

City of Sherwood, Oregon
Ordinance No. 2003-1141

AN ORDINANCE APPROVING A RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONING DISTRICT FOR TAX LOT 3600 WASHINGTON COUNTY ASSESSORS MAP 2S 1 30DB, CONSISTING OF 10.77 ACRES MORE OR LESS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the subject property contains approximately 6 acres of sensitive wetland and natural areas identified in the City's wetland Inventory; and

WHEREAS, the subject property is within the urban growth boundary and City limits, and is zoned for residential development; and

WHEREAS, the Community Development and Zoning Code Section 2.202.02A specifies that "PUDs shall only be considered on sites that are unusually constrained or limited in development potential, as compared to other land with the same underlying zoning designation, because of natural features such as floodplain or extreme topography...". The Sherwood City Council finds that the subject PUD complies because the site contains significant natural areas identified on the City Parks and Open Space Master Plan Map dated July 24, 1991, which would be dedicated to the City in exchange for a density transfer to the developable portion of the property; and

WHEREAS, the Sherwood Planning Commission received the PUD application (City File No. PUD 02-02) and report of the City's Planning Staff and the Commission fully considered said materials; and

WHEREAS, the Sherwood Planning Commission conducted a public hearing on the proposed PUD 02-02 on November 19 and December 3, 2002 adopted findings recommending approval with conditions of the proposed Planned Unit Development to the City Council; and

WHEREAS, the Sherwood City Council has received the original application materials, the City's Planning Staff report, and the Council has reviewed the materials submitted and the facts of the proposal and conducted a public hearing on December 10, 2002.

NOW, THEREFORE, THE CITY ORDAINS AS FOLLOWS:

Section 1. Commission Review & Public Hearings. That the application for a Planned Unit Development (City File No. PUD 02-02) Overlay District for Tax Lots 3600 of WASHINGTON COUNTY ASSESSORS MAP 2S 1 30DB was subject to full and proper review, and public hearings were held before the Planning Commission on November 19 and December 3, 2002 and the City Council on December 10, 2002.

Section 2. Findings. That after full and due consideration of the application, the City Staff report, the record, findings, and of the evidence presented at the public hearing, the Council finds that, due to the unique natural features, the site is unusually constrained in development potential as compared to other land with the same underlying zoning designation, and therefore, the Council adopts the findings of fact contained in the staff report dated November 12, 2002 and the Planning Commission Notice of Decision dated December 3, 2002.

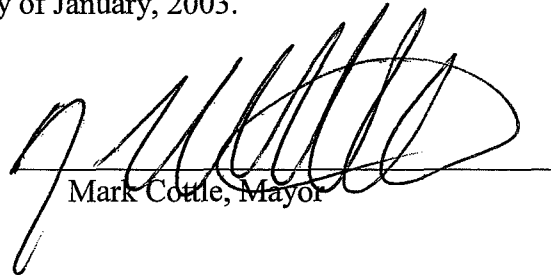
Section 3. Approval. That a request for a PUD Preliminary Plat and Development Plan is hereby APPROVED subject to the conditions contained in Exhibit A.

Section 4. Manager Authorized. The City Manager is directed to take such action as may be necessary to document this amendment, including preparation of a certified modification of the Official City Zoning Map, at such time as all conditions of the approval have been fully satisfied in accordance with City ordinances and regulations, as determined by the City Manager.

Section 5. Effective Date. This ordinance shall become effective the 30th day after its adoption by the City Council.

Duly passed by the City Council this 14th day of January, 2003.

Approved by the Mayor this 14th day of January, 2003.


Mark Cottle, Mayor

Attest:

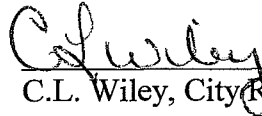

C.L. Wiley, City Recorder

Exhibit A: City Council Notice of Decision dated January 14, 2003

	<u>AYE</u>	<u>NAY</u>
Weislogel	<u>abstain</u>	
Grant	<u>abstain</u>	
Heironimus	<u>✓</u>	
Durrell	<u>✓</u>	
Mays	<u>✓</u>	
Fox	<u>✓</u>	
Cottle	<u>✓</u>	



Home of the Tualatin River National Wildlife Refuge

EXHIBIT A ORDINANCE 2003-1141

CITY COUNCIL NOTICE OF DECISION

TAX LOT: 3600
MAP NO: 2S 1 30DB
CASE NO: PUD 02-02 Bluffs @ Cedar Creek
DATE OF DECISION: January 14, 2003
DECISION TYPE: TYPE IV – Legislative (PUD)

Applicant:

Venture Properties, Inc.
4230 SW Galewood Street, Suite 100
Lake Oswego, OR 97035
Contact: Wendy K. Hemmen, PE
(503) 387-7600

Owner(s)

Roy Armour and Nancy Armour
17476 SW Edy Road
Sherwood, OR 97140
Phone: 503-625-2255

Engineer/Planner

Otak, Inc.
17355 SW Boones Ferry Road
Lake Oswego, OR 97035-5217
Contact: Jerry Offer or Mike Peebles, PE
(503) 635-3618

DECISION

On January 14, 2003 the City Council of the City of Sherwood **approved with conditions** PUD 02-02, a 24-unit single-family detached Planned Unit Development (PUD) and a preliminary subdivision plat, located on tax lots 3600 of Tax Map 2S130DB in the Low Density Residential (LDR) and High Density Residential (HDR) zoning districts.

FINDINGS

This decision was based on the findings of fact contained in the Staff Report addressed to the Planning Commission dated November 12, 2002 and the Planning Commission Notice of Decision dated December 3, 2002.

During the proceedings before the Planning Commission and City Council, certain opponents raised claims that they owned an interest in a portion of the property under consideration through adverse possession or similar claim. The applicants have record title to the property in dispute and the Council concludes that it is not equipped to deal with claims of property ownership not reflected in record title, particularly given the equitable nature of adverse possession claims and the 120-day period in which cities are given to render a decision in cases involving land use decisions and limited land use decisions. The Council further concludes that matters relating to adjudication of title must be decided by the Circuit Courts. The Council declines to make this adjudication, given the record title in the application is "Armour".

CONDITIONS

The Planning Commission recommends the following conditions.

A. General Conditions:

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

1. Compliance with the Conditions of Approval and compliance agreement is the responsibility of the developer.
2. This land use approval shall be limited to the submitted plans prepared by Otak Inc. dated September 9, 2002 except as indicated in the following conditions. Additional development or change of use may require a new development application and approval.
3. The developer is responsible for all costs associated with public facility improvements.
4. **This approval is valid for a period of one (1) year from the date of the decision.** Extensions maybe granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. The developer shall comply with Service Provider Letter #2127 issued by Heidi K. Berg, Site Assessment Coordinator, Clean Water Services.
6. Substantial retaining walls (walls in excess of 6 feet) are prohibited unless approved under a future land use application. Backfilling the retaining wall to make the face of the wall shorter is not an acceptable method of reducing wall height.
7. Comply with the letter from Eric T. McMullen, Deputy Fire Marshal Tualatin Valley Fire and Rescue dated September 23, 2002.
8. Unless specifically exempted in writing by the final decision, the development shall comply with all applicable City of Sherwood and other applicable agency codes and standards except as modified below:

B. Prior to Grading the site or the demolition of structures:

1. Trees to be retained as shown on the tree plan prepared by Walter Knapp in the his letter dated November 18, 2002 shall be fenced around the dripline.
2. Obtain City of Sherwood Engineering Division approval of grading plans and erosion control including a Joint 1200-C permit.

3. The City Engineer may impose special conditions related to tree protection for the portion of Street A at the south end of the project.
4. Any existing wells, septic systems and underground storage tanks shall be abandoned in accordance with Oregon state law.
5. A demolition permit shall be obtained from the Sherwood Building Department prior to demolishing any structures.
6. Comply with the Clean Water Services, Service Provider Letter #2127 including but not limited to the following conditions:
 - a. Service Provider Letter #2127, Condition #4 - *Prior to any site clearing, grading or construction the vegetated corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the vegetated corridor shall remain fenced and undisturbed except as allowed by Section 3.02.4.b.4., and per approved plans.*
 - b. Service Provider Letter #2127, Condition #5 – *Prior to any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Division of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide the District with copies of all DSL and USACE project authorization permits. Permits are required for the sanitary sewer connection and stormwater outfall.*
 - c. Service Provider Letter #2127, Condition #11 – *Prior to any site clearing, grading, or construction, the applicant shall provide the District with the required vegetated corridor enhancement/restoration plan.*
 - d. Service Provider Letter #2127, Condition #12 – *Protection of the vegetated corridors and associated sensitive areas shall be provided by the installation of fencing between the development and the outer limits of the vegetated corridors.*
 - e. Service Provider Letter #2127, Condition #15 – *Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with CWS Erosion Control Technical Guidance Manual shall be used prior to, during and following earth disturbing activities*
7. Site grading shall comply with the conditions of the geotechnical investigation report as stated in Condition C.2.f below.

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

1. Documentation of authorization from the Division of State Lands (DSL) and the Army Corps of Engineers for the sewer line connection and stormwater facility in the wetlands of Cedar Creek shall be submitted to the Planning Department.
2. Receive approval of engineering plans for all public improvements including the stormwater system from Sherwood Engineering Division, Clean Water Services Washington County and other applicable agencies. The plans shall conform with the Sherwood Public Works, Clean Water Services, Washington County and other applicable standards. The plans shall be in substantial conformance with the approved plans prepared by Otak Inc. dated September 9, 2002 except as modified below:

- a. A minimum 35-foot half width right-of-way shall be provided on Edy Road.
- b. Pavement width on Edy shall be set by county standards and will provide a minimum of 29' of pavement
- c. An 8' sidewalk shall be provided on the south side of Edy Road. The sidewalk shall be separated from the curb by a 5' tree lawn.
- d. Street trees and street lights shall be provided on Edy in accordance with city standards.
- e. Runoff from public streets shall be treated by a water quality system that meets the requirements of Clean Water Services and approved by the City Engineer.
- f. A geotechnical investigation and report from a qualified engineer shall be submitted approving site grading utility plans, the preliminary stormwater plans and the final setbacks proposed. As the location of grading, structures, and stormwater facilities is critical to the success of the mitigation measures, the top of the slope and proposed setbacks shall be surveyed and reviewed as a part of this geo-technical report. The recommendations of the geotechnical engineer shall be incorporated into engineering and grading plans and structural foundation plans unless otherwise directed by the City Engineer.
- g. Maintenance access, in a form acceptable to the City Engineer, shall be provided for stormwater facilities.
- h. All retaining walls in excess of 4 feet shall require a separate building permit.
- i. Any lots graded so that they drain onto other lots shall require a drainage system to prevent runoff from crossing property lines.
- j. A pedestrian trail access point shall be provided from proposed Street A to proposed Tract A. The width and point of access shall be approved by the City Engineer.

D. Prior to constructing a model home

1. The site contains one existing single-family home and one tax parcel. Building a model home would permit more than one home per lot. Therefore a model is prohibited.

E. Prior to placing a temporary construction office trailer on-site

1. A temporary use permit shall be obtained from the City of Sherwood per SZCDC Section 4.500.
2. The construction trailer shall be located within an existing or future lot in the development and not within the existing or future public right-of-way.
3. Appropriate permits for water, sewer and electrical shall be obtained from the Building Department.
4. The construction trailer shall be removed before a building permit can be issued on the lot the trailer is located on.

F. Prior to submitting for Final Plat to the City of Sherwood:

1. The applicant shall receive Engineering Division Approval of Engineering Plans.

G. Prior to Final Plat Approval:

1. The applicant shall submit a final plat application and fee. The final plat application shall include a response to these conditions of approval.
2. All public improvements shall be constructed and accepted unless otherwise covered by a performance bond, approved and accepted by the City Engineer and Clean Water Services.
3. Tract A, an open space tract and Tract B, a stormwater and water quality facility tract, as indicated on the preliminary plans prepared by Otak Inc. dated September 9, 2002, shall be conveyed to the City of Sherwood. Tract A shall be a minimum of 6.3 acres.
4. The applicant shall comply with condition 'I' as stated in the letter from Phil Healy, Senior Planner, Washington County dated September 19, 2002. These conditions apply to road improvements on Edy Road. City of Sherwood standards also apply. Where there is a conflict between Washington County standards and the City of Sherwood, the most stringent shall generally apply unless otherwise determined by the City Engineer.
5. A copy of the approved Washington County Facility Permit shall be submitted to the Planning Department.
6. The developer shall contribute \$5,000 to the City of Sherwood General Construction Fund, to be reserved for construction of a trail system.

