



**City of Sherwood
PLANNING COMMISSION
Sherwood City Hall & Public Library
22560 SW Pine Street
April 11, 2006
Regular Meeting - 7:00 PM**

A G E N D A

- 1. Call to Order/Roll Call**
- 2. Agenda Review**
- 3. Consent Agenda – March 28, 2006 minutes**
- 4. Brief Announcements**
- 5. Community Comments** (*The public may provide comments on any non-agenda item*)
- 6. Old Business:**

SE Sherwood Master Plan - Implementation
The Commission will consider information produced thus far in developing options to guide future development in SE Sherwood. A public comment period is scheduled. The Commission may make a decision or defer to another meeting regarding implementation of the SE Sherwood Master Plan.
(Kevin A. Cronin, Planning Supervisor, Planning Department)
- 7. Comments from Commission**
- 8. Next Meeting: April 25– Goal 5 Natural Resources Protection & Infill/Redevelopment**
- 9. Adjournment**

City of Sherwood, Oregon
Planning Commission Minutes
March 28, 2006

Commission Members Present:

Chair Adrian Emery
Jean Lafayette
Dan Balza
Matt Nolan
Todd Skelton

Staff:

Kevin Cronin – Planning Supervisor
Heather Austin – Associate Planner
Rob Dixon – Community Development Director

Commission Members Absent:

Vice Chair Patrick Allen
Russell Griffin

1. **Call to Order/Roll Call** – Chair Emery called the meeting to order at 7 PM.
2. **Agenda Review**
3. **Consent Agenda** – Minutes March 14, 2006 were approved as amended with edits, vote results below:

Yes – 5 No- 0 Abstain– 0
4. **Brief Announcements** – Kevin Cronin announced that there is an open house for Goal 5- Natural Resource protection on Thursday, March 30, 2006 at City Hall on the second floor mezzanine. The City Council held a hearing on Chapter 9 on March 21, 2006 and closed the public hearing. They will deliberate on April 4, 2006. The first economic development strategy meeting will be on April 19, 2006 before SURPAC. Area 59 will go before the City Council on April 18, 2006. Heather Austin announced that the City of Sherwood has officially been designated a Tree City USA and Sherwood’s first Arbor Day celebration will be held on April 7, 2006 at Middleton Elementary School.
5. **Community Comments** - None
6. **Old Business** - None
7. **Comments by Commission** – None
8. **Next Meeting – April 11, 2006:** SE Sherwood Master Plan
9. **Adjournment** – Chair Emery adjourned the regular session at 7:05 PM. Work session on SE Sherwood followed.

MEMORANDUM

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

DATE: March 20, 2006
TO: Planning Commission
FROM: Kevin Cronin, AICP, Planning Supervisor *KAC*
SUBJECT: Technical Memo - Southeast Sherwood Master Plan
Implementation Strategies

Mayor
Keith Mays

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

City Manager
Ross Schultz

Introduction

The Planning Commission directed staff to prepare a list of implementation options based on the alternatives presented in the SE Sherwood Master Plan report dated February 21, 2006 and presented to the Commission a week later. The purpose of this memo is to provide a response to the request for implementation strategies and initiate a discussion during a scheduled work session for March 28.

Staff has prepared the information based on the assumption that only Alternative A or Alternative B/C will be considered for implementation. The other alternatives do not meet the criteria that were originally developed for the project. However, the Commission can consider aspects of other plans that could be incorporated into a preferred plan.

Alternative A

The Commission has the option of initiating a PUD overlay process and/or plan text amendment process. A PUD overlay provides assurance to the City and neighbors that the eventual application will substantially conform to the preferred plan. A PUD overlay could be adopted as part of the Comprehensive Plan (Part 2) and land use applications submitted subsequently would need to substantially conform to the adopted plan. Essentially, the PUD approach codifies the master plan.

Furthermore, Alternative A requires property owner coordination to submit an application under "one umbrella" with the understanding that property lines will have to be adjusted to accommodate lots, streets, etc in a fair and equitable manner. The total number of lots by itself would not trigger a zone change since it conforms to the 2 units per acre standard assuming the density transfer tool is applied. However, if the size of the lots proposed is less than 10,000 SF it would require a plan text amendment to reduce the minimum lot size in exchange for the open space and public amenities. Either option would require City Council review and approval for a legislative amendment to the zoning map or code. A plan text amendment without an adopted plan is not recommended because it would not provide insurance to the City or neighbors that an application would conform to the master plan.

Alternative B/C

Alternative B/C will require a plan amendment either a text and/or map change. At a minimum, a plan text amendment would be required to allow lower minimum lot sizes for the zone or for a PUD overlay similar to Alternative A. In lieu of a city

initiated process, the private sector, i.e. development community could propose a PUD concurrently as part of a zone change application that substantially conforms to Alternative B/C. This option reduces staff time and recovers costs that were spent during the conceptual planning phase.

In addition to the ordinance option described above, the Commission can approve a preferred plan by resolution that sets a policy direction and therefore sends a message or "green light" to the development community that submitting a concurrent zone change/subdivision application is possible as long as the proposal conforms to the master plan. This strategy may trigger negotiations between property owners and the development community and may result in one or two developers with control over the master plan study area. Ideally, this would result in a more consistent and coordinated development and future neighborhood with all the community amenities.

Both strategies, and the eventual application, must conform to the Comprehensive Plan and the development code. The question is whether a proposed development will be reviewed against the existing policies and standards or will new policies and standards be proposed to achieve the objectives (i.e. open space, tree preservation, etc.) of the master plan.

"No Build" Alternative

The Commission has the option of not acting on the master plan. (The "no build" naming convention refers to the environmental impact statement process used to evaluate alternatives for federally funded projects.) Staff does not recommend this option because the time and effort that has been spent would damage credibility with the TGM program on funding future projects and the community would not benefit from a coordinated development.

Development of the area is imminent. The area will develop with or without action from the Planning Commission. However, this is a great opportunity to do something different in Sherwood. The Commission has the authority to implement a plan that achieves the goals of the Comprehensive Plan and the objectives of the master plan. There is more to lose by tabling the process, but there is so much to gain by taking action. The risk/reward ratio is low/high given the motivation of the property owners and neighbors. The Commission needs to make a policy decision and make a determination based on the wishes of the property owners and needs of the larger community.

Summary of Alternatives

The following table summarizes the options and the measures necessary to implement each:

Alternative	Challenge	Lots/Density	Implementation Strategy
A	Plan does not conform to existing property lines; requires collaboration among property owners via lot line adjustments	54/3.35	Planned Unit Development (PUD) overlay with plan amendment to VLDR Zone to allow lots <10K SF (Section 2.101.07)
B/C	Conforms to existing property lines	82/4.43	Zone change: Requires plan text amendment to VLDR Zone or new zoning designation for more lots. PUD overlay would be required.
"No Build"	Does it accomplish community goals?	~45-50/1-2	None

Other Issues

In addition to the implementation strategies, the Commission directed staff to address issues raised during the discussion that followed the presentation. Those issues include:

- Measure 37 claim on Moser property;
- Implication of low impact development practices; and
- Timing of technical review of development issues.

Measure 37

The Moser's have owned their property for approximately 40 years and as a result may have a valid Measure 37 claim. Staff can only speculate on the applicable law that would be waived or the compensation value for the lost development. According to documents presented to the City Attorney, Washington County zoned the Moser property R-6. The Moser's annexed the property in 1987 and the City zoned it Low Density Residential (LDR - 7,000 SF). As part of "periodic review," of the City's Comprehensive Plan, the City legally rezoned the SE Sherwood Area to Very Low Density Residential (VLDR - 1 acre) in 1991. The Moser's could submit a claim for the property to be zoned back to 7 units per acre. However, the SE Sherwood Master Plan would rectify, at least in part, a future claim if Alternative B/C (4.43 units/acre) was implemented. The Moser's will need to weigh the cost/benefit ratio of submitting and processing a claim versus the leverage of making changes to the plan that recoups the investment and restores a property right. Regardless, City staff will work towards a mutually agreeable plan with the Moser's as part of any implementation process.

Low Impact Development (LID)

Raindrops to Refuge (R2R) presented a list of low impact development alternatives to the Commission to consider as part of the master plan. The City of Sherwood is participating in the Tualatin Basin Partners program to improve and preserve Goal 5 natural resources for fish and wildlife. One component of this planning process is the integration of low impact development practices. These include reducing code and financial barriers to pervious surfaces, green streets, improving water quality facilities with natural habitat, and preserving wetlands, riparian, and upland habitat through incentives. The passage of Measure 37 has relegated the regulatory approach to individual cities to consider.

Regarding the SE Sherwood Master Plan, the process has included discussion of "green" streets as an approach to new development and specifically retrofitting Murdock Road. The City does not have any green street construction standards adopted let alone experience building or maintaining these facilities. However, specifications are available in other jurisdictions and Metro has developed guidelines on green streets for local cities to implement. Murdock Road may or may not be the ideal pilot project for a green street given the geology and arterial classification. Additional investigation is still required.

Preserving open space and trees is also a major objective of the planning process. This has multiple benefits to the neighborhood and watershed: reduction of stormwater runoff, fish and wildlife habitat, and provision of recreation resources within walking distance. Tree retention is the first and foremost option when property is developed. It not only preserves neighborhood identity and livability, it also reduces replacement costs and improves the marketability of residential lots. If and when a development is proposed staff works with the developer to identify trees that should be preserved and areas that will be impacted by roads, utilities, and housing. Finally, tree preservation standards will be reviewed and improved as part of the Goal 5 process.

The timing of the implementation process for Goal 5 and SE Sherwood may or may not be synchronized. The Goal 5 process is expected to be completed locally by September 2006. The SE Sherwood Master Plan has no timetable, but if the Commission elects to initiate a zone change staff expects the implementation process to take 4-6 months, which would provide an opportunity to review and adopt concurrently. If the private sector initiates the zone change prior to adoption of Goal 5 measures, then the project would have to be reviewed using

existing standards. Currently, green streets are voluntary unless findings are made to support the requirement. However, if a map amendment is proposed, a green street will be required along Murdock and local streets if the geomorphology allows percolation and filtering.

Timing of Technical Review

The Commission asked if and when certain technical issues would be resolved during the master planning process. The following summarizes the issues, challenges, and responses that provide context for the unresolved process related questions.

Issue	Challenge	Response
Traffic Engineering	Site distance on Murdock Road is questionable; may require realignment, clearing of brush and trees, or right in/right out only street. Grade on Denali street extension is steep.	If an application is submitted developer would present a more in depth engineering study to City staff to review. City Engineer would review report and make recommendation to planning staff on development conditions of approval.
Tree Preservation	Lots of treed areas; no incentive to preserve trees prior to development.	Existing tree standards are strictly reviewed and enforced during development review. Plans include open space and treed areas for preservation. Staff requires tree inventory and mitigation report for all development approvals.
Green Streets	No prior examples in Sherwood, no construction specification on books. However, TSP encourages green streets and Metro has design standards available.	Murdock Road provides the best opportunity for long term viability, maintenance, and topography. City can either begin green streets implementation or allow developers to propose design consistent with Metro guidelines
Stormwater	Stormwater impacts to neighborhood; green alternatives are used per Clean Water Services standards.	Engineering Department reviews initial stormwater impacts during development review. Conditions of approval require stormwater report.
Protection of wetlands	A concern was raised that development adjacent to the existing wetlands would cause erosion and polluted run-off harming wildlife habitat.	Prior to review of a development application, Clean Water Services will review and determine the appropriate buffer width from the wetlands based on the slope of the adjacent land. R2R/Metro can assist neighborhood with "naturescaping" workshop to reduce pesticide use and encourage organic practices.
Geology (Tonquin Scablands)	The geology of the area may make road building difficult at best and may result in modification to the street layout. SE Sherwood includes unique rock formations. Comprehensive Plan (Part 2) and zoning code does not have protection measures. Geologic study of the area has not been done by County or City.	Geotechnical reports will be required as part of any development proposal. Staff would evaluate the proposal along with the geotechnical report and the goals of the Master Plan to determine whether the proposed road alignment is consistent with the Plan and feasible. Inventory of rock formation will be required. Open space areas include majority of rock formations. Other areas could be protected with conservation easements.
Parks and open space	Without the SE Sherwood Master Plan there is no ability to require the dedication of park or open space through the current subdivision process. Murdock Park is the only active or passive facility in SE area.	The Parks Master Plan process identified Moser Woods and Snyder property; however dedication would not be a requirement through a traditional subdivision process. SE master plan does identify open space areas. However, without implementation, areas would be lost without acquisition.

Next Steps

As described above, the Planning Commission has numerous options to consider for implementation during the work session on March 28. Notwithstanding the policy direction, at least one more meeting will be necessary to make a decision. Work sessions are intended for discussion purposes only. The Planning Commission can direct staff at the next regular meeting on April 11. Staff recommends a decision at this time to move the process forward and bring the concept planning phase to a close.



