

Dependable Springs Site Plan  
Staff Report

SP 16-01

TO: Hearing Officer

Pre-App. Meeting:	November 15, 2015
App. Submitted:	February 9, 2016
App. Complete:	March 16, 2016
120-Day Deadline:	July 14, 2016
Hearing Date:	April 21, 2016

From:



Michelle Miller, AICP  
Senior Planner

**Proposal:** The applicant proposes two industrial buildings on the site located in the light industrial zone. Phase I will include an 8,250 square foot building and Phase 2 includes a 9,900 square foot building. Both buildings are comprised of concrete block and metal. The applicant plans on using Building 1 for industrial manufacturing with a small office, lunchroom and restroom facilities. There will be three overhead doors. Dependable Springs Manufacturing will be located in a portion of Building 1 and Building 2 may have up to four occupants in the future. Twenty nine onsite parking spaces are included for both buildings.

**I. BACKGROUND**

**A. Applicant/Owner:**

George Litera  
Litera Holdings, LLC  
9287 SW Sweek Drive,  
Tualatin, OR 97062

**Applicant's Representative**

Martin Chroust-Masin,  
MCHM Design  
mchroust@yahoo.com

B. **Location:** 2S12A002000

C. **Address:** On SW Olds Place –Lot 4 of the Sherwood Commercial Center (currently a vacant site)

D. **Parcel Size:** The site is approximately .92 acres in size.

E. **Existing Development and Site Characteristics:** The site is flat and vacant with limited vegetation and no trees. The site is part of the Sherwood Commercial Center, a ten lot subdivision zoned light industrial. The site accesses, SW Olds Place a cul-de sac.

- F. **Site History:** The site is located within the recently developed Sherwood Commercial Center, a light industrial subdivision (SUB 05-01) comprised of ten lots with access onto SW Tualatin Sherwood Road. The subdivision provided roadway improvements that form an intersection within the site at SW Arrow and SW Olds Place. SW Arrow will serve as a future access point for the neighboring properties to the east and west. This is the second proposed development within the Sherwood Commercial Center.
- G. **Adjacent Zoning and Land Use:** Surrounding uses include other industrial developments zoned light industrial, (LI).
- H. **Review Type:** According to § 16.72.010.3c, site plans for development between 15,001 and 40,000 square feet of parking require a Type III review with a Hearing Officer decision. The size of the site is within these parameters. An appeal would be heard by the Planning Commission.
- I. **Public Notice and Hearing:** Notice of the application was mailed to property owners within 1,000 feet, posted on the property and distributed in five locations throughout the City on March 31, 2016 in accordance with § 16.72.020 of the Sherwood Zoning and Development Code (SZDC). The notice was published in the Times on April 7 and 14, 2016 (a newspaper of general circulation) in accordance with § 16.72.020 of the SZCDC.
- J. **Review Criteria:** Sherwood Zoning and Community Development Code Sections 16.31, Industrial Zoning Districts; 16.58, Clear Vision Standards; 16.90 Site Plan Review, 16.92 Landscaping, 16.94 Off Street Parking and Loading, 16.96 On-Site Circulation, VI. Public Infrastructure; and Division VIII. Environmental Resources

## II. PUBLIC COMMENTS

Public notice was mailed, posted on the property, and posted in five locations throughout the City on March 31, 2016. Staff has received no comments as of the date of this report; however, comments are welcome up to the close of the public hearing.

## III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on March 30, 2016. The following is a summary of the comments received. Copies of full comments are included in the record unless otherwise noted.

Sherwood Engineering Department: Craig Christensen, P.E. Engineering Department, submitted comments that will be discussed further within this report. City policy requires that prior to grading, a permit is obtained from the Building Department for all grading on the private portion of the site. The Engineering Department requires a grading permit for all areas graded as part of the public improvements. The Engineering permit for grading of the public improvements is reviewed, approved and released as part of the public improvement plans.

An erosion control plan and permit is required from the City of Sherwood Engineering Department for all public and private improvements. The erosion control permit is reviewed, approved and released as part of the public improvement plans.

His comments are attached as **Exhibit B**.

Pride Disposal Company: Kristen Leichner, Pride Disposal has indicated that the location of the trash enclosure does not provide adequate access for their trucks. As an alternative, the applicant discussed roll carts with staff in a phone conversation. As of the date of this report. The applicant

has not formally submitted the change to the plans. This will be discussed further within this report. Her comments are attached as **Exhibit C**.

Clean Water Services, A CWS Pre-Screening Site Assessment dated November 24, 2015 states that sensitive areas do not appear to exist on site or within 200' of the site. Jackie Humphries, CWS provided comments that indicated a storm water connection permit would be required. This will be discussed and conditioned further within this report. Her comments are attached as **Exhibit D**.

Tualatin Fire and Rescue Department, John Wolff, Deputy Fire Marshall submitted comments on the proposal. The applicant will be required to meet the general requirements addressed in the comments and are discussed further within this report. These comments are attached as **Exhibit E**.

Washington County, Kinder Morgan Energy, ODOT, METRO, NW Natural Gas and Portland General Electric did not respond or provided no comments to the request for agency comments by the date of this report.

#### **IV. SITE PLAN REVIEW REQUIRED FINDINGS (16.90 Site Planning)**

##### **D. Required Findings**

**No site plan approval shall be granted unless each of the following is found:**

**1. The proposed development meets applicable zoning district standards and design standards in Division II, and all provisions of Divisions V, VI, VIII and IX.**

**FINDING:** The applicable zoning district standards are discussed above under the "Division II- Land Use and Development" section, and the applicable provisions of Divisions V, VI, VIII, and IX as discussed in detail below

**2. The proposed development can be adequately served by services conforming to the Community Development Plan, including but not limited to water, sanitary facilities, storm water, solid waste, parks and open space, public safety, electric power, and communications.**

**FINDING:** Water, sanitary and streets are all available. These services were provided with the initial development in 2005. The nearest park is Langer Park, off of SW Langer Drive in a residential neighborhood. Solid waste services, communication and public safety are all available to this development as it is located in Sherwood, with easy access to SW Tualatin Sherwood Road.

**3. Covenants, agreements, and other specific documents are adequate, in the City's determination, to assure an acceptable method of ownership, management, and maintenance of structures, landscaping, and other on-site features.**

**FINDING:** No covenants, agreements or other documents are specifically required for on-site features.

**4. The proposed development preserves significant natural features to the maximum extent feasible, including but not limited to natural drainage ways, wetlands, trees, vegetation (including but not limited to environmentally sensitive lands), scenic views, and topographical features, and conforms to the applicable provisions of Division VIII of this Code and Chapter 5 of the Community Development Code.**

**FINDING:** The area contains no significant natural features on the site and therefore this criterion is not applicable.