H. Prior to the Building Department Accepting Building Permits

1. Three copies of the recorded plat plus one reduced copy (11" by 17"); and a map with Washington County assigned addresses for each lot shall be submitted to the Building Department.
2. The Engineering Department shall issue an approval letter accepting all public improvements and bonding.
3. The Developer shall place a bond with the City Engineering Division covering the cost of installing all of the required street trees within the subdivision. The street trees shall be installed by the developer once 75 percent of the lots in the development have been issued a final occupancy permit from the Building Department.
4. A revised geotechnical report shall be prepared reflecting the current lot layout. Building setbacks shall be based on the recommendations of this report.

I. Prior to building permit approval

1. Building plans shall comply with the letter from Eric T. McMullen, Deputy Fire Marshal, Tualatin Valley Fire & Rescue dated September 23, 2002.
2. The Building Official may require a greater setback, when a greater setback is

recommended by the Geotechnical report.

3. A compaction test shall be completed for each lot in the development as required by the Building Official.
4. The applicant shall comply with condition II as stated in the letter from Phil Healy, Senior Planner, Washington County dated September 19, 2002.
5. The applicant shall provided documentation to the Planning Department that Washington County has accepted the required public improvements to Edy Road.
6. A shared access agreement shall be recorded for proposed Lot 12 and 13.
7. Building construction including setbacks and foundation plans shall comply with the geotechnical investigation report prepared per Condition C.2.f.
8. The top of the slope shall be surveyed and marked during construction to ensure proper setbacks as required by the geotechnical report.
9. "No Parking Signs", hydrants and other fire safety required improvements shall be installed by the developer and approved by Tualatin Valley Fire & Rescue. Required improvements shall comply with the attached letter from Eric T. McMullen, Deputy Fire Marshal dated September 23, 2002.
10. Building plans submitted for building permit shall have front facades that are substantially similar to the building elevations submitted by the applicant dated December 2, 2002. The subdivision shall be constructed so a minimum of four different elevations are used throughout the development.
11. The development shall comply with the following design standards:
 - a. The garage door shall be flush with or setback from the front of house or porch on a minimum of 60% of the lots.
 - b. Hipped, gambrel or gabled roofs are required. Flat roofs are not permitted.
 - c. A minimum of 60% of the homes shall have a front porch.
 - d. Window trim shall not be flush with exterior wall treatment for all windows facing public right-of-ways. Windows shall be provided with architectural surround at the jamb, head and sill.
 - e. All building elevations visible from the street shall provide doors, porches, balconies, windows, or architectural features to provide variety in façade

J. Prior to receiving an occupancy permit

1. All other appropriate agency conditions shall be met.
2. Once 75 percent of the subdivision has been occupied the developer shall install street trees.

K. On-going Conditions

1. The dimensional standards for this development shall be as follows:

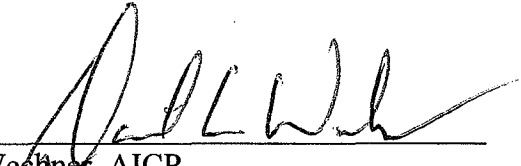
- a. Minimum Lot Area: 5,000 Square Feet
 - b. Lot width at front property line: 25 feet. (10 feet for proposed lots 12 and 13, flag lots)
 - c. Lot width at building line: 40 feet for Lot 3, 11 and 13. 50 feet for remaining lots.
 - d. Lot depth: Lot 1 – 76 feet and Lot 16 – 69 feet. Remain lots 80 feet.
 - e. Front setback: 10 feet for Lots 15 and 16. 15 feet for remaining lots
 - f. Garage: 20 feet
 - g. Side setback: 5 feet
 - h. Street side setback: 15 feet
 - i. Rear setback: 20 feet (Lot 1 to 16 maybe reduced to 10 feet based on a geotechnical report).
 - j. Maximum Height: 2 stories or 30 feet whichever is less.
 - k. Accessory Building: 5 feet from Side and Rear Property Line.
 - l. Distance between primary structure and accessory structure: 6 feet.
 - m. Decks under 30 inches in height: 5 feet from side and rear property lines.
 - n. Decks over 30 inches in height: 5 feet from side and rear property lines for homes backed to open space tracts (Lots 1 to 16). Remaining lots 20 feet.
2. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code.
 3. Decks, fences, sheds, building additions and other site improvements shall not be located within any easement.
 4. The sensitive area shall continue to be protected as required by Clean Water Services, Service Provider Letter #2127.
 5. Construction of proposed Lot 24, the lot that contains the existing house, shall not exceed 7 units. However, dimensional requirements and site constraints may limit the eventual redevelopment to less than this total.

ATTACHMENTS

1. Preliminary Plat
2. Letter Eric T. McMullen, Deputy Fire Marshal dated September 23, 2002
3. Memo Terry Keyes, City Engineer dated November 6, 2002
4. Letter Phil Healy, Washington County dated September 19, 2002
5. Clean Water Services, Service Provider Letter #2127 dated August 21, 2002
6. Memo Lee Walker, Clean Water Services dated September 18, 2002.
7. Memo from Dave Wechner dated November 19, 2002
8. Letter from Walter Knapp dated November 18, 2002
9. Home Elevations (12 pages)

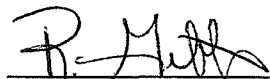
APPEAL

The action of the Council shall be final, except insofar as further appeal to the State Land Use Board of Appeals (LUBA) may be allowed by the law of the State of Oregon.

Signed: 
Dave Wechner, AICP
Planning Director

STATE OF OREGON)
)
Washington County)

I, Roxanne Gibbons, Administrative Assistant for the Planning Department of the City of Sherwood, State of Oregon, in Washington County, do hereby certify that the Notice of Decision on Case No. PUD 02-02 Bluffs at Cedar Creek Planned Unit Development was placed in a U.S. Postal receptacle on 01-16-03



Planning Department
City of Sherwood

ATTACHMENT

1

SETBACKS:

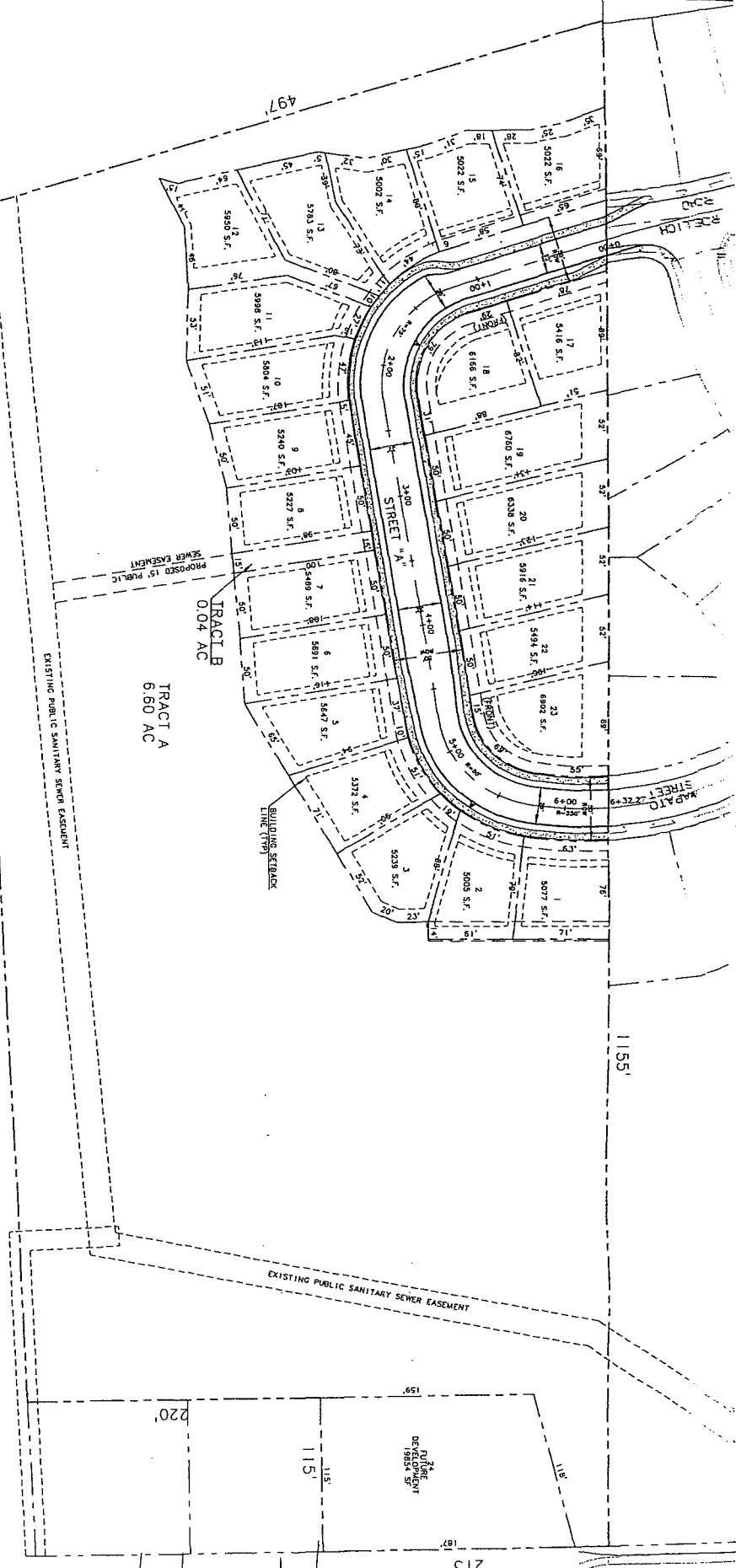
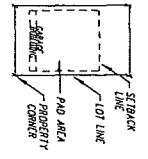
BUILDING NUMBER	FRONT BLDG./GARAGE	REAR	RIGHT SIDE	LEFT SIDE	ORCS
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909

TRACT A
6.60 AC

TRACT B
0.04 AC

LEGEND:



Planning Submittal September 9, 2002

BLUFFS at CEDAR CREEK
TENTATIVE SUBDIVISION PLAT

Venture Properties
4230 SW Galewood St.,
Suite 100
Lake Oswego, OR 97035
Phone: (503) 387-7600

NO.	DATE	BY	REVISION	REMARKS

Incorporated
1138 SW Beaver Farm &
Linn, Oregon 97136
P.O. Box 100
Lake Oswego, Oregon 97035
11451 0451EX
Project No. Drawing No.
Exhibit 3
Sheet No.



ATTACHMENT

2

September 23, 2002

Keith Jones, Senior Planner
City of Sherwood
20 NW Washington
Sherwood, OR 97140

Re: Bluffs at Cedar Creek

Dear Keith,

I have reviewed the submittal for the above named project and have the following comments:

1. The minimum required fire flow is 1000 gpm @ 20 psi. Fire District records indicate the minimum fire flow is available, therefore a current hydrant flow will not be necessary. (UFC Appendix III-A).
2. Fire hydrants for single family dwellings, duplexes and sub-divisions, shall be placed at each intersection. Intermediate fire hydrants are required if any portion of a structure exceeds 500 feet from a hydrant at an intersection as measured in an approved manner around the outside of the structure and along approved fire apparatus access roadways. Placement of additional fire hydrants shall be as approved by the Chief. (UFC Sec. 903.4.2.2)
3. Where fire apparatus roadways are less than 28 feet wide, "NO PARKING" signs shall be installed on both sides of the roadway and in turnarounds as needed. Where fire apparatus roadways are more than 28 feet wide but less than 32 feet wide, "NO PARKING" signs shall be installed on one side of the roadway and in turnarounds as needed. Where fire apparatus roadways are 32 feet wide or more, parking is not restricted. (UFC Sec. 902.2.4)
4. Signs shall read "NO PARKING – FIRE LANE – TOW AWAY ZONE, ORS 98.810 - 98.812" and shall be installed with a clear space above ground level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have black or red letters and border on a white background. (UFC Sec. 901.4.5.1)
5. Public streets shall have a maximum grade of 15%. Private fire apparatus access roadway grades shall not exceed an average grade of 10% with a maximum grade of 15% for lengths of no more than 200 feet. Intersections and turnarounds shall be level (maximum 5%) with the exception of crowning for water run-off. (UFC Sec. 902.2.2.6)
6. Fire hydrant locations shall be identified by the installation of reflective markers. The markers shall be blue. They shall be located adjacent and to the side of the centerline of the access roadway that the fire hydrant is located on. In case that there is no center line, then assume a centerline, and place the reflectors accordingly. (UFC Sec. 901.4.3)
7. Approved fire apparatus access roadways and firefighting water supplies shall be installed and operational prior to stockpiling combustibles on-site or the commencement of combustible construction. (UFC Sec. 8704)

Please contact me at (503) 612-7010 with any additional questions.

