



Resolution No. 2002-054

A RESOLUTION APPROVING MINOR MODIFICATIONS TO THE SHERWOOD VILLAGE (aka LANGER MARKETPLACE) PUD 95-1 FINAL DEVELOPMENT PLAN

WHEREAS, the applicant requested changes to a PUD Final Development Plan as allowed by section 2.202.04B of the Sherwood Zoning and Community Development code; and,

WHEREAS, Council found that shifting the boundaries of phases in the PUD, and those of the zoning overlays tied to those phases, and the locations of buildings could be accomplished as a minor change; and,

WHEREAS, the Council determined that the modifications proposed to the Final Development Plan are approved as minor changes to the final development plans; and subsequently, the site plans and subdivision plat shall be modified in the manner proposed by the applicant, with certain exceptions;

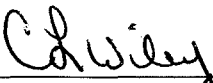
NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The City Council of Sherwood adopts the Summary of Findings dated November 12, 2002 (Exhibit 1), and in so doing, approves the modifications proposed to previous subdivision approval SUB 00-07 (Exhibit 2), and Site Plan approvals SP 00-22 (Exhibit 3) and SP 00-20 (Exhibit 4), as minor changes to the final development plans. The Notices of Decision for SP 00-20, SP 00-22 and SUB 00-07 are hereby re-issued November 12, 2002 to reflect this approval.

Duly passed by the City Council this 12th day of November, 2002.


Mark Cottle, Mayor

ATTEST:


C.L. Wiley, Recorder



MEMORANDUM

TO: Mayor Mark Cottle and City Council

FROM: Dave Wechner, Planning Director

DATE: November 12, 2002

RE: PUD 95-1 Sherwood Village (aka Langer Marketplace)
Issue 1: Architectural elevations for SP 00-22
Issue 2: Stormwater treatment

At the October 22, 2002 public hearing on the request to modify the Final Development Plan for the Langer Marketplace, specifically SP 00-22, SP 00-20 and SUB 00-07, the City Council directed the applicant to present architectural elevations for the structures proposed in SP 00-22 that reflect the original approval of this site plan. The applicant submitted plans on November 5, 2002 which staff find comply with this request. The construction materials depicted are split-block concrete, stone facades near the entrances and along the covered walkways. The brick-red and dark beige color pallet is reminiscent of the original design. The entryway is also consistent with the original plans approved by the Planning Commission and City Council for SP 00-22 (Final Order dated October 29, 2001). The additional 10,000 sf approved in SP 00-20 has not been detailed on the November 5, 2002 architectural plans, but staff concludes that condition A.9. of the Notice of Decision for SP 00-22 is sufficient to assure that the architectural theme for this addition is consistent with the large retail commercial building depicted on the plans.

Condition #7 of the Notice of Decision for the Large Retail Commercial Site Plan review, SP 00-22, is proposed to be revised by staff and the applicant, in order to reflect the proposed changes to the stormwater treatment facility. The applicant's engineer now proposes to construct a water quality facility on property that the applicant now owns. Since this property is outside the boundaries of the subdivision, and therefore could be subject to sale apart from the rest of the property, its inclusion as a facility for the subject properties would require a stormwater easement over the Langer property to the east, granting any new owners the right to discharge stormwater onto a separate property.

Furthermore, the applicant must receive the approvals of BPA, Clean Water Services, and Washington County (the ditch proposed to transport the water is in the right-of-way of Tualatin-

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Sherwood Road) to construct the facility as proposed, and has not to date received these approvals.

As a result of this, staff recommends that condition #A.7 of the Notice of Decision for SP 00-22 be amended to read:

A. Prior to any development on the subject site, the developer shall complete the following:

7. Submit engineering plans for a storm water facility to Clean Water Services for review and approval. The overall project is designed to direct stormwater to a water quality facility which will be built as a part of this project, to be located under the BPA easement east of Adams Avenue and south of T-S Road, on tax lot 300. An easement must be recorded with Washington County to encompass the area of the proposed facility, and provide access for maintenance, to City of Sherwood Construction Design Standards. If discharging stormwater into the ditch along Tualatin-Sherwood Road, approval from Washington County must be obtained. The applicant will need to submit data which the City Engineer and/or Clean Water Services will review as to whether there is sufficient downstream culvert capacity for the proposed storm water flows.