Planning Commission 2006 Work Program (April 2006)

Planning Commission Members:

Chair: Adrian Emery, Vice Chair: Patrick Allen, Jean Lafayette, Dan Balza, Matt Nolan, Russell Griffin, & Todd Skelton

Council Liaison: Mayor Keith Mays

City Staff/Project Managers: Kevin A. Cronin, Julia Hajduk, Heather Austin, & Cynthia Butler

Priority	Item	Status	Hearing Date/(PM)
High	Area 59 Concept Plan (School Site)	Complete Plan Amendments	July 06 (KC)
High	Area 54-55 Concept Plan (Brookman)	Extension request; consider developer financial participation	2006 (KC)
High	Area 48 Concept Plan (Quarry Area w/ Tualatin)	Metro adopted building permit surcharge; IGA required	2006 (KC)
High	Economic Development Element & Strategy	In process (SURPAC – Cogan Owens Cogan)	Fall 06 (KC)
High	Commercial & Light Industrial Design Standards	Need to scope/evaluate/find templates (car dealerships, buffering standards, and architectural design)	2006 (KC)
High	Infill Standards (flag lots, orientation, partitions, etc)	In process (TGM – Siegel Planning Services))	2006 (HA)
High	Parks Master Plan	In process (Parks Board – Greenplay))	Fall 06 (KC)
High	Sanitary Sewer Master Plan	RFP Issued - Assist Engineering Department	2006 (KC)
High	Urban Planning Area Agreement (WACO)	Need to update original UPAA (1988) for UGB expansions	2006 (KC)
High	Code Review: Mobile vendors	Need to scope/evaluate problem/find templates	2006 (JH)
High	PUD Guidelines for Mixed-Use Development	Determine appropriate level of commercial/office in PUD	2006 (JH)
High	Review sign code	Need to scope/evaluate problem	2006 (HA)
Medium	Goal 5 Tualatin Basin Partners - Implementation	NRCC and staff will develop implementation program	2006 (JH)
Medium	Annual Housekeeping Bill	Fix errors, outdated references, etc.	Fall 2006 (JH)
Low	Metro Title 7 (Affordable Housing) Compliance	Need to monitor MPAC/HTAC discussion; three reports are overdue	2006 (KC)
HOLD	Cellular/Wireless Facilities Review Standards	Need to scope/evaluate problem	2006 (JH)
HOLD	Review Townhouse Standards	Need to scope/evaluate problem	2006 (JH)
HOLD	Town Center Master Plan (Title 6 - Centers)	Scope and evaluate; identify funding source	2006 (KC)
HOLD	Improve Public Involvement Process: Goal 1	On-going (Improve delivery of project information)	2006 (All)

ENGINEERING PLANNING

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SURVEYING FORESTRY

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March 20, 2006

City of Sherwood Planning Commission
C/o Kevin Cronin, Planning Supervisor
22560 SW Pine Street
Sherwood, OR 97140

Re: SE Sherwood Master Plan – Support of B/C Alternative

Dear Planning Commission Members:

AKS Engineering & Forestry, LLC represents Tammy and Patrick Huske (Ironwood Homes, Inc.), Paula and Dennis Yuzon, and Nick Slinde of JC Reeves Corporation. These three property owners own approximately half of the total area within the plan (more than 26 of the approximately 52 acres). **These three property owners are in united support of the B/C Plan.**

As stated in the February 20, 2006 Final Report of the SE Sherwood Master Plan, the B/C Plan is the recommended plan. The B/C Plan offers significant open space, a pedestrian friendly transportation system, a logical pattern of streets, a variety of housing types, and an environmentally sensitive transition from urban to rural areas. Additionally, the B/C Plan provides a small increase in residential densities, which is needed to finance the necessary infrastructure for development. This was an important goal of the project and was the basis of the grant provided by the Oregon Transportation and Growth Management Program. The Sherwood City Council endorsed this grant and this project.

The A Alternative has several significant problems associated with it. It clearly is not an equitable distribution of developable property (number of lots). An example of an inequitable distribution of developable property is when two properties are identical in size and have similar features, and one of the properties is allowed to have several more lots than the other. The A Alternative does not take into account existing property lines. The major problem with this is if several property owners want to develop their property, they may not be able to without help from another property owner. Essentially, one property owner may be able to hold the other property owners hostage. It is very important to consider existing property lines when preparing a preliminary development plan. The A Alternative clearly does not take into account existing property lines. Additionally, the A Alternative does not provide the necessary residential density to fund the infrastructure. The A Alternative was not recommended by the Final Report of the SE Sherwood Master Plan because it does not meet the project goals, and the A Alternative has little or no benefit over the current zoning of the area. Essentially, the A Alternative would be a waste of the grant provided by the Oregon Transportation and Growth Management Plan and would wipe out the months of work put into the SE Sherwood Plan study process.

These three property owners have been very involved throughout the SE Sherwood Master Plan study process. Through careful consideration, each of them has decided that the B/C Plan is the most

appropriate for the area. At your March 28, 2006 Work Session, these property owners request that you recommend for City Staff to draft code and comprehensive plan policies to implement the B/C Plan.

The following signatures of the property owners show their full support.

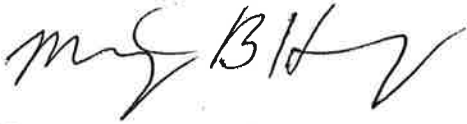
Sincerely,

AKS Engineering & Forestry, LLC

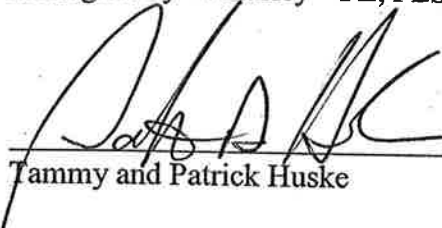
RECEIVED

MAR 20 2006

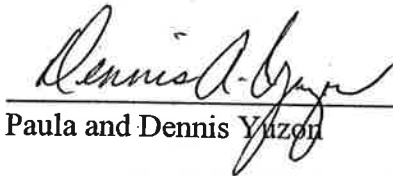
BY KAC
PLANNING DEPT.



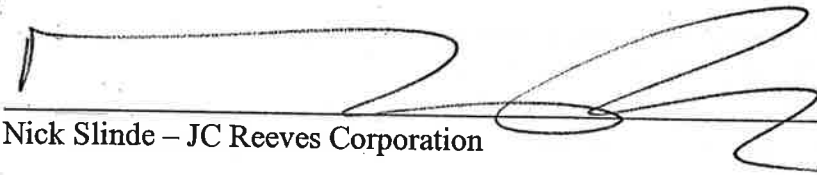
Montgomery B. Hurley – PE, PLS, Principal



Tammy and Patrick Huske



Paula and Dennis Yuzon



Nick Slinde – JC Reeves Corporation

3/20/06

- Cc: Rob Dixon, Community Development Director – City of Sherwood
Dana Krawczuk – Ball Janik LLP
Christopher Koback – Davis Wright Tremaine LLP
Matthew Crall, TGM Project Manager – Oregon Transportation and Growth Management Program



Davis Wright Tremaine LLP

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March 15, 2006

David F. Doughman
Beery Elsner Hammond LLP
1750 S.W. Harbor Way, #380
Portland, OR 97201

Re: Moser / City of Sherwood

Dear Mr. Doughman:

As you know, I represent Leroy and Delores Moser, who own approximately 12 acres in Southeast Sherwood. Fairly recently, the Mosers learned that their property was included in the City's discussions on the Southeast Sherwood Neighborhood Master Plan.

I am writing at this time to determine what, if any, interest the City has in working with the Mosers to place an appropriate zoning designation on their property, whether part of a master plan or outside of that context. The critical background facts are as follows:

In November 1966, the Mosers acquired title to their property; they have owned it in fee title since that time. Prior to 1987, the Mosers' property was not in the City of Sherwood. It was in unincorporated Washington County and was zoned RR-6. In about 1987, the Mosers were asked to consent to having their property annexed into the City. The City assured the Mosers that upon annexation their property would receive a City zoning designation that would permit density appropriate for a more urban residential development. In fact, the City Manager represented that there would be no problem with the Mosers "getting the maximum density" on their property. He further stated that the lots would most likely be 50' x 100'. Finally, the findings supporting the annexation indicated that the City zoning that would be placed on the Mosers' property was "Low Density, 7 units/acre." The Mosers consented to annexation and paid their share of all applicable fees.

In about 1990, after the annexation, the City apparently down-zoned the Mosers' property to Very Low Density, 1 unit/acre. The Mosers did not reside on the property at that time and have no record of receiving any notice of that action. The Mosers learned that their



property had been down-zoned from their recent involvement in the proposed "Southeast Sherwood Neighborhood Master Plan." Most of the project alternatives that have been discussed would result in density on the Mosers' property much lower than what they were assured in 1987. I believe all of the alternatives would remove about 5 acres of the Mosers' property from development and designate it as Open Space.

Under the circumstances, the Mosers cannot support any of the alternative designs for the Southeast Sherwood Neighborhood Master Plan. Each alternative significantly reduces the value of the Mosers' property. The Mosers feel that there are two avenues to pursue. First, they can proceed under Measure 37. I have the required forms and have begun work on preparing a Measure 37 claim. Since the Mosers acquired the property in 1966, before it was part of the City, all City regulations or zoning designations applicable to their property will trigger a reduction in value. Under Measure 37, the City would have to pay the Mosers significant compensation, or waive all City regulations applicable to the property. The Mosers then would have no density limitations.

The alternative to a Measure 37 claim is for the City to work with the Mosers to place an appropriate and mutually agreeable density on their property. This could be done either within the context of the anticipated neighborhood plan or independent of that plan. The Mosers welcome the idea of meeting with the appropriate City officials to discuss the options for their property.

Please let me know if the City shares that sentiment.

Thank you.

Very truly yours,

Davis Wright Tremaine LLP

A handwritten signature in black ink, appearing to read 'C. Koback'.

Christopher P. Koback

CPK/ikt

cc: Leroy and Delores Moser

BALL JANIK LLP

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DANA L. KRAWCZUK
ALSO ADMITTED IN WASHINGTON

dkrawczuk@bjllp.com

March 21, 2006

Sherwood Planning Commission
c/o Kevin Cronin, Planning Supervisory
City of Sherwood
22560 SW Pine Street
Sherwood, Oregon 97140

Re: Testimony in Support of S.E. Sherwood Master Plan - B/C Alternative

Dear Members of the Planning Commission:

This law firm represents Paula and Dennis Yuzon, longtime property owners in the S.E. Sherwood Mater Plan area. I understand that at your first work session considering the Plan there was vocal support for Plan A. The purpose of this letter is to provide a counter balancing voice for interested parties that support the B/C Plan.

The Yuzons appreciate and support the City's planning effort, and understand that a variety of interests must be balanced. After months of work and many public meetings, your staff has recommended Alternative B/C as the preferred plan. Although the Yuzons, as property owners with investment backed expectations for the future development of their property, prefer Plan B, we support staff's recommendation of the B/C Plan as a reasonable compromise.

As outlined on Pages 26-29 of the February 20, 2006 staff report, there are a number of reasons the B/C Plan is the most appropriate Master Plan for the area. The B/C Plan offers a number of public amenities, such as generous open space well distributed around the plan area, a pedestrian friendly transportation network, an appropriate mix of housing types and a sensitive transition between more urban to rural areas. However, an essential benefit of the B/C Plan is that it allows for a level of density that can finance the needed infrastructure. In stark contrast, Alternative A does not provide the necessary funding engine for infrastructure. In other words, it is unlikely that the desired open space and other public amenities will come to fruition if there is not an economically feasible means to develop the property. The B/C Plan provides that opportunity.

One of the key objectives of the S.E. Sherwood Master Plan was to provide an increase in residential densities. This goal was a foundation of the grant provided by the Oregon Transportation and Growth Management Program and was endorsed by the City Council. Simply stated, Alternative A does not achieve the S.E. Sherwood Master Plan project goals, as explained by staff on page 29 of the staff report. Plan A fails to achieve the project planning

March 21, 2006

Page 2

goals because the densities allowed under Plan A can currently be accomplished with the existing zone under a planned unit development.

The Yuzons encourage the Planning Commission to implement the goals of the S.E. Sherwood Master Plan study process. If we continue to stay with the large minimum lot sizes for the entire S.E. Sherwood Master Plan area, the position advocated by those that prefer Plan A, then we are not doing our part to further our goals as a region to maintain a compact urban growth boundary that helps prevent sprawl and the conversion of farmland into urban development. Accordingly, we respectfully request that at your March 28, 2006 work session or April 11, 2006 hearing that you recommend for staff to draft code and comprehensive plan policies to implement the B/C Plan. Thank you for your consideration.

Sincerely,



Dana L. Krawczuk

DLK:jrw

cc: Paula and Dennis Yuzon

Kevin Cronin

From: Mary Reid [mary.reid5@verizon.net]
Sent: Saturday, March 25, 2006 11:35 AM
To: Kevin Cronin
Cc: citysherwood@ci.sherwood.or.ur; Donna Martin; Kevin Cronin
Subject: SE Sherwood Development - Technical Memo - email of 3/21/06

It was with great interest to read the Technical Memo (dated 3/20/06) regarding the SE Sherwood Master Plan. However, there are some questions and concerns regarding the proposed development – as well as the "recommended" Alternative B/C – which seems to be the alternative the City appears to favor.

- It is stated that Alt. A does not conform to existing property lines? Why could Alt. A not conform to the existing property lines – with some revision of the alternative? It appears this alternative would require less work on the part of the City than Alt. B/C if this could be done.
- Why does the number of proposed lots have to increase so much from Alt. A to Alt. B/C? Could this number not be reduced and therefore, allow for more green space and park areas – not to mention less impact on the Refuge and Wetlands?
- In the aforementioned memo the retention of trees is listed as being "the first and foremost option when property is developed" – however, it would appear that Alt. B/C would negate that??
- In the memo it is mentioned that the City of Sherwood is participating in the Tualatin Basin Partners program to "improve and preserve Goal 5 natural resources for fish and wildlife" but the City is proposing 84 lots in the SE Sherwood development. This seems contradictory??
- Why couldn't Denali be an emergency access street only? It appears that with possible development at the end of McKinley, Sherwood View will face enough through traffic – impacting not only livability, but also safety of those who enjoy using the area (individuals walking, jogging as well as exercising their children and dogs, etc.). Please keep in mind that those who use the Sherwood View area are NOT just citizens residing in the neighborhood, but others from other neighborhoods.
- Finally, in the memo it is stated: "...this is a great opportunity to do something different in Sherwood." With Alt. B/C apparently being the City's favored alternative, this does not equate. So many cities have crowded too many lots in areas and then wondered why the city has problems. It is well known that when you have a high density of residents that crime will also increase – as well as domestic problems – among neighbors, etc. With Alt. B/C it certainly does not sound as if something different would be done in Sherwood – but that it would be like all the other areas who have packed people in as small a space as possible. Sherwood WAS known for its livability, but this may not be the case if we are not careful with the number of lots we include in the development – which also will impact the Refuge and the Wetlands no matter how much we give lip service to "naturescaping".

Why can we not have a hybrid of Alt. A and Alt. B/C? Those of us who are citizens and residents of the area above to be highly impacted have said we could live with A - but if the City favors B/C – why can't we work together and come up with a viable Alternative A/B? Once we commit to the development it will be too late – let's work together to limit the impact on current citizens (not to mention the quality of life for us and future residents), the Refuge and the Wetlands.