Sincerely,

Eric T. McMullen

Eric T. McMullen
Deputy Fire Marshal

ATTACHMENT

3

Public Works Land Use Application Comments



Project: **Bluffs at Cedar Creek (PUD 02-02)**

Date: November 6, 2002

Engineering Contact: Terry Keyes, P.E., City Engineer/Public Works Director

The Public Works Department reviewed the land use application cited above and provides the following comments:

1. The final development and construction plans shall be in substantial compliance with the plans labeled *Planning Submittal September 9, 2002* (plot date of 9/8/02 and 9/9/02), except as modified herein.
2. Final development and construction plans shall meet the standards of the City of Sherwood and Clean Water Services (CWS).

3. **Streets and Transportation:**
Edy Road

The portion of Edy Road adjacent to the north side of the site is a county road. The city classifies this street as a Major Collector and applies the following standards:

Right of way	70'
Paved width	29'
Tree lawn	5' on each side
Sidewalk	8' on each side
Design Speed	35 mph
Street Lights	Acorn style with spacing determined by PGE

The county requirements for Edy Road are likely to vary somewhat from the above standards. In general, the more stringent of the city and county requirements shall be required to be met by the applicant. Specifically, the following conditions of approval are recommended:

- A minimum 35-foot half width right-of-way shall be provided on Edy Road.
- Pavement with on Edy shall be set by county standards and will provide a minimum of 29' of pavement
- An 8' sidewalk shall be provided on the south side of Edy Road. The sidewalk shall be separated from the curb by a 5' tree lawn.
- Street trees and street lights shall be provided on Edy in accordance with city standards.

Street "A"

The internal street on the project is classified as a *local street*. The current standards for local streets are:

Right of way	50'
Paved width	28'
Tree lawn	5' on each side
Sidewalk	5' on each side
Design Speed	25 mph
Street Lights	Acorn style with spacing determined by PGE

The proposed plan appears to meet these standards with two exceptions. First, a portion of Street A is 32-feet wide. This results in a portion of the sidewalk falling outside the right-of-way. This is acceptable because the plans show that portion of the sidewalk in a public easement with the PUE beginning at the edge of the sidewalk easement. The second variation from standards occurs at the southern end of the project where Roellich enters the project. In this area, the applicant is showing a 22-foot wide street with a curb-tight sidewalk. This narrowed pavement width is proposed in an effort to save a number of large cedar and fir trees in the area. Staff concurs with this variation to standards.

4. Water:

The applicant's proposed water service plan for the project is.

5. Sanitary Sewer:

The applicant's sanitary sewer preliminary plan for the project is acceptable.

6. Stormwater:

The applicant's stormwater sewer preliminary plan is acceptable with one major exception. The applicant proposes use of a Stormfilter system for treating runoff. This type of system, while acceptable on private development sites, is not appropriate for new public streets because of the long-term maintenance costs for these types of systems. The city's limited funding for maintenance will prevent adequate maintenance of this type of system. Therefore, the applicant will need to replace the Stormfilter with a biofiltration swale to treat runoff from the project.

Specifically, the following conditions of approval are recommended:

- **Runoff from public streets shall be treated in a biofiltration swale meeting the requirements of Clean Water Services.**
- **A geotechnical investigation and report may be required by the City Engineer if questions arise regarding the constructability and stability of the stormwater or other public facilities on the site.**
- **Maintenance access, in a form acceptable to the City Engineer, shall be provided for stormwater facilities.**

7. Grading and Erosion Control:

The applicant's preliminary plan for grading and erosion control is acceptable with the following conditions:

- **All retaining walls in excess of 4 feet shall require a separate building permit.**

Project: **Bluffs at Cedar Creek (PUD 02-02)**
Date: **November 6, 2002**
Page: **3**

- **Any lots graded so that they drain onto other lots shall require a drainage system to prevent runoff from crossing property lines.**
- **All wells on site shall be properly abandoned prior to grading.**
- **The City Engineer may impose special conditions related to tree protection for the portion of Street A at the south end of the project.**



WASHINGTON COUNTY, OREGON

Department of Land Use and Transportation, Land Development Services
155 North First Avenue, Suite 350-13, Hillsboro, Oregon 97124
(503) 846-8761 · FAX: (503) 846-2908

ATTACHMENT

September 19, 2002

City of Sherwood
Planning Department
20 NW Washington
Sherwood, OR 97140
FAX: 625-5524

4

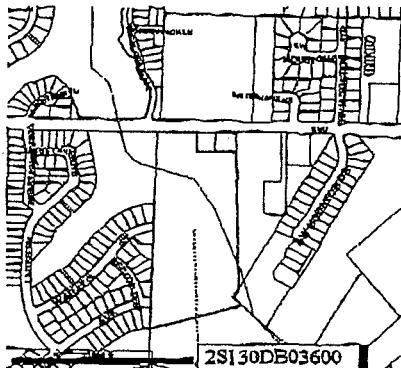
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SEP 23 2002

BY _____
PLANNING DEPT.

Pages: 8

RE: BLUFFS AT CEDAR CREEK
Proposal: 24 Lot Subdivision
City File Number: PUD 02-02
Tax Map and Lot Number: 2S1 30 DB 3600
Location: **Edy Road**
Applicant: OTAK, Inc. for Venture Properties
Owner: ARMOUR, ROY L & NANCY J



Washington County Department of Land Use and Transportation has received a copy of the above noted land use application. The subject site is located along **Edy Road**, a County-maintained Major Collector. Access to/from the proposed land division is therefore subject to County approval for access to the roadway. Approval will be granted neither for new access to/from a County Road nor for added trips through an existing access (for expanding development / change in use) unless the applicant first obtains a Facility Permit from the County.

A Facility Permit /County access approval is subject to compliance with all County road and access improvement conditions determined necessary by the County based upon safety and capacity impacts created or exacerbated by the proposed development, both along site frontage of the County Road and at off-site intersections within the 10% traffic impact area of the proposed development.

Please note that all forms of vehicular access to the County roadway require review and approval by the County (including emergency and water quality facility access points).

New and existing access points to and/or from the County roadway that have not been reviewed and approved by the County for traffic associated with the proposed use are subject to immediate closure by the County.

FINDINGS & BACKGROUND INFORMATION

1. Direct access to newly created residential lots from Edy Road is prohibited. For consolidated residential access, the minimum access spacing standard for Edy Road is 100 feet measured between access points on each side of the road plus any additional spacing necessary to accommodate traffic safety considerations such as left turn lane storage, as required by Resolution and Order 86-95 and Section 501-8.5.B of the Community Development Code. *(A neighboring existing driveway serving only a single unit on a lot of record is usually not considered in this measurement).*

The proposed access to Edy Road does not meet this spacing standard.

Access to Edy Road for the future development parcel needs to be addressed as part of this development application. The applicant will be required to close all access to Edy Road and take all access from the interior of the site OR submit a request and obtain approval from the **Washington County** Engineering Division for modification to the access spacing standards of the Washington County Uniform Road Design Standards (including for the existing residential access).

Note: A modification Request does not guarantee County approval of that access. Analysis of a Modification Request may result in requirements including but not limited to: elimination of the driveway, consolidation of accesses, and/or restriction of movements in/out of the driveway. Access approval may also include requirements to improve frontage or offsite roads.

2. Resolution and Order 86-95 requires a minimum sight distance (measured in feet) equal to ten times the vehicular speed of the road(s) at proposed access location(s). This requirement applies to sight distance in both directions at each access.

In addition to the above requirements, before the County will permit access to Edy Road, the applicant will be required to provide certification from a registered professional engineer that adequate sight distance exists in both directions (or can be obtained pursuant to specific improvements).


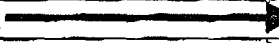

County Transportation Review
September 19, 2002
Page 3

3. Consistent with statewide pedestrian circulation/linkage goals of the Transportation Planning Rule and the County's R&O 86-95 (road safety requirements), the County normally requires sidewalk installation as a minimum road safety improvement along site frontage of all County-maintained roads. Sidewalks further establish future street profiles, demarcate County or City right-of-way, and address drainage issues. Sidewalk requirements are not generally waived, even when sidewalk is not currently present on neighboring properties. Rather, even non-contiguous sidewalk is considered to provide some measure of pedestrian refuge and ideally, makes possible eventual connection of sidewalks (as surrounding development takes place and is likewise conditioned to provide sidewalk).
4. Section 501-8.1.C. (of "Critical Services") of the Washington County Community Development Code requires provision of adequate drainage.
5. The statewide Transportation Planning Rule requires provision for adequate transportation facilities in order for development to occur. Accordingly, the County has classified roads and road segments within the County system based upon their function. The current Transportation Plan (regularly updated) contains adequate right-of-way, road width and lane provision standards based upon each roadway's classification. Subject right of way is considered deficient if half-width of the existing right of way does not meet that determined necessary within the County's current transportation plan.

Sections 418-2.2 and 501-8.4 of the Washington County Community Development Code require dedication of additional right-of-way along site frontage of a County road when existing right-of-way is deficient.

6. Washington County requires a traffic safety review when estimated daily trip generation of a project and existing traffic levels (see **Tables 1 and 2**, below) on the adjacent County road exceed given limits as determined by R&O 86-95.

* **TABLE 1**
Access Report and Review by County Traffic Analyst Required if:

Vehicles per Day (VPD) on Adjacent Frontage Road	Calculated Average Daily Trips (ADT) of Proposed Use (Based on Institute of Transportation (ITE) Calcs)
0 - 3,000 VPD and 	2,000 ADT or More
3001 - 6,000 VPD and 	1,000 - 1,999 ADT
6,001 VPD or More and 	200 - 999 ADT

* **TABLE 2**

Basic Traffic Safety Review (Conducted by County Traffic Analyst but no Access Report Submittal required of Applicant) if:

Vehicles per Day (VPD) on Adjacent Frontage Road as compared to ADT	Calculated Average Daily Trips (ADT) of Proposed Use [Based on Institute of Transportation (ITE) Calcs]
Project-associated ADT thresholds inconsistent with corresponding frontage road VPD as shown in Table 1, but	200 ADT or More

This development proposal is consistent with specifications of **TABLE 2**, above, therefore the application has been forwarded for a basic Traffic Safety Review by the County Traffic Analyst. (The applicant's engineer need not submit an Access Report, since traffic generation along the subject frontage road(s) as compared to projected *site traffic generation are not consistent with TABLE 1). **Please note that additional requirements may be identified as a result of the Traffic Analyst's basic Traffic Safety Review.**

**For purposes of identifying the need for Access Report submittal, projected trip generation is initially reflected within this Comment/Requirement letter in terms of weekday traffic based upon proposed square footage (except where inapplicable, such as with service station islands) and the most applicable general ITE-identified use. Traffic generation variations, more specific to the subject proposal, are further studied via submittal of the required access report and its review by the County Traffic Analyst.*

Any review by the County Traffic Analyst currently requires three months or more. Reviews of Modification Requests and Access Reports are dependent upon complete submittal information by the Applicant's engineer. Incomplete submittals will delay processing time.

If the Traffic Analyst's review and resultant traffic/safety mitigation requirements have not been completed prior to issuance of the City's Decision, **please require the following within the City's Approval document: "Compliance with conditions deemed necessary by the County Traffic Analyst via the required Traffic Safety Review / review of the required Modification Request"**

- The County reserves the right to require additional conditions for access to Edy Road following the County Traffic Analyst's Modification Request/Traffic Safety Review.

REQUIRED CONDITIONS OF APPROVAL

IMPORTANT:

Road improvements required along site frontage shall apply to frontage of all land within the subject site that abuts the County roadway. The subject site shall be considered to include: any lot or parcel to be partitioned or otherwise subdivided (regardless of whether it contains existing structures or not); and any contiguous lots or parcels that constitute phases of the currently proposed development.

If the applicant proposes to develop the project in phases, all County-required frontage improvements must be constructed with the first phase. In addition, off-site improvements warranted by the first phase must also be completed with the first phase.

I. PRIOR TO FINAL APPROVAL OF THE SUBDIVISION PLAT BY THE CITY OF SHERWOOD:

A. Unless all access is proposed to be from the interior of the site, obtain approval for a modification to the access spacing standards of the W.C.U.R.I.D.S. from the **Washington County** Engineering Division for the existing/proposed access point on Edy Road. (*Modification Request must be prepared and stamped by a registered traffic engineer and submitted by the applicant*).