Home of the Tualatin River National Wildlife Refuge

Preliminary Subdivision Plat

NOTICE OF DECISION

Tax lot: 1700
Map: 2S 1 29C
Case: SUB 00-07
Review: TYPE IV (minor
modification)
Date mailed: 11/14/02

Applicant/Owner:
Langer Family LLC
15585 SW Tualatin-Sherwood Rd.
Sherwood, OR 97410

Owner's Representative:
Mark Whitlow, Perkins Coie, LLP
1211 SW 5th Avenue, Suite 1500
Portland, OR 97204-3715

I. DECISION

On November 12, 2002 the City Council of the City of Sherwood, Oregon approved with conditions your application to modify the preliminary plat approval for **SUB 00-07 Langer Marketplace Subdivision**, dated June 15, 2001, for a 4-lot subdivision located on a 29.857 acre parcel in the Retail Commercial (RC) and High Density Residential (HDR) portion of the Sherwood Village PUD 95-1.

The proposed subdivision encompasses phases 2, 3 & 5 of the Sherwood Village Planned Unit Development (PUD). The site fronts along two public streets (SW Tualatin-Sherwood Road and SW Langer Drive) and is served by public utilities. The applicant is proposing to subdivide Tax Lot 1700 into four separate lots and presented a modified preliminary subdivision plat for consideration by Council in conjunction with two other requested changes, under the provision of Section 2.202.04B (Modifications to Final Development Plan). The subsequent development of the lots is dependent upon first receiving Final Plat approval on the subdivision.

II. FINDINGS

This decision was based on the findings of fact presented in the application materials, zoning code, and in testimony during public hearing held on October 22, 2002; as detailed in the Summary of Findings report dated November 12, 2002.

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III. CONDITIONS OF APPROVAL

A. *General Conditions:*

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

1. Compliance with these Conditions of Approval is the responsibility of the developer.
2. This approval is limited to, and plans shall be in substantial conformance with, the revised Preliminary Plat dated October 1, 2002, or as required to be revised in these Conditions of Approval.
3. The developer is responsible for all costs associated with public facility improvements, prior to acceptance by the City of Sherwood.
4. Unless specifically exempted in writing by the final decision the development shall comply with all applicable City of Sherwood codes and standards, as well as those of Clean Water Services, Washington County, Tualatin Valley Water District, Tualatin Valley Fire & Rescue, Oregon Fish & Wildlife, Bonneville Power Administration and the Oregon Department of Transportation.

The following conditions are listed in sequential order. Under no circumstance will a permit or review approval be granted out of sequence.

B. *Prior to Grading the site:*

1. Obtain City of Sherwood and Clean Water Services approval of grading plans; including erosion control.

C. *Prior to Development of the site and connection to public utilities:*

1. Submit for review and approval, plans necessary to satisfy Section 4.100 (Application Content) of the SZCDC, and allow review for compliance with Chapter 6 (Public Improvements) and the requirements of other agencies with jurisdiction.
2. Receive approval of engineering plans from Sherwood Engineering Division. The plans shall conform with the Sherwood Construction Standards and other applicable standards. The plans shall be in substantial conformance with the revised Preliminary Plat dated October 1, 2002, or as required to be revised in this decision.
3. Submit engineering plans for traffic facility improvements to Washington County and the Oregon Department of Transportation for their review and approval.
4. This approval shall require a Developer-City Compliance agreement to be executed, and a performance security satisfactory to the City to be submitted guaranteeing that all improvements will be completed in accordance with the

approved drawings, City Standards and specifications within the specified time period.

