

Minor Modification to SP 13-04 Gerda Office Building Site Plan

PLANNING DEPARTMENT

Application Submitted: January 15, 2015
Notice of Decision: January 21, 2015

Proposal: The applicant is proposing to remove previously planted lodge pole pines and substitute those plantings with a mix of arborvitae and Bloodgood Japanese Maples to improve the appearance of the site.

I. BACKGROUND

- A. Owner:** Jim Dougherty and Patricia Dougherty
PO Box 623
Manzanita, OR 97130
- Contact:** AKS Engineering, Matt Scheidegger
(503)925-8799
- B. Location:** 20955 SW Gerda Lane
- C. Tax Lot(s):** 2S129A Tax lot 3100
- D. Parcel Size:** The subject property is approximately 0.5 acres in size.
- E. Existing Development and Site Characteristics:** The site is currently being developed with a 4,150 SF office building. The site is relatively flat, and surrounded by a mix of industrially zoned lands, the Tualatin River National Wildlife Refuge, and farmland.
- F. Site History:** The subject site sits on one of three parcels that were partitioned by the owners in 2011. That partition is known as the Gerda Lane Partition (MLP 11-01). The parent parcel was subject to a decision (DR85-3) by the Sherwood City Council to permit West Coast Auto Salvage Auction to store and sell total loss vehicles to auto dealers and dismantlers at auction. In 1991, the Sherwood Planning Commission approved a modification to the original approval to allow the construction of a large auction building. In 2013, staff approved lot line adjustment (LLA 13-02) and approved a site plan for a 4,150 square foot office (SP 13-04). The property has been continuously leased from the original owners by companies that specialize in the storage and wholesaling of automobiles since 1993. Prior to that date, the original company that obtained the approvals operated the business.

- G. Zoning Classification and Comprehensive Plan Designation: The zone is General Industrial (GI). Per § 16.31, the purpose of the General Industrial zone is to provide for the manufacturing processing, assembling, packaging and treatment of products from previously prepared or raw materials. Business and professional offices are permitted outright in the General Industrial zone provided they are limited to 5,000 square feet in a single outlet, or no more than 20,000 square feet in multiple outlets in the same development project.
- H. Adjacent Zoning and Land Use: Surrounding uses include other General Industrial developments and includes, manufacturing, warehousing, retail of lawn and garden equipment, as well as some underdeveloped industrially zoned properties.
- I. Review Type: Because this is a minor alteration to a prior approved plan a minor modification is required. The modification requires a Type I review. An appeal would be heard by the Planning Commission.
- J. Agency Comments: As discussed below, the proposal affects landscape design, and does not affect the location of utilities, access ways, or on site circulation, but Sherwood Building and Engineering Divisions were provided with the opportunity to comment. No comments were provided.

II. ANALYSIS OF CODE COMPLIANCE

Minor Modifications to Approved Site Plans

16.90.030.A.2.d. *Minor Modification Approval Criteria.*

The review authority shall approve, deny, or approve with conditions an application for minor modification based on written findings that the modification is in compliance with all applicable requirements of the Development Code and conditions of approval on the original decision, and the modification is not a major modification as above.

As addressed in detail below, the request complies with the applicable requirements of the Development Code, and the modification is not considered a “major modification.”

FINDING: The application does not require a major modification since the modifications will not change the use, the density, floor area, access, height, or amount of required open space.

(1) A change in land use (i.e. residential to commercial, commercial to industrial, etc.);

FINDING: The proposed modifications to the site plan do not change the use of the property. The site will continue to be used for an office as approved in SP 13-04. This criterion is not applicable.

(2) An increase in density by more than ten (10) percent, provided the resulting density does not exceed that allowed by the land use district;

FINDING: Density is not a factor in this development as it is not residential; therefore, this criterion is not applicable to this review.

(3) A change in setbacks or lot coverage by more than 10 percent, provided the resulting setback or lot coverage does not exceed that allowed by the land use district;

The proposed landscape modifications to the site plan do not change the amount of lot coverage. The proposed site modifications do not affect the approved setbacks to the adjoining property lines. None of the buildings are proposed to be moved from the previously approved locations.