FAX Message

RECEIVED

APR 04 2006

BY CB 11:30 am
PLANNING DEPT.

Date: April 3, 2006

To: City of Sherwood

Attention: Kevin Cronin, AICP
Planning Supervisor

Fax No.: 503 625 5524

From: Citizens for Smart Growth (CSG)

Subject: Input for April 11, 2006 Planning Commission Meeting

Total of 11 pages including this page.

Message: Enclosed is a petition dated March 28, 2006 for Balanced and Smart Growth for Southeast Sherwood Neighborhoods. This petition was drafted by Citizens for Smart Growth, and circulated to Sherwood residents. It is an "in progress" petition, currently with 90 signatures.

Please include the cover letter and petition in the packet for the April 11, 2006 PC meeting.

The petition will continue to be circulated and be available to resubmit at the April 11, 2006 Planning Commission meeting.

Thank you.

April 3, 2006

Planning Commission
City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

Re: Southeast Sherwood Neighborhood Master Plan

Subject: Input from Citizens for Smart Growth for the April 11 Planning Commission Meeting

Dear Chair and Members of the Planning Commission:

Enclosed you will find a Petition for Balanced and Smart Growth for Southeast Sherwood Neighborhoods. This is an "in progress" petition currently with 90 signatures of Sherwood residents. The petition will continue to be circulated in SE Sherwood, and the greater Sherwood area.

Citizens for Smart Growth (CSG) and the residents who signed this petition support Alternative A, not Alternative B/C. We believe that Alternative A represents a compromise position, and re-emphasize that we oppose all of the other alternatives.

We trust that you will give this serious consideration, as well as the other goals included in this petition.

Sincerely,

Citizens for Smart Growth (CSG)
16004 SW Tualatin Sherwood Road #137
Sherwood, OR 97140

Telephone: 503 499-1104

Petition for Balanced and Smart Growth for South East Sherwood Neighborhoods

WHEREAS the City of Sherwood has proposed that a PUD master plan approach be used to secure a development approach to the portion of SE Sherwood identified as "Southeast Sherwood Master Plan" with respect to existing neighborhood, environment and economic factors, **AND**,

WHEREAS the neighborhood, represented by Citizens for Smart Growth, CFSG, has participated with the City of Sherwood in the process from the first work shop on October 26, 2005 with an extraordinary citizen level of participation, **AND**

WHEREAS the emphasis currently appears to be on a particular planning alternative, ALT. B/C, that does not meet the neighborhood's considered and professionally supported consensus on adequate measures to ensure a balanced approach to existing neighborhoods, environmental or economic factors, **AND**

WHEREAS the neighborhood support group, Citizens for Smart Growth, CFSG, is united in urging that design concerns for the initial SE Sherwood 55 acres, including access, traffic patterns and environmental concerns, be considered for the entire Greater SE Sherwood area that follows the north-south wetland and bluff contours, **AND**

WHEREAS CFSG has reached consensus that current development amenities can be preserved in spirit by embracing core developments at a greater density in order to preserve significant border and central areas as community open space trails and corridors that can be integrated into City of Sherwood's Master Park and Trails system, **AND**

WHEREAS CFSG, with professional planning and legal advice, has concluded that the PUD master plan referred to as ALT. A represents an optimal compromise with respect to protecting existing neighborhoods, promoting the fragile environment of the Tonquin Scablands, the included and bordering regional wetlands plus assuring a reasonable economic return for property owners, **AND**

WHEREAS the entire Greater SE Sherwood area that follows the wetland and bluff contours includes several parcels just outside the City of Sherwood's current boundary, just outside METRO's UGB, and inside Clackamas County, with possible development of an additional 300-600 homes, with challenged access and traffic patterns that will impact existing neighborhoods, including by means of greatly increased traffic on Murdock Road, now therefore,

Petition for Balanced and Smart Growth for South East Sherwood Neighborhoods

BE IT RESOLVED THAT WE, THE NEIGHBORS OF SE SHERWOOD, AND OTHER RESIDENTS OF THE CITY OF SHERWOOD, HEREWITH ASK THE CITY COUNCIL AND THE PLANNING COMMISSION OF THE CITY OF SHERWOOD TO:

- I. **ADOPT ALT A. along with sufficient resources and guidelines** and adequate measures, to ensure a balanced development approach to protect integrity and value of existing neighborhoods, promote a sound environmental and natural resources overlay for the entire Greater SE Sherwood area that follows the wetland and bluff contours and to assure a reasonable economic environment for property owners, **AND**
- II. **INSTRUCT the City of Sherwood Planning Commission and City of Sherwood Parks and Recreation Board to integrate open spaces and trails suggested in ALT A.** into the City of Sherwood's Master Park design, **AND**
- III. **AUTHORIZE AND ESTABLISH an advisory City of Sherwood Neighborhood Development Committee** composed of residents, property owners, city parks, city planning, city school board, Washington county, Clackamas County, Metro and U.S Fish and Wildlife representatives to guide the design and development of the entire Greater SE Sherwood area that follows the wetland and bluff contours, **AND**
- IV. **INSTRUCT THE CITY PLANNING DEPARTMENT AND COMMISSION TO ADOPT A DEVELOPMENT PACE AND BASIS that will include assurance for neighborhoods** that new development will NOT adversely impact the Tonquin Scablands and adjoining Wetlands, create new traffic through current neighborhoods or add school populations faster than schools can plan for or fund operations.

THE UNDERSIGNED RESIDENTS OF THE CITY OF SHERWOOD SUPPORT GOALS I, II, III AND IV, AS SET OUT ABOVE:

#	Petitioner (Print)	Petitioner (Sign)	Address	Phone
1	KURT KRISTENSEN	<i>Kurt Kristensen</i>	22520 SW Fairways Ct. Sherw	625-2340
2	EVELYN KRISTENSEN	<i>Evelyn Kristensen</i>	22520 SW Fairways Ct - Sherwood	503-625-2340
3	Susan Hart	<i>Susan Hart</i>	14300 SW Whitney Ln. Sherwood	503-625-7673
4	WILLIAM H. DELACROY	<i>William H. Delacroy</i>	19219 SW WHITNEY LN SHERWOOD	503-925-8418

Petition for Balanced and Smart Growth
for South East Sherwood Neighborhoods

5	LENE LESLIE (ANNA)	<i>Anna Leslie</i> 23558 DENALI LN	23558 DENALI LN, SHERWOOD	503-625-2994
6	MARY REID	23580 SW DENALI	23580 SW DENALI, SHERWOOD	503-625-9104
7	RICHARD S. REID	Mary Reid	" " " "	"
8	Kennedy Goodale	14280 Whitney Lane	14280 Whitney Lane, Sherwood	503-925-9123
9	Virginia Goodale	Virginia Goodale	"	"
10	Solan Stone	Solan Stone	14252 Whitney Lane, Sherwood	503-625-1942
11	Anita Stone	Anita Stone	" " " "	"
12	Rufana Craigmiles	Rufana Craigmiles	23500 SW Meardock	503-625-4674
13	DICK AND DIANE CROMER	Diane Cromer	14224 SW WHITNEY LN, SHERWOOD	503 625 8042
14	Robert W. Lucke	Robert Lucke	(14495) 2900 SW Fairoaks Drive	503 625 2288
15	Teri L. Smits	Teri L. Smits	14495 SW Fairoaks Dr	503.625.2288
16	MARTIN GAVIN	Martin Gavin	14490 SW FAIROAKS DR.	503 625-2632
17	Carolyn Peterson	Carl Peterson	14340 SW Fairoaks Dr	503 625 6740
18	Carl Peterson	Carl Peterson	14340 SW Fairoaks Dr	503 625 6740
19	JAY FANKELL	Jay Fankell	14200 MCKINLEY DR.	503-970-0238
20	Barbara Fankell	Barbara Fankell	14200 ^{SW} McKinley Dr.	503-625-0704



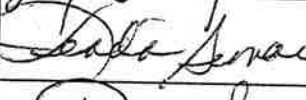
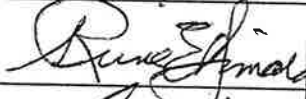

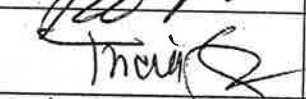

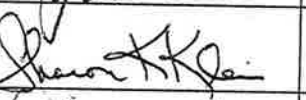
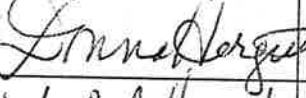
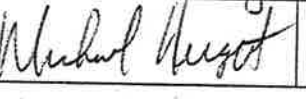
Petition for Balanced and Smart Growth
for South East Sherwood Neighborhoods

0	Thomas R. Aufenthiere			
2	Thomas R. Aufenthiere	15674 Highpoint Dr.	15674 Highpoint Dr.	
1		Thomas R. Aufenthiere	Sherwood, Ore, 97140	625-1608
2	LORRAINE Aufenthiere	Lorraine Aufenthiere	15674 Highpoint Dr Sherwood 97140	503-625-1608
2	Eugene Stewart			
3	Eugene Stewart	22595 SW Pine	Sherwood, OR 97140	503-625-6202
2	ROBERT & RUTH		23792 S.W. ROBSON TERRACE	
4	DAVIDSON		SHERWOOD, OR 97140	503-625-7002
2	Bret & Sylvia Zipp	23606 S.W		
5		Robson ter		503-625-3886
2	Nancy Bantz	Nancy Bantz	14435 SW Fairoaks Drive	
6	Marko Bantz	Marko Bantz	Sherwood, OR 97140	625-5661
2	Lori Fletcher	Marko Bantz	14410 SW Fairoaks Drive	
7	Reid Fletcher	Reid Fletcher	Sherwood OR 97140	425-330
2	DEAN GLOVER	Dean Glover	14800 SW FAIROAKS DR.	
8			SHERWOOD, OR 97140	625-4518
2	REBECCA GLOVER	Rebecca M. Glover	" "	625-4518
3	Chris Comada	Chris Comada	214330 SW Fairoaks	625-5698
0				
3	Melissa Lake	Melissa Lake	22915 SW Kathy St. Sherwood, OR	503-925-8556
3				
2	Robert Lake	Robert Lake	22915 SW Kathy St Sherwood, OR	503-925-8556
3				

Petition for Balance and Smart Growth
for South East Sherwood Neighborhoods

#	Petitioner (Print)	Petitioner (Sign)	Address	Phone
#	Petitioner (Print)	Petitioner (Sign)	Address	Phone
1	MARY ANN MADISON	Mary Ann Madison	23736 ROBSON TERRACE	503.625.4392
2	William Madison	W. Madison	23736 Robson Ter	503-625-4392
3	Craig Helmholtz	C. Helmholtz	23680 SW Robson Terrace	503 925-9661
4	Kim Helmholtz	KIM Helmholtz	23680 SW Robson terrace	503-925-9661
5	Sytria Biggs	Sytria Biggs	17900 23606 Robson Ter	" 625-3886
6	St. Brown	St. Brown	14144 SW WHITNEY LN	503/9251832
7	Geny De Boer	Geny De Boer	14166 SW Whitney Ln	503-625-8669
8	Geny De Boer	Geny De Boer	14166 SW Whitney Lane	503-625-8669
9	ERIC HONG	Eric Hong	23524 SW DENALI Lane	503-625-1410
10	Debra Ng-Wong	Debra Ng-Wong	23524 SW Denali Ln	503.625.1410
11	Gerrie A. Leslie	Gerrie A. Leslie	23559 Denali Ln	503/6252994
12	EDWARD YORTY	Edward Yorty	23598 SW McLaughlin	503 625 8996
2	TAMMY BOWER-YORTY	Tammy Bower-Yorty		
13	Robert D Cecil	Robert D Cecil	23574 SW McLaughlin Ct	(503)625-4101 (503)925 1868
14	Barbara C Cecil	Barbara Cecil	23574 SW McLaughlin Ct	925-1868 503-625
15	Kimberly Watson	Kim Watson	23552 SW McLaughlin Ct	625-3314
16	K. Watson	Kim Watson	23554 SW McLaughlin Ct	625-3314

Petition for Balanced and Smart Growth
for South East Sherwood Neighborhoods

#	Petitioner (Print)	Petitioner (Sign)	Address	Phone
1 7	MATT KIDDER		23526 SW McLoughlin Ct Sherwood 97140	503-625- 2627
1 8	Heather Kidder	Heather Kidder	23526 SW McLoughlin Ct. Sherwood, OR 97140	503-625- 2627
1 9	BOB SILVERFORD		23581 SW McLoughlin Ct. Sherwood, OR 97140	503-625- 0290
2 0	Judy Silverford	Judy Silverford	23581 SW McLoughlin Ct. Sherwood, OR 97140	503-625- 0290
2 1	Linda Simard		23764 SW Everest Ct Sherwood OR 97140	503-539- 0455
2 2	Rune Simard		23764 SW Everest Ct Sherwood OR 97140	503-816- 2300
2 3	Jeff Spurgeon		23736 SW Everest Ct Sherwood, OR 97140	503 625- 9300
2 4	Thia Spurgeon		23736 SW Everest Ct Sherwood OR 97140	625 9300
2 5	STANLEY KLEIN		23775 SW EVEREST CT SHERWOOD, OR 97140	925-9139
2 6	Sharon K. Klein		23775 SW EVEREST Ct. Sherwood OR 97140	925-9139
2 7	DONNA HERBERT Donna Herbert		23652 Robson Terr	625-0302
2 8	Michael Herbert		23652 Robson Terr	503-625-0302


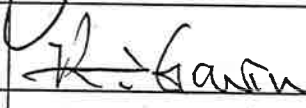
Petition for Balance and Smart Growth
for South East Sherwood Neighborhoods

