



Home of the Tualatin River National Wildlife Refuge

URBAN RENEWAL AGENCY MEETING PACKET

FOR

Tuesday, April 16, 2024

**Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon**

URA Board of Directors Meeting
(Following the 7:00 pm City Council Regular Meeting)

This meeting will be live streamed at
<https://www.youtube.com/user/CityofSherwood>

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING AGENDA**

**Tuesday, April 16, 2024
(Following the 7:00 pm City Council Meeting)**

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Sherwood, Oregon**

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URA BOARD MEETING

1. CALL TO ORDER

2. ROLL CALL

3. CONSENT AGENDA

- A. Approval of February 6, 2024 URA Board Meeting Minutes** (Sylvia Murphy, Agency Recorder)
- B. Approval of February 20, 2024 URA Board Meeting Minutes**
(Sylvia Murphy, Agency Recorder)
- C. URA Resolution 2024-002, Authorizing a Public Utility Easement (PUE) to be Established at the Festival Plaza Located at 16020 SW 1st Street** (Jason Waters, City Engineer)

4. ADJOURN

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING MINUTES**

Tuesday, February 6, 2024

**City of Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon 97140**

URA BOARD MEETING

1. **CALL TO ORDER:** Chair Rosener called the meeting to order at 7:30 pm.
2. **BOARD PRESENT:** Chair Tim Rosener, Vice Chair Kim Young, Board Members Dan Standke, Renee Brouse, Keith Mays, and Taylor Giles. Board Member Doug Scott was absent.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, IT Director Brad Crawford, Finance Director David Bodway, Police Captain Dan O'Loughlin, City Attorney Ryan Adams, Community Development Director Eric Rutledge, Economic Development Manager Bruce Coleman, and Agency Recorder Sylvia Murphy.

4. CONSENT AGENDA:

- A. **Approval of December 12, 2023 URA Board Meeting Minutes**
- B. **URA Resolution 2024-001, Authorizing the Agency Manager to Enter into a Public Improvement Contract with Kerr Contractors for the Ice Age Drive Early Tree Removal & Minor Utility Trenching Project**

MOTION: FROM BOARD MEMBER BROUSE TO APPROVE CONSENT AGENDA. SECONDED BY BOARD MEMBER GILES. MOTION PASSED 6:0. ALL PRESENT MEMBERS VOTED IN FAVOR (BOARD MEMBER SCOTT WAS ABSENT).

5. ADJOURN

Chair Rosener adjourned the meeting at 7:31 pm.

Attest:

Sylvia Murphy, MMC, Agency Recorder

Tim Rosener, Chair

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING MINUTES**

Tuesday, February 20, 2024

**City of Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon 97140**

URA BOARD WORK SESSION

1. **CALL TO ORDER:** Vice Chair Kim Young called the meeting to order at 5:30 pm.
2. **BOARD PRESENT:** Vice Chair Kim Young, Board Members Keith Mays, Dan Standke, Renee Brouse, Taylor Giles, and Doug Scott. Chair Tim Rosener attended remotely.
3. **STAFF AND LEGAL COUNSEL PRESENT:** City Manager Pro Tem Craig Sheldon, City Attorney Ryan Adams, Community Development Director Eric Rutledge, Economic Development Manager Bruce Coleman, IT Director Brad Crawford, Senior Planner Joy Chang, City Engineer Jason Waters, Records Technician Katie Corgan, and Agency Recorder Sylvia Murphy.

OTHERS PRESENT: Planning Commission Chair Jean Simson.

