</u>
4. Development Activity (check all that apply) <input type="checkbox"/> Addition to Single Family Residence (rooms, deck, garage) <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Minor Land Partition <input type="checkbox"/> Residential Condominium <input type="checkbox"/> Commercial Condominium <input type="checkbox"/> Residential Subdivision <input type="checkbox"/> Commercial Subdivision <input type="checkbox"/> Single Lot Commercial <input type="checkbox"/> Multi Lot Commercial Other _____ <u>Industrial warehouse</u>	5. Applicant Information Name: <u>David pollock</u> Company: _____ Address: _____ City, State, Zip: _____ Phone/Fax: <u>6022636502/6022771026</u> E-Mail: <u>David_pollock@uhaul.com</u>

6. Will the project involve any off-site work? Yes No Unknown
 Location and description of off-site work: _____

7. Additional comments or information that may be needed to understand your project _____
Interior tenant improvements to an existing building.

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name David pollock **Print/Type Title** _____

ONLINE SUBMITTAL **Date** 9/7/2012

FOR DISTRICT USE ONLY

Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.

Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.

Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.

This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached.

The proposed activity does not meet the definition of development or the lot was platted after 9/9/66 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED. Interior improvements only

Reviewed by Laurie Harris **Date** By Laurie Harris at 2:28 pm, Sep 13, 2012



NOTICE OF APPLICATION AND REQUEST FOR COMMENTS

Notice Date:
Please submit comments by:

December 26, 2012
January 9, 2013

Notice is hereby given that a hearing is tentatively scheduled with the City of Sherwood Planning Commission on February 12, 2013 to consider the following application. Known as SP 12-07/CUP 12-03, the project is located on SW Tualatin-Sherwood Road, and will be known as the U-haul Moving and Storage expansion proposal for the purposes of commenting.

Case File No.: SP 12-07/ CUP 12-03 Tax Map/Lot: 2S128BD 00500

Property Location: 13921 SW Tualatin-Sherwood Road

Applicant/
Property Owner: Amerco Real Estate
2727 N. Central Avenue
Phoenix, AZ 85004

Property Owner's
Representative: David Pollock

Staff Contact: Brad Kilby, Senior Planner 503-625-4206
kilbyb@sherwoodoregon.gov

Proposal: the application is a proposal to make interior modifications to an existing building to increase the floor area from 54,024 square feet to 80,061 square feet for both climate, and non-climate controlled storage lockers. The applicant is also requesting a Conditional Use Permit for outdoor display. The property is zoned General Industrial (GI).

Applicable Code Criteria: Sherwood Zoning and Community Development Code, 16.31 (Industrial Land Use Districts); 16.58.010 (Clear Vision), 16.82 (Conditional Uses); 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-Street Parking and Loading), 16.96 (On-Site Circulation); 16.98 (On-site Storage), All of Division VI - 16.104-16.118 (Public Improvements), 16.140 (Solid Waste); 16.142 (Parks and Open Space), 16.146 (Noise), 16.48 (Vibrations), 16.150 (Air Quality), 16.52 (Odors), 16.154 (Heat and Glare); 16.156 (Energy Conservation).

COMMENTS – U-haul Moving and Storage Expansion

- No comment.
- We encourage approval of this request.
- Please address the following concerns should this application be approved:

See attached

- We encourage denial of this request for the following reasons:

Please feel free to attach additional sheets as needed to complete your comments.

Comments by: John WOLFF
Address: TWR+R
COMMAND CENTER

Date: 1-17-13
Tel.: _____ (optional)
Email: _____



January 17, 2013

David Pollock
U-Haul
2727 N Central Ave
Phoenix AR

Re: U-Haul Proposed Re-use Development

Dear David,

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. Tualatin Valley Fire & Rescue endorses this proposal predicated on the following criteria and conditions of approval:

- 1) **FIRE APPARATUS ACCESS ROAD DISTANCE FROM BUILDING AND TURNAROUNDS:** 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. ***Maintain current building fire department access.*** (OFC 503.1.1)
- 2) **ADDITIONAL ACCESS ROADS – COMMERCIAL:** Where buildings exceed 30 feet in height or three stories in height shall have at least two separate means of fire apparatus access. Buildings or facilities having a gross area of more than 62,000 square feet shall be provided with at least two separate means of fire apparatus access. Buildings up to 124,000 square feet provided with fire sprinklers may have a single access. (OFC D104).
- 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) ***Maintain current fire department access.***

Note: When serving two or less dwelling units and accessory buildings, the driving surface may be reduced to 12 feet, although the unobstructed width shall be 20 feet. Turning radii for curves and turnarounds on reduced width roads shall be not less than 28 feet and 48 feet respectively, measured from the same center point.

- 4) **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet. (OFC D103.1)
- 5) **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. Roads 26 feet wide or less shall be posted on both sides as a fire lane. Roads more than 26 feet wide to 32 feet wide shall be posted on one side as a fire lane. 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)
- 6) **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 60,000 pounds live load (gross vehicle weight). You may need to provide



documentation from a registered engineer that the design will be capable of supporting such loading. (OFC D102.1)

- 7) **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red and marked "NO PARKING FIRE LANE" at approved intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background. (OFC 503.3)
- 8) **GATES:** Gates securing fire apparatus roads shall comply with all of the following: Minimum unobstructed width shall be 16 feet, or two 10 foot sections with a center post or island. Gates serving one- or two-family dwellings shall be a minimum of 12 feet in width. Gates shall be set back at minimum of 30 feet from the intersecting roadway. Gates shall be of the swinging or sliding type. Manual operation shall be capable by one person. Electric automatic gates shall be equipped with a means for operation by fire department personnel. Locking devices shall be approved. Electric automatic gates shall comply with ASTM 220-5 and UL 325. (OFC D103.6) **Removable bollards are not an approved alternate to a swinging gate.**
- 9) **COMMERCIAL BUILDINGS - REQUIRED FIRE FLOW:** The required fire flow for the building shall not exceed 3,000 gallons per minute (GPM) or the available GPM in the water delivery system at 20 psi, whichever is less as calculated using IFC, Appendix B. A worksheet for calculating the required fire flow is available from the Fire Marshal's Office. (OFC B105.3) **Please provide a current fire flow test of the nearest fire hydrant demonstrating available flow at 20 psi residual pressure as well as fire flow calculation worksheets. Please forward copies to both TVF&R as well as The City of Sherwood. Fire flow calculation worksheets as well as instructions are available on our web site at www.tvfr.com.**
- 10) **FIRE HYDRANT NUMBER AND DISTRIBUTION:** The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Appendix C, Table C 105.1.

Considerations for placing fire hydrants may be as follows:

- 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.
 - 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 code official.
 - 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 only as approved by the fire code official.
 - 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 code official.
- 11) **PRIVATE FIRE HYDRANTS:** To distinguish private fire hydrants from public fire hydrants, private fire hydrants shall be painted red. (OFC 507.2.1, NFPA 24 & 291)
 - 12) **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway. (OFC C102.1)
 - 13) **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access road way that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (OFC 510.1)
 - 14) **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)



- 15) **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)
- 16) **FIRE HYDRANT/FIRE DEPARTMENT CONNECTION:** A fire hydrant shall be located within 100 feet of a fire department connection (FDC). Fire hydrants and FDCs shall be located on the same side of the fire apparatus access roadway and or drive aisle. FDCs shall normally be remote except when approved by the fire code official. Fire sprinkler FDCs shall be plumbed to the fire sprinkler riser downstream of all control valves. Each FDC shall be equipped with a metal sign with 1 inch raised letters and shall read, "AUTOMATIC SPRINKLERS OR STANDPIPES" or a combination there of as applicable. (OFC 912.2)
- 17) **ACCESS AND FIRE FIGHTING WATER SUPPLY DURING CONSTRUCTION:** Approved fire apparatus access roadways and fire fighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 1410.1 & 1412.1)
- 18) **KNOX BOX:** A Knox Box for building access is required for this building. Please contact the Fire Marshal's Office for an order form and instructions regarding installation and placement. (OFC 506.1)
- 19) **PREMISES IDENTIFICATION:** 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. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet numbers. Numbers shall be a minimum of 4 inches high with a ½ inch stroke. (OFC 505.1)
- 20) **FIRE DEPARTMENT ACCESS TO EQUIPMENT:** Fire protection equipment shall be identified in an approved manner. Rooms containing controls for HVAC, fire sprinklers risers and valves or other fire detection, suppression or control features shall be identified with approved signs. (OFC 509.1)

If you have questions or need further clarification, please feel free to contact me at 503-259-1504.

Sincerely,

A handwritten signature in cursive script that reads 'John Wolff'.

John Wolff
Deputy Fire Marshal

Copy:
Brad Kilby – City of Sherwood
TVFR- File



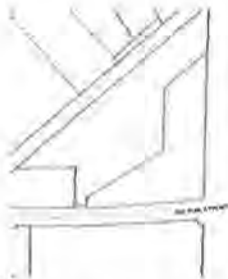
WASHINGTON COUNTY, OREGON

Department of Land Use and Transportation, Operations & Maintenance Division
1400 SW Walnut Street, MS 51, Hillsboro, Oregon 97123-5625
(503) 846-7623 · FAX: (503) 846-7620

January 9, 2013

Brad Kilby, Senior Planner
City of Sherwood
Planning Division
20 NW Washington
Sherwood, OR 97140
No. of pages: 1

RE: **Uhaul Expansion**
City File Number: **SP 12-07/CUP 12-03**
Tax Map and Lot Number: **2S1 28BD 500**
Location: **13921 SW Tualatin-Sherwood Road**



Washington County Department of Land Use and Transportation has received notice of the above noted application. Based on the information included in the development application, including the CAP Trip Analysis (October 6, 2012), improvements to SW Tualatin-Sherwood Road are not warranted at this time. If any work is required within SW Tualatin-Sherwood Road right-of-way, a Right of Way permit must be obtained prior to the commencement of any work.

Thank you for the opportunity to comment. If you have any questions, please contact me at 503-846-7639.


Naomi Vogel
Associate Planner

Bradley Kilby

From: Kristin Leichner <kristinl@pridedisposal.com>
Sent: Wednesday, January 02, 2013 3:17 PM
To: Bradley Kilby
Subject: RE: New Development proposal in Sherwood off of Tualatin-Sherwood Road

Brad,

We have no comments on this change as it will not affect our collection.

Kristin Leichner
Office Manager
Pride Disposal Co.
(503) 625-6177

From: Bradley Kilby [mailto:KilbyB@SherwoodOregon.gov]
Sent: Wednesday, December 26, 2012 3:57 PM
To: 'Wendy.S.ELSTUN@odot.state.or.us'; 'baldwinb@trimet.org'; 'rmk@nwnatural.com'; Brad Crawford; 'Charles.redon@state.or.us'; 'crbelt@bpa.gov'; Craig Sheldon; 'paulette.Copperstone@oregonmetro.gov'; 'ehays@sherwood.k12.or.us'; 'karen.mohling@tvfr.com'; Kristin Leichner; 'kurt.A.MOHS@odot.state.or.us'; 'd5b@nwnatural.com'; Bob Galati; 'raindrops2refuge@gmail.com'; 'mwerner@gwrr.com'; 'Raymond.Lambert@pgn.com'; 'Naomi_Vogel@co.washington.or.us'; 'Kevin_Rolph@kindermorgan.com'; 'r2g@nwnatural.com'; 'Seth.A.BRUMLEY@odot.state.or.us'; 'brian.harper@oregonmetro.gov'; 'stephen_roberts@co.washington.or.us'; 'steven.b.schalk@odot.state.or.us'; 'john.wolff@tvfr.com'; Andrew Stirling; 'humphreysj@CleanWaterServices.org'; 'tumpj@trimet.org'; 'spieringm@CleanWaterServices.org'; 'Region1DEVREVApplications@odot.state.or.us'; 'Paulette.Copperstone@oregonmetro.gov'; Jason Waters; Richard Sattler; Craig Sheldon
Cc: Julia Hajduk; Kirsten Allen; Stephanie Guediri
Subject: New Development proposal in Sherwood off of Tualatin-Sherwood Road

Good afternoon all,

I am attaching plans and a request for comments for an expansion within an existing building along with a proposal for outdoor storage. Please have comments back to me no later than January 9, 2013. Thank you.

Brad Kilby, AICP, Senior Planner
22560 SW Pine Street
Sherwood, Oregon 97140
503-625-4206



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This email may contain confidential information or privileged material and is intended for use solely by the above referenced recipient. Any review, copying, printing, disclosure, distribution, or other use by any other person or entity is strictly prohibited and may be illegal. If you are not the named recipient, or believe you have received this email in error, please immediately notify the City of Sherwood at (503) 625-5522 and delete the copy you received.

-Site does not appear to have adequate backflow protection on the domestic water service, the existing double check valve assembly at the meter is not commensurate with the degree of hazard (area in back of building has a pump system for detailing cars). Install Reduced Pressure Principle Backflow Assembly at the point of connection to the pump system, remove use of pump or install a Reduced Pressure Principle Backflow Assembly at the water meter.

-Site does not appear to have adequate backflow prevention on the fire suppression system, the existing Double Detector Backflow Assembly is not commensurate with the degree of hazard (an anti-freeze loop existing within the building). Install a Reduced Pressure Principle Backflow Assembly at the point of connection to the anti-freeze loop or install a Reduced Pressure Principle Backflow Assembly at the property line. Ensure that an adequate drain line is supplied to the relief port of the backflow assembly.

-We are unable to locate a storm water report for the site, provide. Site detention pond does not have all of the plumbing connected. Offsite swale on adjacent proper does not appear to have easement for maintenance and is in need of repair (vegetation of swale is sparse, inlet is submerged). Site does not have a maintenance agreement for the swale.

-Will access to west and north side of building be gated? If so how will the City be granted access during all hours to maintain the sanitary sewer system?



Home of the Tualatin River National Wildlife Refuge

Case No. _____
Fee _____
Receipt # _____
Date _____
TYPE _____

**City of Sherwood
Application for Land Use Action**

Type of Land Use Action Requested: (check all that apply)

- Annexation
- Plan Amendment (Proposed Zone _____)
- Variance (list standard(s) to be varied in description)
- Site Plan (Sq. footage of building and parking area)
- Planned Unit Development
- Conditional Use
- Partition (# of lots _____)
- Subdivision (# of lots _____)
- Other: _____

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at www.sherwoodoregon.gov. Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: DAVID Pollock / UHAUL Phone: 503-213-6502
 Applicant Address: 2747 N CENTRAL AVE, Box 12 Email: david.pollock@UHAUL.com
 Owner: Amerco Real Estate Co. Phone: 503-213-6502
 Owner Address: 2727 N CENTRAL, Box 12 Email: HA
 Contact for Additional Information: DAVID Pollock

Property Information:

Street Location: 13921 S.W. Tualatin-Sherwood Rd.
 Tax Lot and Map No: 400 / 251 2800
 Existing Structures/Use: WAREHOUSE / AUTO REPAIR
 Existing Plan/Zone Designation: G1
 Size of Property(ies) 3.25 ac / 14,173 SF

Proposed Action:

Purpose and Description of Proposed Action: Major Modification to Site
Plant - Type IV Process and Conditional
Use for "outdoor sales & Merchandise
Display" - Type III Process
 Proposed Use: SELF STORAGE, Equip. Rental, Retail and
Warehouse
 Proposed No. of Phases (one year each): 2

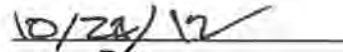
LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.


Applicant's Signature


Date


Owner's Signature


Date

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

- 3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property).
- Copy of Deed** to verify ownership, easements, etc.
- At least 3 * folded sets of plans**
- At least 3 * sets of narrative** addressing application criteria
- Fee** (along with calculations utilized to determine fee if applicable)
- Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)
- Signed checklist** verifying submittal includes specific materials necessary for the application process

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

30
31
3,600

APN:

Statutory Warranty Deed
- continued

File No.: NCS-526484-ATL (mp)



After recording return to:
Amerco Real Estate Company
13921 SW Tualatin-Sherwood Road
Sherwood, OR

Until a change is requested all tax
statements shall be sent to the
following address:
Amerco Real Estate Company
13921 SW Tualatin-Sherwood Road
Sherwood, OR

File No.: NCS-526484-ATL (mp)
Date: May 07, 2012

THIS SPACE RESERVED FOR RECORDER'S USE



WASHINGTON COUNTY
REAL PROPERTY TRANSFER TAX
\$ 3,600.⁰⁰ 5-9-12
FEE PAID DATE

STATUTORY WARRANTY DEED

Tercek Properties, LLC, an Oregon limited liability company, Grantor, conveys and warrants to Amerco Real Estate Company, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

LEGAL DESCRIPTION: Real property in the County of Washington, State of Oregon, described as follows: SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$3,600,000.00** paid to an accommodator pursuant to an IRC 1031 exchange. (Here comply with requirements of ORS 93.030)

FATCO. NO. NCS 526484-

APN:

Statutory Warranty Deed
- continued

File No.: NCS-526484-ATL (mp)

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 8 day of May, 2012.

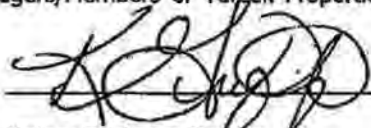
Tercek Properties, LLC, an Oregon limited liability company


By: James Tercek, Manager/Member


By: John Tercek, Manager/Member

STATE OF Oregon)
County of Multnomah) ss.

This instrument was acknowledged before me on this 8th day of May, 2012 by John Tercek and James Tercek as Menegers/Members of Tercek Propertfes, LLC, on behalf of the limited liability company.