**5. For developments that are likely to generate more than 400 average daily trips (ADTs), or at the discretion of the City Engineer, the applicant must provide adequate information, such as a traffic impact analysis (TIA) or traffic counts, to demonstrate the level of impact to the surrounding transportation system. The developer is required to mitigate for impacts attributable to the project, pursuant to TIA requirements in Section 16.106.080 and rough proportionality requirements in Section 16.106.090. The determination of impact or effect and the scope of the impact study must be coordinated with the provider of the affected transportation facility.**

**FINDING:** The proposed activity is light manufacturing with shipping of those items by UPS or Federal Express. The traffic trip count is estimated to be less than twenty trips per day. Until the additional tenant spaces are leased, it is not possible to determine additional daily trips beyond the general light industrial uses. Based on the size of the buildings, traffic counts are unlikely to exceed 400 average daily trips. The Engineering Department has confirmed this analysis.

## **6. Commercial Design Standards**

**FINDING:** The property is zoned Light industrial and these standards are not applicable.

**7. Industrial developments provide employment opportunities for citizens of Sherwood and the region as a whole. The proposed industrial development is designed to enhance areas visible from arterial and collector streets by reducing the "bulk" appearance of large buildings. Industrial design standards include the following:**

**a. Portions of the proposed industrial development within 200 feet of an arterial or collector street and visible to the arterial or collector (i.e. not behind another building) must meet any four of the following six design criteria:**

**(1) A minimum 15% window glazing for all frontages facing an arterial or collector.**

**(2) A minimum of two (2) building materials used to break up vertical facade street facing frontages (no T-111 or aluminum siding).**

**(3) Maximum thirty-five (35) foot setback for all parts of the building from the property line separating the site from all arterial or collector streets (required visual corridor falls within this maximum setback area).**

**(4) Parking is located to the side or rear of the building when viewed from the arterial or collector.**

**(5) Loading areas are located to the side or rear of the building when viewed from the arterial or collector. If a loading area is visible from an arterial or collector, it must be screened with vegetation or a screen made of materials matching the building materials.**

**(6) All roof-mounted equipment is screened with materials complimentary to the building design materials.**

**FINDING:** The site is not located within 200 feet of an arterial or a collector street. Therefore this criterion is not applicable.

**8. Driveways that are more than twenty-four (24) feet in width shall align with existing streets or planned streets as shown in the Local Street Connectivity Map in the adopted Transportation System Plan (Figure 17), except where prevented by topography, rail lines, freeways, pre-existing development, or leases, easements, or covenants.**

**FINDING:** There are no existing or planned streets that are affected by the development of this site. The site is within a cul-de sac and this criterion is not applicable.

**V. APPLICABLE CODE PROVISIONS**

**A. Division II– Land Use and Development  
(Chapter 16.31 INDUSTRIAL LAND USE DISTRICTS)**

**16.31.020 Uses**

- A. The table below identifies the land uses that are permitted outright (P), permitted conditionally (C) and not permitted (N) in the industrial zoning districts. The specific land use categories are described and defined in Chapter 16.88**
- B. Uses listed in other sections of this code, but not within this specific table are prohibited.**
- C. Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the commercial zones or contribute to the achievement of the objectives of the commercial zones may be permitted outright or conditionally, utilizing the provisions of Chapter 16.88.**

<b>INDUSTRIAL</b>	<b>LI</b>	<b>GI</b>	<b>EI</b>
<b>Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesaling, warehousing or storage of the following articles or products:</b> • Food products, appliances, textiles and fiber products, pottery, glass and previously pulverized clay ceramics, small electronics, communication equipment, instruments, toys, novelties, electronics components, maintenance equipment, vending machines, cosmetics, chemicals and other small products and tools manufactured from previously prepared or semi-finished materials	P	P	N

**STAFF ANALYSIS:** The applicant proposes manufacturing of very small springs in a portion of Building 1. The applicant has not named a tenant or use in the other portion of the building. The City will review the proposed use when a tenant applies for a business license or makes tenant improvements., Building 2 will develop in a future phase with the tenants to be determined.

**FINDING:** Based on the above discussion, the applicant meets this criterion.

**16.31.030 Dimensional Standards**

**No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by Chapter 16.84.**

<b>Development Standards by Zone</b>	<b>LI</b>
Lot area- Industrial Uses:	10,000 SF
Lot width at front property line:	100 feet
Lot width at building line:	100 feet
Front Yard Setback	20 feet
Side Yard Setback	None
Rear Yard Setback	None
Corner lot street side	None
Height	50 feet

**STAFF ANALYSIS:** As identified within the applicant’s narrative and site plan, the proposed buildings meet the minimum requirements for area, width and anticipated setbacks. The site is not located adjacent residential sites and therefore no side or rear yard setbacks are required. The buildings are 54 feet from the street, meeting the front yard setback requirement. The buildings are 22 feet tall.

**FINDING:** Based on the above discussion, the dimensional criteria of the LI zone is met.

**16.58.010 Clear Vision Areas**

**A. A clear vision area shall be maintained on the corners of all property at the intersection of two (2) streets, intersection of a street with a railroad, or intersection of a street with an alley or private driveway.**

**B. A clear vision area shall consist of a triangular area, two (2) sides of which are lot lines measured from the corner intersection of the street lot lines for a distance specified in this regulation; or, where the lot lines have rounded corners, the lot lines extended in a straight line to a point of intersection, and so measured, and the third side of which is a line across the corner of the lot joining the non-intersecting ends of the other two (2) sides.**

**C. A clear vision area shall contain no planting, sight obscuring fence, wall, structure, or temporary or permanent obstruction exceeding two and one-half (2½) feet in height, measured from the top of the curb, or where no curb exists, from the established street center line grade, except that trees exceeding this height may be located in this area, provided all branches and foliage are removed to the height of seven (7) feet above the ground on the sidewalk side and ten (10) feet on the street side.**

**The following requirements shall govern clear vision areas:**

- 1. In all zones, the minimum distance shall be twenty (20) feet.**
- 2. In all zones, the minimum distance from corner curb to any driveway shall be twenty-five (25) feet.**
- 3. Where no setbacks are required, buildings may be constructed within the clear vision area.**

**STAFF ANALYSIS:** The site is located in the light industrial zone that requires a minimum clear vision distance of 20 feet. The site has access onto SW Olds Place with a driveway apron. The applicant proposes trees adjacent to the driveway and it is unclear whether they are within clear vision triangle.

**FINDING:** Based on the above discussion, the applicant has not met this criterion, but can do so by meeting the following condition.

**RECOMMENDED CONDITION:** Prior to final site plan approval, show that there are not any site obstructing objects within the clear vision area.

## **B. Division V. Community Design**

### **16.92-LANDSCAPING**

#### **16.92.010-Landscaping Plan Required**

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan that meets the standards of this Chapter. All areas not occupied by structures, paved roadways, walkways, or patios shall be landscaped or maintained according to an approved site plan.

