



**City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
January 22, 2008 – 7PM**

1. **Call to Order/Roll Call**
2. **Agenda Review**
3. **Consent Agenda** – Draft Minutes from December 11, 2007
4. **Staff Announcements**
5. **Council Announcements** (Mayor Keith Mays, Planning Commission Liaison)
6. **Community Comments** (*The public may provide comments on any non-agenda item*)
7. **Old Business:** None
8. **New Business:**
 - a. **Public Hearing - Zobrist Office Site Plan (SP 07-14)** – The applicant is proposing to modify the use of the existing structure from residential to office. The applicant has not proposed any physical changes to the 1,004 square foot building. The existing site is located at 22467 SW Ash Street; an area zoned Medium Density Residential Low in the old Town Overlay, Smockville district. The 5,000 square foot existing site includes the 1,004 square foot building.
 - b. **Annual report - 2007**
9. **Comments from Commission**
10. **Next Meeting:** February 12, 2008 – Brookman Road concept plan update/work session
11. **Adjournment to work session**

Work session discussion items (after regular business meeting)

- **Commercial/Industrial design Standards**
- **Old Town fee/process discussion**

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City of Sherwood, Oregon
Planning Commission DRAFT Minutes
December 11 , 2007

Commission Members Present:

Chair Patrick Allen
Dan Balza

Staff:

Julia Hajduk, Planning Manager
Stephanie Guediri, Recording Secretary

Commission Members Absent:

Adrian Emery
Lisa Walker
Matt Nolan
Todd Skelton
Jean Lafayette

Council Liaison – Keith Mays

City Attorney – Chris Crean

1. **Call to Order/Roll Call** – Stephanie Guediri called roll and announced that there would not be a quorum this evening as commissioners Lafayette, Emery, Skelton, Nolan and Walker were not in attendance.

2. **Agenda Review** - Chair Allen apologized for the late notice of no quorum. There was a medical emergency and a work emergency that arose late in the day, so attendees may have received the notice late, or maybe not at all. This is only the second time in the past seven or eight years that there were not enough commissions present. In light of this, the commission will not be considering the continuation of the public hearing on the Former Driftwood Mobil Home Park Plan Amendment at this meeting. Consideration will be carried over to the next planning commission meeting which is scheduled for January 8, 2008.

3. **Consent Agenda** – Minutes from the November 13th, 2007 session will not be voted on due to lack of attendees.:

Yes – 0 No – 0 Abstain - 0

4. **Announcements** – Chair Allen stated that since there were no action items we would be receiving an update from the Engineering Department and also invited Mayor Keith Mays to talk about his new position as liaison.

Chair Allen asked for staff announcements. Julia Hajduk reported that the Brookman Road Steering Committee meeting would be held the following evening, December 12th, beginning at 5:30, the open house is scheduled for January 9th, 2008. She also mentioned that at the last city council meeting the council approved the resolution to approve the minor modification to the Langer PUD and approved the signing of the development agreement. Julia then introduced Karen Brown as the new Administrative Assistant in the Planning Department. Karen will be attending the Planning Commission Meetings and assisting the Planning Department at this time. Julie also introduced the City's new Economic Development Manager, Tom Nelson.

Chairman Allen asked for council announcements. Mayor Keith Mays approached the group and announced that he will now be the liaison for the Planning Commission from the City Council. Councilor Dave Grant needed to scale back, so for the foreseeable future Mayor Mays has taken the position. Mayor Mays acknowledged that the commission is working on a lot of

exciting projects and is looking forward to seeing the commission in action. He went on to say that as part of passing the development agreement and the minor modification for the Langer PUD he expects the City to be seeing the development application fairly soon. Other items include the S.W.O.T analysis meeting, (strengths, weaknesses, opportunities and threats) which is scheduled for December 12, 2007. Chairman Allen will be attending. From that meeting the City Council will use information gathered in that meeting for goal setting in January.

5. Community Comments – Chair Allen asked if there were any community comments on topics not on the agenda. There were none.

Julie introduced Tom Pessemier from the City's Engineering Department. At the last meeting questions asked made people aware that there have not been any recent updates on engineering items.

6. Update from Engineering Department: Adams Avenue, Pine Street, etc

Tom Pessemier the City's Engineer provided updates on several projects, starting with the work that has begun on Pine Street. Sanitary and storm systems (which were basically non-existent) will be replaced and the utility poles will be located underground, the streets will be widened including space for sidewalks and curbs. Originally the TSP designated the street to be a collector. Once the collector footprint was placed on the neighborhood, there was not much neighborhood left. Engineering worked closely with the residents to create a design that would satisfy the needs of all involved while maintaining the character of the neighborhood. The project is scheduled to be complete by mid year, June of 2008.

Work is continuing on the reservoir in that area. Dan Balza asked if that is the second reservoir. Tom confirmed. Julia added that the reservoir was a conditional use permit that was heard by the Hearing's Officer. A decision has not been made at this time. The proposal is for a reservoir with two tennis courts on top.

Adams Ave. project has been through many issues including financing to be sure that both Pine Street and Adams Ave., projects could be done. With the Langer Development Agreement, Adams Avenue now has a way to be constructed with the city doing some of the work near old town and the developer working on most of Adams from Oregon to Tualatin Sherwood road as well as onto Hwy 99W. Design has not really begun on the portion of the project from Tualatin /Sherwood road to Hwy. 99W, so there is a lot of work to be done. It will likely come before the Planning Commission later when comp plans are developed to bring some of the area outside the City limits but inside the Urban Growth Boundary into the city. If the City is not able to meet all of our obligations by the time the developer has received approvals to work on phases 6 & 7 then they will be required to pay into a fund, which the city will use to build the road. That approach would cost the city more, so we would prefer to not go that route. Chair Allen asked what the anticipated time line is for the stage to Hwy 99. Tom replied by saying the timeline will be partially determined by how long it takes the developer can get through the process. The conditions say they will either need to build the road or pay into the fund by the time they submit their public improvement plans. They will still have to go though the entire process for site plan approval then, they can submit plans for approval. Approvals will also be based on occupancy. The road will have to be built prior to occupying any buildings in phases 4, 6 and 7. Phases 6 and 7 are on the south side of Tualatin-Sherwood road, phase 4 is the storage unit and Clarence Langer's home on the north side of Tualatin-Sherwood Road.

The city's responsibilities are mainly to get the design completed and the permits in place. We will need to be sure that construction can begin. We have been working on a number of items, including probably the biggest item which has been working with ODOT Rail. When the original TSP was being prepared, ODOT Rail was opposed to keeping 3 crossings open in Sherwood. The TSP called out closing the crossing at Oregon Street. Engineering, with the help of the traffic consultant showed that closing the Oregon Street crossing would cause problems for ODOT Rail on Pine Street. The queues for First Street would start backing up across the tracks on Pine Street. ODOT Rail reconsidered and agreed to keep the Oregon Street crossing open. They have tentatively approved our application. Will need to add a signal and some reconfiguration. They want Adams to be as close to the intersection as possible for safety reasons. After looking at all of the data provided, it looks like drivers will be happy to have an option to choose which way to go. Chair Allen asked if we will need to consider a TSP amendment. Tom's response was that the TSP doesn't really talk specifically about that area. Tom and Julia have looked at it, and haven't found anything that will need to be amended.

Tom indicated that Engineering and Planning do want to do a TSP update. There are several things that they have not been satisfied with and would like to make some clarifications and better define some of the points made. Engineering is now working now on determining what the scope of those changes will be. They don't want to open up the whole thing and start from scratch, but there are areas that can be cleared up. Regarding keeping the rail connection, Chair Allen recalled that within the entire TSP there were only half a dozen issues that were really hashed out in the entire process and the Oregon Street crossing was one. His recollection is that there were some Planning Commissioners that folded under the influence of the traffic consultant that said this is the way you will want it to work, so hearing this now is puzzling to him. Tom's response is that while he wasn't here at the time the original TSP was being adopted, he has been asking the traffic consultant (DKS and Associates) some very tough questions and getting a better understanding. Now with the I-5/99W connector project they have better tools that look at a much bigger area to see how the traffic will be affected.

Chair Allen asked about an update on the water system/Willamette River. Tom replied that he is not really the best person to talk about that, but that our city Public Works Dept. would be. The water tank in the park is a 4 million gallon tank and is a huge portion of the work and a big benefit to the system which is why we are pushing to get that done. Mayor Mays added that part of the short answer is that yes, rates have gone up as we all know, but the benefit is that the consumption has not increased much at this time, giving us more time to build the new line. Chair Allen's concern is that we got to a critical point of the water supply pretty fast in the past. Mayor Mays response was that the Snyder Park reservoir got dangerously low two summers ago, but that changes were made and that did not happen this year. Tom added that the problems have been identified, and that Tualatin didn't use as much water as we thought, so we are able to take more water out of the line.

Chair Allen asked if there were any other updates. Tom did want to mention the Washington Street Culvert. The culvert has been placed on a fast track due to the time limits imposed by the Federal Government for "in-stream" work. We are only allowed to work for 3 months during the summer. The culvert will be removed and replaced by a bridge. The consultants are looking for a way to keep Washington Street open during the project. It is planned to raise the road 3-4 feet to increase the capacity of water that will flow under the road and prevent flooding. Habitat

migration is a major concern to CWS, the State, as well as the City, and will be addressed in addition to pedestrian accessibility. Currently there is a walkway proposed to allow pedestrians to cross under Washington rather than crossing on the street, which will be part of the Cedar Creek Trail. The City is currently working on obtaining funding for the Cedar Creek Trail. Eventually there may be some impact to commuters during the short construction schedule. A master plan for Stella Olsen Park is also being looked at to improve the park layout for all venues that use the park. Tom asked for any questions from the committee; there were none.

6. **New Business** – Chair Allen asked for any comments, none given.

7. **Next Meeting** - January 8, 2008: SP 07-08; Oregon Street Industrial Park Site Plan continuation, SP 07-13 Old Town Lofts Modification and Driftwood Mobile Home Park Plan Amendment. Work session with Heather Austin to continue conversation on commercial/industrial design standards will be re-scheduled for January 22nd, 2008.

8. **Adjournment** – **Chair** Allen adjourned the session at 7:40 PM.

End of Minutes.

TO: Planning Commission
FROM: Planning Department

Pre App. Meeting: None
App. Submitted: November 5, 2007
App. Complete: December 18, 2007
120-day Deadline: April 16, 2008

Heather M Austin

Heather M. Austin, AICP, Senior Planner

Proposal: The applicant is requesting to change the use of a property in Old Town from residential to office. The applicant will use the existing building that is on the property as a tax and accounting office. No exterior changes are proposed to the site or building at this time. The applicant's submitted materials are included as Exhibit A with this report.

