



**Resolution 2005-012**

**A RESOLUTION APPROVING A MINOR CHANGE TO A PREVIOUSLY APPROVED PRELIMINARY DEVELOPMENT PLAN FOR THE WOODHAVEN CROSSING PLANNED UNIT DEVELOPMENT.**

**WHEREAS**, the City of Sherwood previously reviewed and approved the 157 unit mixed-use condominium proposal of Woodhaven Crossing with the adoption of Ordinance 2004-008 on June 8, 2004; and

**WHEREAS**, Woodhaven Crossing, LLC has substantially completed the public improvements required in order to initiate further development on the subject property; and

**WHEREAS**, Woodhaven Crossing, LLC has submitted the final partition plat materials in order to further divide the property into individual parcels, dedicate public right-of-way, and set aside environmentally sensitive areas within an open space tract, via the minor land partition process; and

**WHEREAS**, the City of Sherwood staff are currently reviewing the final development plan materials in order to seek final approval of the Planned Unit Development from the Sherwood Planning Commission, which is anticipated to occur during April 2005; and

**WHEREAS**, the City of Sherwood staff anticipates all required public improvements to have been installed and approvals granted prior to the final partition plat being recorded at Washington County; and

**WHEREAS**, Woodhaven Crossing, LLC has requested that Condition of Approval H-1, as identified in Ordinance 2004-008, be changed in order to allow the City of Sherwood Building Department to approve and release building permits prior to the recording of the final plat; and

**WHEREAS**, such request is identified within Section 2.202.04 B 2 of the Sherwood Zoning and Community Development Code as a minor change, since such amendment to the Planned Unit Development does not increase densities, change boundaries or uses, or change the location or amount of land devoted to specific uses; and

**WHEREAS**, the City of Sherwood staff have reviewed the request and do not believe the changes to the condition of approval, as proposed, will be detrimental to the Code or negatively impact the mixed-use proposal as originally approved; and

**WHEREAS**, the City of Sherwood staff do not believe it would be to the public benefit for certain restrictions to be placed on development proposals that unnecessarily restrict the progress of a development, specifically when such is due to inter-agency or inter-governmental coordination and scheduling.

**NOW THEREFORE**, the City Council for the City of Sherwood resolves as follows:

**Section 1. Council Review.** That the request for a minor change to the previously approved preliminary development plan, for the Woodhaven Crossing Planned Unit Development, was considered by the Sherwood City Council at their March 15, 2005 meeting as required per Section 2.202.04 B 2 of the Sherwood Zoning and Community Development Code.

**Section 2. Findings.** That after full and due consideration of the request, the City Staff Report, and associated documentation, the Council finds that the request would not be detrimental to the City and would alleviate an unnecessary hardship for the applicant and, therefore, the Council adopts the March 7, 2005 Staff Report and associated materials as the findings of fact.

**Section 3. Approval.** That the request to modify Condition of Approval H-1, of Ordinance 2004-008, is hereby **Approved** and shall read as follows:

Prior to the Building Department approving building permits, all public improvements shall be constructed and accepted unless otherwise covered by a performance bond. In addition, the City of Sherwood must review and approve the final plat and have forwarded a letter of acceptance to Washington County. In addition, evidence that the final plat has been submitted to Washington County must be provided to the City of Sherwood Planning Department.

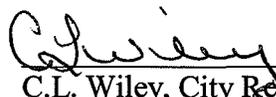
The remaining conditions of approval as contained within Ordinance 2004-008 shall remain in full force and effect.

**Section 4. Effective Date.** This resolution is and shall be effective from and after its passage by the Council.

**Duly passed by the City Council this 15<sup>th</sup> day of March, 2005.**

  
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Keith S. Mays, Mayor

ATTEST:

  
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C.L. Wiley, City Recorder