**FINDING:** The applicant submitted a landscape plan that shows landscaping adjacent to the buildings and parking areas. Compliance with the landscaping standards will be discussed below. As proposed and conditioned below, the applicant can meet the landscaping requirements.

#### **16.92.020 Landscaping Materials**

##### **A. Type of Landscaping**

Required landscaped areas shall include an appropriate combination of native evergreen or deciduous trees and shrubs, evergreen ground cover, and perennial plantings. Trees to be planted in or adjacent to public rights-of-way shall meet the requirements of this Chapter. Plants may be selected from the City's "Suggested Plant Lists for Required Landscaping Manual" or suitable for the Pacific Northwest climate and verified by a landscape architect or certified landscape professional.

**STAFF ANALYSIS:** The applicant provided a landscape plan that shows a combination of evergreen or deciduous trees and shrubs, evergreen ground cover, and perennial plants. The applicant identified the groundcover, shrubs and the exact number of trees to be planted. The applicant has not verified that the plan has been certified by a landscape professional.

**FINDING:** The applicant has not met this criterion, but can meet this criterion with the following condition.

**RECOMMENDED CONDITION:** Prior to final site plan approval, submit a final landscape plan that has been verified by a landscape professional.

#### **16.92.030 Site Area Landscaping and Perimeter Screening Standards**

##### **A. Perimeter Screening and Buffering**

###### **1. Perimeter Screening Separating Residential Zones:**

A minimum six-foot high sight-obscuring wooden fence, decorative masonry wall, or evergreen screen, shall be required along property lines separating single and two-family uses from multi-family uses, and along property lines separating residential zones from commercial, institutional/public or industrial zones subject to the provisions of Chapter 16.48.020 (Fences, Walls and Hedges).

**FINDING:** The site is not located adjacent to residential property and thus this criterion is not applicable.

###### **2. Perimeter Landscaping Buffer**

a. A minimum ten (10) foot wide landscaped strip comprised of trees, shrubs and ground cover shall be provided between off-street parking, loading, or vehicular use areas on separate, abutting, or adjacent properties.

**STAFF ANALYSIS:** The site plan shows a landscape strip approximately 10 feet wide around the perimeter of the site on the west boundary where the site is adjacent to parking and a driveway.

**FINDING:** Based on the above discussion, the applicant meets this criterion.

## **B. Parking Area Landscaping**

### **3. Required Landscaping**

**There shall be at least forty-five (45) square feet parking area landscaping for each parking space located on the site. The amount of required plant materials are based on the number of spaces as identified below.**

**STAFF ANALYSIS:** In Phase I, the applicant proposes to install fourteen (14) parking space that requires at least 630 square feet of landscaping. During the second phase of the project, the applicant proposes twelve (12) parking spaces requiring 1,170 square feet of landscaping. The landscape plan shows that there will be 7,421 sf. of landscaped area. There are four landscaped areas: one on the western edge of the property, one in the center of the parking area, and two along the eastern edge of the property.

**FINDING:** Based on the above analysis, the applicant meets this criterion.

### **4. Amount and Type of Required Parking Area Landscaping**

#### **a. Number of Trees required based on Canopy Factor**

**Small trees have a canopy factor of less than forty (40), medium trees have a canopy factor from forty (40) to ninety (90), and large trees have a canopy factor greater than ninety (90);**

**(1) Any combination of the following is required:**

**(i) One (1) large tree is required per four (4) parking spaces;**

**(ii) One (1) medium tree is required per three (3) parking spaces; or**

**(iii) One (1) small tree is required per two (2) parking spaces.**

**(iv) At least five (5) percent of the required trees must be evergreen.**

**(2) Street trees may be included in the calculation for the number of required trees in the parking area.**

#### **b. Shrubs:**

**(1) Two (2) shrubs are required per each space.**

**(2) For spaces where the front two (2) feet of parking spaces have been landscaped instead of paved, the standard requires one (1) shrub per space. Shrubs may be evergreen or deciduous.**

#### **c. Ground cover plants:**

**(1) Any remainder in the parking area must be planted with ground cover plants.**

**(2) The plants selected must be spaced to cover the area within three (3) years. Mulch does not count as ground cover.**

**STAFF ANALYSIS:** The applicant provided a list of the plants, location of the plants and size of the containers of the plants to be planted. The applicant proposes that there will ultimately need to be 29 parking spaces onsite. The applicant proposes 8 large trees and five medium trees. This would account for 47 parking spaces. The applicant proposes 86 shrubs, which is over the required 58 shrubs, or two shrubs per each space. The applicant identified the ground cover.

**FINDING:** The applicant provided enough detail about the quantity of specific trees in order to be compliant with this criterion, and thus this criterion is met.

## 5. Individual Landscape Islands Requirements

a. Individual landscaped areas (islands) shall be at least ninety (90) square feet in area and a minimum width of five (5) feet and shall be curbed to protect the landscaping.

b. Each landscape island shall be planted with at least one (1) tree.

c. Landscape islands shall be evenly spaced throughout the parking area.

d. Landscape islands shall be distributed according to the following:

(1) Residential uses in a residential zone: one (1) island for every eight (8) contiguous parking spaces.

(2) Multi or mixed-uses, institutional and commercial uses: one (1) island for every ten (10) contiguous parking spaces.

(3) Industrial uses: one (1) island for every twelve (12) contiguous parking spaces.

e. Storm water bio-swales may be used in lieu of the parking landscape areas and may be included in the calculation of the required landscaping amount.

**STAFF ANALYSIS:** The applicant's site plan shows the parking areas separated by the loading areas and dispersed on the site with one landscaped area in the center of the parking area. There are two landscaped areas along the frontage of SW Olds Place and on the western edge of the site. The applicant has provided the dimensions for each landscape island that meet the minimum standards.

**FINDING:** Based on the above discussion, this criterion is met.

## C. Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas

All mechanical equipment, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and any adjacent residential zones. If unfeasible to fully screen due to policies and standards, the applicant shall make efforts to minimize the visual impact of the mechanical equipment.

**FINDING:** The site is not adjacent to a residential zone. The building's eastern side faces SW Olds Place. The applicant proposes to screen the buildings adjacent to SW Olds with landscaping. The applicant did not propose outdoor storage or identify any mechanical equipment. The applicant meets this criterion.

## D. Visual Corridors

Except as allowed by subsection 6. above, new developments shall be required to establish landscaped visual corridors along Highway 99W and other arterial and collector streets, consistent with the Natural Resources and Recreation Plan Map, Appendix C of the Community Development Plan, Part II, and the provisions of Chapter 16.142( Parks, Trees, and Open Space). Properties within the Old Town Overlay are exempt from this standard.