I. BACKGROUND

- A. Applicant/Owner:
Shauna Zobrist
14965 SW Brooklet Place
Tigard, OR 97224
- B. Location: The site is addressed as 22467 SW Ash Street in Sherwood's Old Town. The property is identified as Tax Lot 2300 on Washington County Tax Assessor's map number 2S132BA. The site on the southwest corner of SW 1st and SW Ash.
- C. Parcel Size: The total site area is approximately 5,000 square feet, or 0.11 acres.
- D. Existing Development and Site Characteristics: There is one existing residential building on the site that is not listed as a landmark in Sherwood's Historic and Cultural Resource Inventory. The building is 1,004 square feet in size. There are six trees in the northeast corner of the site and one tree on the southwest side of the lot. One tree, a 26" black walnut, was removed prior to land use submittal and is discussed further in this report under Section 16.142). The site is generally flat.
- This property does not have any inventoried significant riparian, upland or wildlife habitat according to Metro's inventory of regionally significant habitat and the Comprehensive Plan inventory map.
- E. Zoning Classification and Comprehensive Plan Designation: The property is zoned Medium Density Residential Low (MDRL) within the Old Town Overlay. Chapters 16.16 and 16.162.030 of the Sherwood Zoning and Community Development Code list the permitted uses in this zone within the Old Town Overlay. Compliance with the permitted uses identified in these sections is discussed further in this report.
- F. Adjacent Zoning and Land Use: All of the properties adjacent to this site are zoned Medium Density Residential Low (MDRL) within the Old Town Overlay. The property adjacent to the southwest previously obtained a change of use and is a property management office. The property to the northwest is used as a storage facility for a merchant in Old Town. The property

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to the northeast and across Ash Street is used as a preschool. The property to the southeast and across First Street is a house owned by the City of Sherwood and is currently vacant.

- G. Review Type: Site plan review of new or existing structures (including changes of use) in the Old Town Overlay District are subject to a Type IV review before the Planning Commission. The City Council is the appeal authority.
- H. Public Notice and Hearing: Notice of the land use review of this application was posted on site, at 5 conspicuous locations throughout town and mailed to property owners within 100 feet of the site on January 2, 2008 in accordance with Chapters 16.72.020 and 16.72.030 of the Sherwood Zoning and Community Development Code. Notice was published in The Times on January 10 and 17, 2008.
- I. Review Criteria: Sherwood Comprehensive Plan Part 3, Zoning and Community Development Code, 16.16 (Medium Density Residential Low- MDRL), 16.58.030 (Fences, Walls and Hedges), 16.90.020 (Site Plan Review), 16.92 (Landscaping), 16.94 (Off-Street Parking), 16.96 (On-Site Circulation), 16.98 (On-Site Storage), Division VI (Public Improvements), 16.142 (Parks and Open Space), Division IX (Historic Resources).

II. PUBLIC COMMENTS

As of the date of this report, no public comments have been received.

III. AGENCY COMMENTS

The City requested comments from affected agencies. All original documents are contained in the planning file and are a part of the official record on this case. The following information summarizes the comments received:

Clean Water Services submitted general comments for development and noted that a Service Provider Letter was issued for this change of use on November 12, 2007. The comments specifically address sanitary sewer, storm drainage and water quality, sensitive areas and erosion control and are attached to this report as Exhibit B.

Pride Disposal, ODOT Outdoor Advertising Signs, Sherwood Engineering, Sherwood Public Works and Tualatin Valley Water District all stated that they have no comment on this proposal.

PGE, Sherwood Broadband, ODOT, Washington County, Tualatin Valley Fire & Rescue, NW Natural Gas were also provided copies of the proposal and site plan and given the opportunity to provide comments. As of this date, no comments have been provided from these agencies.

IV. SITE PLAN REVIEW – REQUIRED FINDINGS (SECTION 16.90.020.4)

A. The proposed development meets applicable zoning district standards and all provisions of Divisions V, VI, VIII and IX.

The relevant criteria are found in Divisions V, VI, VIII and IX. Compliance with these criteria is discussed in Section V – Applicable Code Provisions, below.

FINDING: Compliance with the relevant criteria in Divisions V, VI, VIII and IX are discussed and conditioned if needed in Section V below, therefore, this standard is satisfied.

- B. 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.**

This site is currently served by public utilities. The property is served by Pride Disposal for solid waste disposal. The nearest public park is Stella Olsen, which is adequately sized to serve any employees of this site. Public safety, electric power and communications are all currently serving this site and will continue to do so.

FINDING: As discussed above, this standard is satisfied.

- C. 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.**

No covenants, agreements or other documents are specifically required for on-site features.

FINDING: As discussed above, this standard is met.

- D. The proposed development preserves significant natural features to the maximum feasible extent, including but not limited to natural drainageways, wetlands, trees, vegetation, scenic views and topographical features, and conforms to the applicable provisions of Divisions V and VIII of this Code.**

The Metro inventory of regionally significant habitat does not list any portion of this property as sensitive wildlife habitat. There are no significant trees or vegetation on this site that are not part of a pre-existing landscaped area. There are no wetlands, scenic views or topographical features on this site. The removal of one tree prior to application submittal is discussed further in this report under Section 16.142.070.

FINDING: Based on the discussion above, the proposed development fully complies with this standard.

- E. 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: This proposal is within the Old Town Overlay and is therefore exempt from this standard.

- F. 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.**

According to the 7th edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual (2003), a general office building is estimated to have 11 trips to the site per day for every 1,000 square feet of gross leasable area. Therefore, this 1,004 square foot office building is anticipated to have an ADT of approximately 11. The City Engineer has not required a traffic study. A traffic impact study is not required of this development because it is exempt from CAP compliance.

FINDING: Due to the estimated daily trip rate, this standard is not applicable.

G. The proposed commercial, multi-family development, and 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, metal roofs, and artificial stucco material 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.**
- 4. As an alternative to the above standards G.1-3, the Old Town Design Standards (Section 16.162) may be applied to achieve this performance measure.**

This proposal is for a change of use from residential to office with no site changes proposed. In addition, because this structure is within the Old Town Overlay, the Old Town Design Standards are required to be utilized as an alternative to standards G. 1-3 above. Compliance with these standards is discussed further in this report in Section 16.162.

FINDING: This standard is discussed and conditioned where necessary under Section 16.162 below.

V. APPLICABLE CODE PROVISIONS

The applicable zoning district standards are identified in Division II. The relevant criteria in Divisions II, V, VIII and IX are discussed below.

A. Division II - Land Use and Development

The applicable zoning district standards identified in Division II are: 16.16 (Medium Density Residential Low) and 16.58.030 (Fences).

16.16 – Medium Density Residential Low (MDRL) Zoning District

Compliance with these sections is discussed below:

Permitted Uses (16.16.020)

Offices are not listed as permitted or conditional uses in this zone. However, Section 16.162.030.G of the Code permits offices of architects, artists, attorneys, dentists, engineers, physicians, accountants, consultants and similar professional services outright within the Old Town Overlay District. While the office use proposed is not permitted outright in the MDRL zone, it is permitted outright in the MDRL zone within the Old Town Overlay.

FINDING: Based on the analysis above, the proposed office use of the site is permitted by nature of the location of the property in the Old Town Overlay. This standard is met.

Dimensional Standards (16.16.040)

Section 16.16.040 has the following dimensional standards in MDRL zones:

Lot area	5,000 sq ft
Lot width at front property line	25 feet
Lot width at building line	50 feet
Front yard setback	20 feet
Side yard setback	5 feet
Rear yard setback	20 feet
Corner lot setback	15 feet
Height	2 stories or 30 feet, whichever is less

The site is 5,000 square feet. The lot area and width are existing and in full compliance with the standards. The setbacks of the structure are in compliance with the setbacks of the zone. The structure is one (1) story and thus does not exceed the maximum height. Because no exterior additions are proposed, staff is confident compliance with the dimensional standards will be maintained.

FINDING: Based on the discussion above, the proposal complies with the dimensional standards.

16.58.030 - Fences, walls and hedges

Fences up to forty-two inches (42") high are allowed in required front building setbacks. Fences up to six feet (6') high are allowed in required side or rear building setbacks. Additionally, all fences shall be subject to the clear vision provisions of Section 16.58.010. Chain link fencing is not allowed along any residential street frontage.

There is no fencing proposed with this land use application. There is no existing fencing on this site. Any proposed fencing will be required to meet the specifications of this section.

FINDING: Based on the analysis above, this standard has been met.

B. Division V - Community Design

The applicable provision of Division V include: 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-Street Parking and Loading), 16.96 (On-site Circulation), and 16.98 (On-site Storage). Compliance with the standards in these sections is discussed below:

16.92.020 Landscaping Materials

16.92.020.1 Varieties - 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 Section 5.200.

The existing landscaping includes trees, lawn and some small shrubs in the front and side yards of the property. The rear of the property is currently gravel with a deck.

FINDING: As discussed and conditioned further in this report, this standard has been met or is conditioned to be met.

16.92.020.2 Establishment of Healthy Growth and Size - 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 existing landscaping on the site is established and maintained in a healthy condition. This standard has been met.

16.92.030 Landscaping Standards

16.92.030.1- Perimeter Screening and Buffering

A minimum six (6) foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen shall be required along property lines separating single and two-family uses from multi-family uses, and along property lines separating residential zones from commercial or industrial uses.

While this will be a commercial use in a residential zone, the surrounding properties are all developed with commercial uses as well, therefore, there is no separation required between this property and the surrounding residentially-zoned parcels.

FINDING: Based on the discussion above, this standard is met.

16.92.030.2 – Parking and Loading Areas:

Total Landscaped Area (16.92.030.2.A) – A minimum of ten percent (10%) of the lot area used for the display or parking of vehicles shall be landscaped in accordance with Section 5.200. In addition, all areas not covered by buildings, required parking, and/or circulation drives shall be landscaped with plants native to the Pacific Northwest in accordance with Section 16.92.

FINDING: As discussed below, no parking is required because of the project's location in Old Town. No parking is proposed and, therefore, this standard does not apply.

Adjacent to Public Rights-of-Way (16.92.030.2.B) - A landscaped strip at least ten (10) feet in width shall be provided between rights-of-way and any abutting off street parking, loading, or vehicle use areas. Landscaping shall include any combination of evergreen hedges, dense vegetation, earth berm, grade, change in

grade, wall or fence, forming a permanent year-round screen, excepting clear vision areas as per Section 16.58.030.

Perimeter Landscaping (16.92.030.2.C) - A ten (10) foot wide landscaped strip shall be provided between off-street parking, loading, or vehicular use areas on separate abutting properties or developments. A minimum six (6) foot high sight-obscuring fence or plantings shall also be provided, except where equivalent screening is provided by intervening buildings or structures.

Interior Landscaping (16.92.030.2.D) - A minimum of fifty percent (50%) of required parking area landscaping shall be placed in the interior of the parking area. Landscaped areas shall be distributed so as to divide large expanses of pavement, improve site appearance, improve safety, and delineate pedestrian walkways and traffic lanes. Individual landscaped areas shall be no less than sixty-four (64) square feet in area and shall be provided after every fifteen (15) parking stalls in a row.