4. TOPIC

A. Sherwood Cannery PUD Vacant Lot Discussion

Community Development Director Eric Rutledge presented the “Cannery Square Planned Unit Development” PowerPoint presentation (see record, Exhibit A). He explained that the Old Town Overlay District was separate from the Cannery PUD, but the Cannery PUD was a part of the Old Town Overlay District. He explained that the Old Town Overlay was comprised of two different subdistricts, Smockville and Cannery and each subdistrict had different design standards (e.g. height, parking requirements, design, etc.). He outlined that the Cannery PUD was comprised of 10 lots, some of which had already been developed. He reported that the Cannery Square PUD was approved between 2008 and 2009 as a PUD and 10-lot subdivision. He stated that the area was envisioned as a horizontal mixed-use development with commercial, residential, and civic uses specified for each lot. He reported that the developer was no longer involved with the lot and the URA owned the remaining vacant lots. He provided an overview of the vacant lots on page 5 of the presentation and explained that he sought Board feedback on if the Cannery Square PUD should be updated to allow city staff to better engage with developers. He stated that developers had shown interest in the vacant lots. He explained that the site was shown as a potential boutique hotel site on developer tours. He addressed the West Building vacant lot and explained that the lot was approved for a single-story building roughly 3,700 sqft in size. He outlined that a Council goal was to create an RFP for the lot. He addressed the East Building vacant lot and explained that the lot had been approved for a two-story commercial building roughly 7,000 sqft in size. He addressed the Northeast Phase lot and explained that the lot allowed for multiple commercial options. He addressed the South Building vacant lot and explained that it had been approved for a single-story commercial building, roughly 4,000 sqft in size. He explained that an applicant would still need to procure final site plan approval from the city and asked for feedback from the Board. Mr. Rutledge recapped that the city/Urban Renewal

Agency owned the vacant lots and City Council was the Decision Authority for any major modification. Board Member Scott asked for clarification and Mr. Rutledge explained that if the PUD vision was not updated, and the Board was satisfied with a one-story building for the West Building lot, then an applicant would only need to go to the Planning Commission for their final site plan approval. Board Member Mays asked if these lots had been included in the city's new URA and Community Development Director Rutledge replied that they were not included. City Attorney Ryan Adams clarified that he believed that the lots had been deeded to the new URA. Board Member Mays asked if once a URA was closed, were the assets of that URA then transferred to the city or new URA. He clarified that whichever entity owned the lots had the authority to sell the lots and Mr. Rutledge replied that was correct. Board Member Giles clarified that if the URA owned and sold the property, then the proceeds of the sale would go back to the URA. If the city owned and sold the property, then the proceeds would go to the city's General Fund. Economic Development Manager Bruce Coleman provided an overview of the three speculative development concepts for the lots on page 7 of the presentation. He outlined that Proposal A occurred in 2021 and was for a vertical mixed-use building on the East and Northeast parcels. Vice Chair Young asked for clarification on what a vertical mixed-use building was, and Mr. Coleman explained that it was a building with residential above commercial. He reported that the city had told the developer that the PUD did not allow for a residential and the developer explained that retail did not pencil out without the addition of residential. He reported that Proposal A was for roughly 112 apartment units above 7,000 sqft of retail with onsite parking by the railroad tracks. He explained that the proposal was discussed in a URA executive session, and the developer had decided that the project could not proceed. He outlined that the developer was still looking at various sites within smaller cities. Mr. Coleman addressed Proposal B and explained that it was for a vertical mixed-use building on the East and Northeast parcels, but was for less land than Proposal A. He explained that this developer focused on difficult to develop sites and was only interested in small downtown suburban communities. Proposal B was for a 6,000 sqft standalone commercial building facing the plaza; a four-story mixed-use building to the east of the commercial building with apartments on the 2nd-4th floors and 3,600 sqft of retail on the ground floor; and a four-story building with apartments on the 2nd-4th floors. Mr. Coleman reported that the city had explained that no residential was permitted in the proposed area. He stated that staff was bringing the Cannery Square PUD to the Board to discuss because the developer had continued to express interest in the sites. He reported that Proposal C was for either apartments or a boutique hotel on the East and Northeast lots and two developers had expressed interest in these lots. He explained that the first developer was a small boutique hotel developer and apartment developer. He commented that he believed that this developer was not currently interested in pursuing these sites. The second developer was a hotel developer with experience building unique hotels along the Oregon coast. Mr. Coleman explained that the second developer had shown interest in constructing a boutique hotel in the area but only if the city provided incentives and referred to TLT (Transient Lodging Tax). He clarified that he believed that this developer was not currently interested in pursuing these sites. Chair Rosener stated that a boutique hotel would be ideal for that location. Board Member Standke referred to Public Works equipment currently being stored in the Cannery Square PUD area and asked if the equipment could be stored elsewhere. Community Development Director Rutledge replied that the needs of the city needed to be met first. City Manager Pro Tem Sheldon explained that the completion of some Sherwood Broadband projects would lessen the necessary storage area, but some storage would still be needed elsewhere within the city. Board Member Giles asked what drew developers to those specific parcels. Economic Development Manager Coleman explained that developers found the Old Town area to be unique and felt the area showed potential for growth. Vice Chair Young commented she understood why developers wanted retail on the first floor and residential above and explained that retail on the first and second floors would make it harder to develop. Board Member Giles replied that he would only be okay with that idea if it was paired with the Council goal of incentivizing