5. The applicant shall dedicate the necessary land to provide an additional 4 feet of street right-of-way along the Langer Drive frontage and widening the existing Langer Drive sidewalk to 8 feet.
6. All required building setback lines in the HDR zone shall be indicated on the subdivision final plat. Lot #3 will have 20-foot front yard setbacks on all three streets, and a 20-foot rear yard setback along the west property line. Lot #1 will have 20-foot front yard setbacks on the street frontage of Langer Drive, and a 20-foot side yard setback along the west property line, adjacent to the pedestrian pathway easement.
7. Required building setback lines in the RC zone shall be indicated on the subdivision final plat. Lot #4 requires a south (rear yard) setback of 10 feet in consideration of the abutting residential HDR zone; and a west (front yard) setback of 20 feet in consideration of the abutting residential HDR zone.
8. All necessary bonding and the signed Compliance Agreement shall be submitted to the Engineering Division along with all applicable fees.
9. Development of all lots in the subdivision will require site plan approval.

D. Prior to Final Plat Approval:

1. All public improvements shall be constructed and accepted unless otherwise covered by a performance bond, approved and accepted by the City Engineer.
2. The plat will need to be revised to reflect the requested and approved Property Line Adjustment (LLA 01-02).
3. The plat must be revised to reflect Washington County's requirements of (1) Dedication of additional right-of-way to provide 45 feet from the centerline of SW Tualatin-Sherwood Road, (2) Dedication of additional right-of-way to provide adequate corner radius at the intersection of SW Tualatin-Sherwood Road, and (3) Provision of a non-access reservation along SW Tualatin-Sherwood Road frontage, except at proposed access point(s) approved in conjunction with this land use application.

E. Prior to submitting for building permit:

1. Final plat shall be recorded and three (3) copies of the recorded plat submitted to the City of Sherwood. Final plat copies shall include addresses for each lot assigned by Washington County.
2. The approval letter from the Engineering Division accepting all public improvements has been issued.

F. The developer shall be responsible for all costs associated with public facility improvements, including applicable system development charges.

G. The approval shall be valid for a period of one year, further subject to Section 7.301.02. Compliance with the Conditions of Approval shall be the responsibility of the developer.

DATED this 12th day of November, 2002.



Home of the Tualatin River National Wildlife Refuge

Site Plan Review NOTICE OF DECISION

Tax lot: 1700
Map: 2S 1 29C
Case: SP 00-20
Review: TYPE IV (minor
modification)
Date mailed: 11/14/02

Applicant/Owner:
Langer Family LLC
15585 SW Tualatin-Sherwood Rd.
Sherwood, OR 97410

Owner's Representative:
Mark Whitlow, Perkins Coie, LLP
1211 SW 5th Avenue, Suite 1500
Portland, OR 97204-3715

I. DECISION

On November 12, 2002 the City Council of the City of Sherwood, Oregon approved with conditions your application to modify the site plan approval for **SP 00-20 Langer Marketplace Small Retail Commercial**, dated June 15, 2001, for a 15,000 square foot 'flex' retail building to be located on a 14.18 acre parcel in the Retail Commercial (RC) portion of the Sherwood Village PUD 95-1.

The Site plan originally approved 15,000 sf of retail on a separate lot. With this decision, the approval is applicable to the 10,000 sf retail flex space adjacent to the Langer Marketplace Large Retail Commercial site approved as site plan application #SP 00-22. The additional 5,000 sf retail pad site proposed in the modified application must first obtain site plan approval through the Type II land use approval process.

II. FINDINGS

This decision was based on the findings of fact presented in the application materials, zoning code, and in testimony during public hearing held on October 22, 2002; as detailed in the Summary of Findings report dated November 12, 2002.

III. CONDITIONS OF APPROVAL

A. Prior to any development on the subject site, the developer shall complete the following:

1. Record a final subdivision plat in substantial conformance with the preliminary plat (SUB 00-07), as modified and approved November 12, 2002.