Landscaping at Points of Access (16.92.030.2.E) - When a private access way intersects a public right-of-way or when a property abuts the intersection of two (2) or more public rights-of-way, landscaping shall be planted and maintained so that minimum sight distances shall be preserved pursuant to Section 16.58.010.

FINDING: The above standards regarding landscaping in parking areas are not applicable because the applicant is not proposing a parking lot nor is one required of the project because of its location in Old Town.

16.92.030.3 - Visual Corridors

New developments shall be required to establish landscaped visual corridors along Highway 99W and other arterial and collector streets, consistent with the Natural Resources and Recreation Plan Map, Appendix C of the of the Community Development Plan, Part II, and the provisions of Section 16.142.

SW First Street is a collector in front of this property and, as such, a ten (10) foot visual corridor is required. The property is landscaped with at least ten (10) feet of trees and lawn on the SW First Street frontage, meeting this standard. SW Ash Street is a local street and, therefore, no visual corridor is required along this frontage.

FINDING: Based on the discussion above, this standard met.

16.94.010 – General Off-street parking and loading

16.94.010.3 Joint Use

Two (2) or more uses, structures or parcels of land may utilize jointly the same parking and loading spaces when the peak hours of operation do not substantially overlap, provided that satisfactory evidence is presented to the City, in the form of deeds, leases, or contracts, clearly establishing the joint use.

The applicant is not proposing joint use parking and therefore this standard is not applicable to this development.

FINDING: This standard is not applicable to this development.

16.94.010.4 Multiple Uses

When several uses occupy a single structure or parcel of land, the total requirements for off-street parking and loading shall be the sum of the requirements of the several uses computed separately, with a reduction of 10% to 25% to account for cross-patronage of adjacent businesses or services.

There is no parking required in the "Smockville" portion of Old Town, per Section 16.162.070.C and therefore a reduced parking requirement is not necessary.

FINDING: This standard is not applicable to this development because it is within the Old Town Overlay.

16.94.020.2. - Bicycle Parking Facilities

This section provides standards for bicycle parking facilities. The following standards must be addressed/met:

1. **Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one building entrance (e.g., no farther away than the closest parking space). Bike parking may be located inside the main building or protected or otherwise covered near the main entrance. If the first two options are unavailable, a separate shelter provided on-site is appropriate as long as it is coordinated with other street furniture.**
2. **Visibility and Security. Bicycle parking shall be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage; Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building;**
3. **Bicycle parking shall be least as well lit as vehicle parking for security.**
4. **Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.**
5. **Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.**

The minimum number of bicycle parking spaces required for this type of office use is two (2). The applicant's submittal does not discuss how bicycle parking will be provided. This can be done within the building or with a rack outside of the building, as long as exterior bicycle parking is covered (awnings of the building sized appropriately would provide adequate coverage). There is a carport attached to the building that can be used for covered bicycle parking space. Staff is certain that the applicant can provide bicycle parking on site, however, the applicant will need to show parking for two (2) bicycles on the final site plan.

FINDING: Based on the analysis above, the applicant has not met this standard because parking for two (2) bicycles has not been shown. However, this standard could be met as conditioned below.

RECOMMENDED CONDITION: Submit a letter to the Planning Department detailing where the bicycle parking will be located. Install the bicycle parking (or designate bicycle parking on site or within the building) for staff inspection prior to final certificate of occupancy.

16.94.030– Off-Street Loading Standards

16.94.030.1 Minimum standards

The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.

Section 16.162.070.D.2 of the Code states that off-street loading is not required of all properties within the “Smockville Area” of the Old Town Overlay. Therefore, this standard is not applicable.

FINDING: This standard is not applicable to this development because it is within the Old Town Overlay.

16.94.030.2 Separation of Areas

Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and designed to prevent the encroachment of delivery vehicles onto off-street parking areas or public streets. Off-street parking areas used to fulfill the requirements of Section 16.94.020 shall not be used for loading and unloading operations.

As discussed above, off-street loading is not required. In addition, there are no off-street parking areas required to fulfill the requirements of Section 16.94.020 because this property is within the “Smockville Area” of the Old Town Overlay.

FINDING: Based on the analysis above, this standard is met.

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.

FINDING: This property is on the corner at the intersection of two streets with sidewalks on both streets. A pedestrian walkway connects the primary entrance to the sidewalk on SW Ash Street. This standard has been met.

16.96.010.2 – Joint Access

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

FINDING: There is only one structure on this parcel and joint access is not proposed with any other parcels. This standard is not applicable.

16.96.010.3 Connection to Streets

A. Except for joint access as per Section 5.401.02, all ingress and egress to a use or parcel shall connect directly to a public street, excepting alleyways.

B. 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.

The existing driveway for this site connects directly to SW Ash Street. There is a private sidewalk extending from the entrance of the building to the public sidewalk on SW Ash Street.

FINDING: This standard has been met.

16.96.030 Minimum Non-Residential Standards

16.96.030.1.A – Commercial Driveways

Commercial driveways must be improved with a hard surface. The required minimum width for 1-49 parking spaces is 1 driveway of 24 feet or 2, one-way driveways of 15 feet each.

FINDING: There is no parking lot proposed or required and, therefore, a commercial driveway is not required. This standard is not applicable.

16.96.030.2 Sidewalks and Curbs

A. Industrial and Commercial: A private pathway/sidewalk system extending throughout the development site shall be required to connect to existing development, to public rights-of-way with or without improvements, to parking and storage areas, and to connect all building entrances to one another. The system shall also connect to transit facilities within 500 feet of the site, future phases of development, and whenever possible to parks and open spaces.

FINDING: This is a 1,004 square foot building that connects directly to the public sidewalk via a paved pathway. This standard is met.

B. Curbs shall also be required at a standard approved by the Hearing Authority. Private pathways/sidewalks shall be connected to public rights-of-way along driveways but may be allowed other than along driveways if approved by the Hearing Authority.

FINDING: The curbs, sidewalks and driveway are existing and meet this standard.

C. Private Pathway/Sidewalk Design. Private pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, at least 6 feet wide and conform to ADA standards. Where the system crosses a parking area, driveway or street, it shall be clearly marked with contrasting paving materials or raised crosswalk (hump). At a minimum all crosswalks shall include painted striping.

FINDING: The private pathway from the sidewalk to the front entrance of the building is made of durable pavers and meets this standard.

16.98.020 – Solid Waste and Recycling Storage

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

Pride Disposal has reviewed this application and has indicated that curb service is available. The applicant has not proposed container service and this type of use and size of building do not typically require container service. With curb service, the trash containers are generally stored inside the structure and do not require additional screening. Should the applicant wish to upgrade to a container service or store the containers used with the curb service outside, additional screening will be necessary.

FINDING: This standard has been met with the applicant using residential service and storing the containers inside. If the applicant chooses to upgrade to container service in the future or store the containers outside, screening will be necessary as conditioned below.

RECOMMENDED CONDITION: Planning must review and approve plans for additional screening prior to upgrading to container solid waste/recycling service or prior to storing trash containers outside of the structure.

16.98.030 – Material Storage

16.98.030.2 Standards

Except as per Section 16.98.040, all service, repair, storage, and merchandise display activities carried on in connection with any commercial or industrial activity, and not conducted within an enclosed building, shall be screened from the view of all adjacent properties and adjacent streets by a six (6) foot high, sight obscuring fence. In addition, unless adjacent parcels to the side and rear of the storage area have existing solid evergreen screening or sight-obscuring fencing in place, new evergreen screening no less than three (3) feet in height shall be planted along side and rear property lines. Where other provisions of this Code require evergreen screening, fencing, or a landscaped berm along side and rear property lines, the additional screening stipulated by this Section shall not be required.

Exterior material storage is not anticipated with this office use. Any storage of materials will be required to meet the standards of Section 16.98.030.2.

FINDING: This standard is not applicable as materials storage is proposed or anticipated with this application.

C. Chapter 6 - Public Improvements

16.108– Streets

16.108.030 – Required Improvements

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: There are no improvements proposed to the site or building at this time and, therefore, staff does not recommend improvements to the existing street frontages of this property. The existing streets are sufficiently improved and the change of use does not warrant additional street improvements or right-of-way dedication.

16.108.070 – Highway 99W Capacity Allocation Program

All regulated activities shall acquire a Trip Allocation Certificate prior to approval of their base application. Lack of a Trip Allocation Certificate shall be the basis for denial of a base application.

Because this proposal is located within the Old Town Overlay, Section 16.90.020.E of the Code exempts it from compliance with the Highway 99W CAP.

FINDING: This standard is not applicable because of the location of the property in Old Town.

16.110 - Sanitary Sewers

Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains. Provided, however that when impractical to immediately connect to a trunk sewer system, the use of septic tanks may be approved, if sealed sewer laterals are installed for future connection and the temporary system meets all other applicable City, Clean Water Services and State sewage disposal standards.

The applicant's narrative does not propose any changes to the existing sanitary service. This approach is acceptable to the City of Sherwood's Engineering and Public Works Departments. In Agency Comments, Clean Water Services indicated that because no construction or modification of the existing structure is proposed, additional sanitary capacity or laterals are not necessary (Exhibit B).

FINDING: As discussed above, this standard has been met.

16.112 - Water Supply

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.

The City contracts with Tualatin Valley Water District (TVWD) for review and approval of engineering plans related to the water system. The applicant does not propose any change to the water system. The City is not aware of any existing problems related to the water system, but notes that TVWD will have the final say on any necessary improvements to this system.

FINDING: As discussed above, this standard has been met.

16.114 - Storm Water

Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage system consistent with the Comprehensive Plan.

Because no physical improvements are proposed to the site at this time, the existing storm water conveyance system is acceptable to the City. In the Agency Comments dated December 28, 2007 (Exhibit B), Clean Water Services indicates that no additional storm capacity or laterals are necessary because no construction or modification of the existing structure is proposed.

FINDING: As discussed above, this standard has been met.

16.116- Fire Protection

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

This structure is existing and, therefore, no land is being developed. However, the requirements of Tualatin Valley Fire and Rescue shall apply throughout the life of the development.

FINDING: This standard has been met.

16.118 - Public and Private Utilities

16.118.020 Standard

A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.

B. Public utility easements shall be a minimum of eight 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.

Public easements are required over all public utilities outside the public right-of-way. Easements dedicated to the City of Sherwood are exclusive easements unless otherwise authorized by the City Engineer.

An eight-foot wide public utility easement is required adjacent to the right-of-way of all street frontages.

The Sherwood Broadband Manager indicated that conduit for broadband is located in the right-of-way adjacent to this property and, therefore, improvements or a fee-in-lieu are not required.

FINDING: Because the proposed plans do not show an eight (8) foot public utility easement along the SW First Street and SW Ash Street frontages, this standard has not been met. This standard could be met as conditioned below.