certain types of businesses in Old Town. He explained that a hotel encouraged foot traffic and resulted in less cars versus apartments. Board Member Scott referred to the Northeast site and stated that he was in favor of a boutique hotel as it had generated the most interest. He stated that if no developers were interested in a boutique hotel on the site, then the site was unlikely to ever develop unless mixed-use was permitted. He stated that he was also in favor of combining the Northeast and East Building sites into one parcel. He referred to the West Building and stated that he did not want a building placed on that lot as it would block the view of the Arts Center. He stated that he approved of Chair Rosener's previous idea of placing a small replica train depot near the railroad tracks with the remaining space being turned into additional plaza space with picnic tables and discussion occurred. Discussion regarding the South Building lot occurred, and Community Development Director Rutledge clarified that the South Building lot could be combined with the surrounding wetland area and commented that there had been interest in that possibility. Board Member Mays stated that he supported revising the Cannery Square PUD vision with community and Planning Commission feedback incorporated into the new vision. He stated that he wanted the current Cannery Square Plaza to have a larger footprint. He stated that he supported working with developers to create a cohesive vision for the use of the South Building lot and the surrounding private land and commented he supported a two-story building. He referred to the West Building lot and stated he wanted feedback from the community on what they wanted on that site. He referred to the East Building and Northeast lots and stated he supported a boutique hotel on the site and said he was open to discussing incentives. He stated he also supported mixed-use for the sites with retail on the first floor and residential on the floors above. Board Member Scott voiced that in order to create more viable businesses in Old Town, more people needed to live in Old Town. He stated that he was very supportive of incentives for a boutique hotel, and he was also willing to offer incentives for mixed-use development. Discussion regarding business/occupancy incentives versus development incentives occurred and Board Member Scott clarified that he meant development incentives. Chair Rosener stated that he supported revising the Cannery Square PUD vision as well as offering development incentives to attract boutique hotel developers to the area. He referred to the West Building lot and stated he did not want a building obstructing the Arts Center and instead supported covering the lot and using the area to extend the city's outdoor festival area. He stated that once the vision was updated, business/occupancy incentives would need to be created. Board Member Brouse stated that she agreed with the Board's discussion and added that she would like the West Building lot to house food carts. She commented that she was hesitant to approve a four-story development. Vice Chair Young stated that she agreed with the Board's discussion but felt that the West Building lot was too small to house food carts. She referred to the West Building lot and stated that she did not want to block the view of the Arts Center. Discussion regarding a four-story development in Old Town and SB 1537 occurred.

Record note: Prior to the meeting, the "Cannery Square Planned Unit Development" memo was provided to the City Council/URA Board (see record, Exhibit B).

5. ADJOURN

Vice Chair Kim Young adjourned the meeting at 6:09 pm and convened a City Council work session.

Attest:

Sylvia Murphy, MMC, Agency Recorder

Tim Rosener, Chair

TO: Sherwood Urban Renewal Agency Board of Directors

FROM: Jason Waters, P.E., City Engineer
Through: Craig Sheldon, Agency Manager (City Manager Pro Tem) and Ryan Adams, City Attorney

SUBJECT: URA Resolution 2024-002, Authorizing a Public Utility Easement (PUE) to be Established at the Festival Plaza Located at 16020 SW 1st Street

Issue:

Shall the Sherwood Urban Renewal Agency authorize an eight (8') wide Public Utility Easement (PUE) to be established on the alley side of the Festival Plaza located at 16020 SW 1st Street?

Background:

The Festival Plaza project was completed last summer 2023. The project required Portland General Electric (PGE) to underground their electrical utilities along the alley side of the two (2) lots that comprise the festival plaza, including service connections for power to the Festival Plaza. Seeing that the alleyway was overly crowded with existing public utilities (storm, sanitary mainline plus laterals, and water) and most other franchise utilities, PGE's facilities were relocated onto the alley side of the Festival Plaza located at 16020 SW 1st Street. This work was completed in close coordination with both the City Engineer and City Utility Manager.