**FINDING** The site is not adjacent to any street where a visual corridor is required and therefore this criterion is not applicable.

## **16.92.040 Installation and Maintenance Standards**

### **A. Installation**

**All required landscaping must be in-ground, except when in raised planters that are used to meet minimum Clean Water Services storm water management requirements. Plant materials must be installed to current nursery industry standards. Plant materials must be properly supported to ensure survival. Support devices such as guy wires or stakes must not interfere with vehicular or pedestrian movement.**

**STAFF ANALYSIS:** The applicant has shown on the landscape plan how the landscaping will be installed within the general planting notes. It includes the type of soil, soil amendment and how the plantings shall be planted, staked and finished.

**FINDING:** Based on the above discussion, the applicant has met this criterion.

### **B. Maintenance and Mitigation of Landscaped Areas**

**1. Maintenance of existing non-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.**

**2. All landscaping shall be maintained in a manner consistent with the intent of the approved landscaping plan.**

**3. Any required landscaping trees removed must be replanted consistent with the approved landscaping plan and comply with § 16.142, (Parks, Trees and Open Space).**

### **C. Irrigation**

**The intent of this standard is to ensure that plants will survive the critical establishment period when they are most vulnerable due to lack of watering. All landscaped areas must provide an irrigation system, as stated in Option 1, 2, or 3.**

**1. Option 1: A permanent built-in irrigation system with an automatic controller installed.**

**2. Option 2: An irrigation system designed and certified by a licensed landscape architect or other qualified professional as part of the landscape plan, which provides sufficient water to ensure that the plants become established. The system does not have to be permanent if the plants chosen can survive independently once established.**

**3. Option 3: Irrigation by hand. If the applicant chooses this option, an inspection will be required one (1) year after final inspection to ensure that the landscaping has become established.**

**FINDING:** The applicant indicated that the plantings will be maintained using Option 3: Irrigation by hand. This requires a final inspection after one year to ensure that the landscaping has become established. This criterion has not been met, but can be met with the following condition.

**RECOMMENDED CONDITION:** After one year after the final inspection for occupancy contact the Sherwood Planning Department – 503-925-2308, for an inspection of the onsite landscaping to ensure that it is healthy and being maintained.

## **16.94 OFF STREET PARKING AND LOADING**

### **16.94.010 - General Requirements**

#### **E. Location**

**3. Vehicle parking is allowed only on improved parking shoulders that meet City standards for public streets, within garages, carports and other structures, or on driveways or parking lots that have been developed in conformance with this code. Specific locations and types of spaces (car pool, compact, etc.) for parking shall be indicated on submitted plans and located to the side or rear of buildings where feasible.**

**STAFF ANALYSIS:** The applicant proposes to install parking on the south side of Building 1 and the north side of Building 2. The applicant has proposed the parking areas to be on the side of the building but viewable from the cul-de-sac. The applicant has taken steps to screen the parking area with extensive landscaping. The applicant identifies one Americans with Disabilities Act (ADA) parking space. The Building Official indicates that the parking plans will be reviewed for compliance with ADA requirements at the time of building permit submittal.

**FINDING:** Based on the above discussion the applicant does not fully meet this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to Building Permit approval, verify that the ADA parking requirements have been met.

#### **F. Marking**

**All parking, loading or maneuvering areas shall be clearly marked and painted. All interior drives and access aisles shall be clearly marked and signed to show the direction of flow and maintain vehicular and pedestrian safety.**

**STAFF ANALYSIS:** The applicant provided a parking plan with markings, wheel stops and compact stalls. The applicant showed a two-way drive aisle with 90 degree parking along the northern and southern sides of the drive

#### **G. Surface and Drainage**

**1. All parking and loading areas shall be improved with a permanent hard surface such as asphalt, concrete or a durable pervious surface. Use of pervious paving material is encouraged and preferred where appropriate considering soils, location, anticipated vehicle usage and other pertinent factors.**

**FINDING:** The applicant proposes to use pavement for the parking and loading area on site. This criterion is met.

**2. Parking and loading areas shall include storm water drainage facilities approved by the City Engineer or Building Official.**

**STAFF ANALYSIS:** Currently, a public storm sewer main exists within SW Olds Place along the subject property frontage. Parking and loading area runoff will be directed into the system. The Engineering Department does not require any additional public storm sewer main extension. There is an existing water quality swale that was constructed with the original subdivision that according to the Engineering Department is large enough to accommodate the storm water from this development.

**FINDING:** Based on the above discussion, this criterion is met.

## H. Repairs

**Parking and loading areas shall be kept clean and in good repair. Breaks in paved surfaces shall be repaired. Broken or splintered wheel stops shall be replaced. Painted parking space boundaries and directional symbols shall be maintained in a readable condition.**

**FINDING:** The site will be inspected before the Certificate of Final Occupancy is granted and will need to be in good condition and repair. After that, any necessary repairs would become a Code Compliance issue. Based on the discussion, the applicant has not met this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to Final Occupancy, ensure that the parking and loading areas are kept in good repair, wheel stops in good condition and the painted parking space boundaries and directional symbols are maintained in a readable condition.

## I. Parking and Loading Plan

**An off-street parking and loading plan, drawn to scale, shall accompany requests for building permits or site plan approvals, except for single and two-family dwellings, and manufactured homes on residential lots. The plan shall show but not be limited to:**

1. Delineation of individual parking and loading spaces and dimensions.
2. Circulation areas necessary to serve parking and loading spaces.
3. Location of accesses to streets, alleys and properties to be served, and any curb cuts.
4. Landscaping as required by Chapter 16.92.
5. Grading and drainage facilities.
6. Signing and bumper guard specifications.
7. Bicycle parking facilities as specified in Section 16.94.020.C.
8. Parking lots more than one (1) acre in size shall provide street-like features including curbs, sidewalks, and street trees or planting strips.

**FINDING:** The applicant prepared a parking plan that included the striping plan and dimensions. The details of the plan will be discussed further within this report.

### 16.94.020 - Off-Street Parking Standards

#### A. Generally

**Where square feet are specified, the area measured shall be the gross building floor area primary to the functioning of the proposed use. Where employees are specified, persons counted shall be those working on the premises, including proprietors, during the largest shift at peak season. Fractional space requirements shall be counted as a whole space. The Review Authority may determine alternate off - street parking and loading requirements for a use not specifically listed in this Section based upon the requirements of comparable uses.**

**STAFF ANALYSIS:** Building 1 is 8,250 and Building 2 is 9900. Based on the ratio of 1.6 per 1000 square feet of light industrial uses, the ultimate site area requires 29 parking spaces. The applicant proposes to add fourteen spaces at this time and defer the additional parking when Building 2 is constructed. This is

acceptable to staff because the site clearly has enough area to accommodate future parking needs. Addition of the parking spaces will require a site plan modification. At the time of the building permit approval for Building 2, staff will require a site plan modification application.