RECOMMENDED CONDITION: Submit documentation that the eight (8) foot public utility easement has been granted to the City along the frontage of SW First Street and SW Ash Street (this should be done through a document recorded at Washington County).

16.118.030 – Underground facilities - Except as otherwise provided, all utility facilities, including but not limited to, electric power, telephone, natural gas, lighting, and cable television, shall be placed underground, unless specifically authorized for above ground installation, because the points of connection to existing utilities make underground installation impractical, or for other reasons deemed acceptable by the Commission.

In this case, overhead wires exist in the right-of-way adjacent to the property. While under-grounding utilities is typically encouraged, it's likely the cost of under-grounding these services would be disproportional to the cost of development as the applicant is not proposing any physical improvements. Given this situation and to encourage neighborhood continuity, staff is not opposed to waiving this requirement.

FINDING: Although there are existing overhead utilities, staff does not find that it would be proportional to the change of use to require undergrounding of these lines. Staff finds this standard to be met.

D. Division VIII - Environmental Resources

The applicant has received a CWS service provider letter indicating no floodplain or wetland are located on the site, therefore the standards regulating floodplain and wetlands is not applicable to this project. The following sections in Division VIII are deemed applicable to this proposed development: 16.142 (Parks and Open Spaces). Compliance with the applicable standards is discussed below.

16.142 – Parks and Open Spaces **16.142.030 Visual Corridors**

FINDING: As discussed above in Section 16.92.030.3, this standard has been met as there is a visual corridor along SW First Street, a collector.

16.142.050 Trees Along Public Streets or on Other Public Property

Trees are required to be planted by the land use applicant a minimum of one (1) tree for every twenty-five (25) feet of public street frontage within any new development. Planting of such trees shall be a condition of development approval. The trees must be a minimum of two (2) inches DBH and minimum height of six (6) feet.

The total frontage of this property is 150 feet, which requires six (6) street trees. There are six (6) trees in the northeast corner of the property that are within the front yard setback and qualify as street trees. Although these trees are not spaced evenly along the street frontages, they serve to adequately meet this standard.

FINDING: This standard is met as discussed above.

16.142.060 - Trees on Property Subject to Certain Land Use Applications

All site developments subject to Section 5.202 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. Trees removed on the property within one year prior to the submittal of the development application shall be subject to the requirements of this section.

The applicant has removed one 26" DBH black walnut tree within the past 12 months. The applicant did call City Hall in advance of removing the tree and was told that tree removal was allowed and when mitigation would be required (within one year of development). Because the applicant proposed no changes to the site other than change of use, the applicant did not realize that the change of use was a site plan which triggered the mitigation requirements ("development" includes the change in use of a building or structure per Section 16.10.020). Because the applicant has not provided any information that the tree was dead, dying or hazardous mitigation is required. No additional tree removal is proposed as part of this development application.

FINDING: Based on the analysis above, this standard is not met because mitigation has not been proposed or evidence submitted that the tree was exempt from mitigation. This standard could be met through tree mitigation, as conditioned below.

RECOMMENDED CONDITION: Prior to issuance of certificate of occupancy, complete tree mitigation by completing one or a combination of the following options: plant on-site, plant on another site in the City (with property owner acceptance) or pay a fee-in-lieu of \$75 per inch (for a total of \$1,950.00). Alternatively, the applicant can submit evidence that the tree was exempt from mitigation prior to its removal.

16.162 – Old Town Overlay District

16.162.030.G Permitted Uses

Offices of architects, artists, attorneys, dentists, engineers, physicians, accountants, consultants and similar professional services are permitted outright in the Old Town Overlay, provided such uses meet the applicable environmental performance standards contained in Chapter 8.

FINDING: This standard is discussed and conditioned above under Section 16.16.020-MDRL zoning. This standard has been met.

16.162.070.A Community Design-Generally

In reviewing site plans, as required by Section 16.90, the City shall utilize the design standards of Section 9.202.08 for the “Old Cannery Area” and the “Smockville Design Standards” for all proposals in that portion of the Old Town District.

FINDING: This standard is met as the standards of Section 16.162.090.F “Old Town Smockville Design Standards” are applied further in this report.

16.162.070.C Community Design- Off-Street Parking

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

FINDING: As discussed previously in this report, this site is within the “Smockville Area” of the Old Town Overlay District and parking is not required. Therefore, this standard is met.

16.162.070.D Community Design- Off-Street Loading

For all property and uses within the “Smockville Area” of the Old Town Overlay District, off-street loading is not required.

FINDING: The applicant is not proposing off-street loading and, because it is not required, this standard has been met.

16.162.070.G Community Design- Downtown Street Standards

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

FINDING: As discussed above under Chapter 6- Public Improvements, SW First Street and SW Ash Street are built to public standards but they do not meet the Downtown Streetscape Master Plan. However, because no improvements to this site or building are proposed and because the existing streets are adequate to serve the development, street improvements are not required. This standard is met.

16.162.070.H Community Design-Color

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

FINDING: The submitted plans included a photo of the existing structure that is sand-colored with black trim. This standard has been met.

16.162.090.F Old Town Smockville Design Standards- Residential Structures

Residential Standard 1: Volume & Mass

Historically, residential architecture in the Old Town core was comprised of multiple volumes or articulations, with extended porches, intersecting roof lines, dormers, and other features creating a complex whole rather than a single large

volume. To maintain that traditional visual character the following standards apply:

a. **Verticality:** Buildings shall have a generally vertical character or are comprised of a primary vertical element surrounded by more horizontally appearing wings.

b. **Complexity:** Single large volumes are prohibited. Total area shall be contained within a minimum of two intersecting volumes, one of which may be a porch under a separate roof element. An attached garage does not constitute a second volume for purposes of this standard.

c. **Height:** No building may be greater than 40 feet in overall height. Major roof ridges shall be no lower than 16 feet in height. [Note: this lower limit is designed to encourage steeper gables as opposed to low-pitched roof forms]

This wooden structure is painted only one color and is simple in its design. However, the front porch, two doors, and numerous windows on the street-facing sides are features that create multiple volumes or articulations. The height does not exceed 40 feet. The major roof ridge is lower than 16 feet, but this is existing and considered pre-existing non-conforming. Any future additions to the height of the building will need to address this standard.

FINDING: This standard is not fully met, but the elements that do not meet the standard are pre-existing, non-conforming and therefore allowed to remain. Any exterior changes to the site in the future must bring the development more into compliance by removing non-conforming elements.

Residential Standard 2: Roof Forms

Roofs play a significant role in the overall character of a structure and, in combination with Standard 1, shelter the complex volumes typical of the traditional development pattern.

a. **Pitch:** Roof pitches of less than 6/12 for gables are prohibited. Roof pitches of less than 5/12 for hipped roofs are prohibited. Flat roofs visible from the street are prohibited. An exception to this standard may be made for porch roofs attached to the primary volume.

b. **Complexity:** As per Standard 1(B), single large roof forms are prohibited. A single roof form with two or more dormers is considered a complex roof form and accordingly will meet this Standard.

c. **Materials:** Roofs shall be of historically appropriate materials, including asphalt shingle, wood shingle, or wood shake. The use of metal roofing, concrete tile roofing, hot-mopped asphalt, rolled asphalt, terra cotta tiles and other non-historic materials are prohibited in view of the public right-of-way.

FINDING: This existing roof is flat, which is prohibited. However, like the doors and windows, it is pre-existing non-conforming and any changes to the roof in the future will require the roof to come into compliance with this standard.

Residential Standard 3: Siding/Exterior Cladding

Generally, vertical appearance of historic volumes in Sherwood was typically balanced by strong horizontal wood siding. The following standard requires a continuation of this horizontal character. All structures shall employ one or more of the following siding types:

▪ **Horizontal wood siding, maximum 8" exposed to weather:** Concrete or manufactured wood-based materials are acceptable under this Standard. This includes so-called "Cottage Siding" of wide panels scored to form multiple

horizontal lines. Applicants are strongly encouraged to use smooth surfaces, not “rustic” or exposed wood grain pattern materials, which are inconsistent with Sherwood’s architecture.

- Wood Shingle siding (painted shingles are preferred, with a maximum 12” to weather)
- True board and batten vertical wood siding, painted
- Brick
- Brick and stone veneer (see below)

Use of the following non-historic exterior materials are specifically prohibited within the zone:

Stucco (other than as foundation cladding or a secondary detail material, as in a gable end or enframed panel.).

- Stucco-clad foam (EIFS, DryVit, and similar)
- T-111 or similar 4x8 sheet materials or plywood
- Horizontal metal or vinyl siding
- Plastic or fiberglass
- Faux stone (slumpstone, fake marble, cultured stone, and similar)
- Brick veneer or any other masonry-type material, when applied over wood-frame construction, of less than twelve (12) inches width in any visible dimension. This Standard specifically excludes the use of brick or similar veneered “columns” on one face of an outside corner, as typically used to frame garage openings.

FINDING: This structure employs horizontal wood siding and, therefore, this standard is met.

Residential Standard 4: Trim and Architectural Detailing

All residential construction shall employ at least **FOUR (4)** of the following elements to meet this Standard:

- Watertable or decorative foundation treatments (including stucco)
- Corner boards
- Eave Returns
- Stringcourse or other horizontal trim at plate or floor levels
- Eave brackets or support elements
- Bargeboards/Raking cornice (decorative roof “edge” treatments)
- Decorative projecting rafter tails
- Decorative gable end wall details, including change of materials (shingle bands), decorative venting, eave compass features and similar
- Wide cornice-level frieze and wall treatments.

FINDING: This existing structure has a decorative “edge” treatment of a different color of paint, eaves that project out around the structure and porch, and porch posts (support elements) that match the trim of the structure. The entire façade of the building has horizontal trim (rather than just at plate or floor levels). This existing structure is in compliance with this standard.

Residential Standard 5: Openings [Windows & Doors]

Doors and windows form the “eyes” and “mouth” of a building and play a significant role in forming its character.

Windows

a. Verticality: All windows will reflect a basic vertical orientation with a width-to-height ratio of 1.5 to 2, or greater (i.e., a 24” wide window must be a minimum 36”

tall). Larger window openings shall be formed by combining multiple window sash into groupings.

b. Types: The following windows types are permitted:

1. Single and double hung windows.
2. Hopper and transom-type windows.
3. Casement windows.
4. Any combination of the above, including groupings containing a central single pane fixed window flanked by two or more operable windows.
5. Glass block windows.
6. Fixed leaded or stained glass panels.

The following window types are specifically prohibited within the area:

1. Fixed pane windows (when not within a grouping, as in #4, above).
2. Horizontal slider windows (when visible from the public right-of-way).
3. Arched windows and fanlights, including "Palladian" window groupings, are inconsistent with the vernacular character of the area and are prohibited when visible from the public-right-of-way.

c. Lights: (internal divisions of window, formed by "muntins" or "mullions") True-divided lights are preferred. "Pop-In" or fake muntins are not historic, nor appropriate within Sherwood's vernacular tradition, and are prohibited when visible from the public right-of-way.

d. Sash Materials: Wood windows or enameled metal clad windows are most consistent with the vernacular tradition and are preferred. Vinyl windows or paintable fiberglass windows are allowed. Anodized or mill-finish aluminum windows or storm windows are prohibited.

e. Mirror Glazing: The use of "mirror" or reflective glass visible from the public right-of-way is prohibited.