Notary Public for Oregon
My commission expires: May 26, 2012



APN:

Statutory Warranty Deed
- continued

File No.: NCS-526484-ATL (mp)

EXHIBIT "A"

PARCEL I:

A TRACT OF LAND IN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF SHERWOOD, COUNTY OF WASHINGTON AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

**BEGINNING AT THE CENTER OF SAID SECTION; THENCE ALONG THE EAST-WEST CENTER SECTION LINE, SOUTH 89°31'42" WEST A DISTANCE OF 1,081.45 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;
THENCE NORTH 0°28'18" WEST A DISTANCE OF 107.34 FEET TO AN IRON ROD;
THENCE NORTH 57°11'12" EAST A DISTANCE OF 288.16 FEET TO A POINT;
THENCE SOUTH 0°28'18" EAST A DISTANCE OF 261.49 FEET MORE OR LESS TO A POINT ON SAID EAST-WEST CENTER SECTION LINE;
THENCE SOUTH 89°31'42" WEST A DISTANCE OF 243.46 FEET TO THE TRUE POINT OF BEGINNING.**

EXCEPTING THEREFROM THAT PORTION LYING SOUTHERLY OF THE NORTHERLY LINE OF RELOCATED TUALATIN SHERWOOD ROAD.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

PARCEL II:

A TRACT OF LAND IN THE NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 1 WEST, OF THE WILLAMETTE MERIDIAN, IN THE CITY OF SHERWOOD, COUNTY OF WASHINGTON AND STATE OF OREGON, DESCRIBED AS FOLLOWS:

**BEGINNING AT THE CENTER OF SAID SECTION;
THENCE ALONG THE EAST-WEST CENTER SECTION LINE, SOUTH 89°31'42" WEST A DISTANCE OF 837.99 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;
THENCE NORTH 0°28'18" WEST A DISTANCE OF 261.49 FEET TO A POINT;
THENCE NORTH 57°11'12" EAST A DISTANCE OF 85.79 FEET TO AN IRON ROD;
THENCE NORTH 0°33'20" WEST A DISTANCE OF 265.81 FEET TO AN IRON ROD;
THENCE NORTH 47°19'40" EAST A DISTANCE OF 380.71 FEET TO AN IRON ROD;
THENCE SOUTH 0°33'20" EAST A DISTANCE OF 828.93 FEET TO A POINT ON SAID EAST-WEST CENTER SECTION LINE;
THENCE SOUTH 89°31'42" WEST A DISTANCE OF 355.34 FEET TO THE TRUE POINT OF BEGINNING.**

EXCEPTING THEREFROM THAT PORTION WITHIN THE BONNEVILLE POWER

APN:

Statutory Warranty Deed
- continued

File No.: NCS-526484-ATL (mp)

ADMINISTRATION ELECTRIC TRANSMISSION LINE RIGHT OF WAY, 100 FEET IN WIDTH, AS DESCRIBED IN INSTRUMENT RECORDED MAY 22, 1939 IN DEED BOOK 180, PAGE 0501, WASHINGTON COUNTY DEED RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION LYING SOUTHERLY OF THE NORTHERLY LINE OF RELOCATED TUALATIN SHERWOOD ROAD.

THE LEGAL DESCRIPTION WAS CREATED PRIOR TO JANUARY 01, 2008.

PARCEL III:

AN EASEMENT FOR INGRESS AND EGRESS AS SET FORTH IN DEED TO JERRY BULLOCK AS RECORDED DECEMBER 20, 1988 AS FEE NO. 88-056659, AND DESCRIBED AS FOLLOWS:

A TRACT OF LAND SITUATE IN THE SOUTHEAST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER, SECTION 28, TOWNSHIP 2 SOUTH, RANGE 1 WEST OF THE WILLAMETTE MERIDIAN IN THE COUNTY OF WASHINGTON AND STATE OF OREGON, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

**BEGINNING AT A 5/8-INCH IRON ROD AT THE CENTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 1 WEST, WILLAMETTE MERIDIAN, WASHINGTON COUNTY, OREGON; THENCE ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 28, SOUTH 89°31'42" WEST A DISTANCE OF 357.24 FEET TO THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;
THENCE CONTINUING ALONG SAID EAST-WEST CENTERLINE OF SECTION 28, SOUTH 89°31'42" WEST A DISTANCE OF 125.41 FEET, SAID POINT BEING SOUTH 00°33'20" EAST A DISTANCE OF 18.52 FEET FROM A 5/8-INCH IRON ROD ON THE NORTHERLY RIGHT-OF-WAY LINE OF EDY ROAD, ALSO KNOWN AS ROCK CREEK ROAD;
THENCE LEAVING SAID EAST-WEST CENTERLINE OF SECTION 28, NORTH 00°33'20" WEST A DISTANCE OF 737.30 FEET TO A POINT, SAID POINT BEARS SOUTH 00°33'20" EAST A DISTANCE OF 280.36 FEET FROM A 5/8-INCH IRON ROD ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF THE SOUTHERN PACIFIC COMPANY;
THENCE NORTH 89°34'51" EAST A DISTANCE OF 127.17 FEET TO A POINT ON THE EAST LINE OF THAT PORTLAND GENERAL ELECTRIC COMPANY TRANSMISSION LINE EASEMENT RECORDED MARCH 26, 1963 IN BOOK 483, PAGE 0289, WASHINGTON COUNTY DEED RECORDS, SAID POINT BEARS NORTH 00°25'09" WEST A DISTANCE OF 718.28 FEET FROM A 5/8-INCH IRON ROD ON THE NORTHERLY RIGHT-OF-WAY LINE OF EDY ROAD;
THENCE SOUTH 00°25'09" EAST ALONG SAID PORTLAND GENERAL ELECTRIC COMPANY EAST LINE A DISTANCE OF 737.19 FEET TO THE TRUE POINT OF BEGINNING.**

PARCEL IV:

AN EASEMENT FOR INGRESS AND EGRESS FOR CUSTOMARY AGRICULTURAL PURPOSES AND WATER LINES, EXCEPT AS THEREIN LIMITED AS SET FORTH IN EASEMENT DEED TO A. S. PETERSON AND EFFLE PETERSON, HUSBAND AND WIFE DATED SEPTEMBER 03, 1940 AND RECORDED JANUARY 14, 1969 IN BOOK 729, PAGE 0903, AND DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING ALL THAT PORTION OF THAT PROPERTY LYING IN THE

APN:

Statutory Warranty Deed
- continued

File No.: NCS-526484-ATL (mp)

**NORTHWEST ONE-QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 1 WEST,
WILLAMETTE MERIDIAN, WASHINGTON COUNTY OREGON, DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT ON THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID
SECTION 28, WHICH SAID BEGINNING POINT BEARS 405.7 FEET SOUTH 89°44' WEST FROM
THE CENTER OF SAID SECTION 28;**

**THENCE RUNNING ON A LINE PARALLEL WITH THE EAST LINE OF THE NORTHWEST ONE-
QUARTER OF SAID SECTION 28 NORTH 0°10' EAST 1101.0 FEET TO THE SOUTHERLY
BOUNDARY OF THE P. AND W. V. RY. (NOW SOUTHERN PACIFIC) RIGHT-OF-WAY
BOUNDARY;**

**THENCE ALONG SAID RIGHT- OF-WAY BOUNDARY SOUTH 47°18' WEST 1633.5 FEET TO
INTERSECTION OF SAID RIGHT-OF-WAY BOUNDARY WITH THE SOUTH LINE OF THE
NORTHWEST ONE-QUARTER OF SAID SECTION 28;**

**THENCE NORTH 89°44' EAST 1197.3 FEET TO THE PLACE OF BEGINNING, WHICH LIES
WITHIN A STRIP OF LAND 100 FEET IN WIDTH OF WHICH 75.0 FEET LIE ON THE WESTERLY
SIDE OF AND 25.0 FEET LIE ON THE EASTERLY SIDE OF THE VANCOUVER-EUGENE
TRANSMISSION LINE SURVEY.**

SAID SURVEY LINE BEING LOCATED AS FOLLOWS:

**BEGINNING AT A POINT WHICH IS THE INTERSECTION OF SAID SURVEY LINE WITH THE
NORTH LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 28, SAID POINT BEING
SOUTH 89°30'30" WEST ALONG SAID NORTH LINE, A DISTANCE OF 524.12 FEET FROM THE
QUARTER SECTION CORNER COMMON TO SECTIONS 21 AND 28, TOWNSHIP 2 SOUTH,
RANGE 1 WEST, WILLAMETTE MERIDIAN;**

**THENCE RUNNING SOUTH 0°31'30" EAST A DISTANCE OF 3135 FEET TO AN ANGLE POINT;
THENCE SOUTH 44°34'00" EAST A DISTANCE OF 2987.49 FEET TO A POINT ON THE SOUTH
LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 28, SAID POINT BEING SOUTH
89°25'45" WEST ALONG SAID SOUTH LINE A DISTANCE OF 1037.27 FEET FROM THE
SECTION CORNER COMMON TO SECTIONS 28, 27, 33 AND 34, TOWNSHIP 2 SOUTH, RANGE
1 WEST, WILLAMETTE MERIDIAN.**

Washington County, Oregon
05/09/2012 02:45:44 PM
D-DW Cnt=1 Stn=7 K GRUNEWALD
\$30.00 \$5.00 \$11.00 \$15.00 \$3,600.00 - Total = \$3,661.00

2012-037656

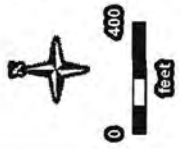


01704408201200376650060061

I, Richard Hobarnicht, Director of Assessment and
Taxation and Ex-Officio County Clerk for Washington
County, Oregon, do hereby certify that the within
Instrument of writing was received and recorded in the
book of records of said county.



Richard Hobarnicht
Richard Hobarnicht, Director of Assessment and
Taxation, Ex-Officio County Clerk



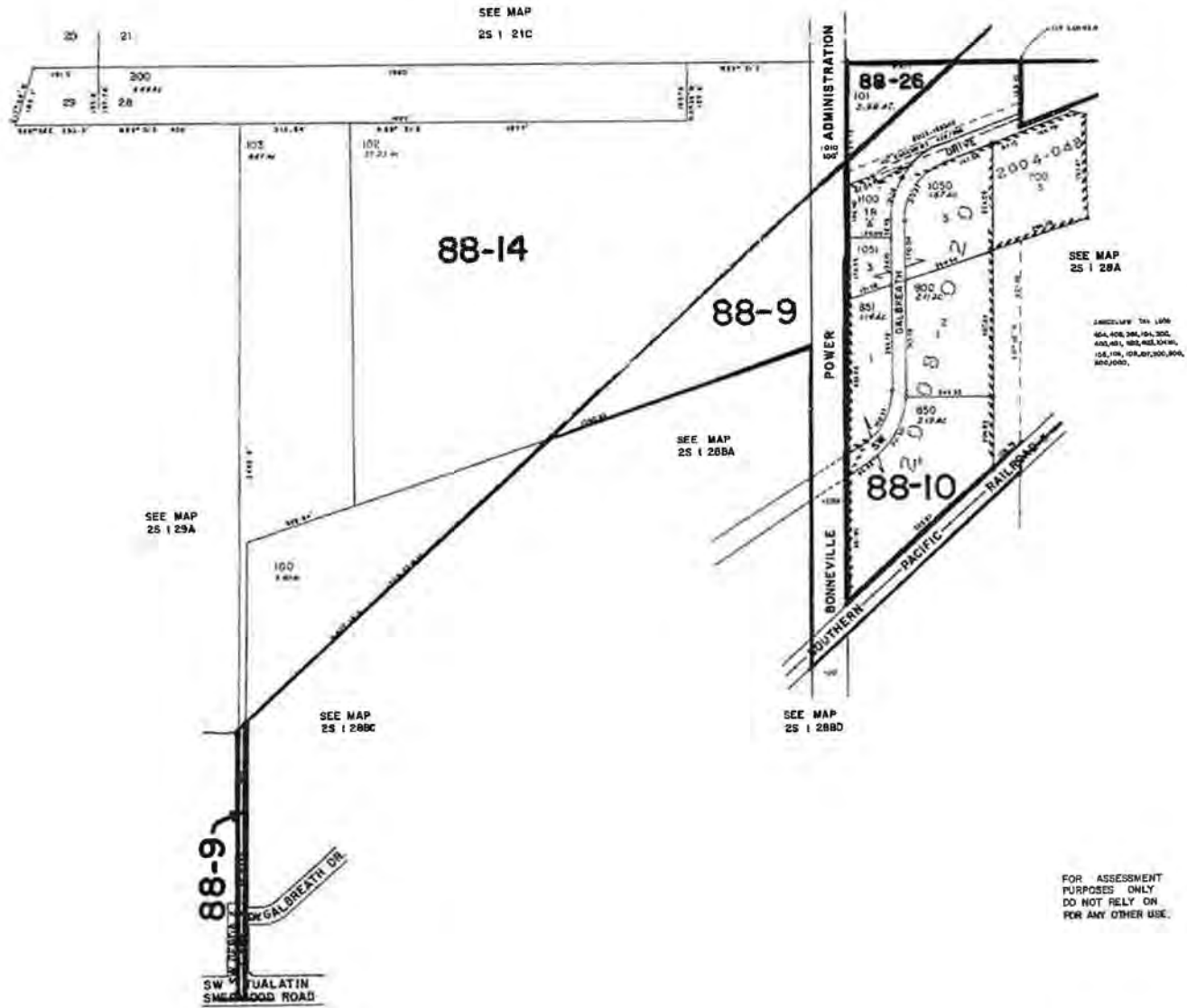
This information is deemed reliable but not guaranteed

**13821 SW Tualatin-Sherwood Rd
(1000' Radius Search)**

- Tracts
- Subject
- 1000' Parcel
- 1000' Radius

2S | 28B

NW1/4 SECTION 28 T2S R1W W.M.
WASHINGTON COUNTY OREGON
SCALE 1"=200'



ff

SHERWOOD
2S | 28B

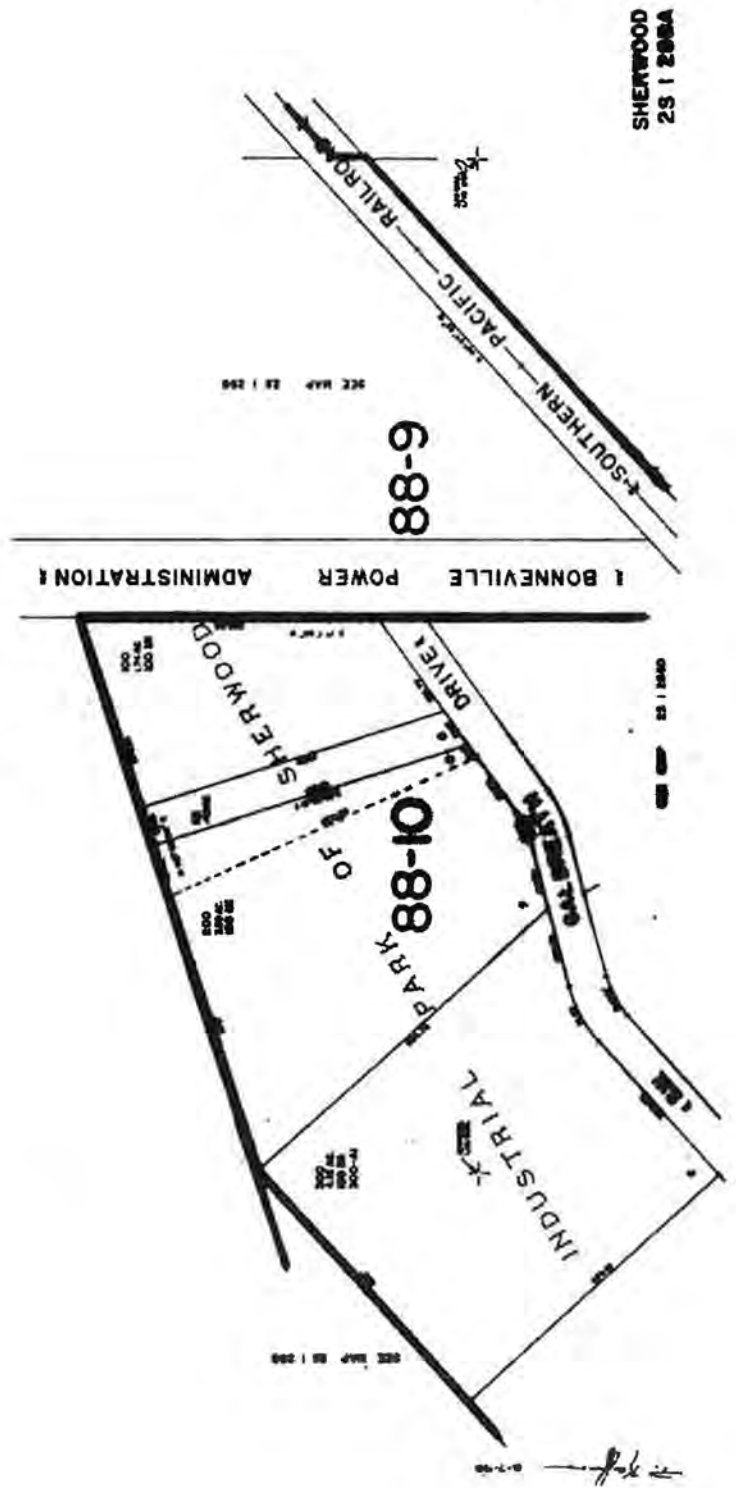
23 1 288A
SHERWOOD

APPROVED:
1/4 DOC

NE 1/4 NW 1/4 SECTION 28 T 2 S R 1 W W.M.
WASHINGTON COUNTY
SCALE 1" = 100'

FOR ASSESSMENT PURPOSES
ONLY. DO NOT RELY ON
FOR ANY OTHER USE.