**FINDING:** Based on the above discussion, the applicant meets this standard for Building 1. The applicant has not met this standard with respect to Building 2,

**RECOMMENDED CONDITION:** Prior to building permit approval for Building 2, the developer shall apply for a site plan modification application to the City for review in order to show compliance with the parking standards for the site as a whole.

## **B. Dimensional and General Configuration Standards**

**1. Dimensions** For the purpose of this Chapter, a "parking space" means a stall nine (9) feet in width and twenty (20) feet in length. Up to twenty five (25) percent of required parking spaces may have a minimum dimension of eight (8) feet in width and eighteen (18) feet in length so long as they are signed as compact car stalls.

**STAFF ANALYSIS:** The applicant showed two compact, one ADA space and 11 standard parking spaces. Based on the 25%, the applicant may have up to three compact parking spaces.

**FINDING:** Based on the above discussion, the applicant meets this criterion.

### **2. Layout**

**Parking space configuration, stall and access aisle size shall be of sufficient width for all vehicle turning and maneuvering. Groups of more than four (4) parking spaces shall be served by a driveway so as to minimize backing movements or other maneuvering within a street, other than an alley. All parking areas shall meet the minimum standards shown in the following table and diagram.**

**FINDING:** The applicant provided site plans showing the individual parking spaces dimensions that meet the standards identified above. Therefore the applicant meets this criterion.

### **3. Wheel Stops**

**a. Parking spaces along the boundaries of a parking lot or adjacent to interior landscaped areas or sidewalks shall be provided with a wheel stop at least four (4) inches high, located three (3) feet back from the front of the parking stall as shown in the above diagram.**

**b. Wheel stops adjacent to landscaping, bio-swales or water quality facilities shall be designed to allow storm water runoff.**

**FINDING:** The applicant has shown wheel stops where they abut a sidewalk. Therefore, the applicant meets this criterion.

## **C. Bicycle Parking Facilities**

### **1. General Provisions**

**a. Applicability.** Bicycle parking spaces shall be provided for new development, changes of use, and major renovations, defined as construction valued at twenty-five (25) percent or more of the assessed value of the existing structure.

**b. Types of Spaces.** Bicycle parking facilities shall be provided in terms of short-term bicycle parking and long-term bicycle parking. Short-term bicycle parking is intended to encourage customers and other visitors to use bicycles by providing a convenient and readily accessible place to park bicycles. Long-term bicycle parking provides employees, students, residents, commuters, and others who generally stay at a site for at least several hours a weather-protected place to park bicycles.

- c. **Minimum Number of Spaces.** The required total minimum number of bicycle parking spaces for each use category is shown in Table 4, Minimum Required Bicycle Parking Spaces.
- d. **Minimum Number of Long-term Spaces.** If a development is required to provide eight (8) or more required bicycle parking spaces in Table 4, at least twenty-five (25) percent shall be provided as long-term bicycle with a minimum of one (1) long-term bicycle parking space.
- e. **Multiple Uses.** When there are two or more primary uses on a site, the required bicycle parking for the site is the sum of the required bicycle parking for the individual primary uses.

**STAFF ANALYSIS:** The applicant provides for two cycle spaces for Building 1. The applicant has not shown the location of the bike parking on Building 2.

**FINDING:** Based on this discussion, this criterion is not met. It is possible to meet this criterion with the following condition.

**RECOMMENDED CONDITION:** Prior to building permit approval for Building 2, provide plans through a site plan modification process, that show at least two bicycle parking spaces located in close proximity to the primary entrance of Building 2 and meeting the design standards of § 16.94.020.C.

## **2. Location and Design.**

### **a. General Provisions**

- (1) Each space must be at least two (2) feet by six (6) feet in area, be accessible without moving another bicycle, and provide enough space between the rack and any obstructions to use the space properly.
- (2) There must be an aisle at least five (5) feet wide behind all required bicycle parking to allow room for bicycle maneuvering. Where the bicycle parking is adjacent to a sidewalk, the maneuvering area may extend into the right-of-way.
- (3) **Lighting.** Bicycle parking shall be at least as well lit as vehicle parking for security.
- (4) **Reserved Areas.** Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.
- (5) Bicycle parking in the Old Town Overlay District can be located on the sidewalk within the right-of-way. A standard inverted "U shaped" or staple design is appropriate. Alternative, creative designs are strongly encouraged.
- (6) **Hazards.** Bicycle parking shall not impede or create a hazard to pedestrians. Parking areas shall be located so as to not conflict with vision clearance standards.

### **b. Short-term Bicycle Parking**

- (1) Provide lockers or racks that meet the standards of this section.
- (2) Locate inside or outside the building within thirty (30) feet of the main entrance to the building or at least as close as the nearest vehicle parking space, whichever is closer.

### **c. Long-term Bicycle Parking**

- (1) Provide racks, storage rooms, or lockers in areas that are secure or monitored (e.g., visible to employees or customers or monitored by security guards).
- (2) Locate the outside bicycle parking spaces within one hundred (100) feet of the entrance that will be accessed by the intended users.
- (3) All of the spaces shall be covered.

### **d. Covered Parking (Weather Protection)**

- (1) When required, covered bicycle parking shall be provided in one (1) of the following ways: inside buildings, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
- (2) Where required covered bicycle parking is not within a building or locker, the cover must be permanent and designed to protect the bicycle from rainfall and provide seven-foot minimum overhead clearance.
- (3) Where required bicycle parking is provided in lockers, the lockers shall be securely anchored.

**Table 4: Minimum Required Bicycle Parking Spaces  
Industrial Categories**

- **Industrial -2 or 1 per 40 spaces, whichever is greater**

**FINDING:** The applicant provides for two well-lit bike parking spaces near the front entrance of Building 1, and visible from SW Olds Place, making this a suitable location for bike parking. The applicant has not met this criterion with respect to Building 2, but it is feasible for the applicant to provide adequate bike parking for Building 2 and compliance with these provisions has been conditioned above.

**16.94.030 - Off-Street Loading Standards**

**A. Minimum Standards**

**2. The minimum loading area for non-residential uses shall not be less than ten (10) feet in width by twenty-five (25) feet in length and shall have an unobstructed height of fourteen (14) feet.**

**3. Multiple uses on the same parcel or adjacent parcels may utilize the same loading area if it is shown in the development application that the uses will not have substantially overlapping delivery times.**

**4. The following additional minimum loading space is required for buildings in excess of twenty thousand (20,000) square feet of gross floor area:**

- a. Twenty thousand (20,000) to fifty (50,000) sq. ft. - five hundred (500) sq. ft.**
- b. Fifty (50,000) sq. ft. or more - seven hundred fifty (750) sq. ft.**

**STAFF ANALYSIS:** The site contains three loading bays along the southern side of Building 1. These loading bays are within the parking area of the site. This is acceptable however, the applicant will need to demark the loading areas separate from the parking area with signage or striping.