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2. Submit for review and approval of a Type II Site Plan Review application for the 5,000 sf retail pad site in the northwest portion of the site, with plans as necessary to satisfy Section 4.100 (Application Content) of the SZCDC, and allow review for compliance with Section 5.100 (Site Plan Review) and the requirements of other agencies with jurisdiction.

3. At a minimum, site development plans shall address proposed: landscaping; off-street parking and loading; on-site circulation; areas of materials or solid waste storage; areas of outdoor sales or display; details of architectural elevations or features; and signage.

4. Submit engineering plans for the entire development to the Sherwood City Engineer for review and approval. At a minimum, plans shall include information concerning water, sanitary sewer, fire hydrants, street lights, on-site improvements, downstream culvert capacity and other information as necessary to indicate conformance with the Sherwood Public Works Standards and consistency with the overall development proposal, which includes the development of SUB 00-07, SP 00-22 and SP 00-20.

5. Submit an engineering plan detail showing an additional four (4) feet of right-of-way dedication along Langer Drive. Dedicate right-of-way consistent with this plan detail, and provide a copy of the recorded dedication.

6. Submit an engineering plan detail showing the sidewalk along Langer Drive to be widened to eight (8) feet from its present substandard width.

7. Submit engineering plans for a storm water facility to Clean Water Services for review and approval. The overall project is designed to direct stormwater to a water quality facility which will be built as a part of this project, to be located under the BPA easement east of Adams Avenue and south of T-S Road, on tax lot 300. An easement must be recorded with Washington County to encompass the area of the proposed facility, and provide access for maintenance, to City of Sherwood Construction Design Standards. If discharging stormwater into the ditch along Tualatin-Sherwood Road, approval from Washington County must be obtained. The applicant will need to submit data which the City Engineer and/or Clean Water Services will review as to whether there is sufficient downstream culvert capacity for the proposed storm water flows.

8. Submit final architectural elevations for the 10,000 sf small commercial retail building, which is to be constructed as an addition to the footprint of the 125,000 large retail commercial building, approved as a part of application SP 00-22. Architectural details shall substantially comply with those of the original approved site plan for SP 00-22.

B. Prior to obtaining a building permit the developer shall complete the following:

1. The developer shall obtain any necessary approval and permits from the Unified Sewerage Agency to complete sanitary sewer and storm sewer improvements.

2. Submit and obtain approval of building plans which substantially conform to the approved site plan and approved engineering plans.

C. Prior to obtaining an occupancy permit the developer shall complete the following:

1. The developer shall extend or install sanitary sewer, water and storm drainage facilities to serve the development. The improvements shall comply with the approved engineering plans from the respective agencies and the applicable requirements identified in item "G" of this Notice.

2. Landscaping and screening improvements shall be installed in substantial conformance with the approved planting plan, submitted October 1, 2002, with the addition of plantings in the 7.5-foot 'planter strip' between the sidewalk and curb of Adams Avenue, in conformance with the landscaping standard of Section 8.304.06.

3. All vehicle and bicycle parking improvements, including paving, striping, driveways and other requirements, shall be installed consistent with the submitted parking plan and the requirements of Section 5.300.

E. Continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.

F. This Site Plan review approval shall be limited to the submitted layout, as required to be revised, and the 10,000 sf proposed retail building adjacent to the Large Retail Commercial building(site plan approval SP00-22) . Any additional development or change of use shall require a new development application and approval.

G. Public facility and street improvements shall be subject to the following:

1. Unless specifically exempted in writing by the final decision all street, utility and related site improvements shall comply with the requirements of the Sherwood Zoning and Community Development Ordinance and Engineering Department Construction Standards and Specifications.

2. Building permits for the work on the building and on-site private utilities shall not be issued until after the developer has received final approval of construction drawings for all required public utility improvements, including on-site parking lots, water, sanitary sewer, storm drainage, landscaping and irrigation plans. Further, this approval shall require a Developer-City Compliance agreement to be executed, and a performance security satisfactory to the City to be submitted guaranteeing that all improvements will be completed in accordance with the approved drawings, City Standards and specifications within the specified time period.