B. Submit to **Washington County** Land Development Services (Public Assurance Staff, Tracy Stone / Joy Chang / Carol Pollard, 503-846-3843):

1. Completed "Design Option" form.
2. \$1,200.00 Administration Deposit.

NOTE: Any portion of the Administration Deposit not used by Washington County for plan approval, field inspections, and contract administration will be returned to the applicant. If at any time during the project, the County's costs are higher than the amount deposited, Washington County will bill the applicant the amount needed to cover its costs.

3. A copy of the City's Land Use Approval with Conditions, signed and dated.
4. Preliminary certification of adequate sight distance for any approved access point to Edy Road, in accordance with County Code,

prepared and stamped by a registered professional engineer, as well as:

- a. A detailed list of improvements necessary to produce adequate intersection sight distance.
5. Two (2) sets of complete engineering plans for construction of the following public improvements:
- a. Half-street improvement along all Edy Road frontage.
 - b. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at any approved Edy Road access point.
 - c. Closure of all existing driveways to Edy Road, other than at access points approved by Washington County under the current land use application.
 - d. Any additional off-site safety improvements found to be required for compliance with R&O 86-95 following submittal by the applicant of a **complete** Modification Request [if access to Edy Road is proposed, including retention of the existing driveway(s)], and completion of the County Traffic Analyst's review of such, as well as completion of the Traffic Safety Review.
- C. Obtain a Washington County **Facility Permit** upon completion of the following:
1. Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions I.B.5.

NOTE: The Public Assurance staff (Tracy Stone / Joy Chang /Carol Pollard 503-846-3843) of Land Development Services will send the required forms to the applicant's representative after submittal and approval of items listed under I.A., above.

Please note that Washington County's "Facility Permit" differs from an "Access Permit". An Access Permit is far less comprehensive in nature than the Facility Permit and its

*associated submittal, review, and monitoring processes. Access Permits apply to non-complex land use cases in which the County requires limited or no improvements of the developer. (Access permits are commonly issued in cases requiring improvements as minimal as a single driveway cut to an existing house). **This project is not currently eligible for an Access Permit.***

The Facility Permit allows construction work within County rights-of-way and permits site access only after the developer first submits plans and obtains Washington County Engineering approval, obtains required grading and erosion control permits, and satisfies various other requirements of Washington County's Assurances Department including but not limited to execution of financial and contractual agreements. This process ensures that the developer accepts responsibility for construction of public improvements, and that improvements are closely monitored, inspected, and built to standard in a timely manner. Access will only be permitted under the required Washington County Facility Permit, and only following submittal and County acceptance of all materials required under the facility permit process.

2. Provide evidence that documents reflecting required provisions under I.C. have been recorded.
- D. The following shall be represented on the plat recorded with Washington County:
1. Provision of a non-access reservation along the entire site frontage of Edy Road, except at existing and proposed access point(s) approved in conjunction with this land use application.

II. PRIOR TO OCCUPANCY:

- A. The road improvements required in condition I.B.5. above shall be completed and accepted by Washington County.
- B. Upon completion of necessary improvements, provide final certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.

County Transportation Review
September 19, 2002
Page 8

Requirements identified within this letter are considered by the County to be minimum warranted improvements (and/or analyses) that are necessitated by the proposed development, therefore it is requested that they be conveyed to the applicant within the City's Approval document. Before the City issues its Final Notice of Decision, please allow the County to review and acknowledge a draft of the City's conditions regarding access to Edy Road. Additionally, please send a copy of the subsequent Final City Notice of Decision and any appeal information to the County. **Thank you for the opportunity to comment.**



Phil Healy
Senior Planner

- c: Bob Morast, PE (MS 17-B)
Jinde Zhu, PE, Traffic Analyst (MS 17-B)
Joy Chang, Associate Planner, Assurances
Transportation File
Jerry Offer OTAK, Inc. 17355 SW Boones Ferry Road Lake Oswego, OR 97035
Wendy K. Hemmen, P.E. Venture Properties, Inc. 4230 SW Galewood Street, Suite 100 Lake Oswego, OR 97035
Roy and Nancy Armour 17476 SW Edy Road Sherwood, OR 97140
- Mike Borresen, County Engineer (MS 17-A)
Linda Rigutto (MS 15) Survey Division
Desk File

**Clean Water Services
Service Provider Letter**

Jurisdiction	Sherwood	Date	August 21, 2002
Map & Tax Lot	2S130DB 3600	Owner	Roy and Nancy Armour
Site Address	17476 SW Edy Road	Contact	Venture Properties, Inc. Wendy Hemmen
Proposed Activity	subdivision	Address	4230 Galewood St., Ste 100 Lake Oswego, OR 97035
		Phone	503-387-7600

This form and the attached conditions will serve as your Service Provider Letter in accordance with Clean Water Services Design and Construction Standards (R&O 00-7).

	YES	NO		YES	NO
Natural Resources Assessment (NRA) Submitted	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Alternatives Analysis Required (Section 3.02.5)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
District Site Visit Date: 8/7/02	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tier 1 Alternatives Analysis	<input type="checkbox"/>	<input type="checkbox"/>
Concur with NRA/or submitted information	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Tier 2 Alternatives Analysis	<input type="checkbox"/>	<input type="checkbox"/>
Sensitive Area Present On-Site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vegetated Corridor Averaging	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sensitive Area Present Off-Site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vegetated Corridor Mitigation Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Vegetated Corridor Present On-Site	<input checked="" type="checkbox"/>	<input type="checkbox"/>	On-Site Mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Width of Vegetated Corridor (feet)	Varies—15-35' from break in slope (see attached graphic)		Off-Site Mitigation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Condition of Vegetated Corridor	Good/Marginal		Planting Plan Attached? Planting plan required prior to any clearing, grading, or construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Enhancement Required	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Enhancement/restoration start and completion dates	To be determined	
Encroachment into Vegetated Corridor (Section 3.02.4)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	RSAT (no longer required)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Type and Square Footage of Encroachment	Lots 1 and 2 2000 s.f.		Geotechnical Report required (Rec'd 7/1/02, 8/21/02)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Allowed Use (Section 3.02.4(b))	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conditions Attached	<input checked="" type="checkbox"/>	<input type="checkbox"/>

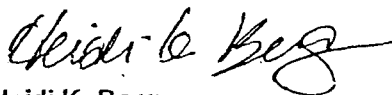
This Service Provider Letter does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered on your property.

In order to comply with Clean Water Services (the District) water quality protection requirements the project must comply with the following conditions:

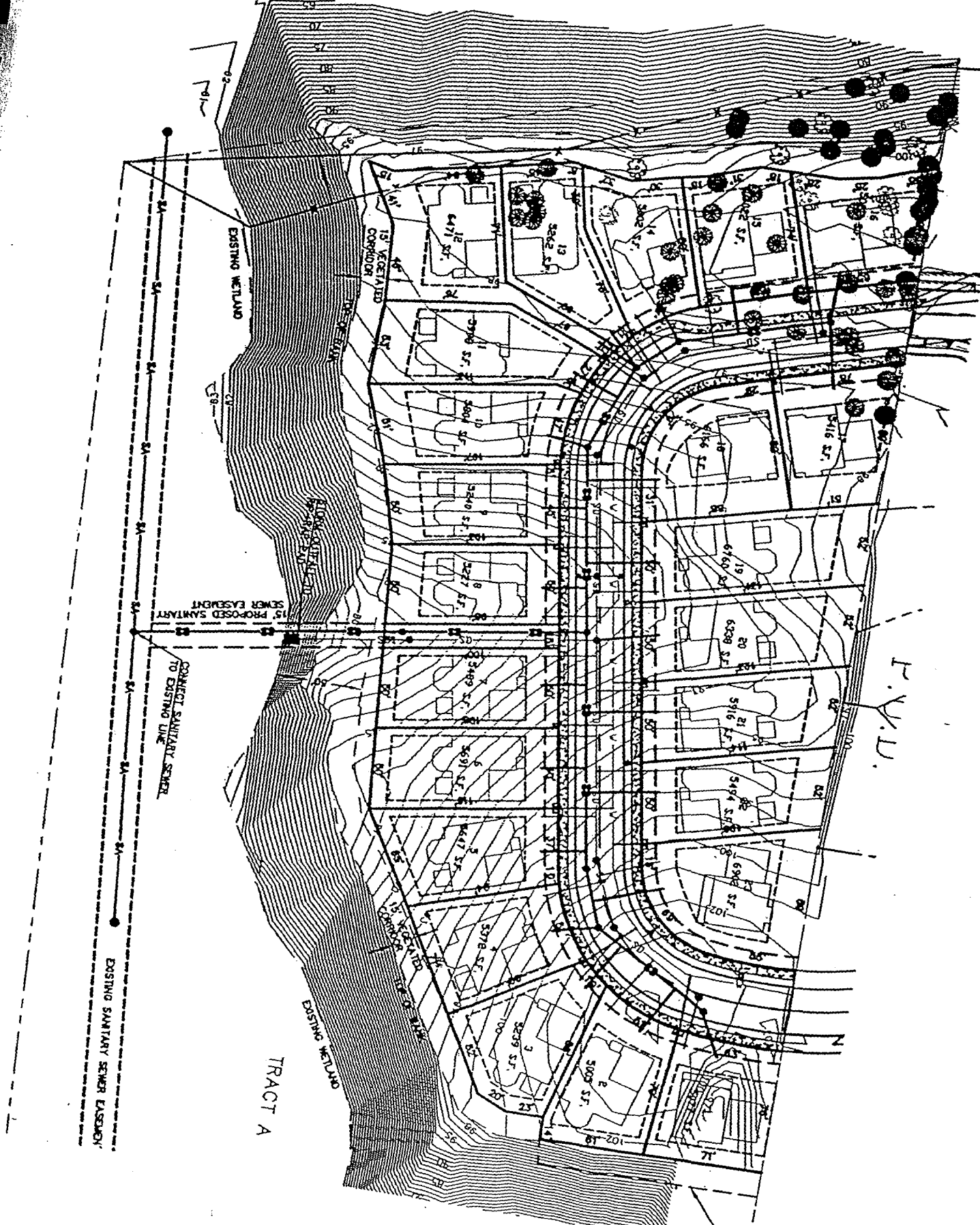
1. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the sensitive area which may negatively impact water quality, except those allowed by Section 3.02.3.a (1), (2), or (3).
2. No structures, development, construction activities, gardens, lawns, application of chemicals, uncontained areas of hazardous materials as defined by Oregon Department of Environmental Quality, pet wastes, dumping of materials of any kind, or other activities shall be permitted within the vegetated corridor which may negatively impact water quality, except those allowed by Section 3.02.4.b.1) (a through h).
3. **The vegetated corridor width for sensitive areas within the project site varies and shall be a minimum of 15 feet wide, as measured horizontally from the break in slope (adjacent to the delineated boundary of the sensitive area). See attached graphic for approved encroachments (lots 1 and 2). Total width of the vegetated corridor varies with site topography. Adjacent to lots 7 and 8, the setback shall be up to 35 feet from the break in slope as indicated on the attached graphic.**
4. Prior to any site clearing, grading or construction the vegetated corridor and water quality sensitive areas shall be surveyed, staked, and temporarily fenced per approved plan. During construction the vegetated corridor shall remain fenced and undisturbed except as allowed by Section 3.02.4.b.4. and per approved plans.
5. Prior to any activity within the sensitive area, the applicant shall gain authorization for the project from the Oregon Division of State Lands (DSL) and US Army Corps of Engineers (USACE). The applicant shall provide the District with copies of all DSL and USACE project authorization permits. **Permits are required for the sanitary sewer connection and stormwater outfall.**
6. Should a permit be issued for impact to the sensitive area; the applicant shall submit copies of annual DSL and/or USACE required mitigation monitoring reports.
7. For vegetated corridors that extend 35 feet from the top of a ravine, the width of vegetated corridor may be reduced to 15 feet wide if a stamped geotechnical report confirms that slope stability can be maintained with the reduced setback from the top of the ravine. Rec'd 7-1-02, See GeoPacific Engineering, Inc. report dated 7-1-02 for required setbacks, assumptions, and recommendations. See attached graphic, area adjacent to slide activity on lots 7 and 8 do not fully qualify for reduced setbacks, see GeoPacific Engineering, Inc. report dated 8/21/02. The slide area includes an easement for the stormwater outfall. Construction in this area shall be follow the geotechnical report's recommendations. The sanitary sewer connection is also shown at this point, however, this Service Provider Letter does not include approval of that connection. Prior to approval of the sanitary sewer connection, the applicant will need to supply an alternative analysis which includes an examination of connecting through (near) Lot 1, across existing land bridge, and appropriate permits obtained from DSL/COE.
8. An approved Oregon Department of Forestry Notification is required for one or more trees harvested for sale, trade, or barter, on any non-federal lands within the State of Oregon.
9. Clean Water Services shall be notified 72 hours prior to the start and completion of enhancement/restoration activities. Enhancement/restoration activities shall comply with the guidelines provided in Appendix E: Landscape Requirements (R&O 007: Appendix E).
10. Prior to installation of plant materials, all invasive vegetation within the vegetated corridor shall be removed. During removal of invasive vegetation care shall be taken to minimize impacts to existing native trees and shrub species.
11. Prior to any site clearing, grading or construction, the applicant shall provide the District with the required vegetated corridor enhancement/restoration plan.
12. Protection of the vegetated corridors and associated sensitive areas shall be provided by the installation of fencing between the development and the outer limits of the vegetated corridors.