**FINDING:** Based on the above discussion, the applicant does not meet this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to final site plan approval, indicate how the loading areas will be separately marked either with signage or striping.

**B. Separation of Areas**

**Any area to be used for the maneuvering of delivery vehicles and the unloading or loading of materials shall be separated from designated off-street parking areas and designed to prevent the encroachment of delivery vehicles onto off-street parking areas or public streets. Off-street parking areas used to fulfill the requirements of this Chapter shall not be used for loading and unloading operations.**

**STAFF ANALYSIS:** The site contains three loading bays along the southern side of the building. These loading bays are within the parking area of the site. This is acceptable however, the applicant will need to demark the loading areas separate from the parking area with signage or striping.

**FINDING:** Based on the above discussion, the applicant does not meet this criterion but it has been conditioned above.

**16.96 ONSITE CIRCULATION**

**16.96.030 - Minimum Non-Residential Standards**

**Minimum standards for private, on-site circulation improvements in non-residential developments:**

**Industrial: Improved hard surfaced driveways are required as follows:**

Required		Minimum Width	
Parking Spaces	# Driveways	One-Way Pair	Two-Way
1 - 249	1	15 feet	24 feet
250 & above	2	15 feet	24 feet

**STAFF ANALYSIS:** The applicant proposes a 14 onsite parking spaces in this phase of the project. Ultimately, there will need to be 29 spaces onsite. Therefore only one driveway is required. There is one two-way drive approximately 24 feet wide.

**FINDING:** Based on the above discussion, the applicant meets this criterion.

**3. Surface materials are encouraged to be pervious when appropriate considering soils, anticipated vehicle usage and other pertinent factors.**

**B. Sidewalks and Curbs**

**1. A private pathway/sidewalk system extending throughout the development site shall be required to connect to existing development, to public rights-of-way with or without improvements, to parking and storage areas, and to connect all building entrances to one another. The system shall also connect to transit facilities within five hundred (500) feet of the site, future phases of development, and whenever possible to parks and open spaces.**

**STAFF ANALYSIS:** There is a sidewalk or walkway that connects with the sidewalk on SW Olds Place to the front entrance of the building. The plans do not show a sidewalk connecting Building 2 to the sidewalk on SW Olds Place.

**FINDING:** Based on the above discussion, the applicant does not meet this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to building permit approval for Building 2, submit plans through a site plan modification process that provides a sidewalk that extends from this building to the sidewalk on SW Olds.

**16.98.020 - Solid Waste and Recycling Storage**

**All uses shall provide solid waste and recycling storage receptacles which are adequately sized to accommodate all solid waste generated on site. All solid waste and recycling storage areas and receptacles shall be located out of public view. Solid waste and recycling receptacles for multi-family, commercial, industrial and institutional uses shall be screened by six (6) foot high sight-obscuring fence or masonry wall and shall be easily accessible to collection vehicles.**

**STAFF ANALYSIS:** According to Kristen Leichner, Pride Disposal, the applicant initially proposed an enclosed garbage receptacle on the eastern side of the building that met the enclosure requirements but did not allow adequate room to maneuver the Pride Disposal trucks to pick up the receptacles. As an alternative the applicant proposed to use roll carts which may be acceptable but no formal submission of that change has been proposed.

**FINDING:** Based on the above discussion the applicant does not meet the criterion, but can do so with the following condition.

**RECOMMENDED CONDITON:** Prior to final site plan approval, submit plans for the solid waste and recycling storage that meet Pride Disposal standards and Chapter 16.98.020.

**C. Division VI – PUBLIC IMPROVEMENTS**  
**Chapter 16.106 TRANSPORTATION FACILITIES**  
**16.106.020 Required Improvements**

**A. Generally**

**Except as otherwise provided, all developments containing or abutting an existing or proposed street, that is either unimproved or substandard in right-of-way width or improvement, shall dedicate the necessary right-of-way prior to the issuance of building permits and/or complete acceptable improvements prior to issuance of occupancy permits. The following figure provides the depiction of the functional classification of the street network as found in the Transportation System Plan, Figure 8-1.**

**STAFF ANALYSIS:** The property is bordered by SW Olds Place to the east. The existing street has an 18-foot wide paved street section with 5-foot wide curb tight sidewalk within a 25-foot wide half street right of way section. A standard commercial local street is 20 feet of paved width with a 5-foot wide landscape strip and 6-foot wide sidewalk within a 32-foot wide half street right-of-way section.

Due to the street being fully developed and the same as surrounding properties, no street improvements are being required. The Sherwood Commercial Center project provided the necessary transportation improvements to the 10 lot industrial subdivision. Washington County has reviewed this application and did not have any comment or required improvements.

**FINDING:** Based on the above discussion, this criterion is met.

**16.110 – SANITARY SEWERS**

**Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains. Sanitary Sewers shall be constructed, located, sized and installed at standards consistent 16.110.**

**STAFF ANALYSIS:** According to the Engineering Department, a public sanitary sewer main is located on SW Olds Place along the frontage. The applicant will need to use the existing lateral to connect with the building.

**FINDING:** Based on the above discussion, the applicant does not meet this criterion. The applicant is able to comply with the following conditions.

**RECOMMENDED CONDITION:** As a general condition, the development must use the existing sanitary lateral to supply service to the new buildings unless otherwise approved by the Sherwood Engineering Department.

**RECOMMENDED CONDITON:** Prior to Final Occupancy, install the private sanitary sewer in compliance with the current Oregon Plumbing Specialty Code.

**16.112– WATER SUPPLY**

**16.112.010 Required Improvements**

**Water lines and fire hydrants conforming to City and Fire District standards shall be installed to serve all building sites in a proposed development. All waterlines shall be connected to existing water mains or shall construct new mains appropriately sized and located in accordance with the Water System Master Plan.**

**STAFF ANALYSIS:** According to the Engineering comments, there is a public water main existing within SW Olds Place along the subject property frontage. The existing main on the east side provides service to the property and therefore no improvements will be required. The applicant will be required to connect to this existing service.

The Engineering Department will need to confirm the water flow calculations that include domestic, irrigation and fire. Additionally, the Engineering Department will need to receive a statement of business activities and operations to determine if a Reduced Pressure Backflow Assembly is required.

**FINDING:** Based on the above discussion, the applicant has not met this criterion, but can do so with the following conditions.

**RECOMMENDED CONDITION:** As a general condition, the proposed development shall use the existing water service to supply domestic, irrigation and fire water to the development as needed unless otherwise approved by the Sherwood Engineering Department.

**RECOMMENDED CONDITION:** As a general condition, water flows calculations (domestic, irrigation and fire) shall be provided by the developer.