3. Prior to final plan approval, written approval of construction drawings must be received from Washington County for any work within the County right-of-way or affecting County roads or utility systems.

4. Permanent connection to public services will not be allowed until all public improvements and all on-site improvements are completed and approved by the City, or a performance security satisfactory to the City Engineer is submitted to guarantee all improvements will be completed in accordance with the approved drawings, City standards and specifications.

H. The developer shall be responsible for all costs associated with public facility improvements, including applicable system development charges.

I. The approval shall be valid for a period of one year, further subject to Section 5.102.06. Compliance with the Conditions of Approval shall be the responsibility of the developer.

DATED this 12th day of November, 2002.



Home of the Tualatin River National Wildlife Refuge

Site Plan Review NOTICE OF DECISION

Tax lot: 1700
Map: 2S 1 29C
Case: SP 00-22
Review: TYPE IV (minor
modification)
Date mailed: 11/14/02

Applicant/Owner:

Langer Family LLC
15585 SW Tualatin-Sherwood Rd.
Sherwood, OR 97410

Owner's Representative:

Mark Whitlow, Perkins Coie, LLP
1211 SW 5th Avenue, Suite 1500
Portland, OR 97204-3715

I. DECISION

On November 12, 2002 the City Council of the City of Sherwood, Oregon approved with conditions your application to modify the site plan approval for **SP 00-22 Langer Marketplace Large Retail Commercial**, dated October 30, 2001, for a 125,000 square foot retail commercial building to be located on a *proposed* approximately 14.18 acre parcel in the Retail Commercial (RC) portion of the Sherwood Village PUD 95-1.

The Site plan originally approved for this property included this large retail building, and a 3,200 sf 'fast-food' restaurant on the same lot. This decision does not address the small restaurant, but modifies the original approval of the 125,000 sf large retail building, to combine it with 10,000 sf of retail 'flex' space, originally approved as a part of #SP 00-20.

II. FINDINGS

This decision was based on the findings of fact presented in the application materials, zoning code, and in testimony during public hearing held on October 22, 2002; as detailed in the Summary of Findings report dated November 12, 2002.

III. CONDITIONS OF APPROVAL

A. *Prior to any development on the subject site, the developer shall complete the following:*

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1. Record a final subdivision plat in substantial conformance with the preliminary plat (SUB 00-07) approved November 12, 2002.
2. Submit for review and approval plans as necessary to satisfy Section 4.100 (Application Content) of the SZCDC, and allow review for compliance with Section 5.100 (Site Plan Review) and the requirements of other agencies with jurisdiction.
3. At a minimum, site development plans shall address proposed: landscaping; off-street parking and loading; on-site circulation; areas of materials or solid waste storage; areas of outdoor sales or display; details of architectural elevations or features; and signage.
4. Submit engineering plans for the entire development to the Sherwood City Engineer for review and approval. At a minimum, plans shall include information concerning water, sanitary sewer, fire hydrants, street lights, on-site improvements, downstream culvert capacity and other information as necessary to indicate conformance with the Sherwood Public Works Standards and consistency with the overall development proposal, which includes the development of SUB 00-07, SP 00-22 and SP 00-20, as modified. Plans shall be modified as necessary to satisfy all conditions of the October 14, 2002 memorandum from City Engineer Terry Keyes. Specifically:
 - a. Submit plans to construct the transportation-related conditions dictated by the initial approval related to Tualatin-Sherwood Road and Hwy. 99W, detailed in Condition B.5. below.
 - b. Eliminate Street "A" from the transportation plans.
 - c. Design Adams Avenue to meet the "Boulevard" standard as specified in the recently adopted Downtown Street Standards (see Ord. 2002-1128), to the southern boundary of the commercial parcel.
5. Submit an engineering plan detail showing an additional four (4) feet of right-of-way dedication along Langer Drive. Dedicate right-of-way consistent with this plan detail, and provide a copy of the recorded dedication.
6. Submit an engineering plan detail showing the sidewalk along Langer Drive to be widened to eight (8) feet from its present substandard width.
7. Submit engineering plans for a storm water facility to Clean Water Services for review and approval. The overall project is designed to direct stormwater to a water quality facility which will be built as a part of this project, to be located under the BPA easement east of Adams Avenue and south of T-S Road, on tax lot 300. An easement must be recorded with Washington County to encompass the area of the proposed facility, and provide access for maintenance, to City of Sherwood Construction Design Standards. If discharging stormwater into the ditch along Tualatin-Sherwood Road, approval from Washington County must be obtained. The applicant will need to submit data which the City Engineer and/or Clean Water Services will review as to whether there is sufficient downstream culvert capacity for the proposed storm water flows.
8. Submit engineering plans for traffic facility improvements to Washington County and the Oregon Department of Transportation for their review and approval.