Doors

a. Transparency: Primary entry doors will retain a degree of transparency, with no less than 25% of the surface being glazed, either in clear, leaded, or stained glass materials. Solid, flat single, panel doors are prohibited.

b. Materials: Doors may be of wood, metal-clad wood, or metal. Other materials that can be painted or stained, such as cast fiberglass, so as to reflect traditional materials are permitted.

Trim

a. Sills: All windows will have a projecting sill and apron.

b. Side and Head Casing: Door and window trim will including side and head casing that sits no less than 1/2" proud of the surrounding wall surface. Trim mounted in plane with siding is not permitted in the Old Town area. Trim mounted atop siding is not recommended.

c. Other Trim Elements: As discussed in Standard 4, above, the use of trim to articulate the construction process was a standard character-defining element of Sherwood's vernacular architecture. Although not required by this Standard, the use of the following traditional door and window trim elements are encouraged, particularly on the primary facade.

- Simple window "hoods," mounted over the window opening. Such features are traditionally treated as pents and clad with roofing material
- Parting bead, between the side and head casings
- Crown moldings
- Decorative corner elements at the head, apron, or both
- Single or dual flanking sidelights at entryways
- Transom windows above the major door or window openings

FINDING: There are multiple windows and two doors on the street-facing frontages of this building. There are two horizontal sliding windows which are existing but do not conform with this standard. The doors are also pre-existing non-conforming because they are solid panel doors with no transparency. There is matching trim around the doors and windows. Because no renovations are proposed to the structure, replacement of the windows and doors would not be a reasonable condition at this time. If changes are proposed in the future, the windows will have to come into compliance.

Residential Standard 6: Porches/Entrances

In combination with doors, front porches help create a “sense of entry” and typically serve as the focal point of the front-facing facade of the structure. Porches should be encouraged and adequately detailed to create that sense of entry and serve as a primary element of the exterior character.

- a. **Depth:** Projecting or recessed porches should be a minimum of five (5) feet deep. Projecting covered stoops should be a minimum of three (3) feet deep.
- b. **Width:** Projecting or recessed porches should be a minimum of ten (10) feet wide or 25% of the primary facade width, whichever is the lesser. Projecting covered stoops should be a minimum of five (5) feet wide.
- c. **Supports:** To assure appropriate visual weight for the design, vertical porch supports shall have a “base” of no less than six (6) inches square in finished dimension from floor level to a minimum 32” height. Upper posts shall be no less than four (4) inches square.
 1. Base features may be of boxed wood, brick, stone, true stucco, or other materials that reflect a support structure. The use of projecting “caps” or sills is encouraged at the transition between the base and column.
 2. When the entire support post is a minimum of six (6) inches square no base feature is required.
 3. Projecting covered stoops, with no full-height vertical support, shall utilize members of no less than four (4) inches square.

FINDING: The front entrance is at grade but has a cover a minimum of 5 feet deep and 10 feet wide. The support posts are a minimum of six inches square and, therefore, no base feature is required. Because this standard encourages but does not require front porches, this standard is met.

Residential Standard 7: Landscape, Fencing, and Perimeter Definition

Fencing or other edge-defining perimeter features, including the use of landscape materials, are traditional elements in Old Town Sherwood’s residential areas. Please refer to Chapter 16.92 of the SZCDC for applicable landscaping standards and requirements. In addition to those provisions, such features within the Smockville Area shall also comply with the following Standard to maintain the area’s character.

- a. **Materials:** The following fencing materials are permitted in the Smockville Area:
 1. Brick.
 2. Concrete, including concrete block, “split faced” concrete block and similar.
 3. Stone.
 4. Wood, including vertical or horizontal board, pickets, split rail, and similar traditional fence designs.
 5. Woven-metal (arch-top wire), construction cloth (square-patterned) and similar.
 1. Vinyl, when used in simple plain board, picket, or post and board installations. (see #3, below)

2. Natural metal colored or black-coated chain link fencing is permitted, but discouraged when visible from the public-right-of-way.
3. The mixed use of materials, as in brick columns with wood or woven wire “fields” is encouraged.
- b. The following fencing materials are prohibited in the Smockville area:
 1. Plywood or other solid wood panel systems.
 2. Open pattern concrete elements except as decorative elements.
 3. Vinyl, that includes the use of arches, latticework, finials, acorn tops, and other elaborate detailing not consistent with Old Town Sherwood’s vernacular tradition.
 4. Vinyl or wood slat inserts in chain link fencing when in view from the public right-of-way.
 5. Faux stone, including cultured stone, slumpstone, and similar materials.
 6. Molded or cast aluminum.
- a. Transparency: Solid barriers of any material built to the maximum allowable height are prohibited facing the public right of way(s). Pickets or wood slats should provide a minimum 1/2” spacing between vertical elements with large spacing encouraged. Base elements, as in a concrete “curb” or foundation element are excluded from this standard provided they are no higher than twelve (12) inches above grade.
- b. Gates/Entry Features: In order to create a sense of entry, gates, arbors, pergolas, or similar elements integrated into a perimeter fence are strongly encouraged. Such features may exceed the maximum fence height limit of four (4) feet provided they are less than eight (8) feet in overall height, are located more than ten (10) feet from any public intersection, and do not otherwise reduce pedestrian or vehicular safety.

FINDING: There is a wood “good neighbor” style fence in the rear of this property that does not limit the view of the property or structure from the right-of-way. This standard is met.

Residential Standard 8: Additions to Existing Buildings

- a. Compatibility: Additions to existing properties will continue the existing character of the resource or return to the documented original character in scale, design, and exterior materials. The creation of non-documented elements outside the traditional vernacular character such as towers, turrets, elaborate surface decoration and similar “earlying-up” is prohibited.
- b. Attachment: Additions should “read” as such, and be clearly differentiated from the historic portion of the structure and shall be offset or “stepped” back from the original volume a minimum of four (4) inches to document the sequence of construction. An exception to this standard is allowed for the reconstruction of previously existing volumes that can be documented through physical or archival evidence.
- c. Non-Compatible Materials: Repair of existing non-compatible materials is exempt from Standard 8(A). Rear-facing additions to existing buildings may continue the use of these materials so long as they are a continuation of the attached materials.

FINDING: No additions or alterations are planned to the building at this time and, therefore, this standard is not applicable.

Residential Standard 9: Front-Facing Presentation

Traditionally, the portions of a structure facing the public right of way were considered the most important for presenting an aesthetically pleasing appearance. Skylights were not used, and there was very little venting since the structures were not tightly enclosed and wrapped as they are today. Therefore, keeping all modern looking venting and utilities to the side that is not visible from the public right of way is important and greatly adds to the appearance.

a. **Skylights:** Skylights shall be placed on the side of the structure not visible from the public right of way, and shall be of a low profile design.

b. **Roof vents:** Roof vents should, wherever possible, be placed on the side of the structure least visible from the public right of way, and painted to blend with the color of the roofing material. Where possible, a continuous ridge vent is preferred over roof jacks for venting purposes. In the case of using a continuous ridge vent with a vintage structure, care should be taken in creating inconspicuous air returns in the eave of the building.

c. **Plumbing vents:** Vents should, wherever possible, be placed on the side of the structure least visible from the public right of way, and painted to blend with the color of the roofing material.

FINDING: There are no skylights, roof vents or plumbing vents on the street facing façade of this structure. There is a power meter on the Ash Street side, but this is existing and is not required to be removed. This standard is met.

VI. RECOMMENDATION

Based on a review of the applicable code provisions, agency comments and staff review, staff finds that the proposal does not fully comply with the applicable review criteria. However, the applicable criteria can be satisfied if specific conditions are met. Therefore, staff **RECOMMENDS APPROVAL with conditions** of SP 07-14 (Zobrist Old Town Change of Use). Required conditions are as follows:

VII. RECOMMENDED CONDITIONS OF APPROVAL

A. General Conditions:

The following applies throughout the development and occupancy of the site:

1. Compliance with the Condition of Approval is the responsibility of the developer.
2. This land use approval shall be limited to the submitted preliminary plans prepared by Shauna Zobrist and included as Exhibit A with this report, 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 developer is responsible for all costs associated with public facility improvements.
4. **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.
5. Unless specifically exempted in writing by the final decision, the development shall comply with all applicable City of Sherwood and other applicable agency codes and standards except as modified below:

B. Prior to Issuance of a Final Certificate of Occupancy for the site:

1. Submit a letter to the Planning Department detailing where the bicycle parking will be located. Install the bicycle parking (or designate bicycle parking on site or within the building) for staff inspection.
2. Submit documentation that the eight (8) foot public utility easement has been granted to the City along the frontage of SW First Street and SW Ash Street (this should be done through a document recorded at Washington County).
3. Complete tree mitigation by completing one or a combination of the following options: plant on-site, plant on another site in the City (with property owner acceptance) or pay a fee-in-lieu of \$75 per inch (for a total of \$1,950.00). Alternatively, the applicant can submit evidence that the tree was exempt from mitigation prior to its removal.

C. On-going Conditions:

1. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan. In the event that landscaping is not maintained, in spite of the assurances provided, this would become a code compliance issue.
2. Planning must review and approve plans for additional screening prior to upgrading to container solid waste/recycling service or prior to storing trash containers outside of the structure.

VIII. EXHIBITS

- A. Applicant's submittal materials dated December 12, 2007
- B. Clean Water Services comments dated December 28, 2007

End of Report



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:

- | | |
|---|---|
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Conditional Use |
| <input type="checkbox"/> Plan Amendment | <input type="checkbox"/> Minor Partition |
| <input type="checkbox"/> Variance | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Planned Unit Development | <input checked="" type="checkbox"/> Site Plan |
| <input type="checkbox"/> Sign Permit | <input type="checkbox"/> 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.ci.sherwood.or.us. Click on City Government/Departments/Finance.

*Refer to individual Checklists for above application types on details for required submittal materials to be provided with this completed Land Use Application Form, at time of submittal.