**RECOMMENDED CONDITION:** Prior to Final Occupancy, install a Reduced Pressure Backflow Assembly meeting Sherwood Engineering Department standards if required by Sherwood Public Works.

**RECOMMENDED CONDITION:** Prior to Final Occupancy, if on-site fire protection is required, install backflow protection meeting Sherwood Engineering Department standards.

**RECOMMENDED CONDITION:** As a general condition, private water lines shall be installed in compliance with the current Oregon Plumbing Specialty Code.

#### **16.114 – STORM WATER**

**Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage systems consistent with the Comprehensive Plan and the requirements of the Clean Water Services water quality regulations contained in their Design and Construction Standards R&O 04-9, or its replacement.**

**STAFF ANALYSIS:** The Engineering Department has reviewed the proposal and provided the following comments concerning the storm water detention and treatment. There is an existing water quality swale which was constructed with the original subdivision. This swale will receive the runoff from the development of the property. Clean Water Services requires a Storm Water Connection Permit.

**FINDING:** Based on the above discussion the applicant does not fully meet the criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to Engineering Approval of the Public Improvement Plans, provide a calculation showing that the existing water quality swale has the capacity to treat the new impervious area from the proposed development.

**RECOMMENDED CONDITION:** Prior to Engineering Approval of the Public Improvement Plans, submit a Clean Water Services Storm Water Connection Permit Authorization that includes the standards identified in the comments submitted by Clean Water Services on April 13, 2016.

## **16.116 FIRE PROTECTION**

### **16.116.010 Required Improvements**

**When land is developed so that any commercial or industrial structure is further than two hundred and fifty (250) feet or any residential structure is further than five hundred (500) feet from an adequate water supply for fire protection, as determined by the Fire District, the developer shall provide fire protection facilities necessary to provide adequate water supply and fire safety.**

**STAFF ANALYSIS:** John Wolff, Deputy Fire Marshall from Tualatin Valley Fire and Rescue (TVF&R) reviewed the plans after receiving notice and indicated that they preliminarily approved the project and requirements that would be reviewed at final site plan and building permit approval.

**FINDING:** All Tualatin Valley Fire and Rescue (TVF&R) requirements apply to this development. Compliance with the standard TVF&R requirements is required throughout the development of this project. This standard has not been met, but the applicant may meet this standard from with the following conditions.

**RECOMMENDED CONDITON:** Prior to Final Site Plan Approval, receive approval of the plans from Tualatin Valley Fire and Rescue.

**RECOMMENDED CONDITION:** Prior to Final Occupancy, ensure that site meets all TVF&R requirements.

## **16.118 PUBLIC AND PRIVATE UTILITIES\***

### **16.118.010 Purpose**

**Public telecommunication conduits as well as conduits for franchise utilities including, but not limited to, electric power, telephone, natural gas, lighting, and cable television shall be installed to serve all newly created lots and developments in Sherwood.**

### **16.118.020 Standard**

**A. Installation of utilities shall be provided in public utility easements and shall be sized, constructed, located and installed consistent with this Code, Chapter 7 of the Community Development Code, and applicable utility company and City standards.**

**B. Public utility easements shall be a minimum of eight (8) feet in width unless a reduced width is specifically exempted by the City Engineer. An eight-foot wide public utility easement (PUE) shall be provided on private property along all public street frontages. This standard does not apply to developments within the Old Town Overlay.**

**STAFF ANALYSIS:** There is an existing public utility easement across the frontage of the property. Per City Ordinance 2005-017 and City Resolution 2005-074, Sherwood Broadband utilities are required along the frontage of the site. Since no widening improvements are to be constructed as part of this project the applicant can elect to submit a payment in lieu of constructing these facilities.

**FINDING:** Based on the above discussion, the applicant does not fully meet this criterion, but can do so with the following condition.

**RECOMMENDED CONDITION:** Prior to approval of the public improvement plans, construct or pay the fee in lieu for Sherwood Broadband.

## **E. Division VIII. Environmental Resources**

### **16.142.060: STREET TREES**

**A. Installation of Street Trees on New or Redeveloped Property.**

Trees are required to be planted to the following specifications along public streets abutting or within any new development or re-development. Planting of such trees shall be a condition of development approval. The City shall be subject to the same standards for any developments involving City-owned property, or when constructing or reconstructing City streets. After installing street trees, the property owner shall be responsible for maintaining the street trees on the owner's property or within the right-of-way adjacent to the owner's property.

**STAFF ANALYSIS:** The applicant proposes five Red Maple street trees to be planted along SW Olds Place and the curb tight sidewalk which is designated as local road. The tree is listed in the City's recommended street tree list and is at least six feet tall and 2" diameter. This will be confirmed at the time of final inspection.

**FINDING:** The site contains proposed street trees that will be placed within the planter strip with along the entire Sherwood Commercial Center. One of the proposed street trees will need to be relocated due to the proposed driveway along SW Arrow. These trees are sufficient to satisfy this criterion, once installed.

**RECOMMENDED CONDITION:** Prior to building occupancy, plant the street trees according to the landscape plan.

#### **16.142.070 Trees on Property Subject to Certain Land Use Applications**

##### **B. Applicability**

All applications including a Type II - IV land use review, shall be required to preserve trees or woodlands, as defined by this Section to the maximum extent feasible within the context of the proposed land use plan and relative to other codes, policies, and standards of the City Comprehensive Plan.

##### **C. Inventory**

1. To assist the City in making its determinations on the retention of trees and woodlands, land use applications including Type II - IV development shall include a tree and woodland inventory and report. The report shall be prepared by a qualified professional and must contain the following information:

**FINDING:** There are no trees on site and thus this criterion is not applicable.

#### **3. Required Tree Canopy - Non-Residential and Multi-family Developments**

Each net development site shall provide a variety of trees to achieve a minimum total tree canopy of 30 percent. The canopy percentage is based on the expected mature canopy of each tree by using the equation  $\pi r^2$  to calculate the expected square footage of each tree. The expected mature canopy is counted for each tree even if there is an overlap of multiple tree canopies.

The canopy requirement can be achieved by retaining existing trees or planting new trees. Required landscaping trees can be used toward the total on site canopy required to meet this standard. The expected mature canopy spread of the new trees will be counted toward the required canopy cover. A certified arborist or other qualified professional shall provide an estimated tree canopy for all proposed trees to the planning department for review as a part of the land use review process.

	Commercial, Industrial, Institutional Public and Multi-family
Canopy Requirement	30%
Counted Toward the Canopy Requirement	
Street trees included in canopy requirement	No
Landscaping requirements included in canopy requirement	Yes
Existing trees onsite	Yes x2
Planting new trees onsite	Yes

**FINDING:** The applicant has identified 15,548 square feet of tree canopy on site. The site is 40,166 and the tree canopy covers 38% of the site. Therefore the applicant meets this criterion.