13. Maintenance and monitoring requirements shall comply with Section 2.11.2 of R&O 00-7. If at any time during the warranty period the landscaping falls below the 80% survival level, the Owner shall reinstall all deficient planting at the next appropriate planting opportunity and the two year maintenance period shall begin again from the date of replanting.
14. Performance assurances for the vegetated corridor shall comply with Section 2.06.2, Table 2-1.4 and Section 2.10, Table 2-2.2.
15. Appropriate Best Management Practices (BMP's) for Erosion Control, in accordance with the CWS Erosion Control Technical Guidance Manual shall be used prior to, during, and following earth disturbing activities.
16. Prior to construction, a Stormwater Connection Permit from the District or its designee is required pursuant Ordinance 27, Section 4.B.
17. For any developments, which create multiple parcels or lots intended for separate ownership, the District shall require that the vegetated corridor and the sensitive area be contained in a separate tract.
18. Activities located within the 100-year floodplain shall comply with Section 3.13 of R&O 00-7.
19. Removal of native, woody vegetation shall be limited to the extent practicable.
20. **Removal of invasive non-native species by hand is required in all vegetated corridors rated "good". Replanting is required in any cleared areas larger than 25 square feet.**
21. Final construction plans shall clearly depict the location and dimensions of the sensitive area and the vegetated corridor (indicating good, marginal, or degraded condition). Sensitive area boundaries shall be marked in the field.
22. **Final construction plans shall include landscape plans. Plans shall include in the details a description of the methods for removal and control of exotic species, location, distribution, condition and size of plantings, existing plants and trees to be preserved, and installation methods for plant materials. Plantings shall be tagged for dormant season identification. Tags to remain on plant material after planting for monitoring purposes.**
23. **A Maintenance Plan shall be included on final plans including methods, responsible party contact information, and dates (minimum two times per year, by June 1 and September 30).**
24. Should final development plans differ significantly from those submitted for review by the District, the applicant shall provide updated drawings, and if necessary, obtain a revised Service Provider Letter.

Please call (503) 846-3613 with any questions.



Heidi K. Berg
Site Assessment Coordinator



TRACT A

CORRECT SANITARY SEWER
TO EXISTING LINE

15' PROPOSED SANITARY
SEWER EASEMENT

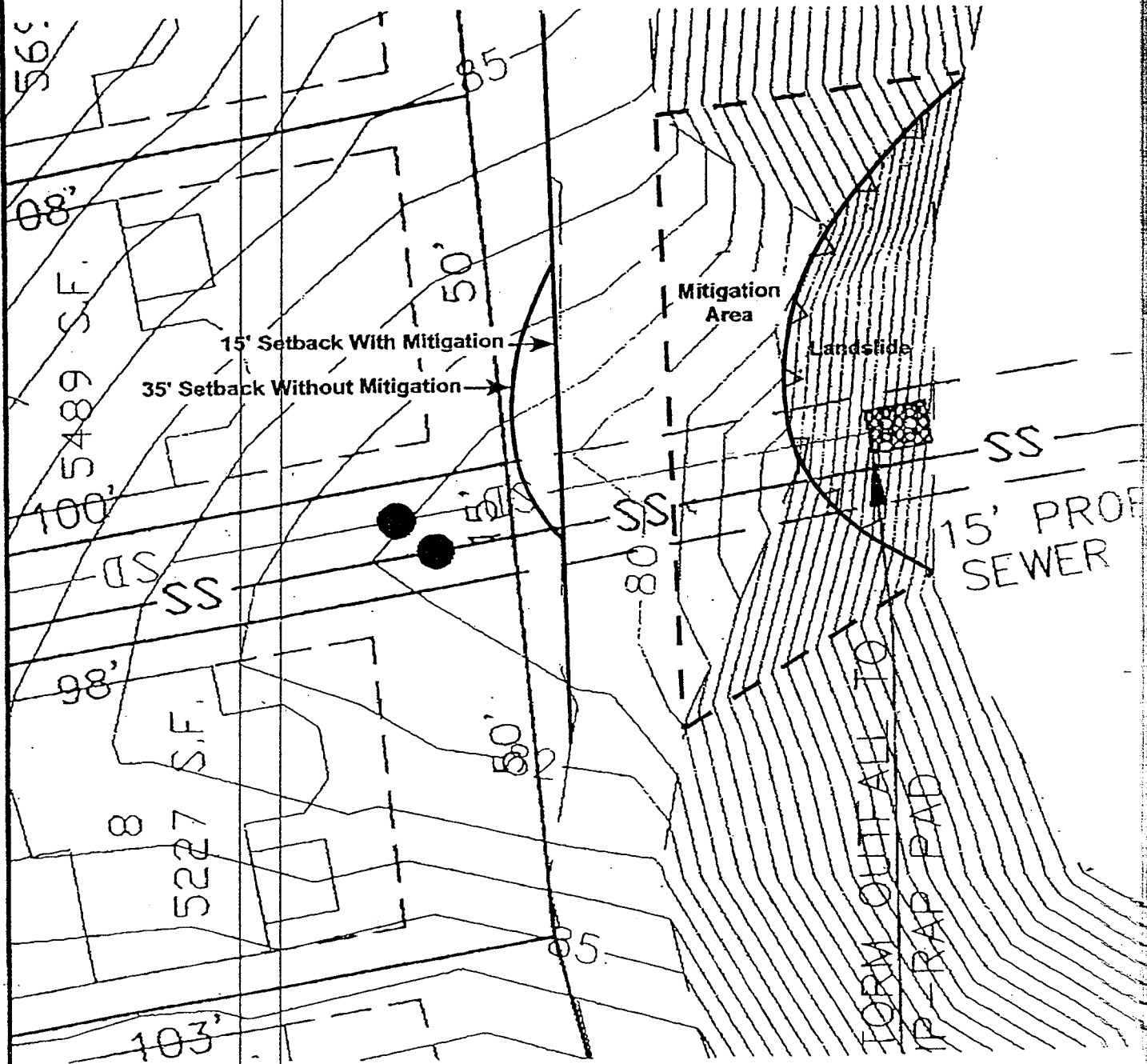
EXISTING SANITARY SEWER EASEMENT

F.V.L.D.



7312 SW Durham Road
 Portland, Oregon 97224
 Tel 503.598.8445 Fax 503.598.8705

LOTS 7 AND 8 SITE PLAN



0 20'
 APPROXIMATE SCALE 1"=20'



Project: Edy Road Subdivision Sherwood, Oregon	Job No: 02-7759	Date: 08/20/02 Drawn by: EJO
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DATE: September 18, 2002
FROM: Lee Walker, Clean Water Services (District)
TO: Planning Director, City of Sherwood
SUBJECT: Bluffs at Cedar Creek Preliminary PUD 02-02

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SEP 18 2002

BY PLANNING DEPT.

SANITARY SEWER

Each lot in the development shall be provided with a means of disposal for sanitary sewer. The means of disposal shall be in accordance with the Design and Construction Standards, Resolution and Order No. 00-7.

STORM SEWER

Each lot in the development shall have access to public storm sewer. Engineer must verify that public storm sewer is available to uphill adjacent properties, or extend storm service as required by R&O No. 00-7. Hydraulic and hydrological analysis of storm conveyance system is necessary. If downstream storm conveyance does not have the capacity to convey the volume during a 25-year, 24-hour storm event, the applicant is responsible for mitigating the flow.

WATER QUALITY

Developer shall provide a water quality facility to treat the new impervious surface being constructed as part of this development.

SENSITIVE AREA

A "Sensitive Area" exists. Applicant shall comply with the conditions set forth in Clean Water Services' Service Provider letter #1498 dated February 13, 2002.

FLOODPLAIN

Site may contain flood plain/flood way designation. Grading within the flood plain/flood way shall be done in such a manner as to preserve the flood storage and flood conveying area without effecting any upstream or downstream properties in accordance with R&O No. 00-7.

DIVISION OF STATE LANDS/CORPS OF ENGINEERS

A DSL/Corps of Engineers permit is required for any work in the creek or wetlands.

EROSION CONTROL

A 1200-C Joint Erosion Control Permit is required.



MEMORANDUM

ATTACHMENT

7

TO: Adrian Emery, Planning Commission Chair

FROM: Dave Wechner, Planning Director

DATE: November 19, 2002

RE: PUD 02-02 The Bluffs at Cedar Creek

The applicant for this project, Venture Properties, submitted a geotechnical report for the project by Geopacific Engineering, dated May 7, 2002. Upon review of this report, the City Engineer and I conclude that the plans reviewed by the geotechnical engineer were not sufficient at the time of their review to adequately address several issues raised: 1) Treatment of the area of active landslide; 2) Location of the top of slope relative to lot configuration and setbacks; 3) Grading and utility plans for the development.

What concerns us about the geotechnical report is in the engineer's conclusion: "This report is considered preliminary because a site plan showing topography, site grading and utility plans have not been finalized."

Without a review of the relative topography of the site, and setbacks based on the break in slope, we cannot determine accurately that the building envelopes proposed on the plat are feasible. The reason for active landslide in the area adjacent to "lot 9" in the geotechnical report (actually between lots 7 and 8 on the proposed plat), is: "the result of precipitation that collects in the swale, drains to the top of the bluff, saturates the slope above the creek. ... This landslide appears to be intermittently active, subject to the availability of moisture. Without remediation, the unstable slope will continue to migrate onto lot 9." The applicant now proposes to direct *storm water* to this slope, and excavate a sanitary sewer line in the area of a *documented active landslide*.

From the recommendations detailed in the report, it is apparent that the geotechnical engineer did not review this project with the storm water facility as proposed; further review is necessary before the plat can be approved. The geotechnical engineer must also review accurate topography, site grading / utility plans and the final setbacks proposed prior to final plat, *and approve it*, otherwise, the development of this site may increase the hazard of slope failure above a tributary to Cedar Creek.

I recommend a condition be added to the Conditions of Approval replacing C.2.f., to address the issues discussed above:

Prior to Development of the site and connection to public utilities:

f. A geotechnical report from a qualified engineer must be submitted, approving site grading / utility plans , the preliminary storm water plans, and the final setbacks proposed. As the location of grading, structures and storm water facilities is critical to the success of the mitigation measures, the top of slope and proposed setbacks must be surveyed, and reviewed as a part of this geotechnical report. The recommendations of the geotechnical engineer must be incorporated into engineering and grading plans, and structural foundation plans, unless otherwise directed by the City Engineer.

ATTACHMENT

8

*Walter H. Knapp
Silviculture & Urban Forestry
7615 SW Dunsmuir
Beaverton, OR 97007*

November 18, 2002

Subject: Tree Evaluation, The Bluffs at Cedar Creek

Tree Retention

The Bluffs at Cedar Creek in Sherwood, Oregon encompasses a grove of western redcedars and Douglas-fir trees, with scattered bigleaf maples. The overall condition of the trees is very good, and many can be retained through the construction and homebuilding phases.

Table 1 lists a total of 21 trees that were considered for retention. Of these, 8 should be removed due to condition or location, and 11 should be retained permanently. The decision to retain or remove should be delayed for two of the trees, pending further evaluation during construction. All trees planned for retention will need to have site-specific protection measures during construction.

There are many additional trees that will be retained outside the developed part of the site. Several of these are outstanding specimens, including two Douglas-firs exceeding 40 inches in diameter.

Sewer Line Installation

I also evaluated two alternative sites for storm sewer installation. The area on the north side of the site, adjacent to lots 1 and 2, contains several trees in good condition, including mature Douglas-firs. Excavation in this area would damage or kill some of these trees.

The alternate site is located in an existing slide area east of lots 7 and 8. The slide area will be rehabilitated during construction. During my site visit, it was apparent that there is room to install the sewer line without removing or damaging any of the existing mature trees. From the standpoint of trees, this is the preferred area for the sewer line.