During construction PGE approached the City about establishing an exclusive utility easement covering the area utilized by PGE only and after discussions between City Engineer, City Utility Manager and City Attorney, the City feels it would be most appropriate and efficient to establish a typical eight (8') wide Public Utility Easement (PUE) and this is because the City will have more control over the use of a PUE through the codified Right-of-Way (ROW) Permit process compared to an exclusive easement or 2-way agreement.

In addition, and with the adjacent alleyway being overly full of utilities and 8' PUE not required within the Old Town Overlay zone due to 0' building setbacks, this PUE can be utilized by other utilities including Sherwood Broadband. Although the City's ROW permit process would require providers to restore the surface improvements to like or better condition, it's likely that most, if not all future installations through this PUE will be completed using trenchless technologies (e.g. conduit boring machines) due to surface restoration costs.

The overall purpose of the resolution is to have the URA Board of Director to authorize the Agency Manager to sign-for and accept the PUE on behalf of the Sherwood URA who is the named owner of the two (2) impacted properties. No additional action or resolution from the City is required since the development project was approved through the land-use process which includes the establishment of public utility easements.

Financial Impacts:

There are no financial impacts from this resolution.

Recommendation:

Staff respectfully recommends adoption of URA Resolution 2024-002, Authorizing a Public Utility Easement (PUE) to be Established at the Festival Plaza Located at 16020 SW 1st Street.



URA RESOLUTION 2024-002

AUTHORIZING A PUBLIC UTILITY EASEMENT (PUE) TO BE ESTABLISHED AT THE FESTIVAL PLAZA LOCATED AT 16020 SW 1ST STREET

WHEREAS, the Festival Plaza/Parking Lot project is listed in the adopted 2021 Urban Renewal Agency (URA) Plan, Project #4; and

WHEREAS, Section VIII.C of the 2021 URA Plan authorizes disposition of real property, provided the use is for the purposes contemplated in the Plan; and

WHEREAS, the Festival Plaza & Parking Lot are comprised of two separate taxlots (2s132bc03800 and 2s132bc03700) both located within the Old Town Overlay District at 16020 SW 1st Street ; and

WHEREAS, the Festival Plaza was designed, constructed, and accepted by the City in 2023; and

WHEREAS, City staff and Portland General Electric (PGE) agreed during the land-use development process on the location of underground utilities on the alley side of the Festival Plaza & Parking Lot properties; and

WHEREAS, the City recommends establishment of a standard eight-foot (8') wide Public Utility Easement (PUE) along the alley side of the Festival Plaza & Parking lot properties; and

WHEREAS, any work within this Public Utility Easements (PUE) will require a City Right-of-Way (ROW) Permit per section 12.02.020 of the Sherwood Municipal Code.

NOW, THEREFORE, THE SHERWOOD URBAN RENEWAL AGENCY BOARD RESOLVES AS FOLLOWS:

Section 1. The Agency Manager is hereby authorized to establish an eight-foot (8') wide Public Utility Easement (PUE) along the southeastern most 8 feet of taxlots 2s132bc03800 and 2s132bc03700.

Section 2. This Resolution shall be effective upon its approval and adoption.

Duly passed by the Urban Renewal Agency Board this 16th day of April 2024.

Tim Rosener, Chair

Attest:

Sylvia Murphy, MMC, Agency Recorder

Public Utility Easement

DATED: _____, 20__

AFTER RECORDING RETURN TO:

City of Sherwood
Engineering Department
22560 SW Pine Street
Sherwood, OR. 97140

BETWEEN:

Grantor:
Sherwood Urban Renewal Agency
22560 SW Pine Street
Sherwood, OR 97140

Grantee:
City of Sherwood
22560 SW Pine Street
Sherwood, OR 97140

THIS GRANT OF A PUBLIC UTILITY EASEMENT is made by and between the Sherwood Urban Renewal Agency, a municipal corporation established under ORS Chapter 457, its successors and assigns (“Grantor” or “URA” or “Agency”) and the City of Sherwood, Oregon, a municipal corporation established under ORS 221, its successors and assigns (“Grantee” or “City”) for no monetary consideration, and other good and valuable consideration received. The public utility easement exists over, under, through, across and along the full width and length of the premises described as follows, (“Easement Area”) to wit:

1. A legal description is set forth in EXHIBIT “A,” attached and incorporated by reference.
2. A map of the above legal description is set forth in EXHIBIT “B,” attached and incorporated by reference.