FINDING: As discussed above, this criterion does not trigger a major modification.

(4) A change in the type and/or location of access-ways, drives or parking areas negatively affecting off-site traffic or increasing Average Daily Trips (ADT) by more than 100;

FINDING: There will not be any changes to the locations of the approved access-way. The number of parking spaces will not be reduced by the proposed modification. This criterion does not trigger a major modification.

(5) An increase in the floor area or height proposed for non-residential use by more than 10 percent;

FINDING: The proposed modifications do not increase the floor area or height of the previously approved buildings. This criterion does not trigger the need for a major modification.

(6) A reduction of more than 10 percent of the area reserved for common open space; or

FINDING: The development is not required to provide common open space. This criterion is not applicable to this request.

(7) Change to a condition of approval that was specifically applied to this approval (i.e. not a standard condition," or a change similar to items (1)-(2) as determined by the Review Authority.

FINDING: The applicant is not proposing to amend a specific condition of approval that would apply to the prior approval and has indicated that they intend to continue to comply with the applicable conditions of SP 13-04 and original conditions of approval that require the site to be screened in (DR 85-3) of SP 12-03. Therefore, this criterion is not applicable. It is noted by staff however, that some of the proposed Bloodgood Japanese Maple trees will be planted within close proximity to utilities and in some cases some small retaining walls that are placed along this frontage. Within the revised engineering design standards (RD-80) a root barrier is called out for trees planted within a planter strip between the sidewalk and curb. In this case, the sidewalk is curb tight, so in order to protect the utilities, sidewalk, and any walls that would be compromised by the trees over time a root barrier is called for. Since there is not a standard detail, the project landscape arborist should prescribe the location and details for a root barrier where the newly proposed landscaping is to be planted.

CONDITIONS:

Prior to installation of the proposed landscaping, the applicant shall provide a planting detail, provided by the landscape architect that can be utilized by both the contractor and

the City Engineering inspector that illustrates how the plants should be planted with a root barrier that ensures that they can grow to maturity within a 3 year period, and includes a root barrier to protect the nearby utilities and right-of-way from future damage by the tree roots.

Prior to final occupancy of the office building, the applicant shall provide evidence from the projects landscape architect certifying that a root barrier is properly installed around the new landscaping in a manner that protects the nearby utilities and right-of-way from damage.

III. DECISION

Based on a review of the proposed site modifications, the applicable code provisions, and the Notice of Decision for SP 13-04, staff **APPROVES** MMSP 15-01, subject to the following conditions.

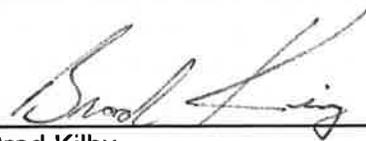
1. Prior to installation of the proposed landscaping, the applicant shall provide a planting detail, provided by the landscape architect that can be utilized by both the contractor and the City Engineering inspector that illustrates how the plants should be planted with a root barrier that ensures that they can grow to maturity within a 3 year period, and includes a root barrier to protect the nearby utilities and right-of-way from future damage by the tree roots.
2. Prior to final occupancy of the office building, the applicant shall provide evidence from the projects landscape architect certifying that a root barrier is properly installed around the new landscaping in a manner that protects the nearby utilities and right-of-way from damage.

VI. APPEAL

As per Section 16.76.020 of the Sherwood Zoning and Community Development Code (SZCDC), the decision of Staff detailed above will become final unless an appeal is received by the Planning Department from the applicant. The appeal deadline is **5:00 PM on February 5, 2015**.

Declaration of mailing)

I, Brad Kilby, AICP, Planning Manager, for the Planning Department of the City of Sherwood, State of Oregon, in Washington County, declare that the Notice of Decision on Case No. MMSP 15-01 Sherwood Minor Modification was placed in a U.S. Postal receptacle on January 22, 2015.



Brad Kilby
Planning Department
City of Sherwood