#	Petitioner (Print)	Petitioner (Sign)	Address	Phone
2 9	Martha H. Delacey	Martha H. DeLacey	14219 Whitney La.	503 925-8418
3 0	EARLYN A. UYEMURA	Carolyn Uyemura	14188 SW Whitney Ln.	503 925-1294
3 1	MURZ T. UYEMURA	Muri T. Uyemura	14188 SW Whitney Ln	503- 925-1294
3 2	Virginia Vandertord	Virginia Vandertord	23409 SW William	505- 925-0495
3 3	RICHARD VANDERFORD	Richard Vandertord	" " "	" "
3 4	Kirsten Dixon	Kirsten Dixon	23675 SW Robson Ter	503 625-4853
3 5	Michael Royse	Michael Royse	23764 SW Robson Terr	625-9406
3 6	Wendy Royse	Wendy Royse	23764 SW Robson Terr	625-9406
3 7	Shawn Sands	Shawn Sands	14110 SW McKinley Dr.	520-1078
3 8	Deav Criscola	Deav Criscola	14146 SW McKinley Dr.	623-3311
3 9	Barbara Wykoop	Barbara Wykoop	14163 SW McKinley Dr	925-1555
4 0	Rick V Wykoop	Rick Wykoop	14163 SW McKinley Dr	503-925-1888

Petition for Balanced and Smart Growth
for South East Sherwood Neighborhoods

#	Petitioner (Print)	Petitioner (Sign)	Address	Phone
4 1	STEVE NORRIS	Steve Norris	23782 SW EVEREST CT	503-625-1618
4 2	NANCY MCKINNEY	Nancy McKinney	23753 SW Everest Ct	503-925-8404
4 3	JOHN J MCKINNEY	John J McKinney	23753 SW EVEREST CT	503-925-8404
4 4	STEVEN SCHOENBRUN	Steve Schoenbrun	23855 SW ROBSON TERRACE	503 625-0962
4 5	Karen Schoenbrun	Karen Schoenbrun	23855 SW Robson Terrace	503-625-0962
4 6	Neil S. HANNAH	Neil S. Hannah	23950 SW BAKER Rd.	503-625-3729
4 7	Michele J Driessen	Michele J Driessen	23950 SW Baker Rd	503 625 3729
4 8	GAIL TOIEN	Gail Toien	23846 SW ROBSON TERRACE	503 925-8785
4 9	Bruce Toien	Bruce Toien	"	"
5 0	Eric Ratchey	Eric Ratchey	23705 SW EVEREST	503 625-3008
5 1	Walter Ratchey	Walter Ratchey	" " "	" "
5 2	Cindy Vanderzanden	Cindy Vanderzanden	14215 SW McKinley	503 625 7017

Petition for Balance and Smart Growth
for South East Sherwood Neighborhoods

#	Petitioner (Print)	Petitioner (Sign)	Address	Phone
5 3	JAKE VAN DER ZANDEN		14215 SW McKittrick DR.	503. 625-7677
5 4	KIKI GAVIN		14490 SW Fairroads DR.	503. 625-2632
5 5				
5 6				
5 7				
5 8				
5 9				
6 0				
6 1				
6 2				
6 3				
6 4				

JEFFREY L. KLEINMAN
ATTORNEY AT LAW
THE AMBASSADOR
1207 S.W. SIXTH AVENUE
PORTLAND, OREGON 97204

TELEPHONE (503) 248-0808

FAX (503) 228-4529

April 4, 2006

Via Fax (503) 625-0629

Planning Commission
City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

Re: Southeast Sherwood Master Plan

Dear Chair and Members of the Planning Commission:

I corresponded with you on February 27, 2006, on behalf of my client, Citizens for Smart Growth ("CSG"). As city staff pointed out at your hearing on March 28, 2006, the proposed Southeast Sherwood Master Plan has produced citizen turnout far in excess of that typically seen in Sherwood. Much of this turnout is due to the high level of interest of CSG and its members.

CSG remains strongly opposed to the proposed Alternative B/C. CSG does not believe Alternative B/C is the only compromise on the table. In point of fact, Alternative A, which CSG supports, and which is the only proposal to protect the identified wildlife corridor on the site, represents a significant compromise by CSG on the issues of lot size and density.

The primary reasonable objection to Alternative A has been its failure to recognize the existing property lines. However, a variation of Alternative A, submitted by the Walker family and contained in the OTAK report, modifies Alternative A so that it does reflect those property lines. A copy of this plan is attached for your reference. We would urge your most careful consideration of this proposal.

In addition, CSG has asked me to set out a number of its members' concerns in the plain English in which those concerns have been expressed, rather than legalese. These are as follows:

- The ultimate plan needs to include a central green space and a 100-foot wide greenbelt buffer between Southeast Sherwood and Fair Oaks. The buffer can include part of a city parks trail system. The design needs to include Denali as a paved, gated emergency access, but not a through street. The livability for current residents of Sherwood View Estates and future residents of Southeast Sherwood will greatly be affected if Denali is a through street. When this area developed, Denali was designated a "Court" and residents were assured it was not a through street. Many families selected their homes for this reason, so their children could play in safety.

Planning Commission
City of Sherwood
April 4, 2006
page 2

- The current design has no provision for access to the Snyder property. A push can be made through to the Snyder property so long as the layout is realigned to accept through traffic. The push through should come from the corner area where the words "Mt. Hood" are denoted on Alternative A. Then, as this road runs toward Upper Roy, it should be redesigned to turn the houses around and provide for back-lane access. The intersection with Murdock/Upper Roy/Southeast Sherwood should become a traffic circle for the added traffic load of 200-300 cars.
- The entire area east of Murdock should be used for planning of parks, trails, open spaces and traffic before any actual PUD or other development is approved.
- Provision must be made for areas east of Sherwood View to have access to Baker, and not through McKinley.
- The Alternative A/Walker Plan not only recognizes existing property lines, but reflects the City's desire to preserve maximum green space. The difference in open space between Alternative A and Alternative B/C is 3.3 acres, but that acreage makes an enormous difference in impact, openness, and preservation of the wildlife migration corridor. Alternative A offers greatly enhanced livability for the new neighborhood and benefit to the City as a whole.
- The City needs to address traffic access for the approximately 90 acres behind Sherwood View Estates. Where will traffic from 200-300 new homes go? Residents of Sherwood View Estates need assurance that McKinley will not become a through road for 400-600 cars coming and going when the property to the east, just outside the City and UGB, is annexed and developed. That traffic needs to be moved south and then east onto Baker.
- The City should establish height limits for new development to prevent construction from obstructing views from older residences. Views of nature and green spaces are extremely important to the community.
- Sight distances on Murdock are too limited to allow multiple ingress and egress points into Southeast Sherwood between Upper Roy and McKinley/Sunset Blvd. CSG recommends a traffic circle at Upper Roy and, possibly, a traffic signal at McKinley/Sunset.
- As a condition of approval of any proposed development, developers should be required to pay SDC's for preservation of open spaces in Sherwood.

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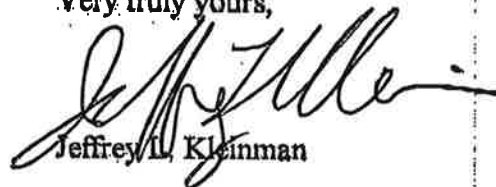
Planning Commission
City of Sherwood
April 4, 2006
page 3

- The so-called "historic barn" is not of sufficient value to serve as a trade-off for actual open space. Open space should be provided as proposed by the Alternative A/Walker Plan.
- Southeast Sherwood can and should include a valuable component of the City's parks and trails master plan, allowing public access through and onto viewing spots, trails, and possibly elevated boardwalks on wetlands. The open space which would allow this is an essential reason CSG, residents, and neighbors support the Southeast Sherwood Master Plan in the format of the Alternative A/Walker Plan. This will benefit schools, students, and regional residents by providing them with safe access to original and fragile natural areas such as the Magness Tree Farm.
- By following CSG's recommendations, the City will help to assure that the Southeast Sherwood area, along with Fair Oaks, Sherwood View Estates, the Snyder property, and parcels east of Sherwood View are viewed as a whole and developed with a livability formula similar to Woodhaven, with trails and green spaces flowing through the entire region.

Finally, I would point out that CSG has circulated and continues to circulate a petition for your consideration herein. I understand that a number of signatures will be submitted today, while others will be submitted not later than the time of your hearing on April 11, 2006.

Thank you kindly for your consideration of these matters.

Very truly yours,



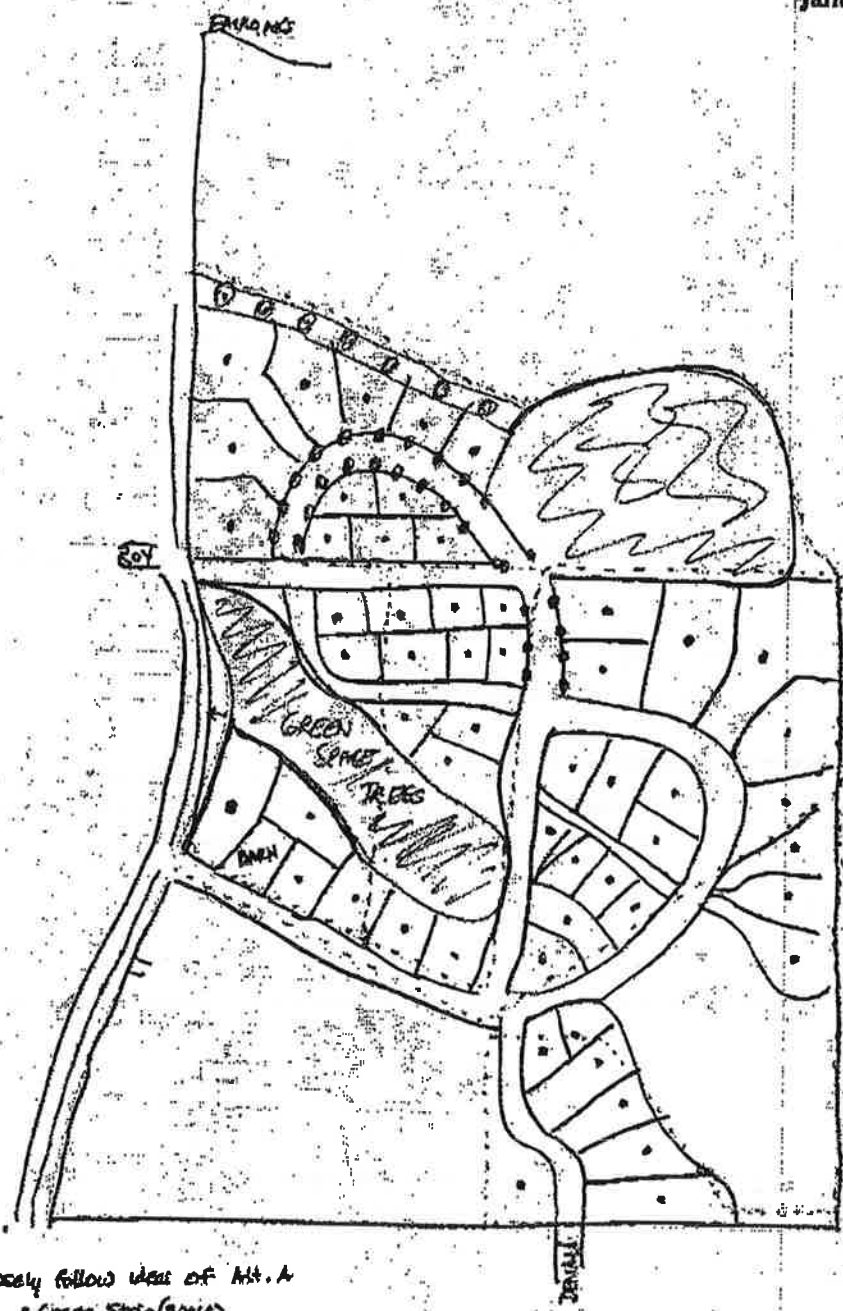
Jeffrey L. Kleinman

JLK:cme
Enclosure
cc: Citizens for Smart Growth



Walker Plan

SE SHERWOOD MASTER PLAN
Community Workshop
January 18, 2006



More closely follow west of Mt. A

- Green Strip (space)
- lots of varying sizes
- larger lots

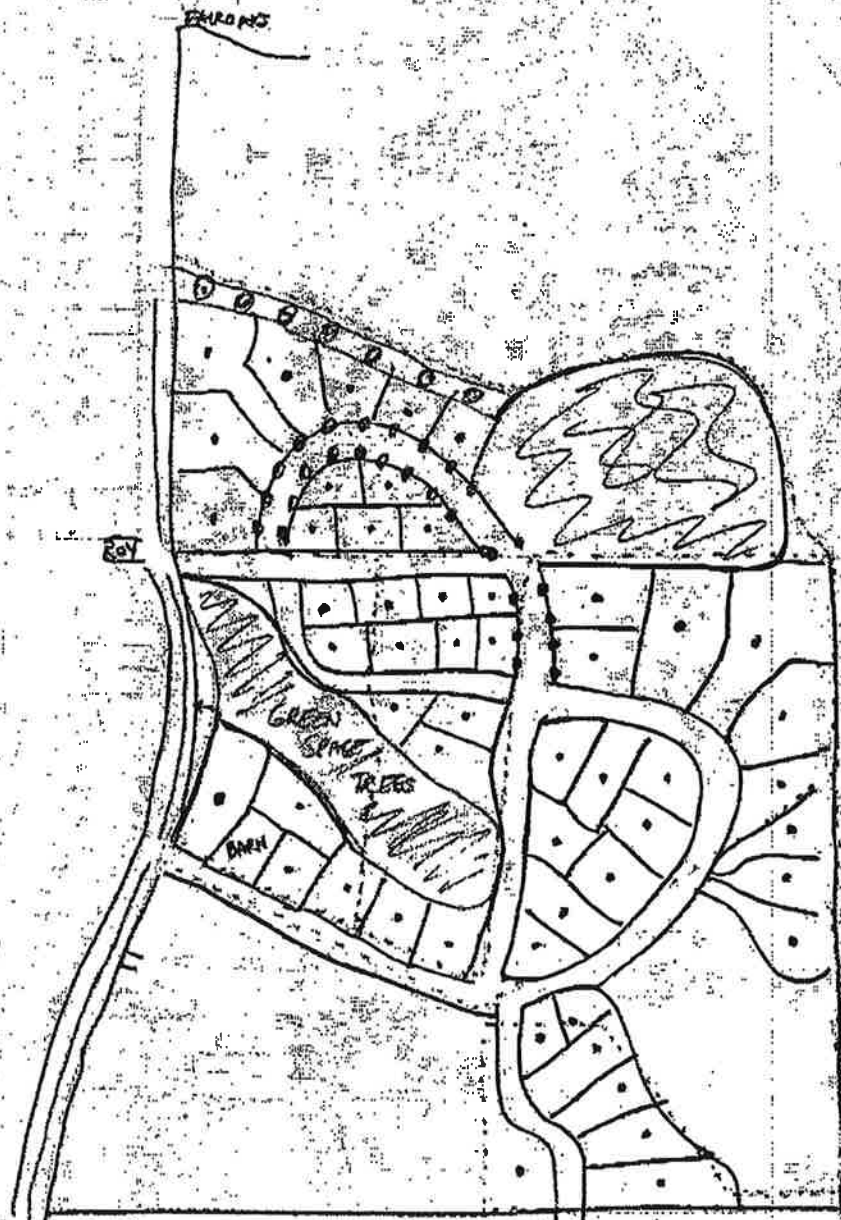
But follows edging lot outlines
to be more realistic as in Mt. A, etc.
and eliminate or minimize alleys.