Walter H. Knapp
Certified Forester, SAF
Certified Arborist, ISA PN-0497

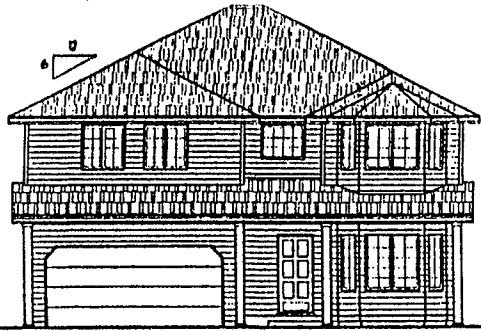
Enclosures: Table 1, site map

Table 1. Tree characteristics and retention potential, The Bluffs at Cedar Creek

Tree No.	Species	DBH	Location	Condition/ Comments	Rx
1	western redcedar	32	N of Roellich Rd on W side of site	Will be exposed to storm winds if #2 is removed.	Remove
2	western redcedar	39		Major stem decay. Hazardous.	Remove
3	western redcedar	39		Good condition, but major lean over existing house. Retention is doubtful at this time.	Delay
4	Douglas-fir	44	S of Roellich Rd on W side of site	Too close to construction; root impacts would limit retention.	Remove
5	Douglas-fir	20		Suppressed tree, not likely to withstand exposure. Removal of #4 would probably damage extensively.	Remove
6	Douglas-fir	36	W side of lot 16, adjacent to existing house.	Good condition.	Retain
7	Douglas-fir	17		Good condition.	Retain
8	western redcedar	15		Good condition.	Retain
9	Douglas-fir	26		Leaning over existing house; broken top. Hazardous.	Remove
10	western redcedar	35		Good condition; high potential for retention - good distance from construction.	Retain
11	western redcedar	22	Front of lot 16	Good condition, but would need 15 ft. protection radius to house.	Retain
12	western redcedar	32			Retain
13	western redcedar	20	Front of lots 15,	Multiple top, probably has decay in upper crown.	Remove
14	western redcedar	39	Front of lot 15	Good condition, but would need 15 ft. protection radius to house.	Retain
15	bigleaf maple	clump	Between lots 14 & 15, front of lot.	Fair condition, narrow crown. Species has poor construction tolerance. Roots would be impacted by house construction.	Remove
16	bigleaf maple	18	Located between	Fair condition. Can be retained at rear of lot.	Retain
17	bigleaf maple	clump	lots 15 & 16	Lean, poor tolerance to construction.	Remove
18	western redcedar	35	Rear of lot 15	Good condition. May be too close to proposed house; retain if possible.	Delay
19	western redcedar	36		Good Condition. Located in rear lot where it can be protected.	Retain
20	western redcedar	32	Rear of lot 13	Good condition and good location for retention.	Retain
21	western redcedar	26		Good condition and good location for retention.	Retain

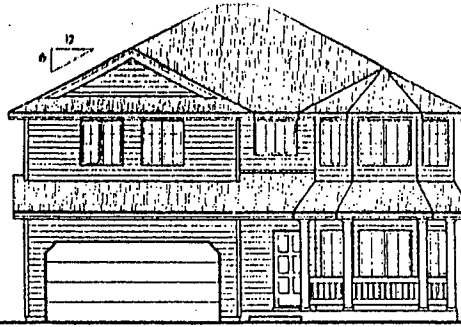
ATTACHMENT

9



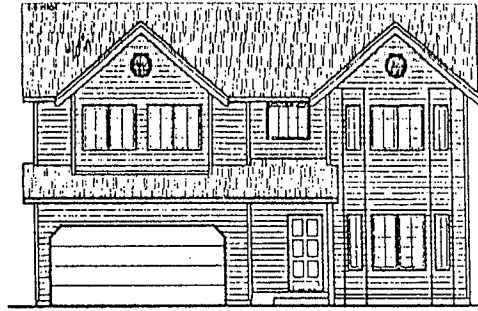
OPTION ELEVATION #1

1/8"=1'-0"



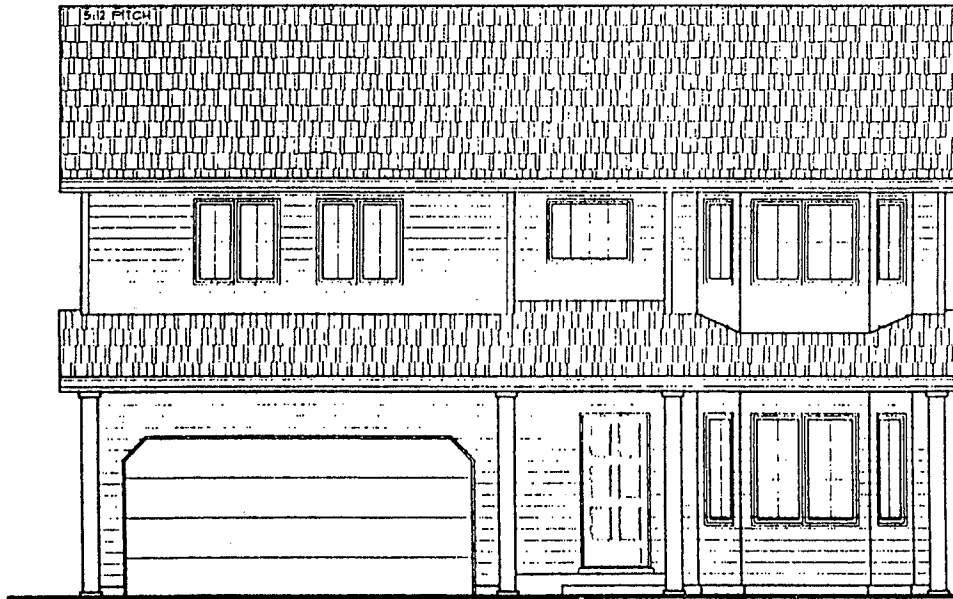
OPTION ELEVATION #2

1/8"=1'-0"



OPTION ELEVATION #3

1/8"=1'-0"



STANDARD ELEVATION

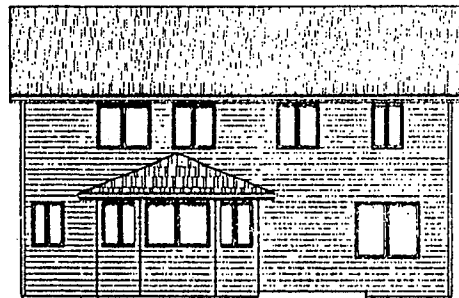
1/4"=1'-0"

PLAN NO. 17C
3,000 SQ. FT.



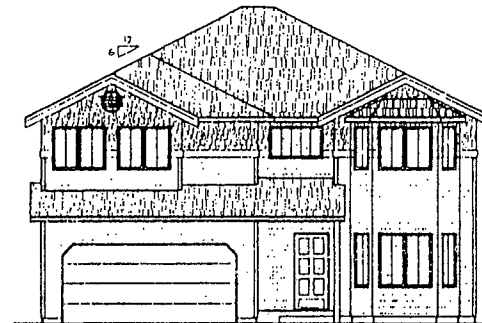
OPTION ELEVATION #4

1/8"=1'-0"



REAR ELEVATION

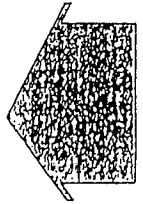
1/8"=1'-0"



OPTION ELEVATION #5

1/8"=1'-0"

DON · MORISSETTE
INCORPORATED
HOMES



PLAN No. 17C-art
DRAWN BY: GF.
DATE: 12/1/2000
SCALE: 1/4"=1'-0"
FILE: 17C-lart

DRAWINGS:
EXTERIOR
ELEVATIONS

SHEET No.

1

TOP PLATE HEIGHT
10'-2 1/4"

SECOND FLR HEIGHT
10'-1 1/2"

TOP PLATE
9'-0"

FINISHED FLR HEIGHT
0'-0"



FRONT ELEVATION
14'-1" 0"

TOP PLATE HEIGHT
10'-2 1/4"

SECOND FLR HEIGHT
10'-1 1/2"

TOP PLATE
9'-0"

FINISHED FLR HEIGHT
0'-0"

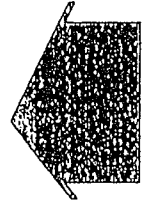


REAR ELEVATION
14'-1" 0"

Square footage is an estimated figure, it may vary.
Room dimensions are approximate estimates, some may vary.

170
COTTAGE
OPTION 1
3,190 SQ. FT.

DON MORISSETT
INCORPORATED
DON HOMES

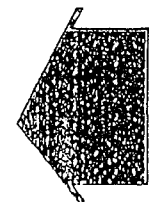


PLAN No. 170-OPTION-1
DRAWN BY: G.F.
DATE: 7/24/2000
SCALE: 1/4" = 1'-0"
FILE: 1700PI-1

DRAWINGS:
**EXTERIOR
ELEVATION
OPTION-1**

SHEET No.

1

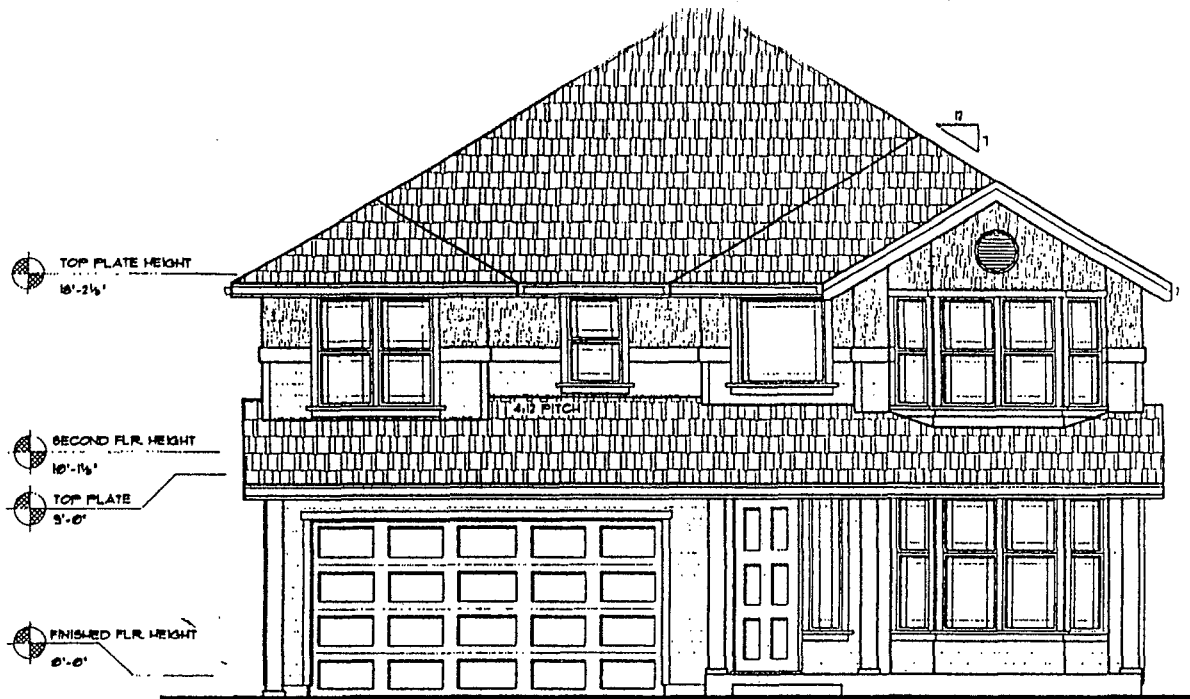


PLAN No.	170-OPTION-2
DRAWN BY:	GF.
DATE:	1/24/00
SCALE:	1/4" = 1'-0"
FILE:	1100P2-1

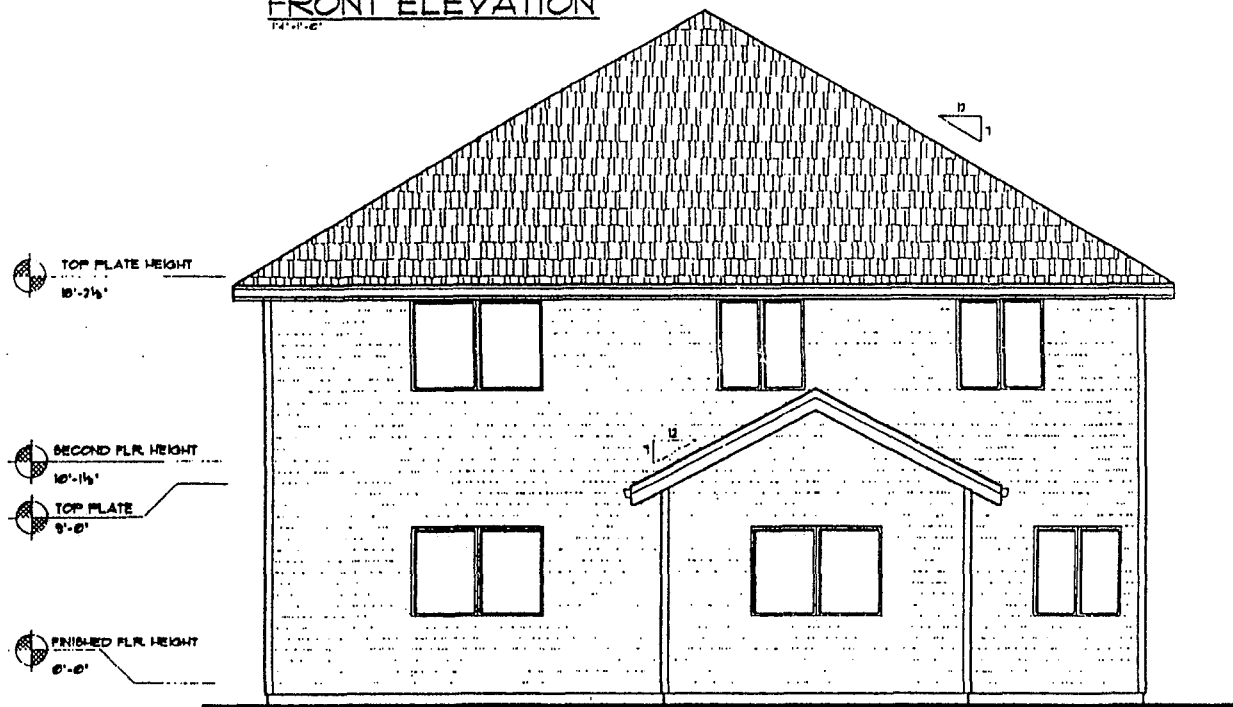
DRAWING:
**EXTERIOR
ELEVATION
OPTION-2**