Owner/Applicant Information:

Applicant: Shauna and Bob Zobrist Phone: 503-490-4826
Applicant Address: 14965 SW Brooklet Pl. Tigard OR 97124 Email: shaunazobrist@yahoo.com
Owner: same Phone: _____
Owner Address: _____ Email: _____
Contact for Additional Information: _____

Property Information:

Street Location: 22467 SW Ash St. Sherwood, OR 97140
Tax Lot and Map No: 2-5132 BA 02300
Existing Structures/Use: 1,004 sq house
Existing Plan/Zone Designation: Residential
Size of Property(ies): 5,000 sq

Proposed Action:

Proposed Use: Office Commercial - Tax & Accounting Office
Proposed Plan/Zone Designation: Office Commercial
Proposed No. of Phases (one year each): N/A
Square footage of structure (if proposed): no change
Square footage of parking &/or seating capacity (if proposed): no change
Number of lots (if applicable): N/A
Standard to be Varied & How Varied (Variance Only): _____

Continued on Reverse
Updated July 2007

**TABLE COPY
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EXHIBIT A

LAND USE APPLICATION FORM

Purpose and Description of Proposed Action: Change use of existing building from residential to office commercial

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.

Shawn W
Applicant's Signature

10/31/07
Date

Shawn W
Owner's Signature

10/31/07
Date

To be submitted with the Application:

To complete the application, submit * fifteen (15) copies of the following (collated in sets with plans folded, not rolled):

1. A brief statement describing how the proposed action satisfies the requested findings criteria contained in the Development Code for the action requested.
2. Necessary information identified on Checklist(s) pertaining to specific land use action requested (available at counter & on-line). To help expedite your completeness review, include a completed copy of Checklist(s) to verify submitted information.

*Note that the final application must contain fifteen (15) folded sets of the above, however, upon initial submittal of the application and prior to completeness review, the applicant may submit three (3) complete folded sets with the application in lieu of fifteen (15), with the understanding that fifteen (15) complete sets of the application materials will be required before the application is deemed complete and scheduled for review.

Elevation of house at 22467 SW Ash St., Sherwood, OR



This is the elevation of the front of the house. The materials consist of cedar siding and trim. New vinyl windows and fiberglass doors. The exterior color is a sand color with the trim in black. The front landscaping will consist of native tall grasses with river rock. The side yard is grass and existing trees.

Shauna Zobrist, CPA

14965 SW Brooklet Pl.
Tigard, OR 97224

(503) 490-4826 Phone
(503) 579-4840 Fax
szobrist@comcast.net

December 12, 2007

Heather Austin
City of Sherwood
22560 SW Pine St.
Sherwood, OR 97140

RE: SP 07-14 Zobrist Old Town Change of Use

Site Plan Review Criteria

This narrative addresses the applicable code sections for the change of use of our building at 22467 SW Ash St from residential use to office commercial.

Title 16 Division II - Land Use and Development

The house is zoned as Medium Density Residential Low (MDRL) and is within the Old Town Overlay District. We would like to use the building as a professional office (Accountant's office). The code permits offices of architects, artists, attorneys, dentists, engineers, physicians, accountants, consultants and similar professional services outright within the Old Town Overlay District. While the office use is not permitted outright in the MDRL zone, it is permitted outright in the MDRL zone within the Old Town Overlay. (see 16.162.030 G)

Title 16 Division V – Community Design

16.92 Landscaping - Currently the landscaping consists of trees, grass and native plants. The only planned change to the landscaping is to remove grass in the front and add river rock and native grasses to help with drainage. We did remove a black walnut tree that was about 26" in diameter at the 4' height in the front yard.

16.96.010 On-Site Pedestrian and Bicycle Circulation – The house has sidewalks and convenient and safe access to pedestrians and bicyclists. We are not making any changes to the existing access. The house has pavers that extend to the front door and these are level and make access very easy.

16.96.030 Minimum Non-Residential Standards – The house has an existing driveway and sidewalks and gravel access in the back alley and we are not planning to make any changes to the existing driveway or sidewalks. The house has on street parking available.

16.98.020 Solid Waste and Recycling Storage – The office will not generate very much solid waste and all of the paper waste will be recycled. The regular garbage cans provided by Pride Disposal will be stored in the rear of the property out of public view.

16.142.070 Trees on Private Property – A black walnut tree of approximately 26” diameter was removed. Please advise if we are required to replace that tree – in that case we will plant slow growing street trees.

16.154 Heat and Glare in Exterior Lighting – Exterior lighting is planning in the front entry which will consist of two canned lights in the ceiling of the porch. We also plan on putting low wattage lights in the eaves to shine on the house and they will not cause glare or heat.

16.162 Old Town Overlay District – The house is within the Old Town Overlay District and will fit with the feel of the Old Town plan. The house was built in 1946 and has cedar lap siding and cedar wrapped windows. Windows are weather efficient vinyl windows. The structure has not been changed from the original structure except to replace the old energy inefficient windows and doors.

16.162.030 Permitted Uses – The office is a permitted use within the Old Town Overlay District.

16.162.060 Dimensional Standards – The dimensions of the lot and building have been established for at least 30 years. The building meets the minimum lot and setback requirements. It is a one story building with a flat roof.

16.162.070 Community Design –

C. Off Street Parking – No change is proposed for off street parking.

H. Color – the exterior color of the building is sandy brown and black – earth tones.

Thank you for your help with this application. Please let me know if you have any further questions.

Sincerely,

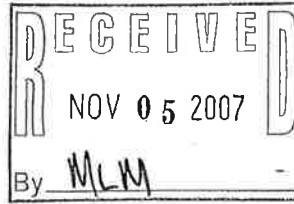


Shauna Zobrist

Shauna Zobrist, CPA

14965 SW Brooklet Pl.
Tigard, OR 97224
October 29, 2007

(503) 490-4826 Phone
(503) 579-4840 Fax
szobrist@comcast.net



Ross Schultz
City Manager
City of Sherwood
22560 SW Pine St.
Sherwood, OR 97140

RE: Site Plan Review Process

Dear Ross:

We have recently purchased a house on the corner of 1st and Ash (22467 SW Ash St.). The building is currently residential and we want to change the use to commercial. I will be using the building as a tax and accounting office.

Enclosed is a Site Plan Review Checklist and Application for Land Use Action to change of use from residential to office commercial. We are not planning any changes to the structure other than a new porch and paint. I was reading in the code under 16.90.020 **Site Plan Review 2. Exemptions** which says: "The City shall make an initial determination whether a proposed project requires a site plan review or whether the project is exempt. The City Manager or his or her designee is authorized to waive site plan review when a proposed development activity clearly does not represent a substantial alteration to the building or site involved."

My understanding is that the site plan review fee is \$5,644 and this is the same fee for a large subdivision or new building under construction. We do not have a site plan, landscape plan, utility plan, tree plan or grading plan because we do not plan to change the building.

Do you have any recommendations on this change of use for us from residential to commercial? The property is in the Old Town Overlay and we are going to use the office as one of the uses permitted outright in the OC zoning. It will be a professional office.

You can reach me at (503) 490-4826.

Thanks,

A handwritten signature in cursive script, appearing to read "Shauna Zobrist".

Shauna Zobrist



22467 SW Ash St, Sherwood, OR 97130

Image © 2007 Metro, Portland, Oregon
© 2007 Europa Technologies

Pointer 45° 21' 28.62" N, 122° 50' 23.09" W elev. 200 ft

Streaming 100%

Google

Eye alt. 916 ft

MEMORANDUM

DATE: December 28, 2007
FROM: David Schweitzer, Clean Water Services
TO: Heather Austin, Senior Planner, City of Sherwood
SUBJECT: Review Comments – SP 07-14 Zobrist Office Use Change

GENERAL COMMENTS

- This Land Use Review by Clean Water Services (District) of 2S1 32BA-02300 does not constitute approval of storm or sanitary sewer compliance with the NPDES permit held by the District. The District, prior to issuance of any connection permit, must review and approve final construction plans.
- All provisions of the development submittal shall be in accordance with current Clean Water Services (CWS) Design and Construction Standards, presently Resolution and Order No. 07-20 (R&O 07-20) and all current Intergovernmental Agreements between the City and CWS.
- Final construction plans must be reviewed and approved by CWS for conformance with current Design and Construction Standards.
- A Stormwater Connection Permit shall be authorized by CWS prior to construction of sanitary sewer, storm and surface water systems, and final plat approval.
- All public storm and sanitary easements shall be shown on the final stamped and signed construction plans.

SANITARY SEWER

- The request for land use comments and the existing Sensitive Area Pre-Screening Site Assessment (SAPSSA) 07-004533 both emphasize no construction or modification of existing structure. So as proposed, additional sanitary capacity or laterals are not necessary.

**TABLE COPY
Do Not Remove**

Exhibit B

STORM DRAINAGE AND WATER QUALITY

- The request for land use comments and the existing SAPSSA both emphasize no construction or modification of existing structure. So as proposed, additional storm capacity or laterals are not necessary. As there will be no addition of impervious area, water quality and treatment of storm flows are not an issue.

SENSITIVE AREA

- A CWS Sensitive Area Pre-Screening Site Assessment 07-004533 for Map/Tax 2S1 32BA-02300 has been issued on November 12, 2007. Sensitive areas do not appear to exist on site or within 200' of the site. This Site Assessment will serve as the Service Provider Letter for this project.

EROSION CONTROL

- The request for land use comments and the existing SAPSSA both emphasize no construction or modification of existing structure. So as proposed, erosion and sediment control is not an issue.



MEMORANDUM

City of Sherwood
 22566 SW Washington St.
 Sherwood, OR 97140
 Tel 503-625-5522
 Fax 503-625-5524
 www.ci.sherwood.or.us

TO: Planning Commission
FROM: Julia Hajduk, Planning Manager
SUBJECT: Annual Report - 2007
DATE: January 14, 2008

Mayor
 Keith Mays

Councilors
 Dennis Durrell
 Dave Grant
 Dave Heironimus
 Linda Henderson
 Dan King
 Dave Luman

City Manager
 Ross Schultz

Introduction

The purpose of this memo is to provide an overview of the Planning Department activities for calendar year 2007. This information is intended to continue to demonstrate the level of work, professionalism, and commitment made to customer service, zoning administration, and city planning in Sherwood. The report is organized into four sections or service delivery focus areas: customer service, current planning, long range planning, and special projects. The Department had a budget of 4.5 FTE; however, due to vacancies and scheduled extended leave, the Department had only 2.5-3.5 FTE for much of the year. Because of the reduced staffing levels it is difficult to quantify the FTE dedicated to specific tasks as we all worked beyond our regular tasks to ensure the Department services were provided in the same timely and efficient manner.

Customer Service

City staff takes customer requests by any means: mail, e-mail, phone, fax, and walk in traffic. The entire Planning Department staff has customer service responsibilities. The Administrative Assistant III (Assistant Planner position effective November 2007) and Associate Planner position have the most visibility as they administer the counter planning services, along with the Senior Planner and Planning Manager to a lesser extent. In addition, the Planning Department website has continued to be utilized as a communication tool. To reduce the number of phone calls from appraisers and realtors staff has continued to improve the zoning tools to make it easier to locate zoning information. We are also updating and improving access to the zoning code.

Regarding the volume of customer service inquiries, we started tracking the types of each on a per month basis in January 2005. The following table illustrates the numbers by inquiry method in 2007 compared to 2005 and 2006.