SEE MAP 28 1 288

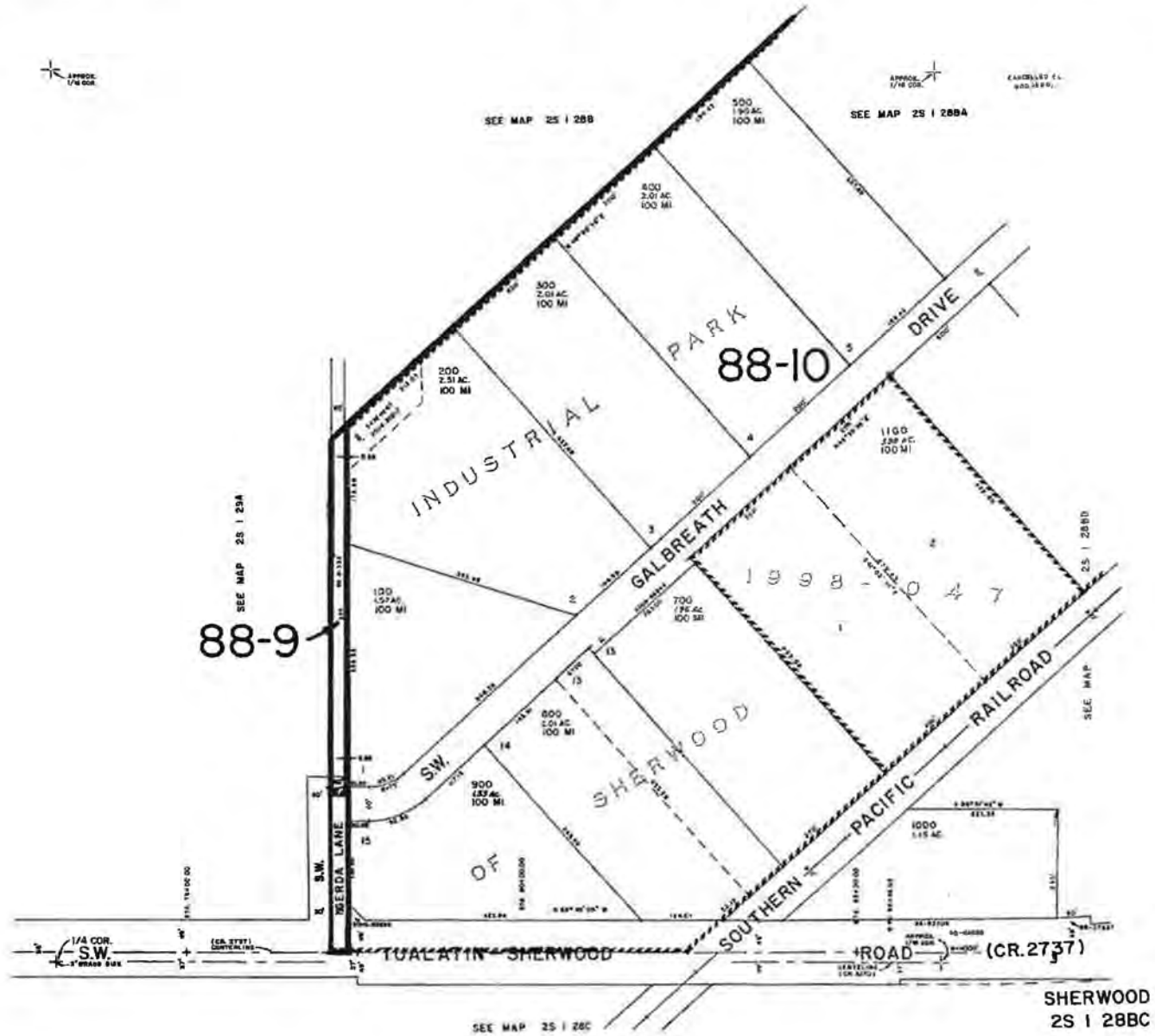


SHERWOOD
23 1 288A

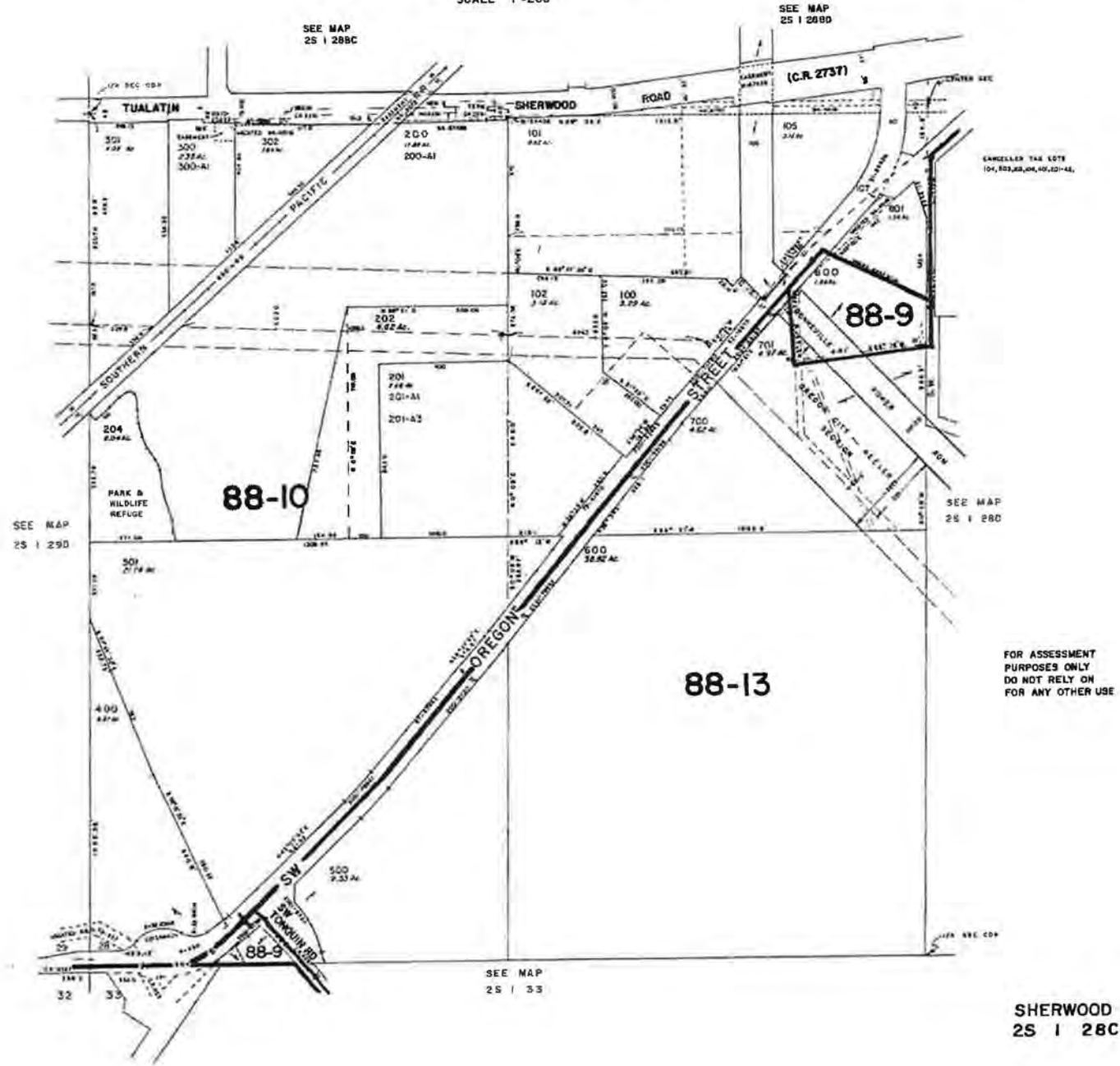
2S | 28BC
SHERWOOD

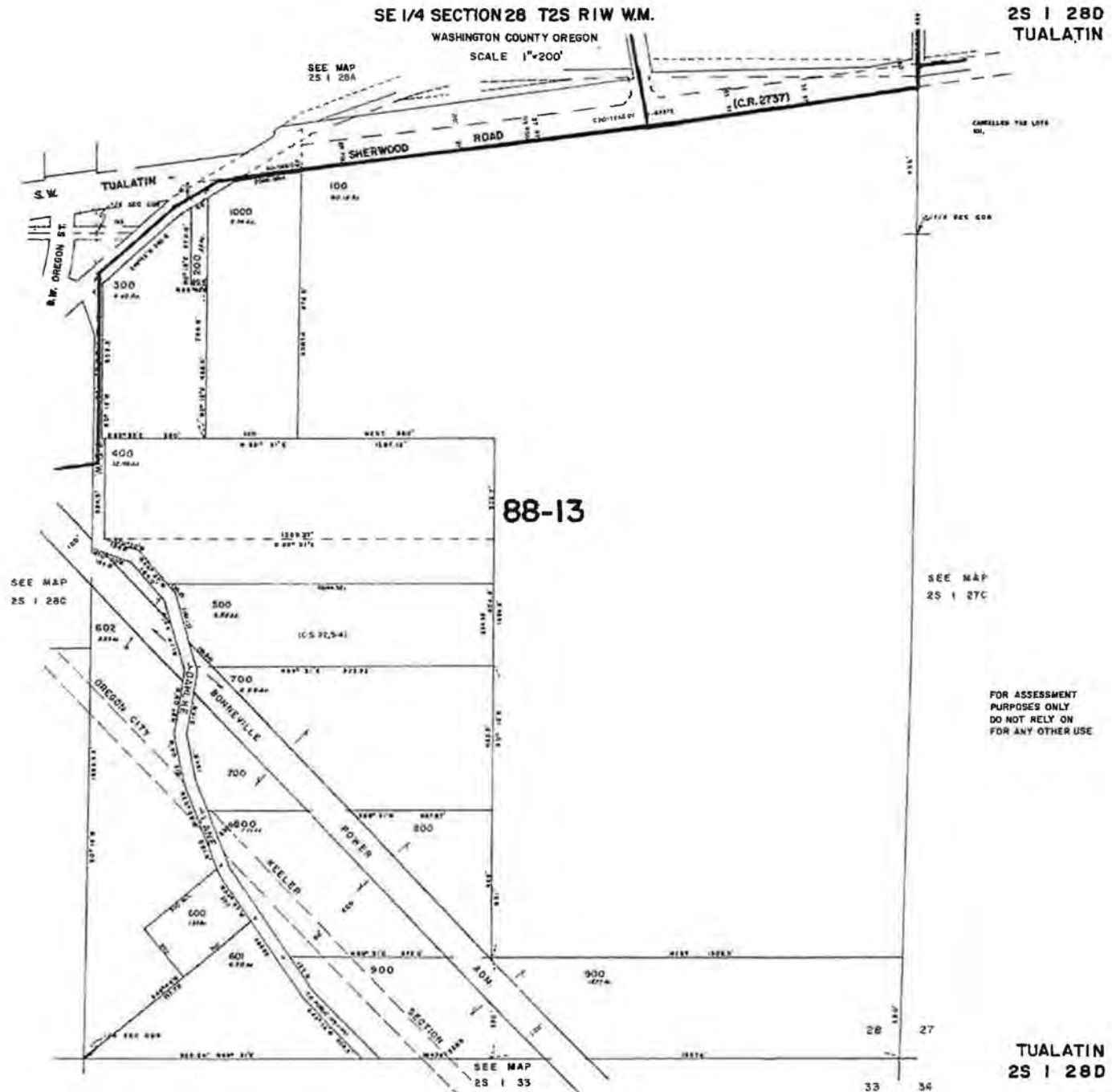
FOR ASSESSMENT PURPOSES
ONLY. DO NOT RELY ON
FOR ANY OTHER USE.

SW 1/4 NW 1/4 SECTION 28 T2S R1W W.M.
WASHINGTON COUNTY
SCALE 1"=100'



SW 1/4 SECTION 28 T2S R1W W.M.
WASHINGTON COUNTY OREGON
SCALE 1"=200'





REFPARCEL	TLID	PARCEL	OWNER
2S128A0 00506	2S128A000506	R2014485	Tyberg Properties LLC
2S128A0 00603	2S128A000603	R1433791	Bmc West Corporation
2S128A0 01200	2S128A001200	R2056004	Sherwood Storage LLC
2S128A0 01300	2S128A001300	R2056005	Pnwp LLC #2
2S128A0 01400	2S128A001400	R2056006	Bradford & Vicki Picking
2S128A0 01500	2S128A001500	R2087191	George & Evelyn Andrews
2S128B0 00850	2S128B000850	R2160416	Galbreath LLC
2S128B0 00851	2S128B000851	R2160417	Galbreath LLC
2S128BA 00100	2S128BA00100	R2051436	Mircea Moga
2S128BA 00101	2S128BA00101	R2077464	Sherwoodhq LLC
2S128BA 00200	2S128BA00200	R2051435	Sherwoodhq LLC
2S128BA 00300	2S128BA00300	R2051434	Onni LLC
2S128BA 00300	2S128BA00300	R2165312	Northwest Fourslide Inc
2S128BC 00100	2S128BC00100	R2051429	Jjb Properties LLC
2S128BC 00200	2S128BC00200	R2051430	Adoption Team Cat
2S128BC 00300	2S128BC00300	R2051431	For Educational Tec Organization
2S128BC 00300	2S128BC00300	R2051431	For Educational Tec Organization
2S128BC 00400	2S128BC00400	R2051432	Bond Properties LLC
2S128BC 00500	2S128BC00500	R2051433	Leasing In Wes
2S128BC 00700	2S128BC00700	R2051441	Winslow Building LLC
2S128BC 00800	2S128BC00800	R2051442	Parr-Franklin LLC
2S128BC 00900	2S128BC00900	R2051443	J & M Properties LLC
2S128BC 01000	2S128BC01000	R1166222	Glen Wetzel
2S128BC 01100	2S128BC01100	R2077496	Erna Treske
2S128BC 01100	2S128BC01100	R2077496	Erna Treske
2S128BD 00100	2S128BD00100	R2051437	Bbg Investments LLC
2S128BD 00300	2S128BD00300	R2051439	La Hirte Properties LLC
2S128BD 00400	2S128BD00400	R1032260	Blakeslee Properties LLC
2S128BD 00600	2S128BD00600	R1181660	J L Bullock
2S128BD 00700	2S128BD00700	R0547359	Lanz Properties LLC
2S128BD 00800	2S128BD00800	R2130632	Sherwood Park Business Center LI
2S128BD 00900	2S128BD00900	R2130633	Sherwood Park Business Center LI
2S128BD 01000	2S128BD01000	R2130634	Sherwood City
2S128C0 00100	2S128C000100	R0547386	21287 Sw Oregon Street LLC
2S128C0 00101	2S128C000101	R0547395	Leichner
2S128C0 00101	2S128C000101	R0547395	Leichner
2S128C0 00102	2S128C000102	R0547402	Orwa Sherwood LLC
2S128C0 00105	2S128C000105	R2051356	Leichner
2S128C0 00107	2S128C000107	R2051358	Lorry Leichner
2S128C0 00200	2S128C000200	R0547411	Sherwood Road Industrial LLC
2S128C0 00200	2S128C000200	R2077141	Northstar
2S128C0 00201	2S128C000201	M1326416	Brune Investment Co
2S128C0 00201	2S128C000201	R0955862	Brune Investment Co

2S128C0 00201	2S128C000201	R2024911	Allied Systems Company
2S128C0 00201	2S128C000201	R2161833	Banc Of America
2S128C0 00202	2S128C000202	R1032055	Brune Investment Co
2S128C0 00302	2S128C000302	R0547448	West
2S128C0 00700	2S128C000700	R0547484	Gerald Fitch
2S128C0 00701	2S128C000701	R0547493	R & H Properties LLC
2S128C0 00800	2S128C000800	R0547509	Gerald Fitch
2S128C0 00801	2S128C000801	R0547518	R & H Properties LLC
2S128D0 00200	2S128D000200	R0547536	Ronald Endicott
2S128D0 00300	2S128D000300	R0547545	Peggy Kern

OWNERFIRST	OWNERLAST	MAILADDRES	MAILCITY
Tyberg Properties LLC		21000 SW Dahlke Ln	Sherwood
Bmc West Corporation		Po Box 70006	Boise
Sherwood Storage LLC		14855 SE 82nd Dr	Clackamas
Pnwp LLC #2		Po Box 2206	Beaverton
Bradford & Vicki	Picking	Po Box 632	Sandy
George & Evelyn	Andrews	22195 SW 65th Ave	Tualatin
Galbreath LLC		22222 SW Antioch Downs Ct	Tualatin
Galbreath LLC		22222 SW Antioch Downs Ct	Tualatin
Mircea	Moga	16483 SW Cornus Ct	Sherwood
Sherwoodhq LLC		1101 SE Tech Center Dr #160	Vancouver
Sherwoodhq LLC		1101 SE Tech Center Dr #160	Vancouver
Onni LLC		20643 SW Cooperidge Ct	Beaverton
Northwest Fourslide Inc		13945 SW Galbreath Dr	Sherwood
Jjb Properties LLC		21540 SW 110th Pl	Tualatin
Adoption Team	Cat	14175 SW Galbreath Dr	Sherwood
For Educational Tec	Organization	14145 SW Galbreath Dr	Sherwood
For Educational Tec	Organization	14145 SW Galbreath Dr	Sherwood
Bond Properties LLC		14085 SW Galbreath Dr	Sherwood
Leasing In	Wes	14015 SW Galbreath Dr	Sherwood
Winslow Building LLC		Po Box 1339	Clackamas
Parr-Franklin LLC		885 Airport Rd SE #x	Salem
J & M Properties LLC		14270 SW Galbreath Dr	Sherwood
Glen	Wetzel	Po Box 3451	Tualatin
Erna	Treske	3860 Rosepark Dr	West Linn
Erna	Treske	3860 Rosepark Dr	West Linn
Bbg Investments LLC		13780 SW Galbreath Dr #a	Sherwood
La Hirte Properties LLC		Po Box 413	Dundee
Blakeslee Properties LLC		Po Box 1227	Sherwood
J	Bullock	Po Box 263	Lake Oswego
Lanz Properties LLC		3025 W 7th Pl	Eugene
Sherwood Park Business Center LI		13910 SW Galbreath Dr #100	Sherwood
Sherwood Park Business Center LI		13910 SW Galbreath Dr #100	Sherwood
Sherwood City		22560 SW Pine St	Sherwood
21287 Sw Oregon Street LLC		20220 SW Elwert Rd	Sherwood
Leichner		Po Box 820	Sherwood
Leichner		Po Box 820	Sherwood
Orwa Sherwood LLC		8320 NE Highway 99	Vancouver
Leichner		Po Box 820	Sherwood
Lorry	Leichner	Po Box 820	Sherwood
Sherwood Road Industrial LLC		6900 Fox Ave S	Seattle
Northstar		14200 SW Tualatin Sherwood Rd #b	Sherwood
Brune Investment Co		21433 SW Oregon St	Sherwood
Brune Investment Co		21433 SW Oregon St	Sherwood