Prefer left turn and roundabout if Murdock is
straightened a bit to increase the distance
between 4 way stops @ Sunset and Roy

Submitted by
Lisa Walker
1/18/06

Walker Plan No alley option

SE SHERWOOD MASTER PLAN
Community Workshop
January 18, 2006



More closely follow ideas of Alt. A

- Green strip (space)
- lots of varying sizes
- larger lots

But follow existing lot numbers lines
to be more realistic in Alt. A/C.
and eliminate or minimize alleys.
Prefer left turn onto munlock so Munlock is
straightened a bit to increase side distance
between 4 way stops @ Sunset and Ray

Submitted by
Lisa Walker
1/10/06

Dear Neighbors,

My name is Bob Davidson & I live on Robson Terrace in Sherwood View Estates.

By this time most of you are aware of the "S.E. Sherwood Master Plan", which is the City of Sherwood's term for the proposed development of the area to the immediate north of Sherwood View Estates. Some of you may not care and some of you may think that it won't affect you or your street, but I will tell you that you should care and that it probably will affect your street the very livability of our neighborhood in several immediate and future ways if the "Plan" goes through as presently proposed. I will not attempt to begin to present every plan and every point that has been proposed and discussed so far. If you want to know details just ask or come to the meetings. Copies of related documents are attached.

We STRONGLY urge you and your adult household members to attend BOTH the March 28th AND the April 11th meeting regarding this at 7:00 P.M. at the new Sherwood City Hall/Library building.

The ONLY thing that will make a difference is a strong showing on neighborhood interest/concern for our neighborhood.

However, there are several points of specific concern to our neighborhood that you SHOULD know.

1). The "Plan" calls for connecting to Denali. "That doesn't sound so bad", you say. "What's the big deal about that??"

The big deal is that there will be limited access to Murdock from the proposed new area and quite possibly restricted or prohibited turns onto Murdock from the new area, which will route all of that traffic thru our neighborhood to use the Murdock/McKinley intersection. At the present time the plan that is getting the most play from the City will add approx 85 homes, which means 170 autos, which means a minimum of 340 trips a day if the average of 2 adults per household each only make 1 trip per day in and out of their home.

2). Now, think about McKinley. Where does it end and why? What is at the end of McKinley?? What could developed there?? How will that area connect to feeder roads such as Murdock??

McKinley ends at the Sherwood City Limit which "AT THIS TIME" is also the Urban Growth Boundary. Note that it is a dead end, NOT a Cul-de-Sac. That means that someone, somewhere, someplace, sometime in government has looked ahead and said that this street will go further.

Now add 200-400 additional homes to the large open area East (behind) Robson Terrace. Yes, that area is still outside of the City of Sherwood and the Urban Growth Boundary, but how long do you think that will last?? 2 years?? 3 years?? 5 years?? Maybe. Where will that traffic connect?? You can 99.9999% bet that it won't connect to Tonquin Rd, because the stream bottom is the Tualatin Wildlife Refuge. It also probably won't connect to Murdock further south, because that is also:

- A). Outside the urban growth boundary.
- B). Part of Clackamas County and so is unlikely to connect a residential road across jurisdictional lines.
- C). Would require access across OTHER private lands that are NOT a part of the 2 large parcels behind Sherwood View Estates.

So, where do you suppose that traffic would go?? How about McKinley??? Where else?? Do the math as per the above example:

$300 \text{ homes} \times 2 \text{ adults} \times 2 \text{ trips per day per adult} = \text{a MINIMUM of 1200 trips per day in ADDITION our own neighborhood traffic. If it is 400 homes (depending on zoning density, that is NOT unrealistic), it would be 1600 trips per day, MINIMUM.}$

Now look at Sunset all the way down to Hwy 99, thru Woodhaven. Do you see any design differences between Sunset and McKinley??

Sunset was DESIGNED as a thru street, with large setbacks, buffers, greenspaces and, with the exception of a handful of the oldest home, none front on or have driveway access to Sunset. Now look at McKinley again and tell me what you see.

Is it what you want to see 1000+ additional cars on EVERY DAY??

If they connect Denali AND McKinley becomes a connection to future development behind Sherwood View Estates, you will also then have all kinds of "cut thru" traffic using Robson as a shortcut to and from McKinley.

In short, EVERY street in Sherwood View Estates with the exception of the Cul-de-Sacs will become a connection / cut-thru street, and the Cul-de-Sacs will also be affected by the overall traffic volume to some degree. If nothing else, ALL the kids will be playing on YOUR street, because all of the others are too busy.

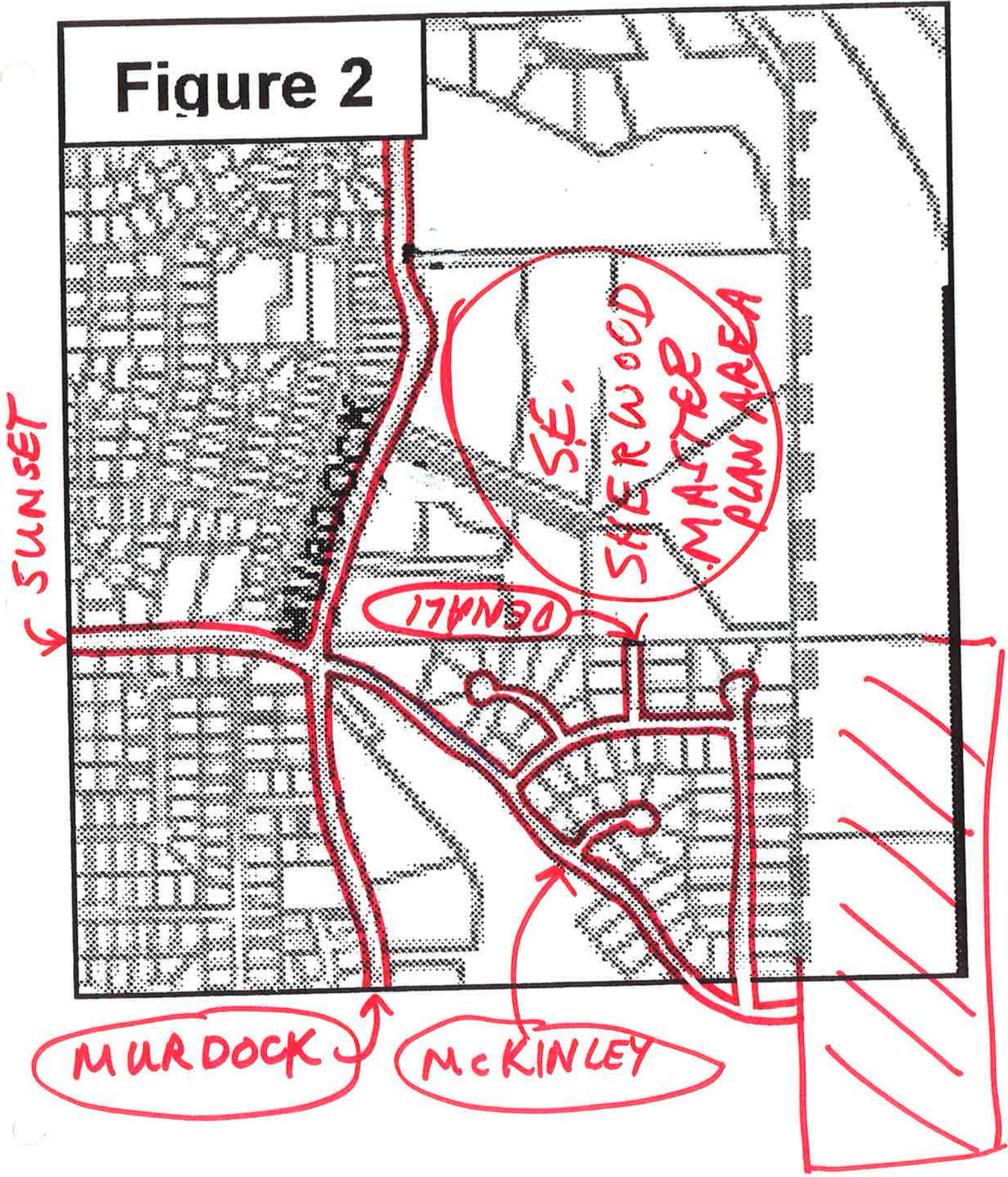
3). Now add the I-5 / Hwy 99 connector that in all likelihood will go thru somewhere to the South of us. Guess which street would be a primary connector from the Sherwood area to that new freeway??? Try Murdock.

4). There is no provisions for parks and little provision for greenspace.

So in summary, about the S.E. Sherwood Master Plan....It isn't. It only addresses one portion of the immediate proposed development and does not look at our area in the long-term. They will kill us with a thousand small cuts over a period of 3 to 5 to possibly 10 years. So please, get involved, be aware, help yourself and your neighbors. We know that there will be growth, and we are not opposed to it. We just want it to be done right and not piece-meal.

Thank You,
Bob Davidson
(503) 625-7002

Figure 2



GERRIE A. LESLIE, Ph.D.
23558 DENALI LANE
SHERWOOD, OREGON 97140

*submitted into
record 4/11/06 7:20 PM*

April 11, 2006.

Planning Commission
City of Sherwood

Re: Southeast Sherwood Master Plan

Dear Chair and Members of the Planning Commission:

My wife and I own the first home built in Sherwood View Estates. We had our pick of all the lots in the entire development. I can assure you we would not have chosen this particular lot had we known it would be on a busy through street. JC Reeves assured us that he owned the property immediately to the North of where Denali terminated and that Denali, at some point, was going to terminate as a cul de sac. After we had moved into our residence, Mr. Tom Walters, who was a former sales person for JC Reeves, showed us a map of the Reeves property outlining the lot configuration along the Denali extension including the cul de sac.

I have testified at previous meetings of this board that at the time we moved into our current residence in Sherwood View Estates, both the City of Sherwood and the developer of Sherwood View Estates, JC Reeves Corporation, referred to Denali as DENALI COURT.

I have attached a letter from JC Reeves to my wife and I indicating that our home at 23558 Denali Court had been approved for occupancy, by the City of Sherwood. A second letter from the City of Sherwood to JC Reeves approved temporary occupancy of our home at 23558 Denali Court.

I hope that you will seriously consider either keeping Denali as a cul de sac or making it a gated, limited access emergency road.

Sincerely,


Gerrie A. Leslie, Ph.D.
Phone: 503-625-2994
Fax: 503-625-1660



4850 S.W. Scholls Ferry Road, Suite 302 • Portland, OR 97225 • (503) 297-2200 • Fax (503) 297-0653

June 30, 1998

Dr. and Mrs. Gerrie Leslie
23891 SW Warbler Place
Sherwood, OR 97140

Dear Dr. and Mrs. Leslie.

Congratulations and welcome to your new home.

This letter is to confirm that your property at 23558 Denali Court in Sherwood, Oregon has been accepted by the City of Sherwood and occupancy has been granted effective June 26, 1998. You therefore are entitled to take possession of the house as of the above date. Attached is a copy of the final inspection notice for your record.

Dennis Crawford, the Project Manager, and the entire J.C. Reeves team have taken a great deal of pride in building a quality home and a quality neighborhood for you and your family.

Once again, best wishes and I look forward to seeing you settled in your new home.

Sincerely,

Jerry C. Reeves, P.E.
President

Enclosure

cc: Project Manager



Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

Northwest Region Portland Office

2020 SW 4th Avenue, Suite 400

Portland, OR 97201-4987

(503) 229-5263

FAX (503) 229-6945

TTY (503) 229-5471

March 27, 2006

*x submitted into record 4/11/06
Kurt Kristensen
referred to Jeff Kleinman-attorney
letter*

RE: Former Ken Foster Farm
Sherwood, Oregon
Washington County
CERCLIS ID # ORN001002567
ECSI ID #2516

Dear :

The Department of Environmental Quality (DEQ) has completed an environmental investigation called a Preliminary Assessment (PA) for the former Ken Foster Farm site located at 23000 to 23500 SW Murdock Road in Sherwood. This assessment was performed because information in DEQ's files indicate tannery wastes from the former Frontier Leather Company may have been applied to pasture land along SW Murdock Road once owned by Ken Foster back in the 1960s.

DEQ completed the investigation under both the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended by the Superfund Amendments and Reauthorization Act (SARA), and Oregon's Environmental Cleanup Law (ORS 465.200 to 465.420, and 465.900). DEQ is an authorized representative of the United States Environmental Protection Agency (EPA)(Cooperative Agreement V-990519-03). DEQ transmitted the PA to EPA for approval in September 2005, and received notification in late December 2005 that the site qualified for additional investigation under the Superfund Program. The investigation completed by DEQ concluded that wastes from the former Frontier Leathers operations were land applied throughout the original 40-acre property and recommended additional investigation.