Method	Customer Contacts 2005	Customer Contacts 2006	Customer contacts 2007	Avg. Week 2007
Phone	1,531	2,344	1,530	29
E-mail	51	195	298	6
Walk-in	575	874	812	16
Mail	5	10	5	-
TOTAL	2,215	3,423	2645	51

By far the most frequent inquiry method continues to be the phone. This number is down compared to 2006 and while staff has noticed a decrease in calls it is possible that the reduction in staff over the past year with no decrease in projects resulted in less accurate tracking. It should also be noted that the phone calls tracked are

general customer calls, not project specific calls. Face to face contact is the second most frequent contact and generally preferred for application submittals. E-mail requests continued to increase. We will continue to strive to improve the access and opportunities for the public to obtain information about projects, processes and the Code.

Current Planning

Staff has compiled all planning actions for 2007. Planning actions include all Type 1 thru Type 5 quasi-judicial applications that were submitted. Some have not been fully processed. The Department of Land Conservation and Development (DLCD) requires this information on an annual basis and the Sherwood Zoning & Community Development Code (SZCDC) also requires a registry of all decisions (Section 16.72.070). The following table summarizes the land use planning and zoning related actions by application type for 2007.

Land Use Actions – 2007

Type of Action (File Prefix)	Amount
Pre-Application Conferences (PAC)	34
Type 1 – Ministerial (165)	
Administrative Variance (AV)	0
File Extension (FILE-EXT)	1
Final Plat Review (FNL)	8
Home Occupations (HO)	44
Lot Line Adjustments (LLA)	7
Sign Permits (SIGN)	24
Temporary Sign Permits	31
DMV Dealer Certificates – Zoning Clearance	1
Plan Review	34
Interpretation of Similar Uses (ISU)	0
Final Site Plan Review	8
Temporary Use Permits (TUP)	7
Type 2 – Administrative (24)	
Home Occupations (HO-2)	16
“Fast Track” Site Plan Review (SPR)	2
Expedited Land Divisions	0
Minor Land Partitions	6
Type 3 – Hearings Officer (15)	
Subdivisions (SUB) <50 lots	2
Variances (VAR)	1
Conditional Use Permits (CUP)	6
Site Plan Review <15K >40K SF	6
Type 4 – Planning Commission (8)	
Site Plan Review >40K SF or Old Town District	7
Subdivisions >50 lots	1
Type 5 – Legislative (4)	
Annexations (ANX)	1
Plan Amendments (PA)	2
Planned Unit Development (PUD) + Modification	1
TOTAL	250

As the above table indicates it has been another busy year in Sherwood. The Type I applications are down compared to last year primarily because the number of building permits is down resulting in fewer plan reviews. Still, Type I applications account for the majority of land use actions in 2007 (66%). Without the significant decrease in plan reviews (161 last year compared to 34 this year) the total number of applications processed remained steady.

In projecting for the future, we look at pre-apps as a guide. Out of the 34 pre-apps held in 2007, 12 led to application submittals. In addition, out of 30 pre-application conferences in 2006, 10 led to application submittals in 2007. More applications are expected as a result of the strong pre-application activity.

As a result of a dwindling supply of large developable properties staff did not expect a lot of subdivision and planned unit development applications. However, with 15 site plans, this was by far the busiest part of the current planning program. Additional commercial, industrial, and multi-family applications are expected to continue to outpace traditional subdivisions over the next year. However, despite the decreasing number of lots created, Sherwood's population is estimated at 16,365 according to Portland State University's Population Research Center, which is another 1.5% increase.

The department set a performance standard of 6-8 weeks at 80 percent of the time for processing Type 2-4 applications once deemed complete. This date is calculated from completeness to the initial hearing or, for Type II applications, the decision. Of the 13 separate groups of Type II-IV applications processed (many are processed concurrently with one application) in 2007, three (23%) were not processed within 8 weeks. Of the three not scheduled for a hearing within 8 weeks two were due to applicant requested continuances. Overall, staff was able to review the applications and prepare a staff report for projects within 8 weeks 77 percent of the time in 2007. The 80 percent threshold accounts for full dockets, applicant requests for 120 day rule extensions, and protracted negotiation of conditions of approval. With the number of applications and staff available, we are very proud to have reached the goal 77% of the time. We anticipated last year that our ability to meet our targets would decrease however in reality our percentage of achieving the goal remained exactly the same. With the full staff in place now, it is anticipated that we will meet or exceed our target for 2008.

Long Range Planning

The long range planning program has 1.5 FTE "budgeted" to manage various Planning Commission, City Council, Sherwood Urban Renewal Planning Advisory Committee (SURPAC), Parks & Recreation Board, and City Manager projects and policy initiatives. However, due to staff shortages, the actual FTE working on long range planning projects was closer to 1 FTE. The staff shortages were anticipated and as a result, the long range planning work program was less ambitious. This year we have begun the concept planning for the Brookman Road area, continued working on the Tonquin Trail plan, begun scoping Commercial and Industrial Design Standards, and assisted in coordinating meetings with property owners to facilitate development. As part of the Long range Planning program, staff also monitors and participates in County and Regional meetings to ensure that the City's voice is heard as regional planning efforts are being considered.

Special Projects

The City Manager's Office and Community Development Director assign various special projects to the Planning Department to provide technical assistance. This year these projects included, but are not limited to, Langer Development Agreement, Cannery Redevelopment, Tree City USA application, City Beautification Team, Measure 37 policy coordination, Washington County Planning Directors, I-5/99W Connector, population and demographics, economic development, Tonquin Trail Master Plan, and parks and recreation services.

Overall, 2007 was a busy but productive year in Sherwood. It did not slow down in current planning and the long range projects continue to pile up. In 2008 we anticipate wrapping up the Brookman Road Concept Plan, beginning the Area 48 Concept Plan, developing a Concept Plan for the area included in the North Adams extension, continuing work on the Tonquin Trail Master Plan, developing Commercial and Industrial Design Standards, developing a scope and master plan for Old Town, and additional projects as assigned and/or as time allows.

Date: 1/22 Non-Agenda Topic: _____

Agenda Item: _____

I have read & understand Rules for Mtgs, Resolution 98-743

Applicant: Proponent: Opponent:

Name: David Brown

Address: 15855 SW 15th St

City/State/Zip: Sherwood OR 97140

Email Address: _____

I represent: _____ Myself _____ Other

Date: 1/22/08 Non-Agenda Topic: _____

Agenda Item: Zobrist office site

I have read & understand Rules for Mtgs, Resolution 98-743

Applicant: Proponent: Opponent:

Name: Shauna Zobrist

Address: 14965 SW Brooklet Pl

City/State/Zip: Tigard OR 97224

Email Address: szobrist@comcast.net

I represent: Myself _____ Other

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
January 22, 2008

Commission Members Present:

Jean Lafayette
Todd Skelton
Dan Balza
Adrian Emery
Lisa Walker
Matt Nolan

Staff:

Julia Hajduk, Planning Manager
Heather Austin, Senior Planner
Karen Brown, Recording Secretary

Council Liaison – Keith Mays

Commission Members Absent:

Chair Patrick Allen

City Attorney – not present

1. **Call to Order/Roll Call** – Karen Brown called roll. Chair Allen absent.
2. **Agenda Review** - Chair Allen absent, Commissioner Lafayette acting as Chair. Business tonight includes a public hearing, then a Planning Commission work section. Commissioner Lafayette asked for any changes to the agenda. None made.
3. **Consent Agenda** – Minutes from the December 11, 2007 meeting.. Commissioner Lafayette noted that there were a couple of scrivener’s errors that have been given to Julia. No other corrections or additions to the minutes were made. Motion made and seconded to approve the meeting minutes from December 11, 2007.

Yes – 6 No – 0 Abstain - 0

4. **Staff Announcements** – Julia reminded the committee that there had been an appeal quite some time ago and the commission had requested that the city look into creating a fee-in-lieu of local street improvements. Meetings have been held with the City Engineer, the City Finance Director and the Public Works Director to discuss the process. Proposal is near completion and should be presented to the commission at the next commission meeting, likely as a work session item. The Finance Director will be presenting the proposal to the Finance Committee and requesting feed back. If there is a general consensus from both entities then a recommendation will be sent to the City Council to establish that as a fee.

Julia also announced that the City Manager, Ross Schultz has announced his pending retirement sometime near the end of August. She referred to Mayor Mays saying he may be able to address the information more fully, but that the Council has met several times regarding a transition plan as well as making the decision to select Jim Patterson the current Assistant City Manager to fill the position of City Manger.

The Brookman Road open house was another successful event. There were some specific areas of interest and concern that will be brought forward in the Open House Summary Report which will be given to the Steering Committee. Julia is planning to give the commission a briefing at the next meeting. The goal is that the Steering Committee will have a recommendation at the end of February. Work sessions will begin soon after. Projected adoption sometime May, 2008.

Julia introduced Tom Nelson, the City's new Economic Development Manager. He will be working to help bring new business into the city.

Julia announced that Tom Pessemier has been promoted to Community Development Director from his position as City Engineer.

5. City Council Comments – Mayor Mays addressed the Commission by making an announcement that the City has a new Chief of Police, effective February 4, 2008. Captain Jeff Growth an 18 year veteran from the Tualatin Police Department will be the new Chief.

Mayor Mays asked for the commission's interest in having the commission meetings video taped for public internet viewing. Currently the City Council meetings are being broadcast in this manner. The general consensus was that while most commissioners were apposed, more public involvement is a goal of the commission and broadcasting the meetings could increase that involvement.

Commissioner Lafayette asked if there was an analysis or recap prepared for the recent S.W.O.T. (Strengths, Weaknesses, Opportunities and Threats) assessment. Mayor Mays responded by saying that the City Council is having a slew of work sessions and with Ross's announcement and Jim Patterson's selection, they are still working on the goals and feed back from that assessments. Once they are complete they will be sharing that information with the Commission.

6. Community Comments – Commissioner Lafayette asked if there were any community comments on topics not on the agenda. There were none.

7. Old Business: There was no old business to discuss.

8. New Business - The new business for the meeting included a public hearing SP 07-14 Zobrist Old Town Change of Use The hearing was called to order and Commissioner Lafayette read the Public Hearing Script Quasi-Judicial Land Use Hearings statement.

Staff Report- given by Sr. Planner Heather Austin. The application is for a change of use. The applicant is proposing a change from a current residential structure to an office to be used as a tax accounting office. The property is 5000 sq. ft., the structure is just over 1000 sq. ft.. The property is bordered on one side by Infinity Property Management, (that has recently been through a change of use to office as well.) The property to the rear is a storage structure which is currently being used by a merchant here in Old Town. The application has been reviewed and meets all of the criteria for site plan as well as the Old Town Design Guidelines. No exterior changes have been proposed for the site. One exterior tree was removed. No changes other than the change of use from residential to commercial are proposed, so staff has recommended approval with general conditions as well as 3 specific conditions as follows:

- 1 Bicycle parking
2. 8' public utility easements on all street frontages.
3. Tree mitigation or a letter from an arborist stating that the tree was hazardous or otherwise exempt from mitigation.