Allied Systems Company		21433 SW Oregon St	Sherwood
Banc Of America		Po Box 100918	Atlanta
Brune Investment Co		21433 SW Oregon St	Sherwood
West		13576 Peters Rd	Lake Oswego
Gerald	Fitch	Po Box 553	Sherwood
R & H Properties LLC		Po Box 68389	Portland
Gerald	Fitch	Po Box 182	Sherwood
R & H Properties LLC		Po Box 68389	Portland
Ronald	Endicott	Po Box 261	Tualatin
Peggy	Kern	21050 SW Dahlke Ln	Sherwood

MAILSTATE	MZIPANDZIP	SITEADDRESS	SITECITY	SITESTATE	SZIPANDZIP
OR	97140-8386	21000 SW Dahlke Ln	Sherwood	OR	97140-8386
ID	83707-0106	*no Site Address*	Sherwood	OR	97140-0000
OR	97015-7624	20865 SW Wildrose Pl	Sherwood	OR	97140-9625
OR	97075-2206	20707 SW Wildrose Pl	Sherwood	OR	97140-0000
OR	97055-0632	20551 SW Wildrose Pl	Sherwood	OR	97140-8564
OR	97062-9799	19939 SW Cipole Rd	Sherwood	OR	97140-8338
OR	97062-8707	13600 SW Galbreath Dr	Sherwood	OR	97140-9247
OR	97062-8707	13600 SW Galbreath Dr	Sherwood	OR	97140-9247
OR	97140-6240	13735 SW Galbreath Dr	Sherwood	OR	97140-9166
WA	98683-5521	*no Site Address*	Sherwood	OR	97140-0000
WA	98683-5521	13825 SW Galbreath Dr	Sherwood	OR	97140-8621
OR	97007-7880	13945 SW Galbreath Dr	Sherwood	OR	97140-9168
OR	97140-9168	*no Site Address*	Sherwood	OR	97140-0000
OR	97062-6028	14255 SW Galbreath Dr	Sherwood	OR	97140-9171
OR	97140-9170	14175 SW Galbreath Dr	Sherwood	OR	97140-9170
OR	97140-9170	14145 SW Galbreath Dr	Sherwood	OR	97140-9170
OR	97140-9170	14145 SW Galbreath Dr	Sherwood	OR	97140-9170
OR	97140-9169	14085 SW Galbreath Dr	Sherwood	OR	97140-9169
OR	97140-9169	14035 SW Galbreath Dr	Sherwood	OR	97140-9169
OR	97015-1339	*no Site Address*	Sherwood	OR	97140-0000
OR	97301-4790	14240 SW Galbreath Dr	Sherwood	OR	97140-9165
OR	97140-9165	14270 SW Galbreath Dr	Sherwood	OR	97140-9165
OR	97062-3451	13985 SW Tualatin Sherwood Rd	Sherwood	OR	97140-9747
OR	97068-2934	14140 SW Galbreath Dr	Sherwood	OR	97140-9163
OR	97068-2934	14140 SW Galbreath Dr	Sherwood	OR	97140-9163
OR	97140-9467	13780 SW Galbreath Dr #a	Sherwood	OR	97140-9467
OR	97115-0413	13990 SW Galbreath Dr	Sherwood	OR	97140-9161
OR	97140-1227	13939 SW Tualatin Sherwood Rd	Sherwood	OR	97140-9707
OR	97034-0031	13635 SW Tualatin Sherwood Rd	Sherwood	OR	97140-9708
OR	97402-6911	13565 SW Tualatin Sherwood Rd	Sherwood	OR	97140-9741
OR	97140-9060	13950 SW Galbreath Dr	Sherwood	OR	97140-9475
OR	97140-9060	13910 SW Galbreath Dr #100	Sherwood	OR	97140-9060
OR	97140-9933	*no Site Address*	Sherwood	OR	97140-0000
OR	97140-8715	21287 SW Oregon St	Sherwood	OR	97140-9806
OR	97140-0820	13910 SW Tualatin Sherwood Rd	Sherwood	OR	97140-9726
OR	97140-0820	13910 SW Tualatin Sherwood Rd	Sherwood	OR	97140-9726
WA	98665-8819	21389 SW Oregon St	Sherwood	OR	97140-9807
OR	97140-0820	*no Site Address*	Sherwood	OR	97140-0000
OR	97140-0820	*no Site Address*	Sherwood	OR	97140-0000
WA	98108-3419	14200 SW Tualatin Sherwood Rd	Sherwood	OR	97140-9624
OR	97140-9624	14200 SW Tualatin Sherwood Rd #b	Sherwood	OR	97140-9624
OR	97140-9808	21433 SW Oregon St	Sherwood	OR	97140-9808
OR	97140-9808	21433 SW Oregon St	Sherwood	OR	97140-9808

OR	97140-9808	21433 SW Oregon St	Sherwood	OR	97140-9808
GA	30384-0918	*no Site Address*	Sherwood	OR	97140-0000
OR	97140-9808	21433 SW Oregon St	Sherwood	OR	97140-9808
OR	97035-1335	14420 SW Tualatin Sherwood Rd	Sherwood	OR	97140-9794
OR	97140-0553	21370 SW Oregon St	Sherwood	OR	97140-9807
OR	97268-0389	*no Site Address*		OR	00000-0000
OR	97140-0182	21190 SW Oregon St	Sherwood	OR	97140-7932
OR	97268-0389	21100 SW Oregon St	Sherwood	OR	97140-0000
OR	97062-0261	*no Site Address*		OR	00000-0000
OR	97140-8386	21050 SW Dahike Ln	Sherwood	OR	97140-8386

PHONE	LOTACRES	LOTSQFT	LEGAL1
	1.12	48787	ACRES 1.12
	5.41	235660	ACRES 5.41
	3.84	167270	EDY ROAD INDUSTRIAL PARK, LOT PT 1,
	4.9	213444	EDY ROAD INDUSTRIAL PARK, LOT 2,
	4.98	216929	EDY ROAD INDUSTRIAL PARK, LOT 3,
5036385791	5.15	224334	1999-043 PARTITION PLAT, LOT PTS
	3.19	138956	2008-020 PARTITION PLAT, LOT 1,
	1.14	49658	2008-020 PARTITION PLAT, LOT 1,
	1.74	75794	INDUSTRIAL PARK OF SHERWOOD, LOT PT
	0.48	20909	INDUSTRIAL PARK OF SHERWOOD, LOT PT
	3.5	152460	INDUSTRIAL PARK OF SHERWOOD, LOT 7
	4.12	179467	INDUSTRIAL PARK OF SHERWOOD, LOT 6,
5036254555	0	0	INDUSTRIAL PARK OF SHERWOOD, LOT 6,
	1.57	68389	INDUSTRIAL PARK OF SHERWOOD, LOT 1,
5039258903	2.51	109336	INDUSTRIAL PARK OF SHERWOOD, LOT 2,
	2.01	87556	INDUSTRIAL PARK OF SHERWOOD, LOT 3,
	2.01	87556	INDUSTRIAL PARK OF SHERWOOD, LOT 3,
	2.01	87556	INDUSTRIAL PARK OF SHERWOOD, LOT 4,
	1.9	82764	INDUSTRIAL PARK OF SHERWOOD, LOT 5,
	1.96	85378	INDUSTRIAL PARK OF SHERWOOD, LOT PT
	2.01	87556	INDUSTRIAL PARK OF SHERWOOD, LOT 14
	1.53	66647	INDUSTRIAL PARK OF SHERWOOD, LOT PT
	1.15	50094	ACRES 1.15
	3.98	173369	1998-047 PARTITION PLAT, LOT 1-2,
	3.98	173369	1998-047 PARTITION PLAT, LOT 1-2,
	2.44	106286	INDUSTRIAL PARK OF SHERWOOD, LOT 9,
	1.99	86684	INDUSTRIAL PARK OF SHERWOOD, LOT
	4.56	198634	ACRES 4.56
	6.09	265280	ACRES 6.09
	5.72	249163	ACRES 5.72, SEE A1 ACCOUNT(S)
	1.36	59242	2004-061 PARTITION PLAT, LOT 1,
	1.35	58806	2004-061 PARTITION PLAT, LOT 2,
	0.14	6098	2004-061 PARTITION PLAT, TRACT A,
	3.29	143312	ACRES 3.29
	8.85	385506	ACRES 8.85
	8.85	385506	ACRES 8.85
	3.18	138521	ACRES 3.18
	3.16	137650	ACRES 3.16
	0.01	436	ACRES .01
	17.59	766220	ACRES 17.59, SEE A1 ACCOUNT(S)
	0	0	IMPROVEMENT ONLY
	0	0	MFD STRUCT ON REAL ACCT
	7.68	334541	ACRES 7.68, SEE A1 ACCOUNT(S)

5036252560	0	0	IMPROVEMENT ONLY
	0	0	MACHINERY AND/OR EQUIPMENT ONLY
	4.62	201247	ACRES 4.62
	1.84	80150	ACRES 1.84
	4.62	201247	ACRES 4.62
	4.97	216493	ACRES 4.97
	1.99	86684	ACRES 1.99
	1.54	67082	ACRES 1.54
	0.29	12632	ACRES .29
	4.4	191664	ACRES 4.40

LEGAL2

ACRES 3.84
ACRES 4.90
ACRES 4.98
1-2, PLUS ACREAGE, ACRES 5.15
ACRES 3.19, LAND HOOK
ACRES 1.14, LAND HOOK
8, ACRES 1.74
8, ACRES .48
& PT 8, ACRES 3.50
ACRES 4.12, SEE A1 ACCOUNT(S)
MACHINERY AND/OR EQUIPMENT ONLY
ACRES 1.57
ACRES 2.51, PORTION OF ACCOUNT
ACRES 2.01, PORTION OF ACCOUNT
ACRES 2.01, PORTION OF ACCOUNT
ACRES 2.01
ACRES 1.90
13, ACRES 1.96
& PT 13, ACRES 2.01
15, ACRES 1.53

ACRES 3.98
ACRES 3.98
ACRES 2.44
11, ACRES 1.99

ACRES 1.36
ACRES 1.35
ACRES .14, NON-ASSESSABLE

2S128C-00201, REAL MS



Clean Water Services File Number

12-002113

Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: <u>Washington County</u> <u>City of Tualatin</u>	
2. Property Information (example 1S234AB01400) Tax lot ID(s): _____ _____ _____ Site Address: <u>13921 SW Tualatin Sherwood road</u> City, State, Zip: <u>Sherwood, or. 13921</u> Nearest Cross Street: _____	3. Owner Information Name: <u>Amerco real estate company</u> Company: <u>Amerco real estate company</u> Address: <u>2727 n central ave.</u> City, State, Zip: <u>Phoenix, Alzheimer's. 85004</u> Phone/Fax: <u>602-263-6502 / 602-277-1026</u> E-Mail: <u>David_pollock@uhaul.com</u>
4. Development Activity (check all that apply) <input type="checkbox"/> Addition to Single Family Residence (rooms, deck, garage) <input type="checkbox"/> Lot Line Adjustment <input type="checkbox"/> Minor Land Partition <input type="checkbox"/> Residential Condominium <input type="checkbox"/> Commercial Condominium <input type="checkbox"/> Residential Subdivision <input type="checkbox"/> Commercial Subdivision <input type="checkbox"/> Single Lot Commercial <input type="checkbox"/> Multi Lot Commercial Other _____ <u>Industrial warehouse</u>	5. Applicant Information Name: <u>David pollock</u> Company: _____ Address: _____ City, State, Zip: _____ Phone/Fax: <u>6022636502/6022771026</u> E-Mail: <u>David_pollock@uhaul.com</u>

6. Will the project involve any off-site work? Yes No Unknown
 Location and description of off-site work: _____

7. Additional comments or information that may be needed to understand your project _____
Interior tenant improvements to an existing building.

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name David pollock Print/Type Title _____ Date 5/7/2012

ONLINE SUBMITTAL

FOR DISTRICT USE ONLY

- Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.
- Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.
- Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.
- This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached.
- The proposed activity does not meet the definition of development or the lot was platted after 9/9/85 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED. Interior improvements only

Reviewed by Laure Harris Date APPROVED
By Laurie Harris at 1:28 pm, Sep 13, 2012



U-HAUL INTERNATIONAL • 2727 N. CENTRAL AVE. • PHOENIX, AZ 85004 • (602) 263-6502 • FAX NO. (602) 277-1026

December 12, 2012

U-Haul Sherwood – Proposed Re-Use Development - REVISED

U-Haul Sherwood Development Narrative- REVISED

Proposed Action:

U-Haul Company of Portland, Or. is seeking Land Use Approval for a Re-Use Development of an existing property located at 13921 SW Tualatin-Sherwood Road, Sherwood, Oregon 97140. This proposed re-use development shall be consistent with the City of Sherwood Community Development Plan. This proposed development shall also be compatible with the existing natural and manmade environment, existing community activity patterns and community identity. No adverse visual, aesthetic or environmental effects will be caused by this proposed re-use development proposal. No vehicular, pedestrian way or parking areas shall not be impacted by this proposal.

Approval Request:

The land use request(s) approvals that we are seeking shall be for a **Conditional Use Permit for “Outdoor Sales and Merchandise Display” – Type III Process** (refer to City Code, Section 16.98.040) for the property located at 13921 SW Tualatin-Sherwood Road and for a **Major Modification to an Existing Site Plan – Type IV process**. The request for a Major Modification to an existing site plan is due to the fact that we are proposing alterations to the exterior building, increasing the floor area by more than 10% (refer to Section 16.90.030) of the city land use code and providing additional parking spaces compared to the original approved site plan dated January 16, 1996.

Existing Site and Building Description:

The property that U-Haul Company of Portland has purchased and seeking to develop is currently zoned “GI” General Industrial. The site area is approx. 3.10 acres or (135,369 SF) and there is an existing 2 storey building with a footprint covering 55,983.53 SF or 41.36%. Existing landscape area(s) is 21,702 SF or 16.03% and existing paved areas equal 57,682.47 SF or 42.61% of land coverage. This data was taken from the original City of Sherwood APPROVED Site Plan dated 1/16/1996. The original approved site plan documented that 2 interior bicycle spaces shall be provided along with a 20,635 SF car wash facility and 46 parking spaces. Neither the approved car wash nor interior bicycle spaces currently exist.

The existing building currently consists of 2 tenants who occupy approx. 4,230 SF and the balance being vacant space. The existing tenant Uses are Oil and Lube shop and a Body Shop. Each of these users is provided with parking spaces that meet the Off-Street Parking Standards per City Code, Section 16.94.020.

The existing building is currently provided throughout with a Supervisory Automatic Fire Sprinkler systems. City water and sewer is provided throughout and an existing storm water system is currently operating. Our proposed development will have no impact to existing systems.

Description of Proposed Action / Development:

The proposed development and improvement(s) plan for this application is described as follows; U-Haul Company of Portland purposes to convert the balance of the vacant non-tenant spaces which have are delineated on attached site plan by colored shading. These vacant spaces shall be converted into a U-Haul Equipment Rental & Self-Service Storage Locker facility. No current expansion is being proposed to the existing building height, existing building footprint or existing paved areas.

This proposed U-Haul facility is scheduled for 2 phases. Phase 1 which is to be completed by January, 2013 is planned to convert the existing retail office space into the U-Haul Retail / Showroom area of approx. 3,724 SF. This mercantile area shall offer a series of moving supplies to our customers. There will be service counters for our storage customers and we will provide a Storage Locker Display Model for that customer who is not familiar with U-Haul. Within the adjacent vacant space of approx. 2,096 SF is our proposed Hitch Bay. This retail service is for our customers that require a hitch installed on their vehicle. Each customer can relax in the showroom while our trained hitch mechanic completes the installation.

Hours of operations for the Retail / Showroom area and Hitch Bay shall be consistent with all U-Haul facilities around the country. Monday through Thursday 7am to 7pm, Friday and Saturday, 7 am to 8pm and Sunday, 9am to 5pm. There will be a key drop and designated rental equipment returned space(s) for customers that arrive after hours.

Conditional Use Permit Request:

In order to be successful at this new location and provide the best possible customer service(s), this proposal will need to obtain approval for a **Conditional Use Permit for “Outdoor Sales and Merchandise Display”**. In order to obtain approval for a Conditional Use permit, all “Use Criteria” shall be met as outlined in Section 16.82.010©(1-8). Our site plan is proposing 10 “Outdoor Merchandise Display” parking spaces as delineated by color shading. This proposed display area is an integral part of our overall business success and operations. None of these 10 spaces shall compromise the “Off-Street Parking Standards” for the users of this development. This designated “Display Parking” area shall meet all the criteria and standards in Section 16.98.040(B) (1-4). This area shall be kept free of debris and arranged in an orderly manner. This area designated as “Display Parking” shall not be located within required yard, building or landscape setbacks. The surface of this display area shall be an approved asphalt surface.

In order to be granted a Conditional Use permit, all of the 9 Use Criteria as set-forth in Section 16.82.020 (C) shall need to be met. Below are our findings of facts which document that all 9 Use Criteria have been met and shall be satisfied.

1. All public facilities and services to the proposed use, including but not limited to sanitary sewers, water, transportation facilities & services, storm drains, electrical distribution, park, open spaces and public safety are existing and adequate for this proposal.
2. Our proposed use conforms to the other standards of the applicable zone and is not only compatible with abutting land uses, but in regards to noise generation and public safety our proposal will be reduced due to less customer traffic.
3. This proposal with its use shall meet the overall needs of the community and achievement of goals and/or policies of the Comprehensive Plan, adopted City of Sherwood Transportation System Plan and your code.
4. None of the surrounding areas, the neighborhood, or City as a whole shall be adversely affected by this proposed use.
5. Our proposed use and business operations plan has been modified to adapt to the existing and current size, shape, location, topography and natural features. There shall be no impacts of this proposed use that the existing site cannot support.
6. Our proposed use shall pose NO significant adverse impacts to sensitive wildlife species or the natural environment.
7. Our proposed use which is designated as General Industrial (GI) zone, has satisfied all the requirements of Section 16.108.070 highway 99W Capacity Allocation Program. Refer to attached report as prepared by our traffic engineer supporting this statement.