SHEET No.

1



FRONT ELEVATION
14'-11 1/2"

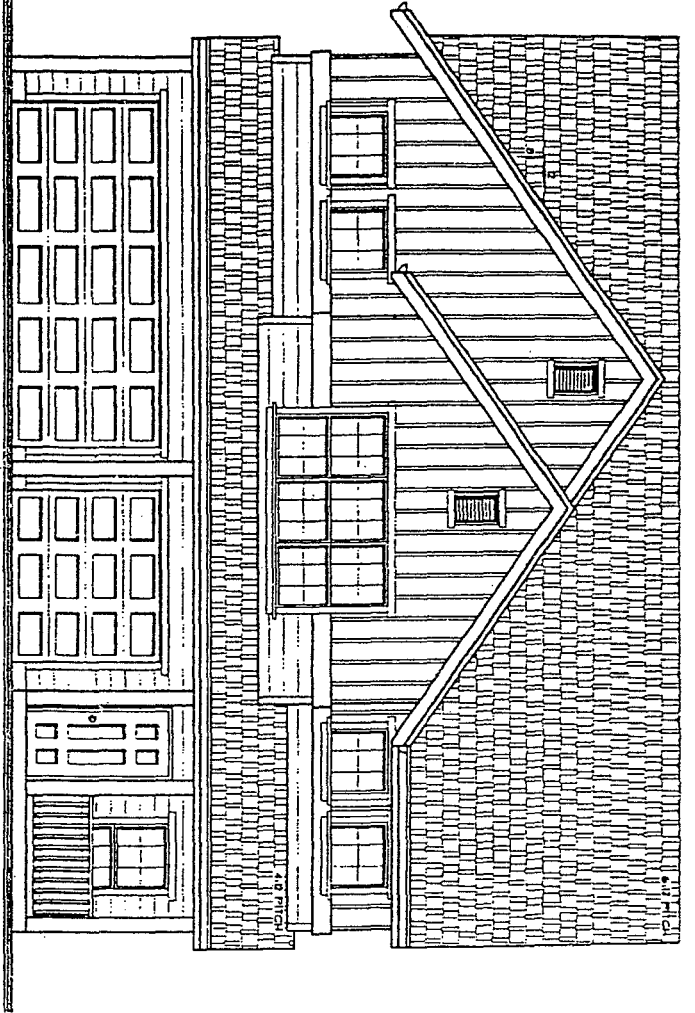


REAR ELEVATION
14'-11 1/2"

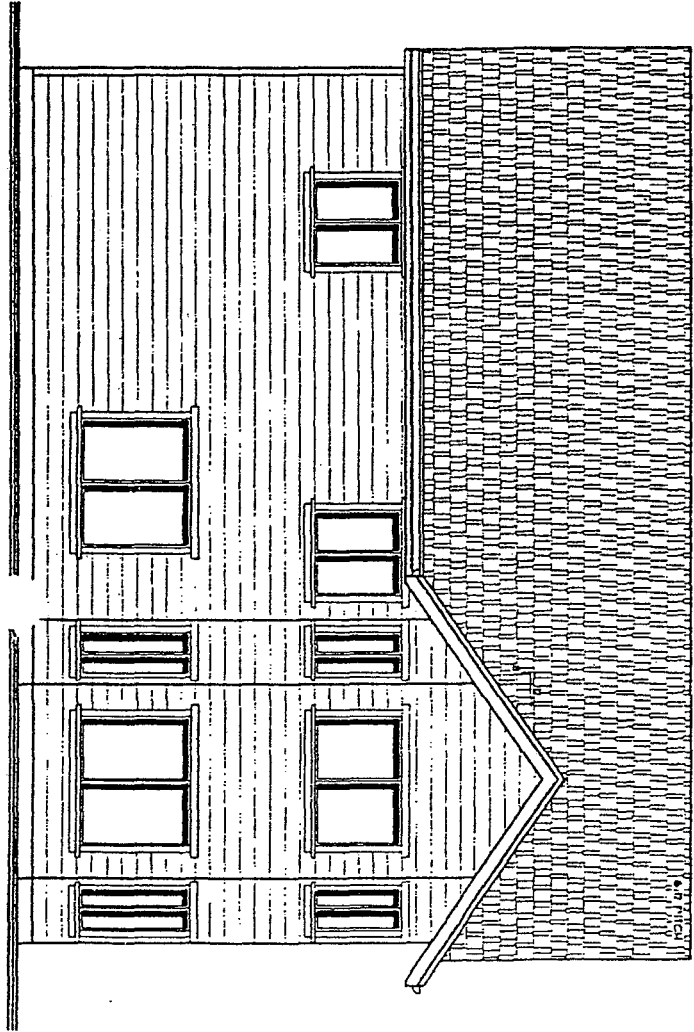
Square footage is an estimated figure, it may vary.
Room dimensions are approximate estimates, some may vary.

**170
QUEEN ANNE
OPTION 2
3,190 SQ. FT.**

FRONT ELEVATION
3300 SQ. FT.



REAR ELEVATION
3300 SQ. FT.



PLAN - 181
COTTAGE
3300 SQ. FT.



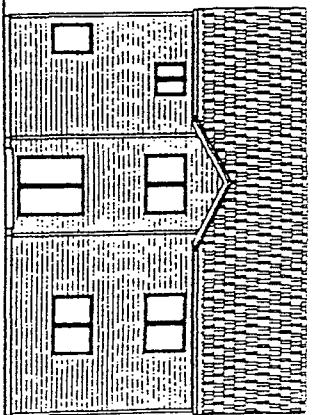
DON MORISSETTE
HOMES INCORPORATED

PLAN NO. 181-OPTION-1
DRAWN BY: GF
DATE: 6/7/2000
SCALE: 1/4" = 1'-0"
FILE: 18OP11
DRAWINGS:

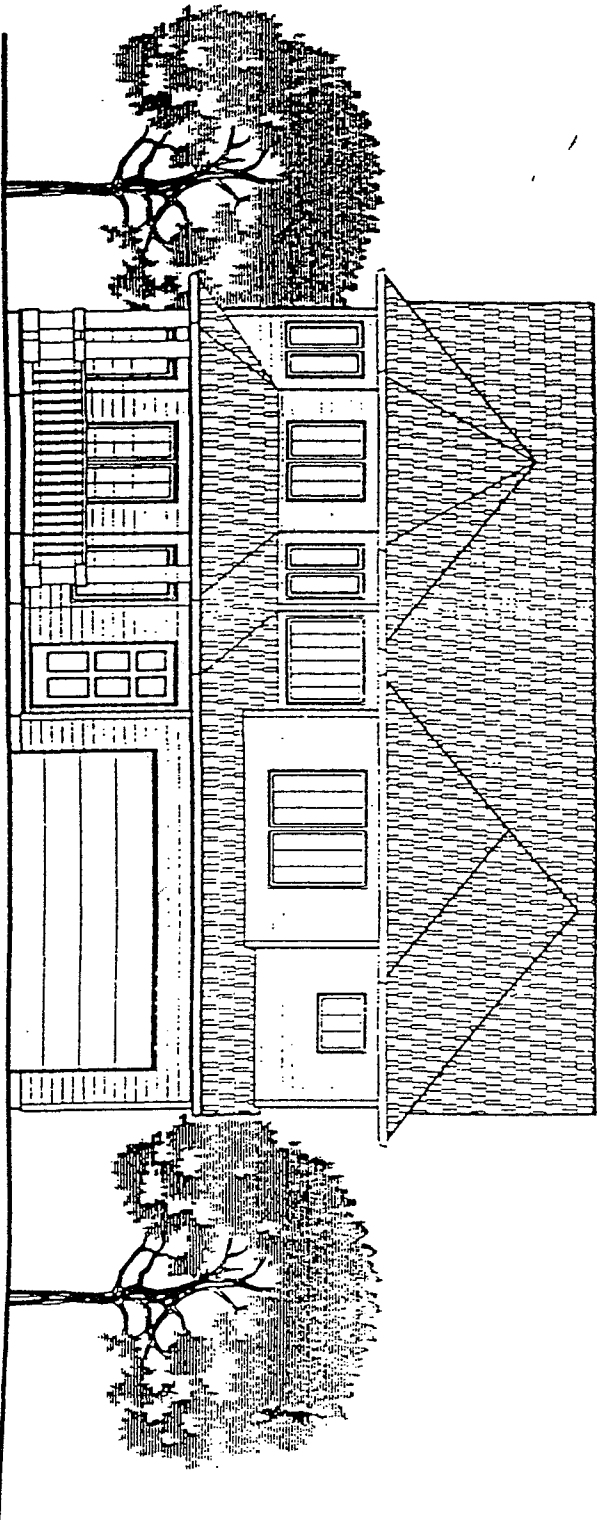
EXTERIOR
ELEVATIONS
OPTION - 1

SHEET NO.

1



REAR ELEVATION



OPTIONAL ELEVATION # 2

PLAN NO. 144
2,140 SQ. FT.

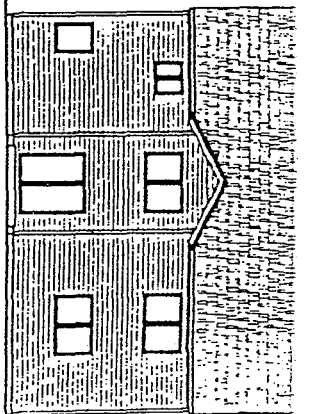


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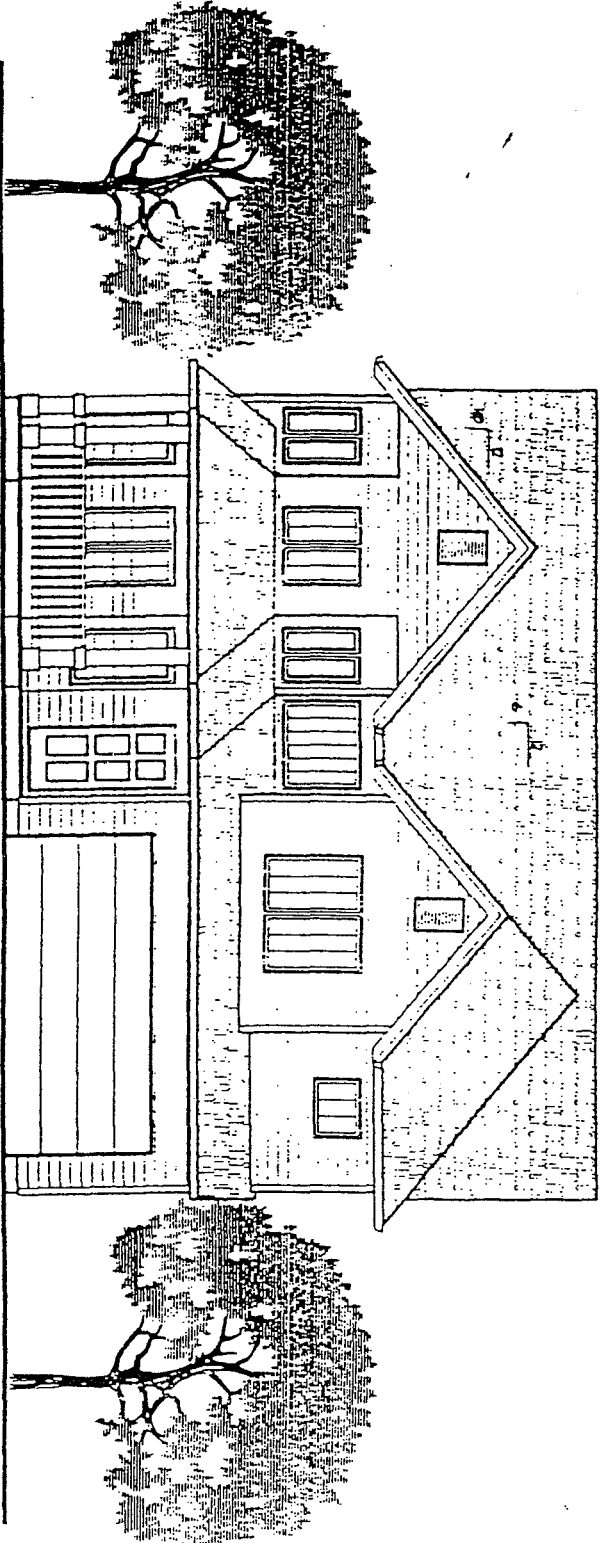
PLAN NO. 144
DRAWN BY
DATE
SCALE 1/4" = 1'-0"
P.L.F.
DRAWINGS
EXTERIOR
ELEV.