March 27, 2006

Page 2

In November 2005, DEQ entered into an agreement with Pat Husky, owner of Ironwood Homes providing DEQ oversight of a site investigation of one of the former Ken Foster Farms parcels located at 23320 SW Murdock Road. Environmental conditions at the Ironwood Homes Property are described in an *Environmental Site Investigation Report* prepared by Creekside Environmental Consulting, LLC, and dated March 2006. DEQ received this report on March 10, 2006 and completed its initial evaluation of the sampling results the following week.

Environmental test data within the March 2006 report indicates that shallow soils at the subject property contain two forms of chromium (both trivalent and hexavalent oxidation states), lead, and manganese. Concentrations of lead and manganese are below DEQ screening levels. However, the concentrations of hexavalent chromium measured in site soil samples exceeded risk-based concentrations that DEQ considers protective for direct contact exposure for a residential setting.

The Investigation results of one of the Ironwood parcels at the site indicate contaminated soil may pose a long-term health risk to you or your children through extended (30-year) contact with soil or soil dust. Until additional investigation work is completed on each of the parcels, it may be prudent to take precautions to minimize potential exposure. Evidence of former land application of wastes on site soils would include presence of bones or hide material, or greenish hue in soil exposed to sunlight. For your information, we have enclosed a question and answer sheet prepared by DEQ, and a fact sheet on chromium toxicity.

Chromium concentrations in soil may also pose a potential risk to ecological receptors in the adjoining wetlands area. The site investigation, however, did not include sufficient sampling within the wetlands to allow DEQ to adequately assess risks associated with the wetlands at this time.

Because of the contaminant concentrations encountered in soils on the Ironwood Homes parcel, DEQ considers the entire Ken Foster Farm site a high priority for further investigation and cleanup. DEQ will be discussing the scope and timing of additional investigation work at the site with EPA representatives in hopes of implementing the work this spring. DEQ would like to meet with you to discuss the next steps in the investigation and cleanup process for the site. One option is for DEQ to proceed with a federal Site Investigation (SI), which could result in the site being designated a federal "Superfund" site.

An alternative approach could involve property owners collectively performing the investigation and cleanup to avoid the possible adverse impacts associated with a Superfund listing such as reduced property values. DEQ generally requires high priority site investigation and cleanup actions to be conducted under a legally enforceable order. However, if you are willing to

March 27, 2006

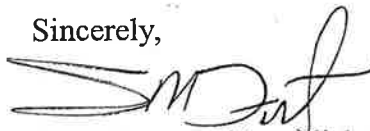
Page 3

collectively address the environmental conditions at the site, then DEQ is willing to oversee future work under a letter agreement similar to the agreement entered between DEQ and Ironwood Homes.

Because of contamination detected at the site, the entire Ken Foster Farm site is eligible for placement on the Confirmed Release List (CRL) and/or Inventory of Hazardous Substances Sites (Inventory), pursuant to ORS 465.215, ORS 465.225, and OAR 340-122-073 to -075. A CRL and/or Inventory listing would be lifted for specific portions of the site where remedial actions have been successfully completed. You will be notified if DEQ proposes such listing.

If you have any questions about this letter or the site assessment process, please contact me at (503) 229-5166. Please call Joanne LaBaw with EPA Region X in Seattle at (206) 553-2594 for information on DEQ's contract with EPA or on EPA's interest in the former Ken Foster Farm site. To expedite further work at the site, please let us know as soon as possible how you plan to proceed. Bruce Gilles, Northwest Region's Cleanup and Emergency Response Manager, can be reached at 503-667-8414, extension 55009. Questions about the health effects of chromium should be directed to David Stone, Oregon Department of Human Services Environmental Toxicologist, at 503-731-4012, extension 244.

Sincerely,



Steve Fortuna, Remedial Action Specialist
Site Assessment Program
DEQ Northwest Region

attc: DEQ Fact Sheet: Former Ken Foster Farm
Questions and Answers: Further Investigation and Cleanup at the former Ken Foster Farm
ATSDR Fact Sheet: Chromium

cc: Gil Wistar, Coordinator, Site Assessment Program
Joanne LaBaw, EPA Region 10 Site Assessment
ECSI file #2516

Questions and Answers

Further Investigation and Cleanup at the former Ken Foster Farm Site

What kind of contamination is present?

At this point, hexavalent chromium is the primary contaminant of concern in terms of potential human health risks. Surface soils at the former Craig Bowen residence – at the northeast corner of the former Ken Foster Farm site – are contaminated with chromium, lead, and manganese.

Chromium in soils at the former Craig Bowen residence is present in two forms, or oxidation states: trivalent chromium (chrome III), and hexavalent chromium (chrome VI). Fortunately, the predominant form of chromium detected in soils at the former Bowen residence is trivalent chromium. Trivalent chromium is actually an essential nutrient in humans at very low concentrations, although it can be toxic at much higher concentrations. Hexavalent chromium is present at much lower concentrations, but hexavalent chromium has substantially greater human toxicity.

The concentrations of trivalent chromium, lead, and manganese in shallow soils do not appear to represent significant human health threats at this time, although manganese could be present at higher concentrations in deeper soils. Deeper soils have yet to be adequately evaluated. The concentrations of chromium, lead, and manganese in shallow soils may represent an ecological threat for birds and plants, however.

Other contaminants could also be present, and further evaluation is needed, but it seems very likely that hexavalent chromium is the site's primary contaminant of concern.

Is it safe to continue living at the site?

For the time being, yes, although DEQ recommends avoiding any unnecessary direct contact with site soils until human exposure risks can be fully evaluated. DEQ and EPA evaluate human health risks based on total contaminant exposure. Total exposure is based on several factors, including contaminant concentrations, the duration and frequency of exposures, and types of exposures (swallowing, breathing, or absorption through direct skin contact). Overall human health risks are also based on long-term exposures. By minimizing exposures in the short term, overall risk is reduced. Site-specific environmental factors - such as sodded lawns, landscaping, clean soils imported during home construction, and the presence of sidewalks, patios, and paved driveways – can greatly reduce direct exposure to the native soils.

Is it safe for our children to remain at the site?

Given the level of chemicals found in soil, we do not believe that there is an imminent threat to residents, including children. However, it is advisable that children avoid unnecessary exposures to site soils until potential health risks can be more fully evaluated. Children are usually more vulnerable than adults to contaminants because of their lower body weights (and proportionally greater skin surface area). Children also face potential greater exposures through playing and digging in soils, and because of potential longer cumulative exposures over their life spans.

Is it safe for our pets?

Like children, pets have much lower body weight, and often spend much more time in direct contact with soils than do adults. However, given the levels of chemicals found in soil, we do not believe that there is an imminent threat to pets from exposure to chemicals in soil. Pets can also track potentially-contaminated soil into the house, so DEQ recommends that, for the time being, owners limit the amount of direct contact that pets have with site soils.

Can I safely mow my lawn or work in my flower garden?

It is unlikely that mowing a landscaped, sodded lawn will increase exposure to chemicals in soil. However, lawn mowing can sometimes stir up dust, especially in areas that have not been sodded or where lawn growth is sparse. Since dust inhalation could be a potential human health concern at this site, DEQ believes it's advisable that you refrain from unnecessary lawn maintenance or gardening activities until further soil testing has been completed.

My child has been sick a lot since we moved here. Could this be due to exposure to contaminated soils?

Exposures to very high concentrations of hexavalent chromium can cause health-related symptoms such as runny noses, nosebleeds, stomach upset, skin irritation, or redness or swelling of the skin. However, based on the data we've seen thus far, it's very unlikely that site soils have concentrations high enough to produce these types of symptoms.

Should I have my children examined by a doctor?

At this point, it is unlikely that a physician would be able to identify health effects, if any, associated with exposure to levels of chromium present at the site. Because chromium is an essential nutrient and naturally occurs in food, there will always be some level of chromium in

human bodies. The tests for measuring chromium in blood or urine are most useful for people exposed to high levels (much higher than those measured in soil at the site). In addition, the tests will not be able to help predict how the levels in tissue will affect your health or the health of your children.

Is our drinking water contaminated?

If your home is connected to the City of Sherwood's municipal water supply, the drinking water should be perfectly safe: the municipal water supply is treated and routinely monitored for potential contaminants.

At this time, DEQ has no reason to believe that local well water is contaminated. But because we want to err on the side of safety, DEQ will make it a priority to sample all on-site wells. Two on-site residential wells have been tested so far. One well was free of contaminants, but a low concentration of lead was detected in the other. The concentration of lead detected in the one well was well-below drinking water levels of concern, although the source of the lead is unknown at this time: it could be naturally-occurring, or it could be an artifact of the well's construction materials (such as lead-solder joints in the well's plumbing). DEQ would first have expected to see chromium in the groundwater, rather than lead, if soil contamination was the source: hexavalent chromium is much more mobile than lead in soils and groundwater.

If your home has a well with a built-in treatment system, such as ion exchange or reverse osmosis treatment, the water should also be safe to drink, provided that your treatment system has been regularly maintained. Water softeners or carbon filtration can also remove metals contamination to some extent, but much less effectively.

What kinds of health affects are associated with chromium, lead, and manganese?

We've included a U.S. Public Health Service fact sheet for chromium with this Questions and Answers sheet.

So far, hexavalent chromium is the only contaminant that's been detected at concentrations that could be a potential human health risk. Hexavalent chromium can cause cancer in humans; inhalation of hexavalent-chromium-containing dust is the primary exposure route of concern. Hexavalent chromium has also been shown to cause birth defects in laboratory animals, although evidence for potential human birth defects or developmental disorders is less clear. Other, more-obvious, immediate health effect can be observed after direct exposure to very high concentrations of hexavalent chromium (see the attached fact sheet for chromium), but the presence of such high concentrations in site soils appears extremely unlikely.

Elevated concentrations of trivalent chromium, lead, and manganese detected in shallow soils at the former Craig Bowen residence could represent an ecological threat for plants and birds.

What kind of investigation and cleanup are needed?

DEQ has no clear records indicating where wastes were distributed on the properties. A review of historic aerial photos suggests the waste may have been applied unevenly over much of the eastern two-thirds of the former farm site. But the photographs provide only very brief snapshots in time. DEQ believes that soils should be visually examined and tested on all of the site's parcels. Cleanup or treatment would be needed only in areas where contaminant concentrations represent an unacceptable risk to human health or the environment.

How long will it take?

This depends to a large extent on how rapidly further investigation is begun. Initial test data could be available within about a month of sampling. Accordingly, any necessary follow-up testing would take longer. Any necessary cleanup would depend on the extent of contamination encountered, and the treatment method selected.

Who will pay for this work?

Under Oregon law, a property owner is responsible for cleaning up contamination on her/his property, regardless of who may have contaminated it. If the property was contaminated prior to purchase, the current owner is responsible only if there is a reasonable likelihood that she/he knew, or should have known, about the contamination prior to purchase. Oregon law does not prohibit a property owner from seeking cleanup cost reimbursement from individuals responsible for contaminating her/his property.

In this case, it is believed that wastes applied to the site were generated by Frontier Leather Company, and that the wastes were applied with the permission of a previous land owner, Ken Foster. Unfortunately, Frontier Leather Company and its successors went bankrupt and dissolved several years ago; Ken Foster, the former land owner, is now deceased.

If a property owner is unable to pay for a cleanup, and the property's contamination represents a sufficient threat to human health or the environment, a cleanup can sometimes be conducted through DEQ's Orphan Site Program, or through EPA's CERCLA (or Superfund) Program. However, funds for both of these programs are now quite limited. EPA generally limits its cleanup efforts to the nation's most seriously contaminated sites, but funds available to the federal Superfund Program are now nearly depleted. DEQ's Orphan Site Program funds are

also greatly depleted; further work at most of the state's Orphan Program sites has already been suspended.

DEQ and EPA are currently exploring various methods to fund further testing and cleanup at the site. This is a topic that DEQ need to discuss in detail with the site's property owners, because both DEQ and EPA are required to recover their investigation and cleanup costs.

What will happen to our property values?

The presence of contamination invariably affects property values. Because of the contamination encountered at the former Craig Bowen residence, DEQ will likely be required to add all properties within the former Ken Foster Farm site to DEQ's Confirmed Release List (CRL) and Inventory of properties needing further investigation and cleanup. The CRL and Inventory listings constitute public notification that the properties are contaminated, which will – in the short term – very likely reduce your property value. However, once further investigation and/or cleanup demonstrate that contamination has been adequately cleaned up, the properties can be removed from DEQ's CRL and Inventory.

Why wasn't I informed of this before I bought the property?

The existing landowner is required to notifying prospective purchasers of potential site contamination prior to a land sale. However, it is unclear if even the original land owner was aware that the tannery wastes contained hazardous substances.

Prospective home buyers and developers can sometimes determine if there are potential environmental concerns at a property by reviewing DEQ's Environmental Cleanup Site Information (ECSI) database. However, DEQ was not aware that tannery wastes may have been applied to the former Ken Foster Farm site until 2000. The site was added to our ECSI database at that time, but the precise location of the site was not clearly defined until DEQ initiated the site Preliminary Assessment (PA) in 2004. If you purchased your property prior to 2005, and the previous landowner did not inform you that hazardous substances were historically applied to your property, it's unlikely that you could reasonably have known that contamination was present.

Why did it take so long for DEQ to inform us about the site contamination?

DEQ Site Assessment completed a PA of the site for EPA in September 2005. Upon completion of a PA report, EPA evaluates the relative priority for potential follow-up actions at the site using a rigorous site prioritization scoring system, called the Hazard Ranking System (HRS). By December 2005, EPA concluded that further investigation of the former Ken Foster

Farm might be warranted under the federal CERCLIS, or Superfund, program. Although DEQ was notified of EPA's decision in December 2005, we were also aware that Mr. Huske had independently initiated his own investigation at an on-site property he hoped to sell. DEQ chose to postpone any further site investigation until the results from Mr. Huske's investigation could be reviewed. The results of Mr. Huske's investigation were first available for review during the third week of March 2006.

What are the state and EPA going to do to correct this problem?

DEQ and/or EPA will oversee further investigation and cleanup at the site; both are currently exploring immediate funding sources for further work. However, both DEQ and EPA are required to eventually recover cleanup costs. Some of the financial burden may rest with the current property owners. DEQ will be discussing eventual cleanup costs with the site's property owners in detail before further work is begun.