9. Submit final architectural elevations for the 10,000 sf small commercial retail building, which is to be constructed as an addition to the footprint of the 125,000 large retail commercial building, approved as a part of application SP 00-22. Architectural details shall substantially comply with the elevations submitted by the applicant on November 5, 2002, and the provisions of the November 12, 2002 memorandum to the City Council from Sherwood Planning Director Dave Wechner.

B. Prior to obtaining a building permit the developer shall complete the following:

1. The developer shall obtain any necessary approval and permits from the Unified Sewerage Agency to complete sanitary sewer and storm sewer improvements.
2. Submit and obtain approval of building plans which substantially conform to the approved site plan and approved engineering plans.
3. The developer shall obtain any necessary approval and permits from Oregon Department of Transportation regarding traffic facility improvements.
4. The developer shall obtain any necessary approval and permits from the Unified Sewerage Agency to complete sanitary sewer and storm sewer improvements.
5. Construct mitigation for transportation impacts to satisfy condition #8 of the August 3, 1995, Notice of Decision for Sherwood Village PUD 95-1, as specifically recommended in the 9/25/01 report from Jeff Wise of Hopper/Dennis/Jellison. This mitigation requires construction of an additional eastbound lane and associated improvements and relocations on Roy Rogers/Tualatin-Sherwood Road, beginning 350' west of 99W and continuing east to SW Langer Drive. The plans for this mitigation will be subject to the approval of the City Engineer per Chapter 6 of the Zoning & Community Development Code. Specific conditions of mitigation include:
 - a. Prior to the issuance of certificates of occupancy for the uses approved by this final order, the applicant, or its successor in interest, shall present eight copies of engineered construction plans and an engineer's cost estimate for the above improvements to the City Engineer, who shall share a copy of those plans and that estimate with the appropriate offices of Clean Water Services, Washington County Department of Land Use and Transportation, Tualatin Valley Water District, and ODOT for their mutual review under generally accepted engineering standards. If the plans and cost estimate meet such standards, the City Engineer shall approve the same. Except as provided below, the applicant or its successor in interest shall construct the improvements prior to the issuance of certificates of occupancy.
 - b. The applicant may propose changes to the mitigation provided by this condition. Such change shall be supported by a traffic impact analysis submitted to the City Planning Director, who shall circulate that analysis to the City of Sherwood, ODOT and Washington County Transportation planning agencies for review or approval. The Director may, on the basis of such analysis and engineer's plans and cost estimates, impose alternative mitigation. The Director's decision on the alternative mitigation shall be treated as a Type II decision.
 - c. Alternatively, if the improvement cannot be constructed within 120-days prior to occupancy because the City determines there is insufficient right-of-way to construct

this improvement, and/or if land use or other restrictions prevent such construction, the applicant may pay over to the City or into the County's Trust and Agency Fund the amount of 125% of the engineer's cost estimate, as stipulated in section a., above, which shall be placed in an interest bearing account, to be used exclusively for the required improvements or alternative improvements that will provide equal or more roadway capacity at the Hwy 99/Tualatin-Sherwood Rd. intersection. The deposit of such amount by the applicant with the City or County shall fully satisfy the applicant's obligations under condition B(5). If a contract for the construction of improvements to be financed by such funds, or any portion thereof, is not entered into within ten years of such deposit, those sums, or any remaining portion thereof, shall be returned, with the interest gained thereon, to the applicant or to the applicant's successor or to a person lawfully designated by the applicant or successor..