Major Modification to an Existing Site Plan

Phase II of this re-use development proposal requires a “**Major Modification to an Existing Site Plan – Type IV Process**”. Section 16.90.020(A) defines what criteria are required for site plan review. “Site Plan Review” is required prior to any substantial change to a site or use and prior to issuance of building permits for new building, structure or substantial alterations of an existing structure or use. With our proposed to add a second level within the existing building structure and even without an increase in overall building footprint. Section 16.90.030(A)(1)(a)(5) shall comply since we are proposing to increase the total floor area for non-residential use by more than 10%.

We believe that site plan approval can be granted since we meet the “Required Findings” criteria per Section 16.90.030(D)(1-7), 16.90.030(D)(8)(a)(1-6) and 16.90.030(D)(8)(b)(1-7) as outlined below; Section (a);

1. This proposed development application currently meets and exceeds the minimum 15% glazing requirement for all frontages facing an arterial or collector streets then compared to the original approved site plan. The existing total square footage front elevation area facing the existing arterial / collector street is 6,460 square feet. 15% min. glazing would require 960 square feet. With only 860 square feet and less than 13.5% existing glazing, the original approved site plan is non-conforming. As a part of our development improvement proposal, we are increasing the total exterior frontage glazing by proposing to enlarge a series of existing windows / glazing facing the front arterial street which in not only bring the current building into compliance,

- but will exceed the min percentage. Proposed total glazing shall be 1,016 square feet or 15.5%.
2. The existing exterior building materials shall not be altered from the original granted site plan approval. There is no T1-11 or aluminum siding on any part of the existing building and the existing building is provided with a min. two (20 building materials to break up the vertical facades.
 3. The existing building is currently setback in excess of 35 feet and with no building footprint change planned for this proposal we currently meet the requirement for all parts of a building from the property line separating the site from all arterial or collector streets.
 4. Parking locations shall not be altered from the original city approved site plan approval granted on January 16, 1996.
 5. The proposed loading areas shall be located to rear of the building.
 6. No alterations or additional roof-mounted equipment is being proposed. Any existing equipment that was originally approved shall remain.

The applicant understands that we may use Section 16.90.030(D)(8)(b)(1-7) as an alternative to Section 16.90.030(D)(8)(a)(1-7) and demonstrate how our proposal meets or exceeds the applicable \ design objectives as outlined. Since we believe we have met all the requirements within section 8a we will forgo our opportunity at this time.

Parking:

Another requirement for approval for a “Major Modification to an Existing Site Plan” is to meet or exceed the “Off-Street Parking Standards” Sections 16.94.020 (B) & (C). Parking for this Re-Use Development facility has been carefully planned for all U-Haul Customers, U-Haul Employees, Existing Building Tenants and existing Tenant Customers.

The parking for this proposed development requires the following standards to be met for the proposed uses as outlined within Section A of the Sherwood Land Use Code as follows: ;

1. General Retail or Personal Services is requiring 4.1 spaces per 1,000 GFA. With 3,724 SF of proposed Retail GFA, 15.25 or 16 spaces are required for this Use
2. Warehousing is requiring .3 spaces / 1,000sf GFA. With 88,626 of proposed / existing warehouse GFA space, 26.59 or 27 spaces are required. Note; Our proposal does not exceed 150,00sf of GFA of Warehouse. Parking limits noted within the adopted Ordinance 2012-008 dated July 17, 2012 would not apply.
3. Total minimum amount of parking spaces that are required is 43 spaces which include 2 handicapped spaces and (2) Bicycle Rack Spaces. Our site plan is proposing 56 total parking spaces which includes 2 handicapped spaces and 2 additional / separate bicycle spaces..
Note: Total parking spaces does not include the designated rental equipment staging area as seen on the site plan.

All of the proposed parking spaces shall meet or exceed the Dimensional and General Configuration Standards at outline with Section 16.94.020(B)(1-7), all spaces are clearly dimensioned, each provided with its individual and secured wheel stop and our Service Drives / Fire Lanes are clearly defined on our site plan.

“Bicycle Parking Facilities” as noted with Section 17.94.020(C) (1-6).

Bicycle parking location is conveniently located to both the street ROW and the main building entrance. Our plan is proposing an inverted “U-shaped” design. This area for bicycle parking will have visibility, security cameras and lighting will be provided in the area and will be clearly marked and reserved for bicycle.

The total parking spaces we are proposing is 56 total spaces. Of the 56 parking spaces proposed, space number(s) 13 to 24, or a total of (12) spaces are designated as Equipment Display spaces. These Display Spaces can be identified by the light blue highlighted area on our site plan.

Landscaping Standards

Site area landscaping and perimeter screening standards are another requirement & criteria that need to be met in order to be granted approval for a “**Major Modification to an Existing Site Plan**”. Section 16.92.030 (B)(1-7),

U-Haul is sensitive about maintaining the existing landscape that includes the appropriate combination of native evergreen or deciduous trees and shrubs, evergreen ground covers and perennial plantings. Currently, this application is not planning to remove any existing landscaping nor street trees that has created the existing front line screening and buffering. We are proposing to breakup the uninterrupted front line parking spaces and install a series of islands with additional evergreen trees and shrubs that was never included in the original site plan approval dated 1/16/1996. When completed the total landscape area shall be 19,887 SF of area

“Parking Area Landscaping”

The existing landscaping currently meets the “Definition” and “Purpose”. The existing landscaping uses a combination of trees, shrubs and ground cover to provide shade, storm water management, aesthetic benefits and screening as required by city code.

Required parking area landscaping requirement has been met as follows;

There are 44 customer parking spaces and 12 display spaces or a total of 56 total parking spaces being proposed. With a min. requirement of at least forty-five (45) square feet parking area landscaping for each parking space on the site, we are required to provide two thousand, five hundred and twenty (2,520sf) square feet of landscape parking area. Our proposal is providing 2,550 square feet of parking area landscaping. Refer to Sheet SP1.

Amount and Type of required Parking Area Landscaping is as follows:

The existing large tree count total 26 large trees. With 1 large tree required per (4) parking spaces this site plan shall require a total of 14 large trees. Our site plan application exceeds the min. large tree requirement.

Shrubs and Ground Covers;

With the age and maturity of this existing site, all of the existing shrubs and ground covers meet the min. size required.

Individual Landscape Islands;

All of our Landscape Islands currently proposed with our site plan application either meets or exceeds the min. width of five (5) feet. All landscape islands existing and newly proposed shall be curbed to protect the islands. Each existing landscape island are currently planted with a tree and all new / proposed islands shall also be planted with a large tree. Landscape islands existing and proposed are evenly spaced throughout the designated parking area. The islands shall be distributed with an average of (1) island for every 12 parking spaces.

Landscaping at Point of Access;

All landscaping shall be either planted or maintained so that min. site distance and visual corridors shall be preserved.

Exceptions; N/A

Screening of Mechanical Equipment, Service and Delivery Areas;

All mechanical equipment and service and delivery areas shall be screened from view from all public streets and adjacent residential zones.

Capacity Allocation Program (CAP):

A CAP Trip Analysis has been prepared by our Traffic Engineer and based upon his analysis, this proposed development when completed shall be less than the allowed trips for this 3.25 acre site. Based on their trip generation analysis, no further analysis is required. (see attached report).

Traffic Impact Statement (T.I.S.)

A Traffic impact Statement request form was sent to Ms. Naomi Vogel, Washington County Department of Land Use & Transportation for her initial review. We where informed my Ms. Vogel, that no official recommendation would be provided until the City of Sherwood provided the necessary review documents.

Clean Water Services;

Sensitive Area Pre-Screening Site Assessment (Clean Water Services File Number 12-002113) was completed for our site and we have been informed the "No Site Assessment or Service Provider Letter is required" (see attachment)

Neighborhood Meeting;

On September 12, 2012 we held our required "Neighborhood Meeting" to solicit input and exchange information about our proposed development per the Sherwood Zoning & Community Development Code 16.70.020. Affidavits of mailing to adjacent property owners where mailed out 21 days in advance that where within 1,000 feet of our property. Sign in sheet(s) and Summary of the meeting notes are attached. No development issues arose at this meeting.

Thank you;

David Pollock, Principal Planner / Staff Architect
U-Haul Company of Portland / AMERCO Real Estate Co.



Transportation and Civil Engineering

October 6, 2012

Mr. David Pollock
Amerco Real Estate Company
2727 N Central Avenue
Phoenix, AZ 85004

Subject: CAP Trip Analysis for U-Haul
Sherwood, Oregon

Mr. Pollock:

Information is required per Sherwood Development Code, Section 6.307- Highway 99W Capacity Allocation Program. This letter addresses trip generation information for proposed modification to the U-Haul rental yards and mini-warehouse addition in Sherwood.

The site trip limit per the CAP is based on area and can be calculated by multiplying the acreage of the site by 43 PM peak trips per acre to determine the limit. The site contains 3.25 acres thereby setting a site trip limit to 140 PM peak trips (139.75 trips calculated).

The legal description for the site is Tax Lot 400, Map #2S1 28BD. A site plan is attached with the pertinent information regarding this site.

Type and location of the regulated activity

The site is located on a 3.25 acre parcel at 13921 SW Tualatin-Sherwood Road. The current building contains 54,100 square feet total. The existing uses are as follows:

Existing Uses

- 5,100 square feet Automobile Care Center (ITE Land Use Code 942)
- 7,300 square feet Specialty Retail (ITE Land Use Code 814)
- 41,700 square feet Warehouse (ITE Land Use Code 150)

Proposed Uses

The warehouse use is being modified to mini-warehouse and a second floor for additional mini-warehouse space will be added within the enclosed space for a total of 92,500 square feet total in the building. The new uses for the building will therefore be:

- 5,100 square feet Automobile Care Center (ITE Land Use Code 942)
- 7,300 square feet Specialty Retail (ITE Land Use Code 814)
- 80,100 square feet Mini-Warehouse (ITE Land Use Code 151)

Determine Number of Trips

Existing Trip Generation

The following trip generation table summarizes the existing trip generation for the site. It should be noted that the AWDT for the Automobile Care Center Use (Land Use Code 942) is estimated based on Saturday Daily volumes. Also attached for both existing uses and proposed uses are spreadsheets generated by MicroTrans Trip Generation software which utilizes the data from the ITE Trip Generation Manual, 8th Edition.

TABLE 1
Existing Trip Generation

<i>Time Period</i>	<i>LUC 942</i>	<i>LUC 814</i>	<i>LUC 150</i>	<i>Total Trips</i>
AWDT Total	80 vpd	324 vpd	148 vpd	552 vpd
PM Peak Total	17 vph	20 vph	13 vph	50 vph

Proposed Trip Generation

The following trip generation table summarizes the trip generation for the site with the changes in use and the new square footage.

TABLE 2
Proposed Trip Generation

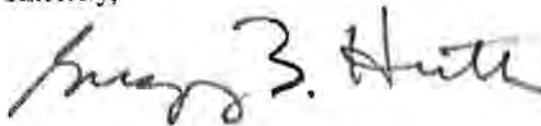
<i>Time Period</i>	<i>LUC 942</i>	<i>LUC 814</i>	<i>LUC 151</i>	<i>Total Trips</i>
AWDT Total	80 vpd	324 vpd	200 vpd	604 vpd
PM Peak Total	17 vph	20 vph	21 vph	58 vph

Summary

The change in use adds an additional 8 PM peak trips and an additional 52 daily trips. The 58 PM peak trips generated after the site is re-developed is less than the allowed trips for this 3.25 acre site which is 140 trips.

Based on this trip generation analysis, no further analysis is required. Please call if further information is required.

Sincerely,



Gregary B. Heath, P.E., P.T.O.E.

CAP TRIP ANALYSIS WORKSHEET

Trip Analysis conducted by:	Gregary B. Heath P.E.
Project Description:	See attached analysis for project description
Land Use Application File No: Project Name:	

The CAP Trip Analysis Worksheet is meant to summarize the detailed information contained in the Traffic Study prepared by a professional engineer registered in the State of Oregon with expertise in traffic or transportation engineering and attached with the CAP Trip Analysis.

Net Trips means the number of trips generated by a regulated activity during the p.m. peak hour. Net trips equal new trips, diverted trips, and trips from existing activities on a site that will remain. Net trips do not include: pass-by trips, internal trips, trips from existing facilities that will be removed, and trips reduced due to implementation of transportation demand strategies.

The following types of projects and activities are specifically excluded from the provisions of the CAP: (1) churches; (2) elementary, middle, and high schools; (3) residential; and (4) changes in use that do not increase the number of trips generated by the current use.

1. Net Trips

- a 50 Existing Site Net Trips
- b 58 Proposed Development Net Trips (proposed development includes existing sites that will remain)
- c 0 Future (Full-Build-Out) Development Net Trips
- d 58 Proposed and Future Development Net Trips (1b+1c)*

2. Acreage

Tax Lot Number	Total Acreage	Net Acreage (Total Minus 100-Year Flood plain)	Proposed Development Net Acreage	Future Development Net Acreage (2b-2c)
400	3.25	3.25	0	3.25
TOTAL	a 3.25	b 3.25	c 0	d 3.25

3. **Net Trips Per Acre**

- a 15.4 Existing Net Trips per Net Acre (1a/2b)
- b 17.8 Proposed Development Net Trips per Net Acre (1b/2c)
- c 17.8 Proposed & Future Development Net Trips per Net Acre (1d/2b)
- d 43 Net Trips per Net Acre Allowed (**City of Sherwood Trip Limit**)

4. Proposed Mitigation:

*If proposed and future net trips per net acre (3c) are less than the existing net trips per net acre (3a) then the application is EXEMPT from CAP Ordinance requirements.

If any changes are proposed for the regulated activity (i.e. type of activity, acreage, etc.) the trip analysis worksheet shall be resubmitted with the original for comparative purposes and approval.

Comments:



20 February 2006

Land Use: 942 Automobile Care Center

Description

An automobile care center houses numerous businesses that provide automobile-related services, such as repair and servicing; stereo installation; and seat cover upholstery. Quick lubrication vehicle shop (Land Use 941) and automobile parts and service center (Land Use 943) are related uses.

Additional Data

The p.m. peak hour of the generator typically coincided with the peak hour of the adjacent street traffic.

The sites were surveyed in 1988 and 1994 in Florida and California.

Source Numbers

267, 273, 439

Automobile Care Center (942)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Occ. Gr. Leasable Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

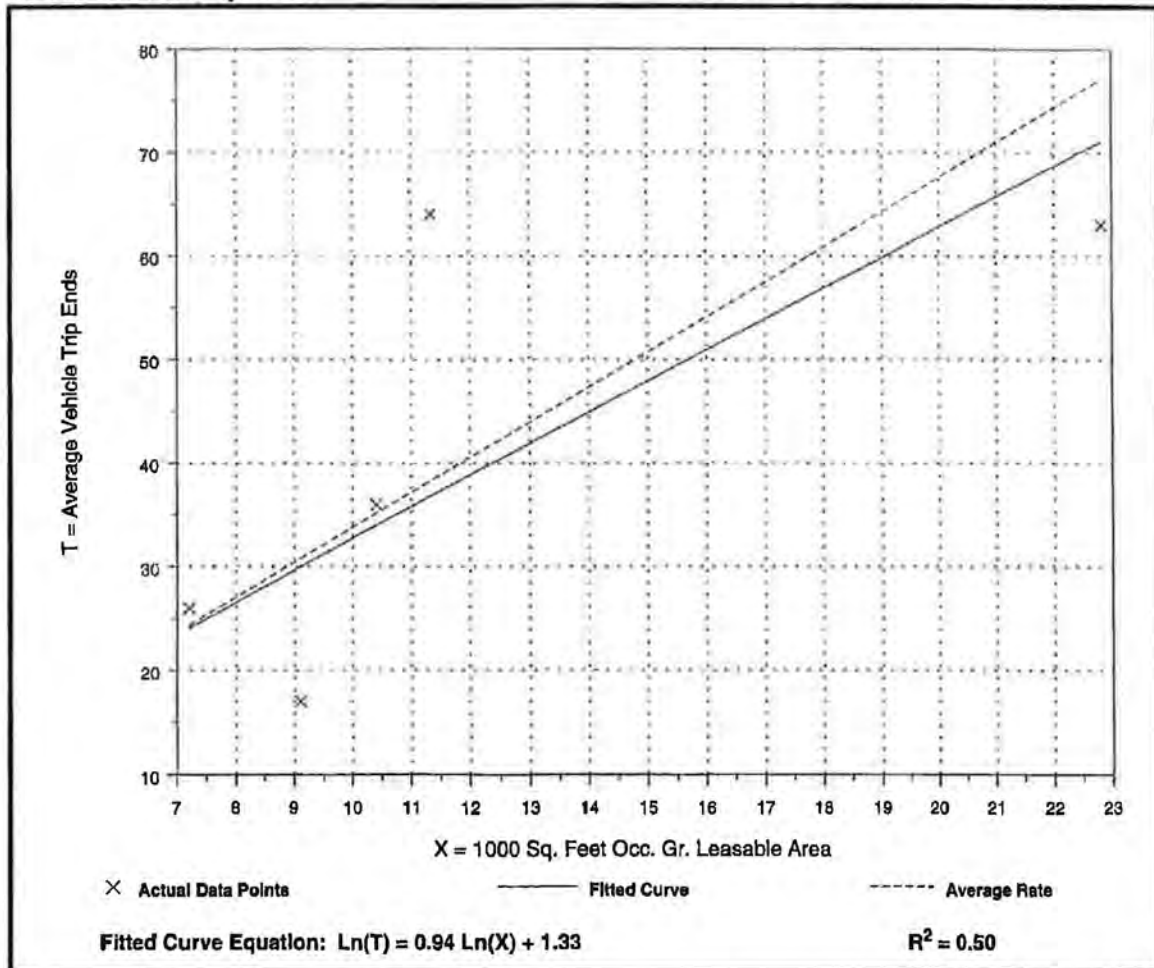
Number of Studies: 5
 Average 1000 Sq. Feet OGLA: 12
 Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Occ. Gr. Leasable Area

Average Rate	Range of Rates	Standard Deviation
3.38	1.87 - 5.64	2.15

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



Land Use: 814 Specialty Retail Center

Description

Specialty retail centers are generally small strip shopping centers that contain a variety of retail shops and specialize in quality apparel, hard goods and services, such as real estate offices, dance studios, florists and small restaurants. Shopping center (Land Use 820) is a related use.