This document is intended to establish a permanent easement on the property described, not to convey fee title or any interest in the underlying property except as expressly stated herein. The easement granted shall not prevent Grantor from the use of said property provided, however, that such use shall not be permitted to interfere with the rights herein granted. Grantor shall not be permitted to endanger the lateral support of any facilities constructed within the easement granted herein.

Grantor hereby covenants to and with Grantee that Grantor is the owner of said property, which is free from all encumbrances, except for easements, conditions and restrictions of record, and that Grantor will warrant and defend the easement rights herein granted from all claims whatsoever.

Grantee (and other public or private entities or persons Grantee deems in its sole discretion as appropriate) shall have the right to use the property for utility purposes, including but not limited to water, wastewater, drainage, electric, fiber optic, telephone and cable and shall have the right to install, construct, operate, maintain, repair, replace and reconstruct said facilities as Grantee may deem necessary over, across, through, in and under the property described in Exhibits “A” and “B.”

City upon the initial installation (as applicable) and upon each and every occasion that the same be repaired, replaced, renewed, added to, or removed, will restore the premises of the Grantors, and any improvements disturbed by the City, to as good condition as they were prior to any such installation work, including, but not limited to, the restoration of any topsoil, lawn and nursery stock of like kind and quality subject to reasonable substitution as may be necessitated by obstruction or interference with the use granted herein.

IN WITNESS WHEREOF, the undersigned grantor has executed this easement this _____ day of _____, 20__.

Grantor's Signature: _____

Grantor's Name Printed: Craig Sheldon

Title: URA, Agency Administrator

STATE OF OREGON)
)ss
County of Washington)

On this _____ day of _____, 20__, before me, a notary public in and for said County and State, personally appeared _____ known to me to be their person whose names subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on the day and year above written.

NOTARY PUBLIC FOR OREGON
My Commission Expires: _____

GRANTEE:

Accepted on behalf of The City of Sherwood.