**16.148.010 - Vibrations**

**All otherwise permitted commercial, industrial, and institutional uses shall not cause discernible vibrations that exceed a peak of 0.002 gravity at the property line of the originating use, except for vibrations that last five (5) minutes or less per day, based on a certification by a professional engineer.**

**FINDING:** It is not anticipated that this development would create high levels of vibration beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

**16.150.010 – Air Quality**

All otherwise permitted commercial, industrial, and institutional uses shall comply with applicable **State air quality rules and statutes:**

- A. All such uses shall comply with standards for dust emissions as per OAR 340-21-060.**
- B. Incinerators, if otherwise permitted by Section 16.140.020, shall comply with the standards set forth in OAR 340-25-850 through 340-25-905.**
- C. Uses for which a State Air Contaminant Discharge Permit is required as per OAR 340-20-140 through 340-20-160 shall comply with the standards of OAR 340-220 through 340-20-276.**

**FINDING:** It is not anticipated that there will be high levels of air pollution beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

**16.152.010 - Odors**

**All otherwise permitted commercial, industrial, and institutional uses shall incorporate the best practicable design and operating measures so that odors produced by the use are not discernible at any point beyond the boundaries of the development site.**

**FINDING:** It is not anticipated that there will be high levels of odor or unusual beyond what is expected in an urban area. There are not any expected adverse impacts therefore this standard is met.

**16.154.010 – Heat and Glare**

**Except for exterior lighting, all otherwise permitted commercial, industrial, and institutional uses shall conduct any operations producing excessive heat or glare entirely within enclosed buildings. Exterior lighting shall be directed away from adjoining properties, and the use shall**

**not cause such glare or lights to shine off site in excess of one-half (0.5) foot candle when adjoining properties are zoned for residential uses.**

**STAFF ANALYSIS:** The applicant did not provide a proposed lighting plan, but did indicate that all new lighting would be shielded from adjoining properties within the narrative. However, there is not enough information provided to ensure that the development satisfies this standard.

**FINDING:** It is not clear from the proposed plans where new parking lot or building lighting would be added. Therefore, the following condition is warranted.

**RECOMMENDED CONDITION:** Prior to final site plan approval, submit a revised lighting plan showing that the lighting will not be more than 0.5 foot candle from the property onto adjacent properties.

Based upon review of the applicant's submittal information, review of the code, agency comments and consideration of the applicant's revised submittal, staff finds that the proposed site plan does not fully comply with the standards but can be conditioned to comply. Therefore, staff recommends Approval of **Dependable Springs Site Plan (SP 16-01)** with the following conditions of approval:

## **VI. CONDITIONS OF APPROVAL**

### **A. General Conditions**

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. This land use approval shall substantially comply with the submitted preliminary site plans and narrative dated February 9, and March 11, 2016 and prepared by Martin Chroust-Masin of MCHM Design, except as indicated in the following conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.
3. The developer/owner/applicant is responsible for all costs associated with private/public facility improvements.
4. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
6. This approval does not negate the need to obtain permits, as appropriate from other local, state or federal agencies even if not specifically required by this decision.
7. Retaining walls are not allowed within public easements or the public right of way.
8. Retaining walls with a height of four feet or higher located on private property will require a building permit.
9. After one year after final inspection for occupancy, contact the Sherwood Planning Department, 503-925-2308 for an inspection of the onsite landscaping to ensure that it is healthy and being maintained.
10. The development must use the existing sanitary lateral to supply service to the new buildings unless otherwise approved by the Sherwood Engineering Department.

11. The proposed development shall use the existing water service to supply domestic, irrigation and fire water to the development as needed unless otherwise approved by the Sherwood Engineering Department.
12. Water flows calculations (domestic, irrigation and fire) shall be provided by the developer.
13. Private water lines shall be installed in compliance with the current Oregon Plumbing Specialty Code.

**B. Prior to Final Site Plan Approval:**

1. Submit plans that show that there are no site obstructing objects within the clear vision area.
2. Submit a revised landscape plan that has been verified by a landscape professional.
3. Submit site plans that comply with ADA parking standards.
4. Submit plans that show how the loading areas will be separately marked either with signage or striping.
5. Submit plans for the solid waste and recycling storage that meet Pride Disposal standards and Chapter 16.98.020.
6. Receive final approval of the plans from Tualatin Valley Fire and Rescue.
7. Submit a revised lighting plan showing that the lighting will not be more than 0.5 foot candle from the property onto adjacent properties.

**C. Prior to Engineering Approval of the Public Improvement Plans:**

1. Provide a calculation showing that the existing water quality swale has the capacity to treat the new impervious area from the proposed development.
2. Submit a Clean Water Services Storm Water Connection Permit Authorization that includes the standards identified in the comments submitted by Clean Water Services on April 13, 2016.
3. Construct the improvements or pay the fee in lieu for Sherwood Broadband.
4. The new driveway shall meet Sherwood Engineering Department standards.

**D. Prior to Building Permit Approval for Building 1:**

1. Receive final approval from Tualatin Valley Fire and Rescue.
2. Receive final site plan approval from the Planning Department.
3. Receive Engineering approval of the public improvement plans.

4. Obtain an Engineering Compliance Agreement or a right-of-way permit.

**E. Prior to Building Permit Approval for Building 2:**

1. The developer shall apply for a site plan modification application to the City for review in order to show compliance with the parking standards for the site as a whole.
2. Provide plans through a site plan modification process, that show at least two bicycle parking spaces located in close proximity to the primary entrance of Building 2 and meeting the design standards of § 16.94.020.C.
3. Submit plans through a site plan modification process that provides a sidewalk that extends from this building to the sidewalk on SW Olds.

**F. Prior to Final Occupancy:**

1. Ensure that the parking and loading areas are kept in good repair, wheel stops in good condition and the painted parking spaces and directional symbols are maintained in a readable condition.
2. Install the private sanitary sewer in compliance with the current Oregon Plumbing Specialty Code.
3. Install a Reduced Pressure Backflow Assembly meeting Sherwood Engineering Department standards if required by Sherwood Public Works.
4. If on-site fire protection is required, install backflow protection meeting Sherwood Engineering Department standards.
5. Ensure that site meets all TVF&R requirements.
6. Plant the street trees according to the landscape plan.

**VII. Exhibits**

- A. Applicant's submittal with narrative and supporting documents March 9, 2016.
- B. Engineering Comments submitted by Craig Christensen P.E., Civil Engineer on April 16, 2016
- C. Clean Water Services comments submitted on April 13, 2016
- D. Pride Disposal comments submitted on April 4, 2016
- E. Tualatin Valley Fire and Rescue Department Comments submitted by John Wolff on April 14, 2016

**END OF REPORT**