Additional Data

The sites were surveyed between the late 1970s and the 2000s in California, Florida, Georgia, New York and Pennsylvania.

Source Numbers

100, 304, 305, 367, 423, 507, 577

Specialty Retail Center (814)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: Weekday

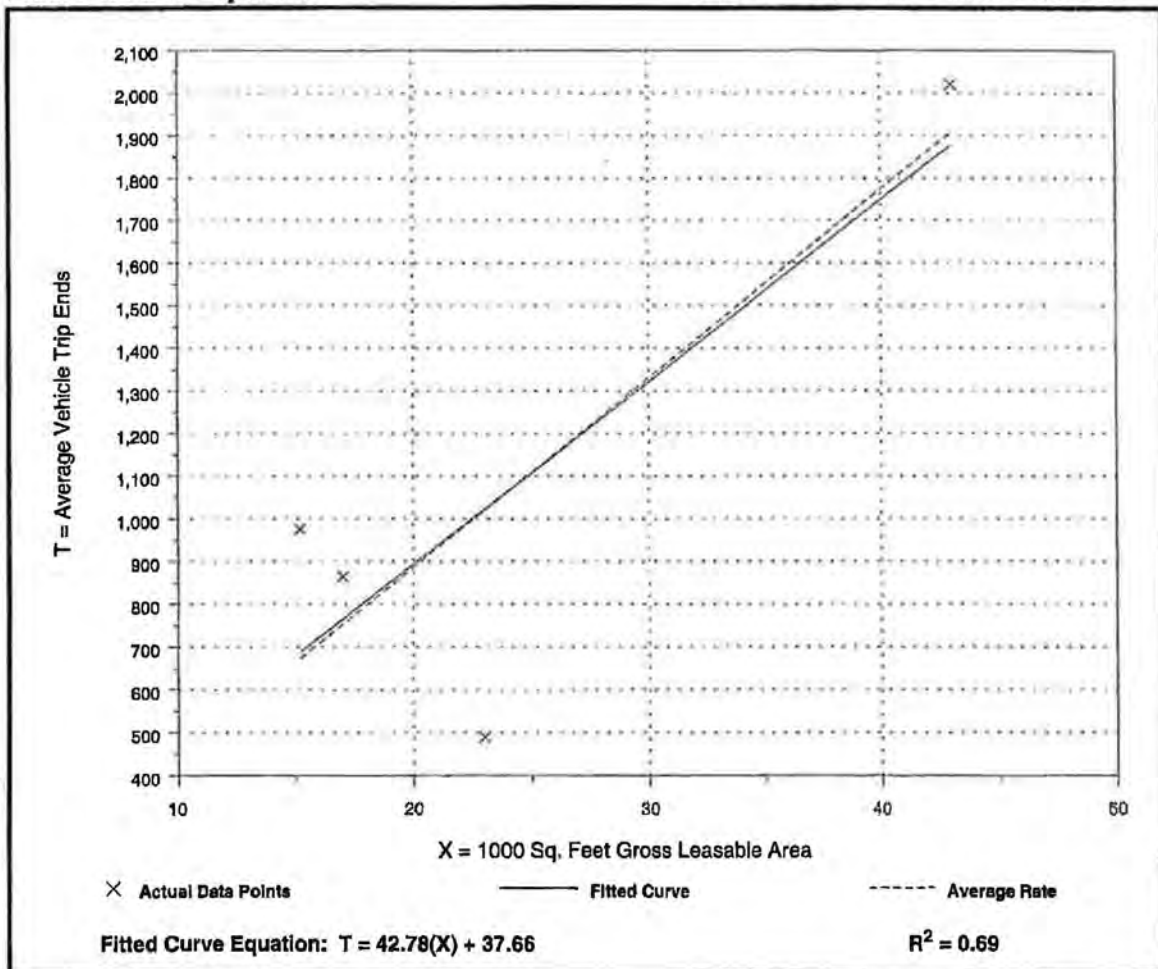
Number of Studies: 4
Average 1000 Sq. Feet GLA: 25
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
44.32	21.30 - 64.21	15.52

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



Land Use: 150 Warehousing

Description

Warehouses are primarily devoted to the storage of materials, but they may also include office and maintenance areas. High-cube warehouse (Land Use 152) is a related use.

Additional Data

Truck trips accounted for 20 percent of the weekday traffic at one of the sites surveyed. No vehicle occupancy data were available specifically for warehousing, but the average was approximately 1.3 persons per automobile for all industrial uses.

The peak hour of the generator typically coincided with the peak hour of the adjacent street traffic.

Facilities with employees on shift work may peak at other hours.

Two sources indicated that the warehousing sites comprised multiple buildings.

The sites were surveyed between the late 1960s and the 2000s throughout the United States and Canada.

Source Numbers

6, 7, 12, 13, 15, 17, 74, 184, 192, 390, 406, 411, 436, 443, 571, 579, 583, 596, 598, 611

Warehousing (150)

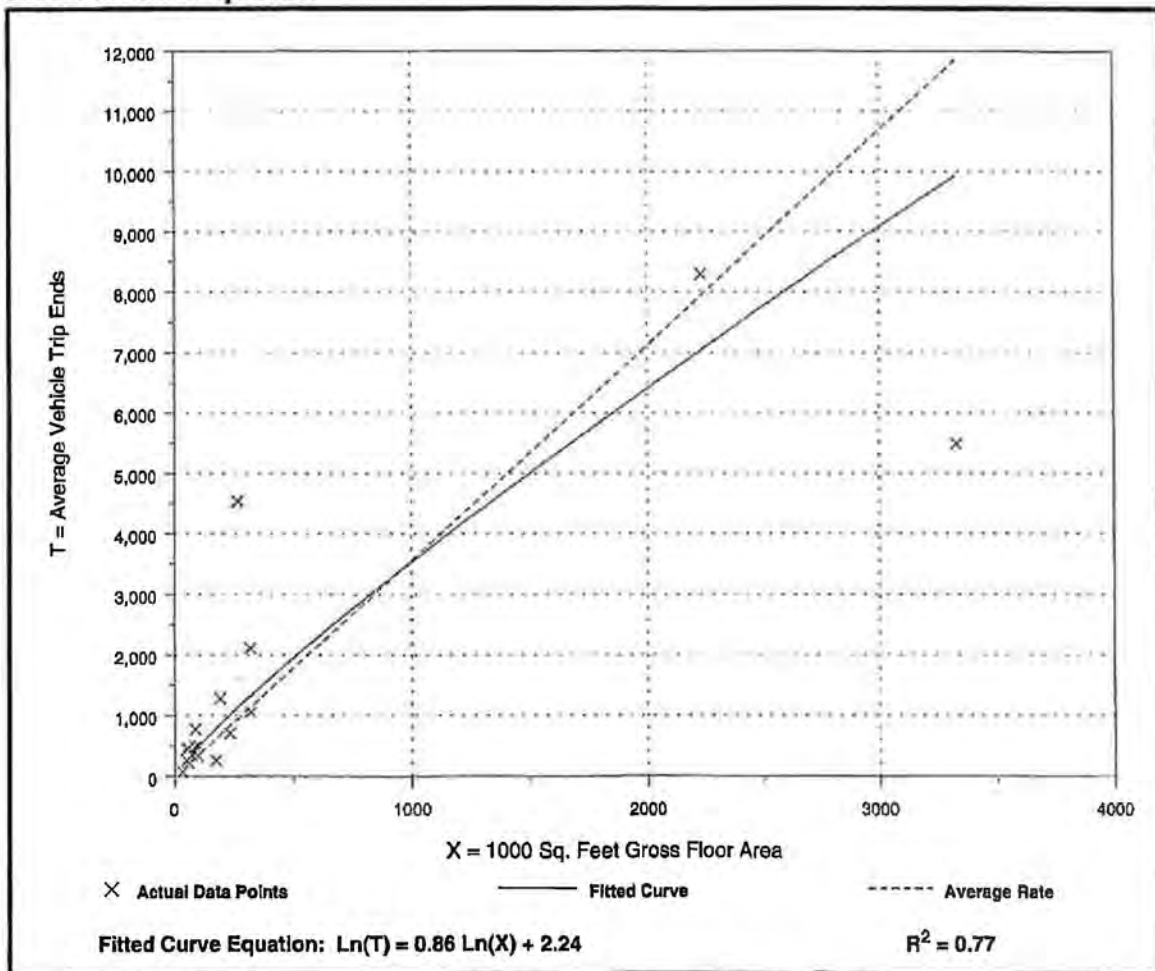
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday

Number of Studies: 18
Average 1000 Sq. Feet GFA: 431
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
3.56	1.51 - 17.00	3.58

Data Plot and Equation



Warehousing (150)

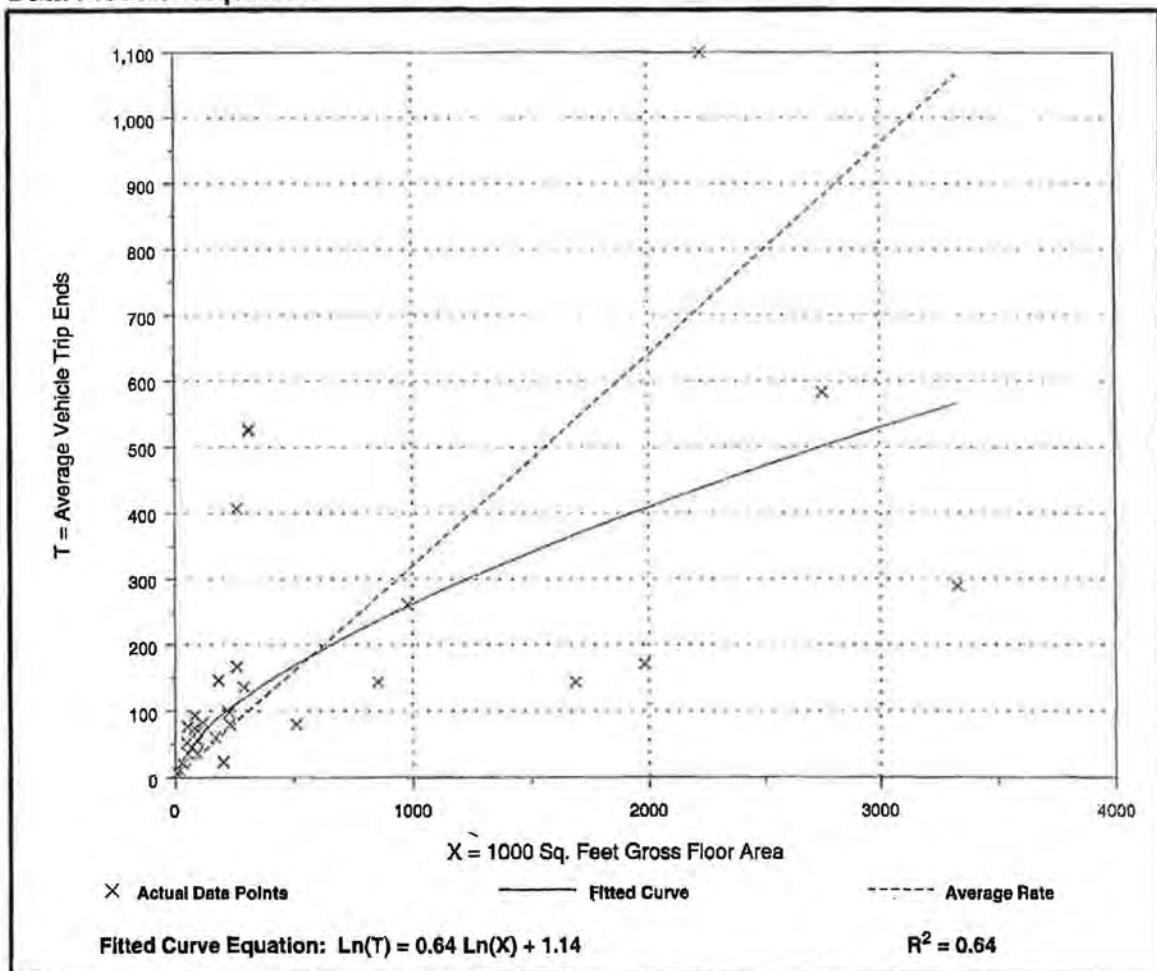
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 31
 Average 1000 Sq. Feet GFA: 572
 Directional Distribution: 25% entering, 75% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
0.32	0.09 - 1.66	0.67

Data Plot and Equation



Land Use: 151 Mini-Warehouse

Description

Mini-warehouses are buildings in which a number of storage units or vaults are rented for the storage of goods. They are typically referred to as "self-storage" facilities. Each unit is physically separated from other units, and access is usually provided through an overhead door or other common access point.

Additional Data

Truck trips accounted for 2 to 15 percent of the weekday traffic at the sites surveyed.

Vehicle occupancy ranged from 1.2 to 1.9 persons per automobile on an average weekday.

Peak hours of the generator —

The weekday p.m. peak hour was between 1:00 p.m. and 7:00 p.m. The Saturday peak hour was between 10:00 a.m. and 1:00 p.m. The Sunday peak hour was between 1:00 p.m. and 6:00 p.m.

For the purpose of this land use, the independent variable "occupied storage units" is defined as the number of units that have been rented.

The sites were surveyed between 1979 and 2005 in California, Colorado and New Jersey.

Source Numbers

113, 212, 403, 551, 568, 642

Mini-Warehouse (151)

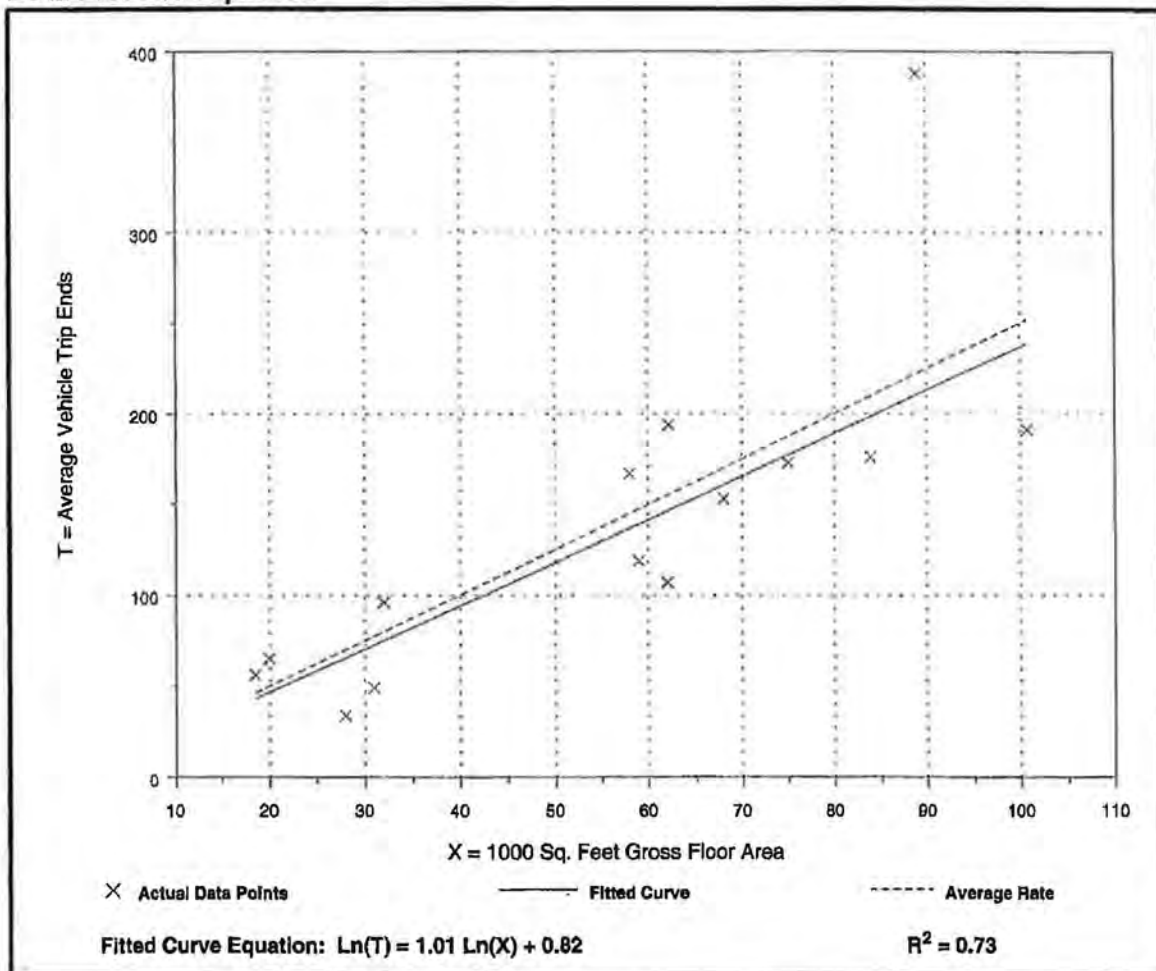
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday

Number of Studies: 14
Average 1000 Sq. Feet GFA: 56
Directional Distribution: 50% entering, 50% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
2.50	1.21 - 4.36	1.78

Data Plot and Equation



Mini-Warehouse (151)