This _____ day of _____, 20__

Jason M. Waters, P.E., City Engineer

Date

Craig Sheldon, City Manager Pro Tem

Date

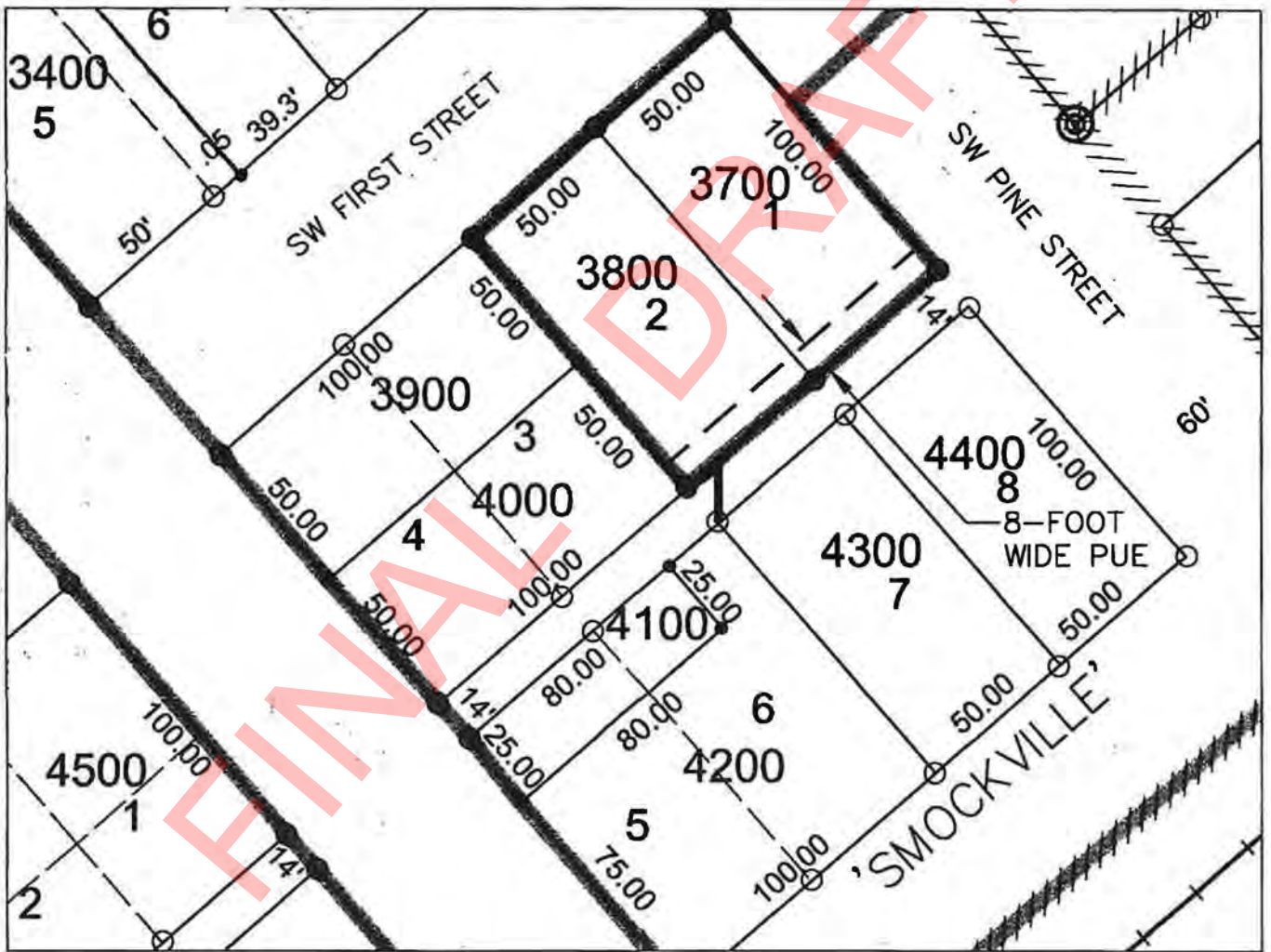
Approved as to form: Ryan Adams, City Attorney

Exhibit 'A'

The southeastern most 8 feet of Lot 1 and Lot 2 of Block 1 of 'Smockville', a duly recorded subdivision within the City of Sherwood, Washington County, Oregon.

FINAL DRAFT

EXHIBIT 'B'



Approved Minutes

**SHERWOOD URBAN RENEWAL AGENCY BOARD OF DIRECTORS
MEETING MINUTES
Tuesday, April 16, 2024**

**City of Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon 97140**

URA BOARD MEETING

- 1. CALL TO ORDER:** Chair Rosener called the meeting to order at 8:15 pm.
- 2. BOARD PRESENT:** Chair Tim Rosener, Vice Chair Kim Young, Board Members Renee Brouse, and Doug Scott. Board Member Keith Mays attended remotely. Board Members Dan Standke and Taylor Giles were absent.
- 3. STAFF AND LEGAL COUNSEL PRESENT:** City Manager Pro Tem Craig Sheldon, Assistant City Manager Kristen Switzer, IT Director Brad Crawford, Finance Director David Bodway, Police Captain Jon Carlson, City Attorney Ryan Adams, HR Director Lydia McEvoy, Public Works Utility Manager Rich Sattler, and Agency Recorder Sylvia Murphy.
- 4. CONSENT AGENDA:**
 - A. Approval of February 6, 2024 URA Board Meeting Minutes**
 - B. Approval of February 20, 2024 URA Board Meeting Minutes**
 - C. URA Resolution 2024-002, Authorizing a Public Utility Easement (PUE) to be Established at the Festival Plaza Located at 16020 SW 1st Street**

MOTION: FROM BOARD MEMBER BROUSE TO APPROVE CONSENT AGENDA. SECONDED BY VICE CHAIR YOUNG. MOTION PASSED 5:0. ALL PRESENT MEMBERS VOTED IN FAVOR (BOARD MEMBERS STANDKE AND GILES WERE ABSENT).

5. ADJOURN

Chair Rosener adjourned the meeting at 8:17 pm.

Attest:



Sylvia Murphy, MMC, Agency Recorder



Tim Rosener, Chair