What is the status of the cleanup at Frontier Leather?

Cleanup of the former plant site is being conducted under a Prospective Purchaser Agreement (PPA) issued by DEQ. Most of the contamination on the Frontier Leather parcels covered under the PPA has already been cleaned up. Some of the more-recent site work on the adjacent wetland parcel was conducted using DEQ Orphan Site Program funds. Cleanup of the wetlands has been suspended because of limited Orphan Program funds.

What is the cleanup status of Stella Olson Park?

DEQ and the City of Sherwood completed an investigation of Stella Olson Park in 2004. Chromium and manganese are present at the park at much lower concentrations and do not pose a significant threat to human health or the environment. DEQ issued a No Further Action decision for Stella Olson Park in July 2004.

Who may I contact if I have additional questions?

Questions regarding the site investigation should be directed to Bruce Gilles, DEQ's Northwest Region Cleanup and Emergency Response Manager (503-667-8414, extension 55009). Questions regarding health effects of chromium should be directed to David Stone, Oregon Department of Human Services Environmental Toxicologist, at 503-731-4012, extension 244.

This fact sheet answers the most frequently asked health questions (FAQs) about chromium. For more information, call the ATSDR Information Center at 1-888-422-8737. This fact sheet is one in a series of summaries about hazardous substances and their health effects. It's important you understand this information because this substance may harm you. The effects of exposure to any hazardous substance depend on the dose, the duration, how you are exposed, personal traits and habits, and whether other chemicals are present.

HIGHLIGHTS: Exposure to chromium occurs from ingesting contaminated food or drinking water or breathing contaminated workplace air. Chromium(VI) at high levels can damage the nose and can cause cancer. Chromium has been found at 1,036 of the 1,591 National Priority List sites identified by the Environmental Protection Agency (EPA).

What is chromium?

Chromium is a naturally occurring element found in rocks, animals, plants, soil, and in volcanic dust and gases. Chromium is present in the environment in several different forms. The most common forms are chromium(0), chromium(III), and chromium(VI). No taste or odor is associated with chromium compounds.

Chromium(III) occurs naturally in the environment and is an essential nutrient. Chromium(VI) and chromium(0) are generally produced by industrial processes.

The metal chromium, which is the chromium(0) form, is used for making steel. Chromium(VI) and chromium(III) are used for chrome plating, dyes and pigments, leather tanning, and wood preserving.

What happens to chromium when it enters the environment?

- Chromium enters the air, water, and soil mostly in the chromium(III) and chromium(VI) forms.
- In air, chromium compounds are present mostly as fine dust particles which eventually settle over land and water.
- Chromium can strongly attach to soil and only a small

amount can dissolve in water and move deeper in the soil to underground water.

- Fish do not accumulate much chromium in their bodies from water.

How might I be exposed to chromium?

- Eating food containing chromium(III).
- Breathing contaminated workplace air or skin contact during use in the workplace.
- Drinking contaminated well water.
- Living near uncontrolled hazardous waste sites containing chromium or industries that use chromium.

How can chromium affect my health?

Chromium(III) is an essential nutrient that helps the body use sugar, protein, and fat.

Breathing high levels of chromium(VI) can cause irritation to the nose, such as runny nose, nosebleeds, and ulcers and holes in the nasal septum.

Ingesting large amounts of chromium(VI) can cause stomach upsets and ulcers, convulsions, kidney and liver damage, and even death.

ToxFAQs™ Internet address is <http://www.atsdr.cdc.gov/toxfaq.html>

Skin contact with certain chromium(VI) compounds can cause skin ulcers. Some people are extremely sensitive to chromium(VI) or chromium(III). Allergic reactions consisting of severe redness and swelling of the skin have been noted.

How likely is chromium to cause cancer?

Several studies have shown that chromium(VI) compounds can increase the risk of lung cancer. Animal studies have also shown an increased risk of cancer.

The World Health Organization (WHO) has determined that chromium(VI) is a human carcinogen.

The Department of Health and Human Services (DHHS) has determined that certain chromium(VI) compounds are known to cause cancer in humans.

The EPA has determined that chromium(VI) in air is a human carcinogen.

How can chromium affect children?

We do not know if exposure to chromium will result in birth defects or other developmental effects in people. Birth defects have been observed in animals exposed to chromium(VI).

It is likely that health effects seen in children exposed to high amounts of chromium will be similar to the effects seen in adults.

How can families reduce the risk of exposure to chromium?

Children should avoid playing in soils near uncontrolled hazardous waste sites where chromium may have been discarded.

Although chromium(III) is an essential nutrient, you should avoid excessive use of dietary supplements containing chromium.

Is there a medical test to show whether I've been exposed to chromium?

Since chromium(III) is an essential element and naturally occurs in food, there will always be some level of chromium in your body. There are tests to measure the level of chromium in hair, urine, and blood. These tests are most useful for people exposed to high levels. These tests cannot determine the exact levels of chromium that you may have been exposed to or predict how the levels in your tissues will affect your health.

Has the federal government made recommendations to protect human health?

EPA has set a limit of 100 µg chromium(III) and chromium(VI) per liter of drinking water (100 µg/L).

The Occupational Safety and Health Administration (OSHA) has set limits of 500 µg water soluble chromium(III) compounds per cubic meter of workplace air (500 µg/m³), 1,000 µg/m³ for metallic chromium(0) and insoluble chromium compounds, and 52 µg/m³ for chromium(VI) compounds for 8-hour work shifts and 40-hour work weeks.

References

Agency for Toxic Substances and Disease Registry (ATSDR). 2000. Toxicological Profile for Chromium. Atlanta, GA: U.S. Department of Health and Human Services, Public Health Service.

Where can I get more information? For more information, contact the Agency for Toxic Substances and Disease Registry, Division of Toxicology, 1600 Clifton Road NE, Mailstop F-32, Atlanta, GA 30333. Phone: 1-888-422-8737, FAX: 770-488-4178. ToxFAQs™ Internet address is <http://www.atsdr.cdc.gov/toxfaq.html>. ATSDR can tell you where to find occupational and environmental health clinics. Their specialists can recognize, evaluate, and treat illnesses resulting from exposure to hazardous substances. You can also contact your community or state health or environmental quality department if you have any more questions or concerns.



Former Ken Foster Farm

The Oregon Department of Environmental Quality (DEQ), in cooperation with the United States Environmental Protection Agency (EPA), completed a Preliminary Assessment of the former Ken Foster Farm site in Sherwood. More-recent investigations on a portion of the site indicate that contamination is present. This fact sheet gives background information about the site and DEQ plans for further investigation and cleanup.

Background

The former Ken Foster farm site is a 40 acre tract of historic pasture land at the southeast corner of Sherwood. In recent years, the former pasture has been redeveloped as eight low-density residential properties.

DEQ records indicate that wastes from Frontier Leather Company were applied to the pasture during the 1960s. Frontier Leather Company operated a leather tannery about a half mile north of the pasture from about 1947 to 1999. The tannery site is currently undergoing cleanup under the oversight of DEQ.

DEQ obtained information during a preliminary assessment of the tannery site indicating tannery wastes including animal hair, tissue, fat, and hide scraps were applied to the surface of the former Ken Foster pasture from 1962 to 1971. There are no records that clearly document the types, quantities and locations of wastes applied to the pasture.

Recent investigations on one of the site parcels found elevated levels of chromium, lead, and manganese in soil and sediment in the adjacent wetland area. Chromium is present in both the less toxic trivalent, and more highly toxic hexavalent, oxidation states. The concentrations of hexavalent chromium measured in some of the soil samples from the site exceeded risk-based cleanup levels for potential human exposures. Some of the concentrations of chromium, lead, manganese could also represent a potential ecological threat.

The metals contamination is often associated with visual indicators such as blue-green soil coloration, fragments of animal hide and bones, and white lime residues.

Further investigation and cleanup will be conducted to assure adequate protection of the health of site residents and the environment. Soil cleanup options will be developed after the extent of contamination is determined.

DEQ does not believe there is an imminent short-term health threat to current site residents, but we are cautioning them to avoid direct contact with soils on their property until they have been adequately tested.

DEQ's evaluation of the situation includes the following observations:

- shallow soil contamination that poses a potential unacceptable risk to site residents may be limited to discrete areas of the site;
- there is no indication, thus far, that on-site drinking wells have been affected; and
- there are no indications that past or present residents have suffered any unusual health effects.

For more information

For more information about the site, contact Steve Fortuna at the DEQ Northwest Region Office at 503-229-5166 or fortuna.steve@deq.state.or.us



State of Oregon
Department of
Environmental
Quality

Northwest Region
Site Assessment
2020 SW 4th Avenue
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Contact: Steve Fortuna
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Oregon

Theodore R. Kulongoski, Governor

Department of Environmental Quality

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(503) 229-5263

FAX (503) 229-6945

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April 3, 2006

RE: **Former Ken Foster Farm**
Sherwood, Oregon
Washington County
CERCLIS ID # ORN001002567
ECSI ID #2516

Dear

DEQ has scheduled a meeting for all property owners of the 40-acre former Ken Foster Farm site:

Tuesday, April 11, 2006
6:30 – 8:30 PM
Sherwood Senior Center lounge
21907 SW Sherwood Boulevard
(formerly 855 N Sherwood Boulevard)
Sherwood, Oregon

The purpose of this meeting is to collectively discuss available options for further investigation and cleanup of residential properties at the Former Ken Foster Farm site. Patrick Huske and several of your other neighbors are proposing an independent investigation and cleanup for the site. As a property owner at the former Ken Foster Farm site, DEQ considers your input vital. Please plan to attend the meeting, or have a reliable representative in attendance for you.

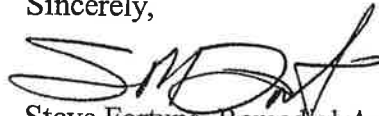
The Sherwood Senior Center is located just off Sherwood Boulevard, across from Hopkins Elementary School, less than 1/2 mile northwest from the center of downtown Sherwood.



April 3, 2006
Page 2

If you have any questions about this letter or the purpose of the upcoming meeting, please contact me at (503) 229-5166, or Bruce Gilles, Northwest Region's Cleanup and Emergency Response Manager, at 503-667-8414, extension 55009.

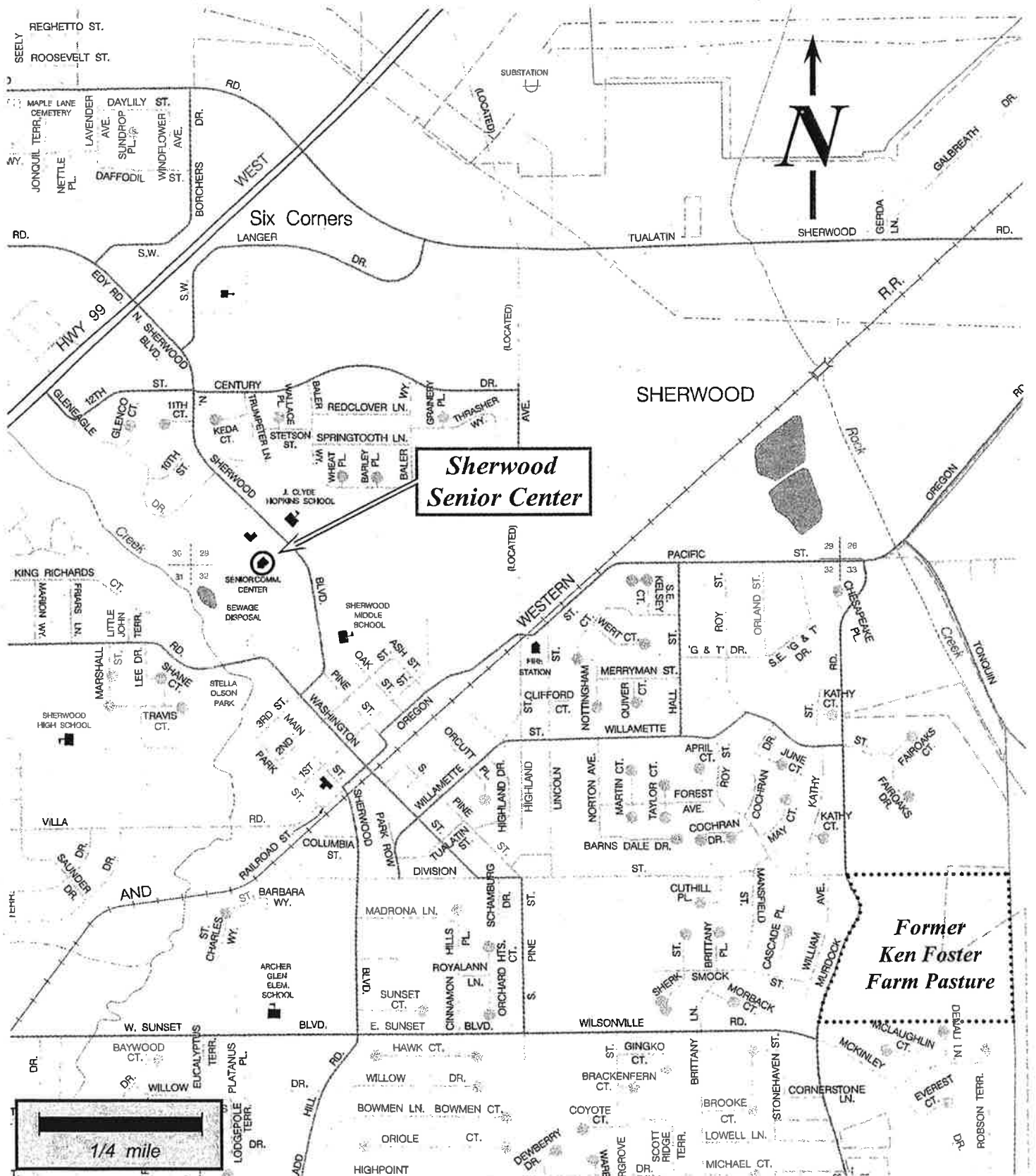
Sincerely,



Steve Fortuna, Remedial Action Specialist
Site Assessment Program
DEQ Northwest Region

encl: Mapped location of the Sherwood Senior Center

cc: Gil Wistar, Coordinator, Site Assessment Program
Bruce Gilles, Northwest Region's Cleanup and Emergency Response Manager
Joanne LaBaw, EPA Region 10 Site Assessment
ECSI file #2516