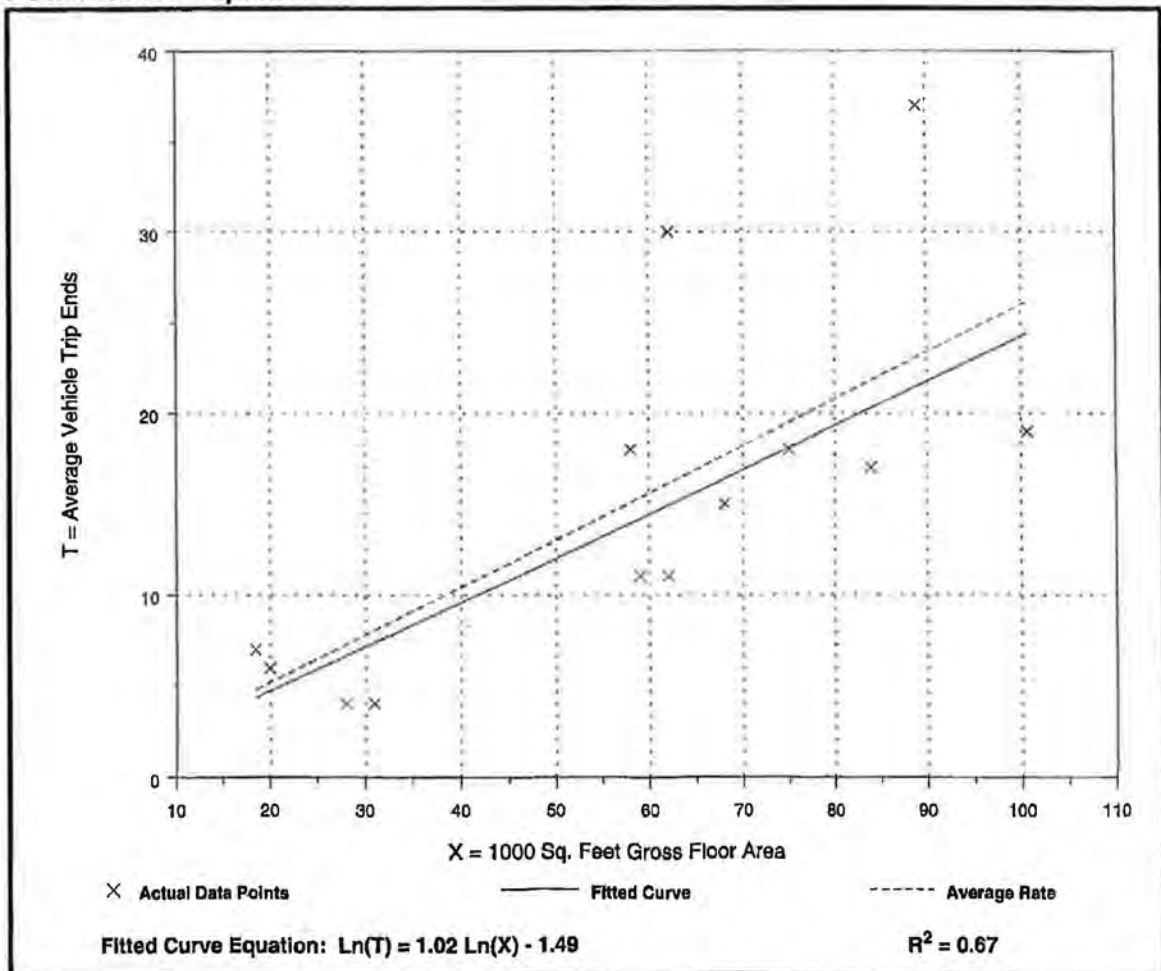
Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Floor Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

Number of Studies: 13
 Average 1000 Sq. Feet GFA: 58
 Directional Distribution: 51% entering, 49% exiting

Trip Generation per 1000 Sq. Feet Gross Floor Area

Average Rate	Range of Rates	Standard Deviation
0.26	0.13 - 0.48	0.52

Data Plot and Equation



Specialty Retail Center (814)

Average Vehicle Trip Ends vs: 1000 Sq. Feet Gross Leasable Area
On a: Weekday,
Peak Hour of Adjacent Street Traffic,
One Hour Between 4 and 6 p.m.

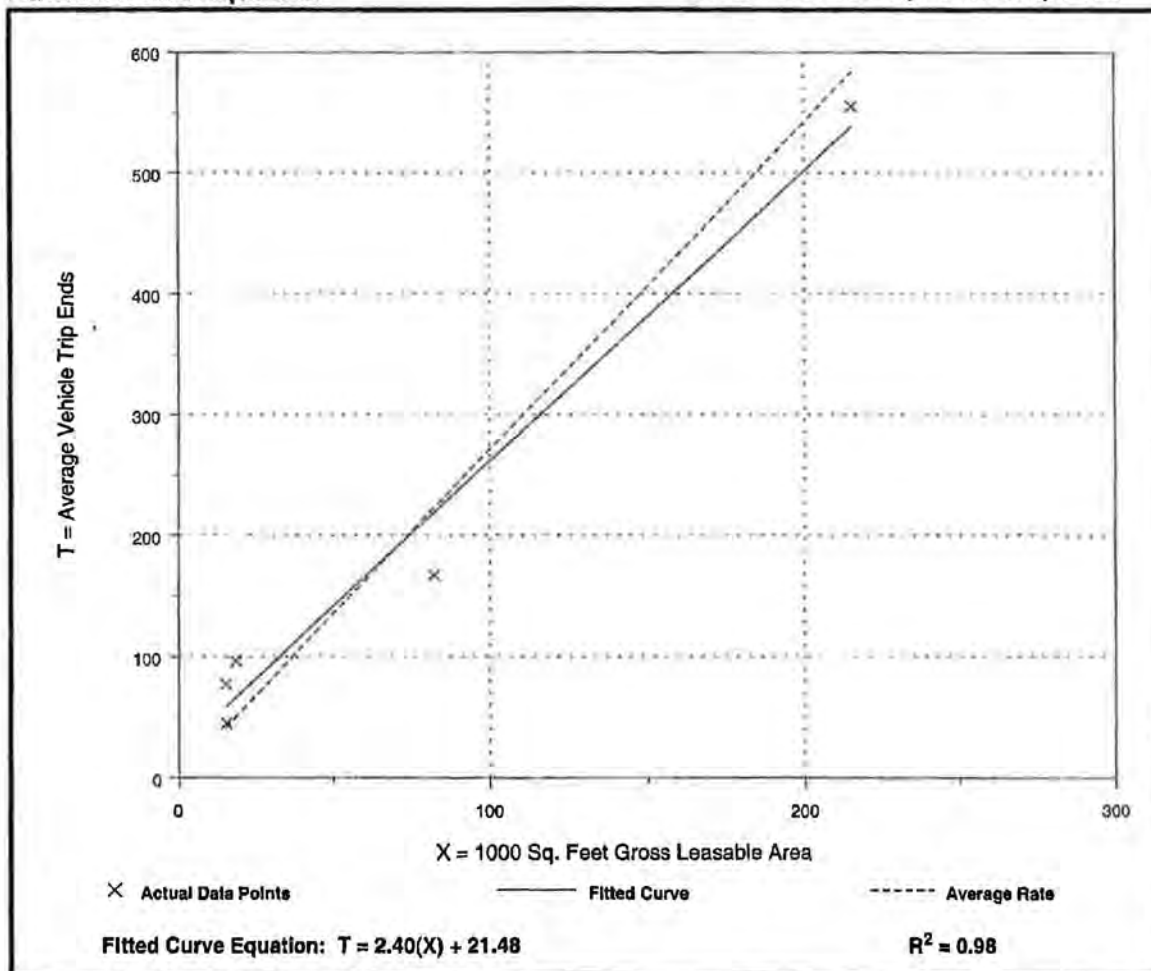
Number of Studies: 5
 Average 1000 Sq. Feet GLA: 69
 Directional Distribution: 44% entering, 56% exiting

Trip Generation per 1000 Sq. Feet Gross Leasable Area

Average Rate	Range of Rates	Standard Deviation
2.71	2.03 - 5.16	1.83

Data Plot and Equation

Caution - Use Carefully - Small Sample Size



LUC 942

Summary of Trip Generation Calculation

For 5.1 Th.Sq.Ft. Occupied G.L.A. of Automobile Care Center
October 08, 2012

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	0.00	0.00	1.00	0
7-9 AM Peak Hour Enter	1.91	0.00	1.00	10
7-9 AM Peak Hour Exit	1.03	0.00	1.00	5
7-9 AM Peak Hour Total	2.94	2.15	1.00	15
4-6 PM Peak Hour Enter	1.69	0.00	1.00	9
4-6 PM Peak Hour Exit	1.69	0.00	1.00	9
4-6 PM Peak Hour Total	3.38	2.15	1.00	17
AM Pk Hr, Generator, Enter	1.93	0.00	1.00	10
AM Pk Hr, Generator, Exit	1.29	0.00	1.00	7
AM Pk Hr, Generator, Total	3.22	2.27	1.00	16
PM Pk Hr, Generator, Enter	2.05	0.00	1.00	10
PM Pk Hr, Generator, Exit	1.96	0.00	1.00	10
PM Pk Hr, Generator, Total	4.01	2.51	1.00	20
Saturday 2-Way Volume	15.86	0.00	1.00	81
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.00	0.00	1.00	0
Sunday 2-Way Volume	2.59	0.00	1.00	13
Sunday Peak Hour Enter	0.00	0.00	1.00	0
Sunday Peak Hour Exit	0.00	0.00	1.00	0
Sunday Peak Hour Total	0.00	0.00	1.00	0

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

LUC 814
Summary of Trip Generation Calculation
For 7.3 Th.Sq.Ft. GLA of Specialty Retail Center
October 08, 2012

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	44.32	15.52	1.00	324
7-9 AM Peak Hour Enter	0.00	0.00	1.00	0
7-9 AM Peak Hour Exit	0.00	0.00	1.00	0
7-9 AM Peak Hour Total	0.00	0.00	1.00	0
4-6 PM Peak Hour Enter	1.19	0.00	1.00	9
4-6 PM Peak Hour Exit	1.52	0.00	1.00	11
4-6 PM Peak Hour Total	2.71	1.83	1.00	20
AM Pk Hr, Generator, Enter	3.28	0.00	1.00	24
AM Pk Hr, Generator, Exit	3.56	0.00	1.00	26
AM Pk Hr, Generator, Total	6.84	3.55	1.00	50
PM Pk Hr, Generator, Enter	2.81	0.00	1.00	21
PM Pk Hr, Generator, Exit	2.21	0.00	1.00	16
PM Pk Hr, Generator, Total	5.02	2.31	1.00	37
Saturday 2-Way Volume	42.04	13.97	1.00	307
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.00	0.00	1.00	0
Sunday 2-Way Volume	20.43	10.27	1.00	149
Sunday Peak Hour Enter	0.00	0.00	1.00	0
Sunday Peak Hour Exit	0.00	0.00	1.00	0
Sunday Peak Hour Total	0.00	0.00	1.00	0

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

LUC 151
Summary of Trip Generation Calculation
For 80.1 Th.Sq.Ft. GFA of Mini-Warehouse
October 08, 2012

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	2.50	1.78	1.00	200
7-9 AM Peak Hour Enter	0.09	0.00	1.00	7
7-9 AM Peak Hour Exit	0.06	0.00	1.00	5
7-9 AM Peak Hour Total	0.15	0.39	1.00	12
4-6 PM Peak Hour Enter	0.13	0.00	1.00	10
4-6 PM Peak Hour Exit	0.13	0.00	1.00	10
4-6 PM Peak Hour Total	0.26	0.52	1.00	21
AM Pk Hr, Generator, Enter	0.13	0.00	1.00	10
AM Pk Hr, Generator, Exit	0.15	0.00	1.00	12
AM Pk Hr, Generator, Total	0.28	0.54	1.00	22
PM Pk Hr, Generator, Enter	0.15	0.00	1.00	12
PM Pk Hr, Generator, Exit	0.14	0.00	1.00	11
PM Pk Hr, Generator, Total	0.29	0.54	1.00	23
Saturday 2-Way Volume	2.33	1.69	1.00	187
Saturday Peak Hour Enter	0.00	0.00	1.00	0
Saturday Peak Hour Exit	0.00	0.00	1.00	0
Saturday Peak Hour Total	0.40	0.64	1.00	32
Sunday 2-Way Volume	1.78	1.46	1.00	143
Sunday Peak Hour Enter	0.00	0.00	1.00	0
Sunday Peak Hour Exit	0.00	0.00	1.00	0
Sunday Peak Hour Total	0.30	0.55	1.00	24

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

LUC 150
Summary of Trip Generation Calculation
For 41.7 Th.Sq.Ft. GFA of Warehousing
October 08, 2012

	Average Rate	Standard Deviation	Adjustment Factor	Driveway Volume
Avg. Weekday 2-Way Volume	3.56	3.58	1.00	148
7-9 AM Peak Hour Enter	0.24	0.00	1.00	10
7-9 AM Peak Hour Exit	0.06	0.00	1.00	3
7-9 AM Peak Hour Total	0.30	0.63	1.00	13
4-6 PM Peak Hour Enter	0.08	0.00	1.00	3
4-6 PM Peak Hour Exit	0.24	0.00	1.00	10
4-6 PM Peak Hour Total	0.32	0.67	1.00	13
AM Pk Hr, Generator, Enter	0.27	0.00	1.00	11
AM Pk Hr, Generator, Exit	0.15	0.00	1.00	6
AM Pk Hr, Generator, Total	0.42	0.74	1.00	18
PM Pk Hr, Generator, Enter	0.09	0.00	1.00	4
PM Pk Hr, Generator, Exit	0.36	0.00	1.00	15
PM Pk Hr, Generator, Total	0.45	0.76	1.00	19
Saturday 2-Way Volume	1.23	2.12	1.00	51
Saturday Peak Hour Enter	0.08	0.00	1.00	3
Saturday Peak Hour Exit	0.05	0.00	1.00	2
Saturday Peak Hour Total	0.13	0.40	1.00	5
Sunday 2-Way Volume	0.78	1.74	1.00	33
Sunday Peak Hour Enter	0.04	0.00	1.00	2
Sunday Peak Hour Exit	0.03	0.00	1.00	1
Sunday Peak Hour Total	0.07	0.29	1.00	3

Note: A zero indicates no data available.
Source: Institute of Transportation Engineers
Trip Generation, 8th Edition, 2008.

TRIP GENERATION BY MICROTRANS

ALL ITEMS, INCLUDING A FULL SIZE PLAN SET, MAY ALSO BE REVIEW
ELECTRONICALLY

AT THE FOLLOWING WEB ADDRESS

<http://www.sherwoodoregon.gov/u-haul-storage-addition-sp-12-07>

- Individuals may not impugn the character of anyone else, including but not limited to members of the community, the reviewing body, the staff, the applicant, or others who testify. Complaints about staff should be placed in writing and addressed to the City Manager. If requested by the complainant, they may be included as part of the public record. Complaints about the City Manager should be placed in writing and addressed to the Mayor. If requested by the complainant, they may be included as part of the public record.
- Comment time is 4 minutes with a Council-optional 1 minute Q & A follow-up.
- The Chair of a meeting may have the ability to modify meeting procedures on a case-by-case basis when especially complicated issues arise, or when the body is involved in extraordinary dialogue, but only after receiving the advice and majority consent of the body. The Chair may also cut short debate if, in his judgment, the best interests of the City would be served.
(Note: Written comments are encouraged, and may be submitted prior to the meeting by mail, or at the meeting. There is no limit to the length of written comment that may be submitted)

Persons who violate these rules may be asked to stop their comments by any member of the body. Comments beyond the 4-minute limit may not be included in the record of the meeting. Persons who impugn the character of anyone will be required to stop immediately. Their comments will not be included in the record of the meeting, and they will forfeit their remaining time. Any person who fails to comply with reasonable rules of conduct or who causes a disturbance may be asked or required to leave and upon failure to do so becomes a trespasser.

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

Name: DAVID POLLOCK Date: 2-12-13

Address: 2727 N CENTRAL, PHOENIX, AZ

Telephone: 602 300 0565

I would like to speak to the Council regarding:

Subject: WHAUL

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

Please give this form to the City Recorder prior to you addressing City Council. Thank you.

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

Name: JOHN CARTER Date: 2-12-13

Address: 23552 SW McLOUGHRAN CT
Sherwood Ueew East

Telephone: 503 822 5393

I would like to speak to the Council regarding:

Subject: VLD zoning chg. to higher density

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

Please give this form to the City Recorder prior to you addressing City Council. Thank you.

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

Name: KURT KEISERSON Date: 2-12-17

Address: 22520 SW FAIRMOUNT CT

Telephone: 502-625-2140

I would like to speak to the Council regarding:

Subject: LOW R. DENSITY

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

Please give this form to the City Recorder prior to you addressing City Council. Thank you.