d. Any funds given to the City of Sherwood under this condition shall be held in trust to fulfill this condition and kept and used at the discretion of the City Council, subject to the limitations and requirements of paragraph B.5.c. above.

6. The applicant will enter into a Maintenance Agreement with the City of Sherwood for the maintenance of required visual corridors. The agreement will stipulate the person(s) responsible for such continuous maintenance.
7. Submit construction plans for improvements required under Section 6.700 of the Zoning & Community Development Code to the City of Sherwood that meet appropriate City of Sherwood engineering standards, building codes and other appropriate construction codes, and receive approval of these plans from the City of Sherwood.
8. Upon receiving approval for engineering plans, storm and sanitary sewer improvements and traffic facility improvements from the respective agencies, the developer may apply for a building permit to construct the proposed facility. The building permit plans shall conform to the approved site plan and approved engineering plans.

C. Prior to obtaining an occupancy permit the developer shall complete the following:

1. The developer shall extend or install sanitary sewer, water and storm drainage facilities to serve the development. The improvements shall comply with the approved engineering plans from the respective agencies and the applicable requirements identified in item "G" of this Notice.
2. Landscaping and screening improvements shall be installed in substantial conformance with the approved planting plan, submitted October 1, 2002, with the addition of plantings in the 7.5-foot 'planter strip' between the sidewalk and curb of Adams Avenue, in conformance with the landscaping standard of Section 8.304.06.
3. All vehicle and bicycle parking improvements, including paving, striping, driveways and other requirements, shall be installed consistent with the submitted parking plan and the requirements of Section 5.300.
4. Construct Adams Avenue to the southern boundary of the commercial parcel as part of the development of the commercial parcel.

5. As part of any development on the site, construct Baler Way (i.e., newly proposed north-south street) as a local street with 'no parking' signage from Century Drive to Tualatin-Sherwood Road. This includes realigning the existing Langer Drive so that it intersects with Baler Way at a right angle.

E. Continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.

F. This Site Plan review approval shall be limited to the submitted layout, as required to be revised, and the 10,000 sf proposed retail building adjacent to the Large Retail Commercial building(site plan approval SP00-22) . Any additional development or change of use shall require a new development application and approval.

G. Public facility and street improvements shall be subject to the following:

1. Unless specifically exempted in writing by the final decision all street, utility and related site improvements shall comply with the requirements of the Sherwood Zoning and Community Development Ordinance and Engineering Department Construction Standards and Specifications.
2. Building permits for the work on the building and on-site private utilities shall not be issued until after the developer has received final approval of construction drawings for all required public utility improvements, including on-site parking lots, water, sanitary sewer, storm drainage, landscaping and irrigation plans. Further, this approval shall require a Developer-City Compliance agreement to be executed, and a performance security satisfactory to the City to be submitted guaranteeing that all improvements will be completed in accordance with the approved drawings, City Standards and specifications within the specified time period.
3. Prior to final plan approval, written approval of construction drawings must be received from Washington County for any work within the County right-of-way or affecting County roads or utility systems.
4. Permanent connection to public services will not be allowed until all public improvements and all on-site improvements are completed and approved by the City, or a performance security satisfactory to the City Engineer is submitted to guarantee all improvements will be completed in accordance with the approved drawings, City standards and specifications.

H. The developer shall be responsible for all costs associated with public facility improvements, including applicable system development charges.

I. The approval shall be valid for a period of one year, further subject to Section 5.102.06. Compliance with the Conditions of Approval shall be the responsibility of the developer.

DATED this 12th day of November, 2002.