This evening prior to the meeting, staff did receive from the applicant bicycle parking information and tree information. Staff provided the PUE documentation. The applicant has shown a willing interest in meeting the conditions that staff has recommended thus far.

Commissioner Lafayette asked when the adjacent property had gone through its change of use. Heather's response was that she believes it was in 2003. Commissioner Lafayette also suggested a change on page 11, in the finding. The finding states that the material storage standard is not applicable because "material storage is proposed." The word not should be added to say "material storage is not proposed." Heather concurred.

Commissioner Walker questioned statements on page 5 regarding fencing. The report states that there is no existing fencing on this property, then, on page 21 it refers to a good neighbor style fence at the rear of the property. Heather agreed that there is fencing in the rear of the property and would propose changing the finding to say that there is no fencing proposed with this land use application. There is existing fencing that complies with this section.

Commissioner Walker also noted that there are many references made to non-conforming items that are not being changed at this time. Does reference need to be made in the conditions regarding future changes needing to conform to current standards. Heather recommended adding an additional sentence to A-2 stating that any future changes to non-conforming structures or uses must come into conformity with the code.

Applicant Testimony - Shauna Zobrist, 14965 SW Brooklet Place, Tigard Oregon 97224. She purchased the building on the corner of Ash and 1st street at the end of October with the intent of changing the space into an office. They did replace the porch. They approached the Building Department to obtain a permit, but were told that since it was replacing the existing porch and nothing more, no permits were required. The other changes made were cosmetic in nature. They also removed a single tree from the front of the lot. They had called the City and were told a single tree on a residential lot can be removed. Later because they were doing a land use application, they were told no. They do have documentation that the tree was creating a hazard to the structure. No other changes are planned, they would just like to change the use and proceed with opening a business.

Opponents/Proponents Testimony – David Brown of 15783 SW Bowman Ct., Sherwood Oregon, approached the commission. David owns a day spa at 15855 SW 1st Street in Sherwood. He fully supports the proposed business; however parking is a big concern. He was required to create a handicap parking space and 7 additional spaces. He has 7 employees. The employees all park on the streets in town. He has noticed recently that the city has installed No Parking signs and not making parking easy for the residents either. The day spa has an alley behind their property that connects to the Infinity Property Management and through to Ash Street. There is a Montessori Day Care on the left side. The alley seems to be blocked quite often. The spa's clients park in the back of the building and they can't afford to have the access blocked for their customers. He is asking that parking issues are taken into consideration. When he bought the property in November of 2006, he was told that there was going to be on-street parking on 1st Street, yet has not seen any parking at this time. He was also told that the red

building across the street was going to be demolished and turned into a parking lot. Has not seen any progress in that area either. He has recently heard that there will be no parking in Smockville as that will all be commercialized for all of the day malls that will be put in the condominiums. The issue he sees is a lack of parking. The Property Management office has several employees. Everyone is fighting for a spot to park. When he developed his site he had to add an ADA parking spot. He was required to do so by code. He was required to get a permit, and have inspections. That was fine with him, because it is the law and he complied. He is testifying before the commission to ask that they consider the lack of parking in making their decision on this project.

Applicant Rebuttal - Shauna Zobrist addressed the commission by agreeing with David that there is a parking issue in the area. As far as her property is concerned she feels she has parking available to accommodate her needs and her clients. There is a carport that can accommodate 2 cars and access from the alley to park 2 additional cars. There is also on street parking allowed. She does agree that parking is an issue in the area, and it would be nice to have more on street parking available. She feels she will be able to accommodate the parking issues without a problem.

Commissioner Lafayette closed the Public Hearing and asked for final staff comments. Heather Austin addressed the commission on behalf of Planning Staff by saying that parking in Old Town has been discussed prior to this application. Parking is not required in the Smockville portion of Old Town as reflected in this staff report. Regarding ADA parking, if a property proposes to have parking, then the Building Code requires at least one space be ADA accessible. She believes that up to 8 spaces are allowed with one ADA space. If more than 8 spaces are provided then a second ADA space is required. Where parking is not required, but the applicant elects to install parking spaces, a percentage of the cost must go toward ADA improvements. For this application, per the code, there are no parking requirements, so staff will not recommend requiring parking.

Heather continued in response to statements made in David Brown's testimony to say that the red City owned building is still being proposed for demolition; however she hasn't heard that its use is planned as a parking lot. The City will have to come before the Planning Commission and follow this process as well, since any change to the building will be considered a Landmark Alteration. Regarding condominiums, Heather is aware that there are condominiums being proposed on 1st street between Pine and Oak. As a result, we will be seeing more cars in Old Town. She agrees that parking is becoming an issue in Old Town, but that is not a discussion to have in the context of this development application.

Julia Hajduk, added that Old Town parking has been a discussion by many including, the Planning Commission and City Council. It is not a new issue. It does need to be addressed throughout Old Town and determined if there really is a problem. More analysis needs to be done to determine the extent of the problem and to find solutions to the problem, but as Heather said, the code doesn't require parking for business in Old Town. Commissioner Nolan asked if the topic had been discussed of having a study done, regarding the parking requirements in Old Town. The Planning Commission had talked about it quite a few times. Heather Austin remembered Rob Dixon saying that a project like that would be started. Per Julia, the project was discussed, but put on hold with the idea of doing a more detailed study like an Old Town

Master Plan, to look at the city owned properties in Old Town, the uses and a more comprehensive look.

Commissioner Balza asked about the No Parking signs being installed. Are they being put up on one side of the street, or both sides? Julia's response was that she would talk to Tom Pessemier the Community Development Director and Craig Sheldon the Public Works manager to see what is new or what has changed that is creating the use of new signs. Heather Austin added that according to the TSP, 1st Street was designated as a collector, so it may be that street designation has changed.

Commissioner Nolan asked if it would be possible for staff to speak to the Code Compliance Officer or the Police Department about the fact that the school is blocking the alleyway. Julia said that is definitely a code compliance issue and that the property owners or citizens should contact the police non-emergency number. Commissioner Nolan said that the problem is likely happening at the same time each day and that if the property owner could let Julia know about what time, maybe she could help. Julia agreed.

Commissioner Lafayette asked if any further information or clarification was needed. No one responded. She then closed the public testimony portion of the meeting.

Commissioner Balza moved that the Planning Commission approve SP 07-14 the Zobrist Office Site Plan, based on the adoption of the staff report, findings of fact, public testimony, staff recommendation, agency comments, applicant comments and conditions as revised. Seconded by Commissioner Nolan. Commissioner Lafayette announced that it has been moved and seconded that the commission approve SP 07-14 Zobrist Old Town Change of Use. All were in favor. Motion approved.

Annual Planning Department Report - This is the second year Julia has pulled the information together for this report. It is intriguing to her to see how much has been accomplished by the department considering some significant staff shortages in the department. The department has processed the same number of applications with fewer staff members. Clearly having a full staff with experience will insure accuracy. She believes that once the department is fully staffed and up to speed, the consistency will continue to improve. The customer service contacts were down from last year, but still show an increase from 2005. This may be a result of record keeping, or actually receiving fewer calls. Even with the statistics down there is still a lot staff time spent on customer service. It fills the time equivalent to nearly a half time employee. Julia asked for comments.

Commissioner Lafayette commented that is has been very helpful knowing when a condition is recommended in a staff report. The staff reports have been very consistent in their formatting.

Julia's response is that the goal is to continue to increase the professionalism every year.

Commission's comments included that staff is doing a great job.

Commissioner Balza reported that the lights are installed at Sunset Park. Other commissioners commented that they had seen them as well.

He also wanted to discuss a new topic. In reading the minutes from the meeting in December, he was reminded about the discussion of the Oregon Street Crossing and the TSP. He was left with the impression that there would be some follow up discussion on what had changed there. He is fairly certain that in the TSP the Oregon Street crossing was going to be closed. They then learned that it was not going to be closed. That intersection and Villa Road were two of their main areas of concern with the TSP.

Julia asked if he felt like they needed follow up information.

He and Chair Allen were wondering what had happened to allow those changes.

Commissioner Lafayette's comments were that the Planning Commission's applicants are called to task on compliance with the TSP. If the City of Sherwood is going to be dropping Adams Ave. down and connecting with Oregon Street, the TSP needs to reflect that as soon as possible.

Julia responded by saying she thought Tom Pessemier had explained in an earlier meeting, that in doing an analysis the City had determined Oregon Street does need to go through. There are plans within the next year for the Planning and Engineering Departments to do some sight specific TSP updates. There are areas of concern that need to be updated.

What Commissioner Balza recalls is that the railroad was basically demanding that the intersection be closed due to other changes being made.

Commissioner Lafayette asked if there is a copy of the TSP that they could review. She recalls looking at black arrows in certain parts of the TSP that indicated generally something may occur in the vicinity. There were other places that specifically called out "crossing here". She believed that Oregon Street was one of those. The Planning Commission felt they had been pretty specific.

Julia responded by saying that Tom Pessemier had explained that the Railroad did say that the street needed to be closed, but that the City was able to demonstrate that the transportation for the railroad and circulation in the area would function better with it connecting. Using that information they were able to say that it can remain open. Julia believes it is in the permitting process through ODOT Rail.

Commissioner Lafayette mentioned seeing on the board in City Hall that Staff will be making a decision on Taco Bell, and asked if that was widely known.

Heather Austin's response was that it is publicly noticed on site and in the 5 determined locations throughout Sherwood. Commissioner Lafayette and Commissioner Walker asked if it was published in the Tualatin Times. Julia responded by saying we don't notice Type II decisions. Type II decisions do not require public hearings, notice is mailed to property owners within 100 feet of the property, posted on site and posted in the five locations around the city.

The Taco Time building will be completely demolished and the Taco Bell building will be re-oriented on the site.

Commissioner Lafayette asked if they have complied with everything the Planning Commission has talked about before, like the size of the restaurant and kitchen.

Heather said yes they have. They used the CAP as their analysis.

Julia added that when Staff does a Type II decision they are the Hearing Authority. There is no public hearing, but there is a public comment period. It is not un-common to get quite a few public comments on projects. Staff then reviews and addresses those comments the same way the Planning Commission or Hearing's Officer does. These small projects don't require the same level of scrutiny. They are still reviewed and public comments are received and reviewed.

9. Next Meeting - February 12, 2008 7:00 pm: Topics include: Brookman Road Concept Plan Update and a work session.

Heather and Julia proposed showing the Planning Commission the list of current applications and schedule, what type they are, when and if they are scheduled for hearings, whether or not they are complete, etc. The commission all agreed they would like to receive that information. Julia agreed to include it with the meeting packets in the future.

10. Adjournment – Commissioner Lafayette closed the meeting and adjourned to the work session.

End of Minutes.