SP 12-07/CUP 12-03
Planning Commission Public Hearing
February 12, 2013

U-Haul Moving and Storage Expansion

2-12-13
Date

Planning Comm.
Gov. Body

8a
Agenda Item

1
Exhibit #

Vicinity Map



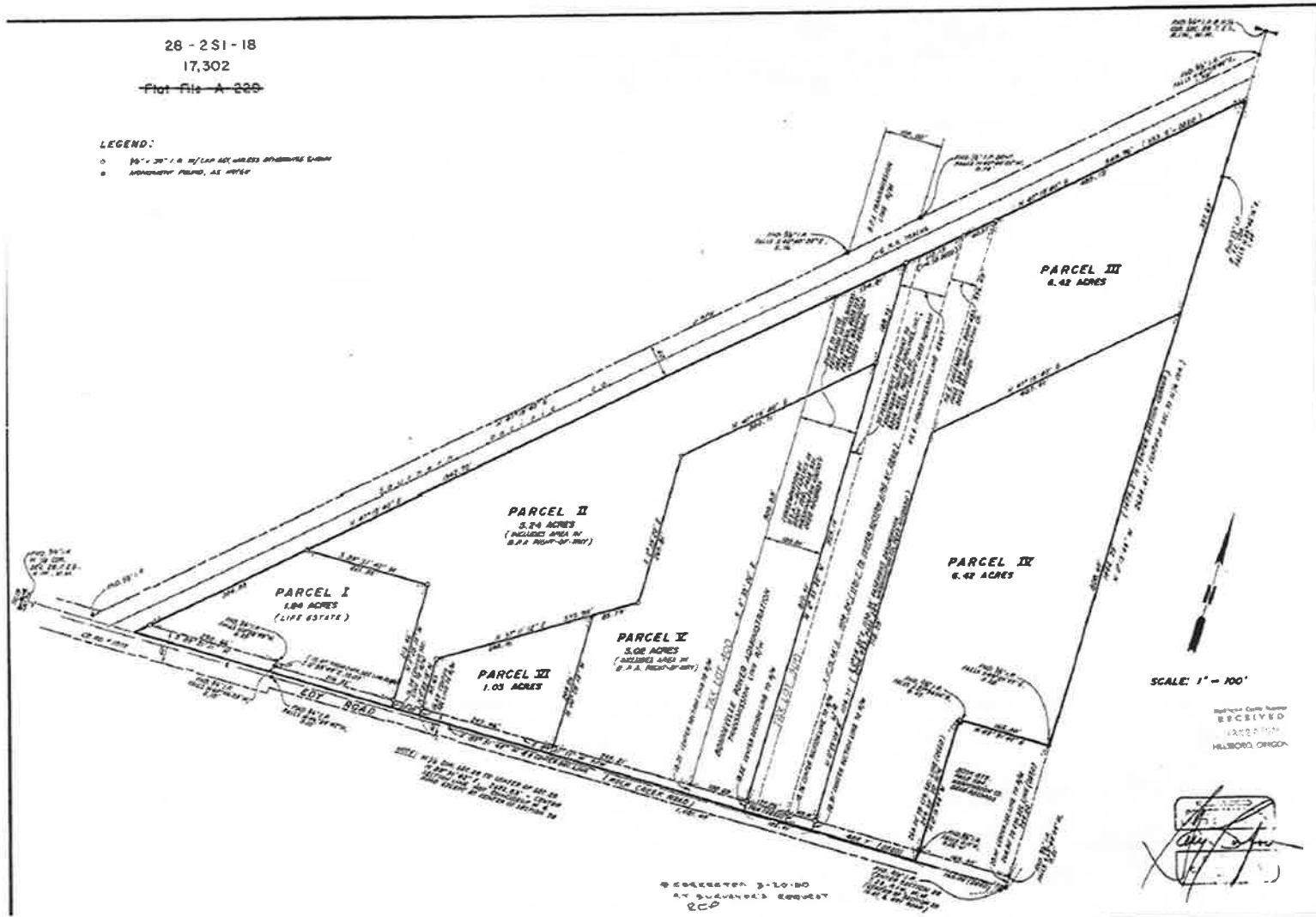
U-Haul Proposal

- A major modification to an existing site plan to increase the floor area from 54,024 square feet to 80,061 square feet by adding an interior floor for both climate, and non-climate controlled storage lockers.
- Conditional Use Permit (CUP) for outdoor display and merchandising of U-Haul rental vehicles and trailers.

Staff Issues

- **Access** — Access to the south and east cleared up/Access to the north unclear.
- **Bonneville Power Administration** - No storage allowed beneath power lines (telephone comment)
- **National Fish and Wildlife** - no comment
- **Outdoor Display and Merchandising**— require a condition
- **Outdoor Signage** — Provided direction to applicant

Access



BPA Powerline Easement



Outdoor Display & Merchandising



02/07/2013

Signs



Applicant Issues

- Tree Removal-
 - Applicant will need to remove 4 mature trees for the exit door
 - Proposes to replace with 4 trees at the rear of the site
- Outdoor Storage and Display Area Modification
 - Applicant has proposed to utilize 12 parking spaces in addition to the equipment staging area. Would like to utilize 12 spaces but as indicated in the following location.

Staff Recommendation

- Approval with conditions
 - Modify condition #3 (General Conditions Page 26) requiring that the Outdoor display and Merchandising be limited to the area designated on the plan submitted by the applicant today .
 - Modify condition #3 (Prior to final site plan approval Page 27) to include replacement of (4) trees with like species.

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
February 12, 2013

Commission Members Present:

Chair Patrick Allen
Commissioner Michael Cary
Commissioner John Clifford
Commissioner Russell Griffin
Commissioner Lisa Walker

Staff Present:

Julia Hajduk, Community Development Director
Brad Kilby, Senior Planner
Michelle Miller, Associate Planner
Kirsten Allen, Planning Dept. Program Coordinator

Commission Members Absent:

Vice Chair James Copfer
Commissioner Brad Albert

Council Liaison

Mayor Bill Middleton

Legal Counsel Present:

Chad Jacobs

1. Call to Order/Roll Call

Chair Patrick Allen called the meeting to order at 7:01 pm.

2. Agenda Review

The agenda consisted of the continued public hearing on the VLDR PUD Text Amendment, a new public hearing on U-Haul Moving and Storage, and the minutes from January 8, 2013

3. Consent Agenda

- a. January 8, 2013 Planning Commission Minutes

Motion: From Commissioner Lisa Walker to accept the Consent Agenda and the January 8, 2013 minutes, Seconded by Commissioner Russell Griffin. All Commission members present voted in favor (Vice Chair Copfer and Commissioner Albert were absent)

4. Council Liaison Announcements

There were no Council Announcements

5. Staff Announcements

Community Development Director Julia Hajduk said that she had confirmed with James Copfer that he would accept the nomination to be the Planning Commission Vice Chair. Julia informed the Commission that Chair Allen and Commissioner Albert's terms were set to expire at the end of March and Commissioner Walker's term would expire at the end of June. She said seated Commissioners need to go through the application process, as well, and the City was accepting applications from anyone willing to serve for the volunteer position. Forms can be found on the City Website at www.sherwoodoregon.gov under the more resources tab. All three vacancies would be filled from applications received with interviews being performed in approximately 3 weeks.

Julia gave an update on the Downtown Streetscapes Phase II project stating that Railroad Street was closed, but the sidewalks and businesses are open. Everyone is encouraged to patronize Old Town businesses during the construction. Updates can be found on the City's home page.

Julia said that there were grants available for long range planning from the Metro Construction Excise tax collected from building permits. She said the City received funding for the Brookman Road and Tonquin Area Concept Plan from that source and was looking to apply for grants for the Urban Reserve area west of Sherwood for a Concept Plan and for the Master Planning of the Tonquin Employment Area.

6. Community Comments

There were no community comments.

7. Old Business

a. Public Hearing – PA 12-04 VLDR PUD Text Amendment (continued from January 8, 2013)

Chair Allen reopened the public hearing for VLDR PUD Text Amendment and asked for an update from staff.

Michelle Miller, Associate Planner, summarized that the Planning Commission had heard information on the amendment, took public testimony, and began deliberations after closing the record for the hearing. Since that time, the applicant has requested a continuance until February 26, 2013 when some new revised language will be proposed considering the SE Sherwood Master Plan. Michelle explained that two additional citizen comments had been received should the Commission choose to re-open the record and receive additional testimony.

Discussion ensued regarding options before the Commission and time frames regarding the applicant driven amendment. Chad Jacobs, a representative from the City Attorney's office, said that the 120-day time limitations would not apply and that even if it did apply, an applicant request for a delay tolls the time limit for that same period of time. Mr. Jacobs said that the language allowing the applicant time to rebut is in the quasi-judicial preceding and the applicant's opportunity to testify could be at the next hearing. Julia requested that the Commission be clear regarding when they would accept public comment should they choose to continue the hearing.

Based on feedback from the Commission, Chair Allen reopened public testimony and asked Michelle to submit written testimony.

Michelle submitted an email from Mary Reid and a letter from Mr. and Mrs. Joseph Barclay (See PA 12-04 record, Exhibit I, J).

Chair Allen asked for any additional public testimony.

Kurt Kristensen, 22520 SW Fair Oaks Court, Sherwood. Mr. Kristensen informed the Commission that he had requested the City Council to reopen and consider the 2006 Planning Commission resolution for the SE Sherwood Master Plan and he was expecting the Council to consider the request and conclude the process in the time that the current application is before the Commission. Mr. Kristensen requested that the Commission wait until after the Council had concluded and suggested that Planning Commissioners take the time to visit the area and to

stand where the applicant wants to add two additional houses. Mr. Kristensen said the first set of houses that were approved were pressing the issue, the fire department was reluctant to approve until additional fire protection was added inside the buildings, and said it was a challenging building area. Mr. Kristensen said he was unsure the proposal would fit in with the vision of the SE Sherwood Master Plan and expressed his concerns that the engineered pollution dumps were left unfenced and would be forgotten over time. Mr. Kristensen said he thought it was unfortunate that the applicant was allowed to interfere in a process that should have been a legislative consideration.

Chair Allen indicated that he should have asked if any of the Planning Commissioners had any potential or actual conflicts of interest and commented that Commissioner Walker had previously recused herself regarding the matter. Commissioner Walker decided to do so and sat in the audience.

John Carter, 23552 SW McLoughlin Court, Sherwood. Mr. Carter said that he had brought in a letter regarding the issue since the last hearing and he did not hear his written comments entered into the record. After some discussion, Chair Allen offered that there was time to locate the letter and add it to the record. (Note: The letter was located following the meeting and will be entered into the record at the following meeting.)

With no other public testimony, Chair Allen closed the public testimony, leaving the record open.

Motion: From Commissioner Russell Griffin for the Planning Commission to Continue, to the February 26, 2013 Planning Commission Meeting, PA 12-04 VLDR PUD Text Amendment and keep the record open through and including that date. Seconded By Commissioner Michael Cary.

Michelle informed the Commission that a courtesy notice would be sent to all properties zoned within the VLDR zone informing them that the hearing would be continued, with the proposed language included, by the end of the week.

All Seated Commissioners voted in favor (Commissioner Walker had stepped down; Vice Chair Copfer and Commissioner Albert were absent).

8. New Business

Public Hearing – SP 12-07 U-Haul Moving & Storage Modification

Chair Allen opened the public hearing on SP 12-07 U-Haul Moving and Storage Major Modification and read the public hearing statement and asked the Commission to disclose any ex parte contact, bias or conflict of interest.

Chair Allen disclosed that he had potential conflict of interest as a volunteer for the Sherwood High School Band Booster and that the booster club received in kind contributions of discounts from U-Haul on the use of their vehicles to transport band equipment to various band competitions. Chair Allen said he did not feel it had any bearing on his ability to make a decision and he intended to participate.

Commissioner John Clifford indicated that he had driven around the site to see what was there.

Chair Allen asked if there was anyone in the audience who wished to challenge the commissioner's ability to participate. Seeing none, he turned the time over to staff.

Brad Kilby, Senior Planner described the proposal as a modification to a site plan and a conditional use permit for a 3.43 acre piece of property at 13921 SW Tualatin Sherwood Road and gave a presentation (see record, Exhibit 1). Brad said that the proposal is a modification to increase the floor plan from 54,024 square feet to 80,061 square feet for climate and non-climate controlled storage lockers on a second floor inside the warehouse. Brad explained that the property is in the general industrial zone and a mini storage is an allowed use in that zone. The Conditional Use Permit is for the outdoor display and merchandising of U-Haul rental vehicles and trailers. Brad explained that the applicant was proposing to move the proposed location for the 12 parking spaces to be used for the CUP in order to provide more space to their tenants and indicated the staging area for their other equipment.

Brad showed the building exterior elevation and stated there were no changes except for a stairwell to be added. Brad said the addition of the stairwell will require the removal of four trees which the applicant has agreed to replant, in like varieties, elsewhere on the site, which he felt was acceptable.

Brad explained that the access issue to the east of the site that was listed in the Staff Report was cleared up by looking at the title reports and that U-Haul did have an access. He said that the Bonneville Power Administration (BPA) had contacted him by telephone and indicated that they did not want any storage beneath the power lines, but they had not provided written comments. Brad said that the applicant was in contact with the BPA regarding the matter.

Brad stated that the National Fish and Wildlife had been asked for comment, because of the proximity to the Wildlife Refuge, but no comments were received.

Brad said that he recommended a condition that limited the outdoor display and merchandizing to the locations designated on the plans and that currently spaces allotted to tenants and customers were being taken by U-Haul trucks.

Regarding outdoor signage, Brad was told that the establishment was under new management and he provided direction to the applicant with the result that many of the sign issues had been resolved. He indicated that staff will continue to work with the applicant towards compliance.

Brad showed a picture of the site and explained that there are two access easements going across the BPA power line easement to the Bullock property to the south. One of the easements, on the north of the property was to be shared between properties, but has been gated. Brad explained that it was a civil issue and he has introduced the property owners to each other to work it out. Brad said that because there were no proposals to modify an access easement to the north, it has not been addressed by staff. (Note: After the meeting the applicant clarified that the access easements were to the east of the property, not the north.)

Brad showed pictures of the site showing storage of U-Haul vehicles under the BPA power lines, the proposed display area, and non-conforming signs that have since been removed. He said the applicant had indicated they might be changing the existing monument sign and the applicant has been informed of the limitations in order to stay in compliance.

Regarding the need to remove four trees on the east side of the property for a man door and stairs, Brad said the applicant was proposing to replace them with four trees on the rear of the site

Brad showed a plan with the new proposed location for the display area (see record, SP 12-07/CUP 12-03, Exhibit H) and said the staging area will remain as proposed.

Brad stated that staff recommends approval with conditions: Condition 3, on page 26 of the staff report, limits outdoor display and merchandizing to designated locations; and Condition 3, on page 27 of the staff report, calls for the replacement of four trees with like species. Brad indicated that staff would verify the replacement trees prior to occupancy of the remodeled section in the interior of the building.

Chair Allen asked if there were any questions for Brad.

Commissioner Clifford commented that tenants had marked parking spaces specifically for the customer's use and asked where those spaces would go.

Brad replied that the purpose for moving the display to the far end was to allow for parking in the middle section for tenant's customers, but it was not a land use issue because it was up to the applicant on how to manage their parking. He said they have plenty of parking provided from the original site plan and the applicant may want to answer.

Commissioner Cary referred to page 5 of the staff analysis and asked regarding the prohibition of outdoor storage from the original approval.

Brad explained that the application was a major modification to the original site plan and he conferred that it was expressly prohibited in the original application because it had not been requested and there might have been discussion with the applicant at that time. Brad clarified that this modification will change that approval.

Chair Allen received clarification that it would be trucks and trailers parked in front and asked about the difference between storing the vehicles and parking the vehicles [for display].

Brad answered that, in his view, it was intent and typically the vehicles would be required to be screened like i.e. fleet vehicle storage. The Conditional Use Permit is for the express purpose of displaying the available trucks for rent. Discussion followed regarding marked fleet vehicles displaying the business name and equipment storage. Brad clarified that trailers are listed as a non-motorized vehicle.

Commissioner Clifford asked about the conditions for the water retention pond. Brad commented that a lot of businesses in Sherwood were constructed without installing backflow devices and Public Works has requested that backflow devices are installed as development comes in to ensure that used water is not flushed back into the water system, contaminating the system. Brad said that per engineering comments, the original pond was not constructed as designed and the applicant would be receiving a copy of the original design.

Chair Allen commented that the State Plumbing Code and not Clean Water Services standards should dictate the installation of backflow devices.

Brad commented that the Oregon Plumbing code has been revised such that a plumbing plan review is no longer required with the result being that the plumbing is constructed out in the field but cannot be reviewed and approved prior to construction by the plumbing inspector.

Commissioner Cary asked about lighting at the rear of the building. Brad indicated that the applicant was going to provide a lighting plan with lighting that will be shielded and pointing to the ground.

Commissioner Clifford asked if U-Haul would be occupying the second floor of the building. Brad confirmed.

With no other questions for staff, Chair Allen asked for applicant testimony.

David Pollock, 2727 N. Central Avenue, Phoenix, Arizona, Principal Planner and Re-Use Development Manager for U-Haul and Amerco Real Estate. Mr. Pollock stated that he was seeking approval for a major modification and a condition use for outdoor sales and merchandise. Mr. Pollock commented regarding Sherwood as a location for U-Haul and converting available or abandoned buildings to fit the business model. Mr. Pollock commented that the previous tenant was a U-Haul dealership that made use of the products, but was not a U-Haul Center and the way they intended to do business was different.

Mr. Pollock said that per code that there were 43 parking spaces required for their tenants, that the U-Haul trucks could be moved to the end in order to provide parking for the tenant's customers and the marked spaces were gone. Mr. Pollock stated that there was equipment that fits in the staging area and explained how rentals will take place for that equipment; the twelve spaces in front are for display purposes for U-Haul merchandise.

Mr. Pollock stated the stairs would be on the west side behind a gate, unseen from the front. They are needed for emergency egress purposes for customers to be able to get out on the second floor. Mr. Pollock commented that the trees would be removed and replaced on the side or rear of the building.

Mr. Pollock said he had read the staff report and had no issues with the findings or the conditions of approval.

Chair Allen asked for questions from the Commission.

Commissioner Clifford asked what the applicant would do if the Conditional Use Permit was not approved. Mr. Pollock stated that they were operating the retail portion of the business; they owned the building and would like to work out an arrangement that will work for everybody.

Commissioner Griffin asked for confirmation that the staging area would hold all the vehicles that were not to be in the twelve display spaces. Mr. Pollock said that the previous owner misused the spaces and only the allotted spaces would be used.

Chair Allen closed the public testimony because there was no additional testimony and asked if there were any questions for staff.

Commissioner Griffin asked a question regarding warehouse space and if there was currently a second story. Brad answered that there was a mezzanine in the warehouse, but a second story would take up a majority of the space. Mr. Griffin asked how many units there would be.

Brad was unable to answer, so Chair Allen reopened the public testimony for the purpose of answering the question. Mr. Pollock responded that there would be approximately 1200 storage lockers, approximately 3/4 of the warehouse would have a second floor and the second floor units would be climate controlled with both heat and cool; and the first floor would have heat. Mr. Pollock said there would be 24 hour access and major security features.

Chair Allen closed the public testimony and asked for a discussion.

Commissioner Clifford commented on his experience and of his observations regarding the previous dealership.

Commissioner Cary commented on the number of storage units coming to Sherwood in recent years.

Motion: From Commissioner Lisa Walker to approve SP 12-07 and CUP 12-03 based on the Staff Report, and Conditions as modified by Staff, Seconded by Commissioner Russell Griffin. All Commission members present voted in favor. (Vice Chair Copfer and Commissioner Albert were absent)

9. Adjourn

Chair Allen adjourned the meeting at 8:05pm.

Submitted by:



Kirsten Allen
Planning Department Program Coordinator

Approval Date: 2-26-13