Former Ken Foster Farm Site Property Owners' Meeting

Tuesday, April 11, 2006
6:30-8:30 PM

Sherwood Senior Center lounge
21907 SW Sherwood Boulevard
Sherwood, OR 97140

APPROVED MINUTES

City of Sherwood, Oregon
Planning Commission Minutes
April 11, 2006

Commission Members Present:

Chair – Adrian Emery
Vice Chair – Patrick Allen
Jean Lafayette
Dan Balza
Matt Nolan
Todd Skelton

Staff:

Kevin Cronin – Planning Supervisor
Rob Dixon – Community Development Director
Cynthia Butler – Administrative Assistant

Commission Members Absent:

Russell Griffin

1. **Call to Order/Roll Call** – Chair Emery called the meeting to order at 7 PM. Roll was taken. Commissioner Russell Griffin was not in attendance.
2. **Agenda Review** - There were no changes to the agenda.
3. **Consent Agenda** – Minutes for the March 28, 2006 session were approved by vote:

Yes – 6 No- 0 Abstain– 0
4. **Brief Announcements** – Kevin stated that Commissioner Todd Skelton had unanimously been reappointed to the Planning Commission for another term by City Council on April 4, 2006. Resolution 2006-017 on the Area 59 Concept Plan is being considered by the City Council on April 18, 2006. Upon approval by the City Council, the Planning Commission is expected to hold an Area 59 work session to discuss initial policy framework to implement the concept plan on May 9, 2006. SURPAC will hold a meeting on April 19, 2006 regarding economic development. A postcard mailing to local business owners requesting participation in an on-line economic strategy survey is being developed. The next Parks Master Plan meeting is scheduled for May 1, 2006.
5. **Community Comments** – There were none.
6. **Old Business** – SE Sherwood Master Plan – Implementation. Kevin Cronin recapped the process to date and reiterated that tonight’s session was not to determine zoning, but to receive public comments, discuss the proposal, and receive a recommendation by vote from the Planning Commission on a preferred alternative for the City Council to consider for adoption by resolution. Chair Emery asked commissioners if there was any discussion prior to opening the session to public comments. Patrick Allen stated that in addition to any subjective testimony received from the public, he would like citizens to also include what recommended course of action they would like the Planning Commission to take. Chair Emery opened the session for public comments.

Kurt Kristensen, 22520 SW Fair Oaks Ct., Sherwood, OR 97140 – Kurt hosted an open house for neighbors and affected property owners to meet and discuss the proposed alternatives. Kevin Cronin attended as facilitator. Kurt stated that the meeting allowed for a positive exchange of many views on the project and that some compromises were achieved. Kurt referred to a letter by attorney Jeff Kleinman, and a petition submitted by Citizen's for Smart Growth, that recommends modified Alternative A with the Walker proposal, which Mr. Kristensen also endorses.

Matt Crall, Oregon Dept. of Land & Conservation (DLC), 635 Capitol St. NE, Salem, OR 97301 Matt recapped the Transportation and Growth Management (TGM) program and said that the DLC looks at the big picture when considering planning for new development. Matt said that the DLC works with local government and consultants, who meet with developers, the city and neighbors toward consensus on growth management options.

Kevin Cronin reiterated that through the application process for TGM grants, the county and local government receive services at no cost.

Dean Glover, 14300 SW Fair Oaks Dr., Sherwood, OR 97140 – Mr. Glover's property is adjacent to the Moser property and that he wants the approximately 15 acres of the Moser's forested property saved. Dean said this is also a passion of the community that could be preserved with some access through an existing easement. Dean owns approximately 10 feet of this easement.

Discussion recapped the easement sizes on each alternative and restated that the trees could act as natural buffers. A trail or walkway for pedestrians was discussed.

Jean Lafayette asked if the trees in the Mosher property were protected by laws. Kevin affirmed that when a land use application is submitted Goal 5 issues are addressed during the review process and would apply as protections. Kevin also stated that currently, there is not a tree ordinance protecting trees from removal outside of the land use submittal and application process.

Gerrie Leslie, 23558 Denali Ln., Sherwood, OR 97140 – Mr. Leslie approves of modified Alternative A with the Walker proposal. Gerrie reiterated that he did not understand that the Transportation System Plan planned for Denali to be a through street and is opposed to this, and stated that Denali should be a cul-de-sac or limited access road for emergency access only. Gerrie said that realtors lead them to believe Denali would not be a through street.

Discussion ensued regarding the designation of Denali as a through street and whether or not an emergency access road could be gated. Chair Emery said that the emergency regulation does not allow a gate access, but does allow load-bearing landscaping as a natural barrier on emergency only access roads.

Mr. Leslie also alluded to a toxic soil report from the DEQ in regard to the former Foster farm property, which he stated was in Kurt Kristensen's possession.

Jean Lafayette asked to hear more about this letter.

Kurt Kristensen, 22520 SW Fair Oaks Ct., Sherwood, OR 97140 - said that this past weekend he became aware of an environmental study conducted by the DEQ and subsequent letter dated March 27, 2006 about soils on the former Ken Foster farm property. The letter was submitted into the record. Kurt stated that he believed the levels indicated in the report are not a major issue and could be addressed for the project to move forward.

Discussion continued regarding the contents of the letter from DEQ.

Todd Skelton stated that it was not clear on the petition provided by Mr. Kristensen, that those who signed the petition were endorsing modified Alternative A with the Walker proposal. Todd said the petition appears to support Alternative A only.

Kurt Kristensen said that he was not aware the petition did not bear the language to include the modified Walker proposal, but that he believes all citizens who provided their signatures understood this to be true.

Patrick Allen asked for clarification on the Walker proposal.

Kurt Kristensen said that the Walker proposal follows the property lines more closely, and shows Denali Ln. as a gated emergency access road instead of a through street.

Curt Peterson, 14340 SE Fair Oaks Dr., Sherwood, OR 97140 – Mr. Peterson stated that he is an earth scientist who has lived in the area since 1989. Curt shared geological knowledge on the history of the project area and stated that decisions made now will affect future generations and that he would like planning of the area to vision at least 50 years ahead. Curt said a shallow soil amount of soil covers layered basalt. Contaminant retention in the soil is slight due to lack of ground water absorption and swift water run-off. Wetlands and flooding are common to the area, as are horned owls, deer, elk and coyote. Kirk would like to see a public viewing access to the wetlands as one of the few remaining such areas, with possibly the addition of a connecting walking trail that could extend from the Moser property to Fair Oaks as a wildlife corridor. Kirk affirmed that he favors modified Alternative A with the Walker proposal.

Dan Balza asked about the feasibility of building a residential community upon rock.

Curt Peterson stated that the Fair Oaks development has achieved this successfully.

Patrick Allen said that he likes preservation of the forested area and the green space in the middle of the illustrated in Alternative A, and asked about the option of having higher density in the remaining space. Discussion ensued about the possibilities and challenges of higher density in relation to existing property lines.

Dana Krawczwk, Ball Janik LLP, 101 SW Main St., Ste. 1100, Portland, OR 97204 – Dana is an attorney with Ball Janik, LLP that represents Paula and Dennis Yuzon, property owners in the SE Sherwood project site, who support Alternative B/C. Dana referred to a letter from Ball Janik, LLP dated March 21, 2006 that was submitted in the record. Dana also stated that the Planning Commission should implement goals consistent with maintaining a compact urban growth boundary that helps prevent the urban sprawl that would likely develop over time if large minimum lot sizes as shown in Alternative A were implemented. Dana also said that the City

Council's resolution was to study increasing density in SE Sherwood, that Alternative A may actually decrease density, and that Alternative A/B is a compromise.

Debra Ng-Wong, 23524 SW Denali Ln., Sherwood, OR 97140 – Debra said that she lives near a pond located on a down slope area of the project site, which supports wildlife in the region and should be preserved. Debra is concerned that even with preservation strict measures would need to be taken to protect the pond during any construction. Debra supported Curt Peterson's comments and suggestions.

Brent Dixon, 23675 SW Robson Terrace, Sherwood, OR 97140 – Brent supports the Citizen's for Smart Growth and stated that he believes Denali should be a cul-de-sac and not a through street.

Bart Batholomew, 6000 SW Meadows Rd., Lake Oswego, OR 97035 – Bart stated that he was present on behalf of Leroy and Delores Moser, and that he wanted to be certain the letter from Davis Wright Tremaine LLP, attorneys for the Mosers' was on record. Kevin Cronin confirmed that it was.

John McKinney, 23753 Everest Court, Sherwood, OR 97140 – John stated that he is concerned about higher density in the project area, such as town homes or condominium development, because he believes this would lead to lower income residents and more children in the area requiring support for schools.

Pat Huske, 23352 SW Murdock Rd., Sherwood, OR 97140 – Pat is a property owner and developer in the project area. Pat prefers Alternative B/C because it allows more density, but he is also in support of nature trails and a park and believes that compromise can be achieved. Pat said a hybrid of the alternatives may be the best option that has components of all the alternatives, and that the bigger picture should be taken into consideration.

Jean Lafayette asked Pat if Ironwood Homes, Pat Huske's current development in the area, had been platted and how it relates to the project as it lies outside the study area.

Pat Huske confirmed his land use application for Ironwood Homes has been platted, but said development has not commenced on the site, that he remains flexible, and would be willing even at this stage to alter his plan for a good consensus on the alternatives. Pat said that the wetland could be a cornerstone for a park and speculated that part of JC Reeves' property could be used as part of a nature loop trail if he were willing. Pat said a trade-off in higher density on the remaining property would be an option to consider in order to have the open space.

Robert Davidson, 23792 SW Robson Terrace, Sherwood, OR 97140 – Mr. Davidson lives in Sherwood View Estates near the project site and provided a handout at the session. Robert is concerned about the traffic impacts to the area upon development of the project area, and does not support Denali Ln. becoming a through street. Mr. Davidson also believes there needs to be more provision for parks and green space.

Patrick Allen referred to the Transportation System Plan (TSP) developed over a period of two years and adopted in March 2005, and stated that Denali has always been shown in the TSP as a through street.

Robert Davidson stated that he had not heard of this and that he also believes the time frame for developing the SE Sherwood Master Plan has been short. Robert said that it was November before he and many he has spoken to said they had heard about the project. Kevin Cronin confirmed that the project has been in public process since July 2005.

Matt Nolan stated that he has visited the site numerous times and there are large, undeveloped parcels directly behind Denali Ln. and that it appears obvious that development will be located here.

Robert Davidson said he was not sure what was planned for the parcels to which Commission Nolan referred, but that he believes in any case there should be limited growth on Denali and that it should continue to be a residential street.

Monty Hurley, AKS Engineering, 13910 SW Galbreath Dr., Ste. 100, Sherwood, OR 97140 – Monty referenced a letter from AKS Engineering dated March 20, 2006 ;which was submitted into the record. Monty said that AKS officially represents Patrick and Tammy Huske, Paula and Dennis Yuzon, and Nick Slinde of JC Reeves Corporation in endorsing Alternative B/C. Monty said that Sherwood View Estates has higher density than any of the alternatives for the SE Sherwood project, and that Alternative A may be an even lower density than current zoning on the site once the open space is removed from development. Monty reiterated that the three property owners they represent own more than 26 of the approximately 52 acres in the project area.

Lisa Walker, 23500 SW Murdock Rd., Sherwood, OR 97140 – Lisa confirmed that her proposal is the modification to Alternative A that has been referenced in documents submitted into the record and discussed at tonight's session. Lisa lives adjacent to the project site. Lisa said that her proposal follows the lot lines more closely so that lots retain various sizes and shapes to avoid lots lining up in a row and eliminates or minimizes alleys. Denali Ln. is also designated for emergency access only.

Adrian Emery said that the Walker proposal also appears to eliminate the 3, 1 acre lots in the lower left corner of the other alternatives.

Lisa Walker confirmed that she did not include these properties. Lisa said that she hopes the voices of citizens will make a difference in the final decisions made on the development of the area.

Patrick Allen said that the Walker proposal appears to sacrifice open space for larger lot sizes.

Lisa Walker affirmed that her proposal honored lot lines of current property owners.

Discussion ensued regarding the various options of increasing green space and reducing density, or redistributing higher density to areas that also allow for increased green spaces.

Kurt Kristensen said that he thinks more compromise is possible.

Pat Huske agreed that consensus at the last neighborhood meeting was significant progress, but that some issues may not be possible to solve in another meeting, specifically issues of safety, traffic, and trails. Pat said that by remaining focused the application could continue to be worked.

Chair Emery recommended a 10 minute break at 9:05 PM.

< 10 minute break >

Chair Emery reconvened the session at 9:17 PM. Consensus among Commissioners was to recommend that the property owners and interested parties hold one more meeting to see if further agreement or consensus could be achieved, and recommended that the Mosier's be involved. Adrian asked Staff if scheduling another Planning Commission session on the SE Sherwood project for May 9, 2006 would be a possible time frame.

Kevin Cronin confirmed the date would work, providing Staff had feedback from the neighborhood meeting by May 2nd for inclusion with the Planning Commission packet materials. Kevin confirmed that he would also like to attend the neighborhood meeting.

Lisa Walker asked for confirmation that the neighborhood meeting would be charged with arriving at guidelines for proceeding and not to come up with a new plan.

Kevin Cronin confirmed.

Chair Emery also confirmed.

Dan Balza said that some visual aid from the next meeting would be helpful.

Chair Emery asked if there were any further testimony. There was none. Adrian asked if Commissioners had any further questions for Staff. There was none. The public comments portion of the session was closed.

7. Comments by Commission – Kevin Cronin referenced the 2006 Work Program document to ascertain Commissioners had received and reviewed this in their packets, but stated that no action was required. Commissioners confirmed. Patrick Allen stated that he would not be able to attend the next meeting on April 25, 2006.

8. Next Meeting – April 25, 2006: Infill Standards work session 6-7 PM; Goal 5 Standards.

9. Adjournment – Chair Emery adjourned the session at 9:25 PM.

End of minutes.