SHEET NO.

3.



REAR ELEVATION



OPTIONAL ELEVATION # 1

PLAN NO. 144
2,140 SQ. FT.

DON MORISSETTE
HOMES INCORPORATED

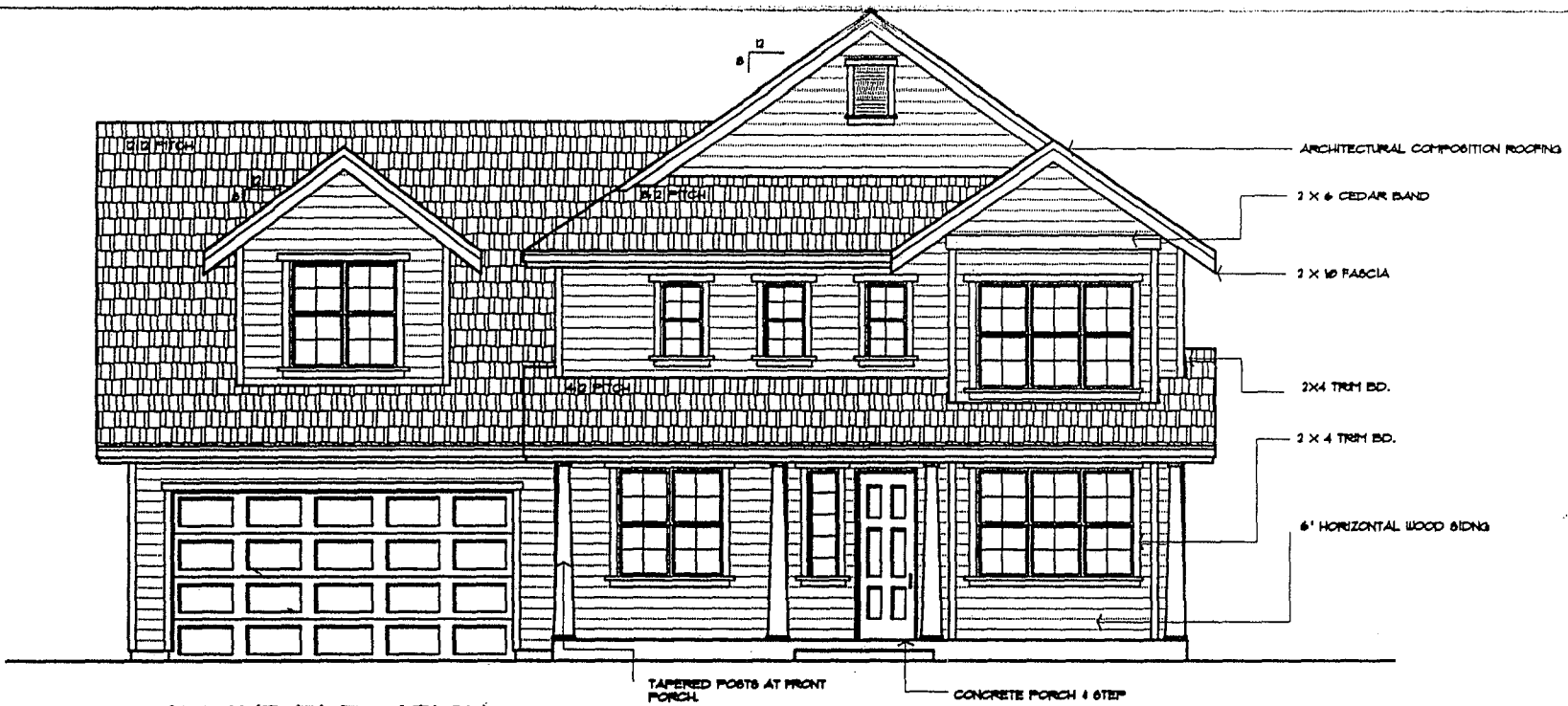


DATE: _____
SCALE: 1/4" = 1'-0"
FILE: _____
DESIGNED BY: _____
DRAWN BY: _____
CHECKED BY: _____
DATE: _____

EXTERIOR ELEV.

SHEET NO.

2.



FRONT ELEVATION

TAPERED POSTS AT FRONT PORCH

CONCRETE PORCH 4 STEP

1/4" = 1'-0"

square footage is an estimated figure, it may vary. Room dimension are approximate estimates, some may vary.

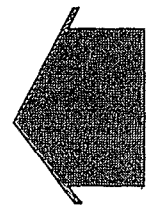


REAR ELEVATION

1/4" = 1'-0"

104
STANDARD
AMERICANA
2,408 SQ. FT.

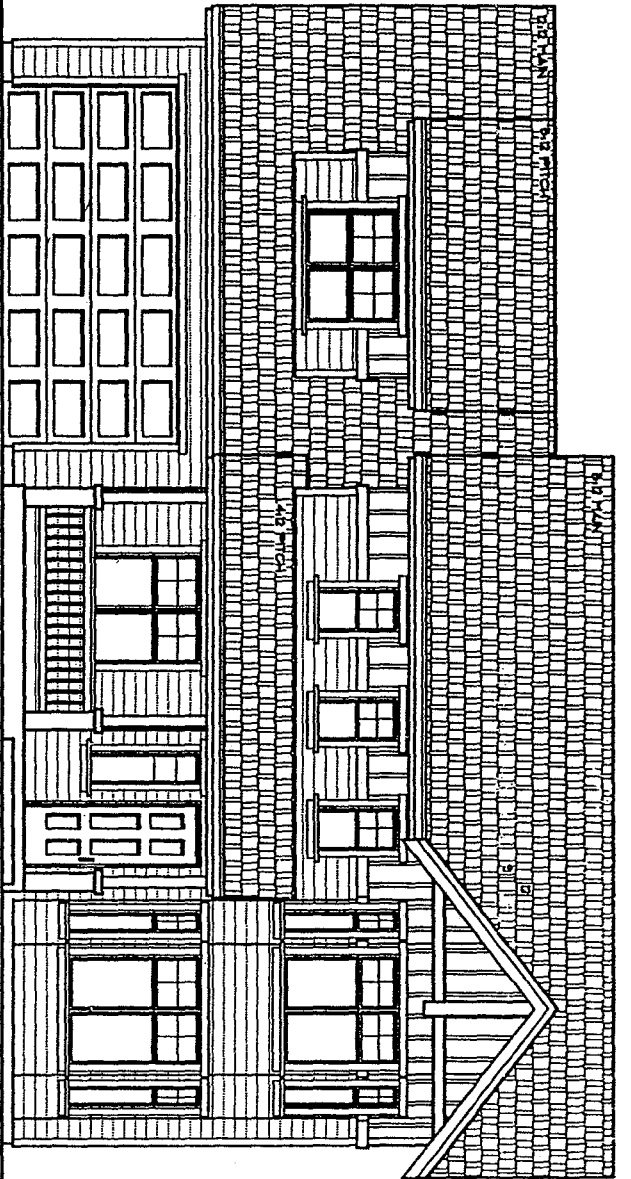
DON MORISSETTE
HOMES INCORPORATED



PLAN No.	104-STANDARD
DRAWN BY:	G.F.
DATE:	5/21/91
SCALE:	1/4" = 1'-0"
FILE:	104-1

DRAWINGS:
EXTERIOR ELEVATION

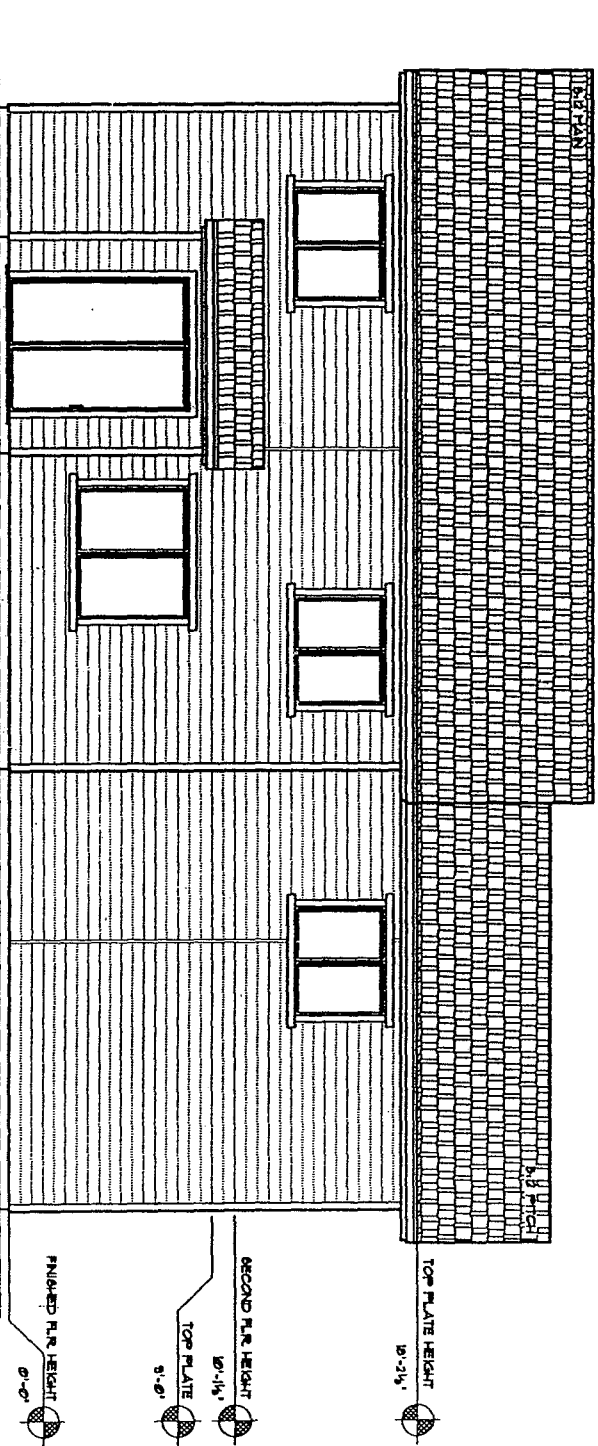
SHEET No.
1



FRONT ELEVATION

1/4" = 1'-0"

Square footage is an estimated figure. It may vary. Room dimensions are approximate estimations, some may vary.



REAR ELEVATION

1/4" = 1'-0"

TOP PLATE HEIGHT
12'-3 1/4"

SECOND FLOOR HEIGHT
10'-1 1/4"

TOP PLATE
9'-0"

FINISHED FLOOR HEIGHT
8'-0"

104
COTTAGE
2,408 SQ. FT.



DON · MORISSETTE
HOMES INCORPORATED

PLAN No. 104-OPTION-1
DRAWN BY: GE
DATE: 02/87
SCALE: 1/4" = 1'-0"
FILE: 104OP-1
DRAWINGS:

EXTERIOR
ELEVATION
OPTION-1

SHEET No.

1