City of Sherwood Oregon

Home of the Tualatin River National Wildlife Refuge

Planning Commission Meeting Packet

FOR

December 8, 2015
Work Session at 6 PM
Regular Meeting at 7 PM

Sherwood City Hall
22560 SW Pine Street
Sherwood, Oregon

City of Sherwood
PLANNING COMMISSION
Sherwood City Hall
22560 SW Pine Street
Sherwood, OR 97140
December 8, 2015
6:00 PM Work Session
7:00 PM Planning Commission Meeting

6 PM Work Session Agenda

1. **Sherwood West Preliminary Concept Plan Update**
2. **Industrial Land Use Districts Development Code Discussion**

7 PM Planning Commission Agenda

1. **Call to Order/ Roll Call**
2. **Consent Agenda**
   a. November 10, 2015 Planning Commission Minutes
   b. November 24, 2015 Planning Commission Minutes
3. **Council Liaison Announcements** (Council President Robinson)
4. **Staff Announcements** (Brad Kilby)
5. **Community Comments**
6. **New business**
   a. **Public Hearing – SP 15-05 Endurance Products Company Expansion** (Brad Kilby)

      The Planning Commission will hold a public hearing for a proposal to add a 15,550 square foot building to a 1.99 acre site zoned General Industrial located at 13990 SW Galbreath Drive.

   b. **Public Hearing – PA 15-05 Parkway Court Zone Change** (Michelle Miller)

      The Planning Commission will hold a public hearing for a Comprehensive Plan Map Amendment and Zone Change for four vacant tax lots totaling approximately 1.25 acres in size from General Commercial (GC) to Medium Density Residential Low (MDRL). The property is located near the southwestern intersection of SW Meinecke and Highway 99W on SW Parkway Ct.
7. **Planning Commissioner Announcements**
8. **Adjourn**

Meeting documents may be found on the City of Sherwood website or by contacting the Planning Staff at 503-925-2308.

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City of Sherwood, Oregon
Planning Commission
November 10, 2015

Planning Commissioners Present:
Chair Jean Simson
Vice Chair Russell Griffin
Commissioner Alan Pearson
Commissioner Rob Rettig
Commissioner Lisa Walker

Staff Present:
Julia Hajduk, Community Development Director
Josh Soper, City Attorney
Brad Kilby, Planning Manager
Connie Randall, Associate Planner
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:
Commissioner Chris Flores
Commissioner Michael Meyers

Council Members Present:
Councilor Sally Robinson

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 7:02 pm.

2. Consent Agenda – None

3. Council Liaison Announcements

Council President Sally Robinson noted the failed annexation of the Brookman Road area and commented that there may be zone change requests in the future. She cautioned the Planning Commission to consider that the majority of the public want to maintain Sherwood's small town feel. Ms. Robinson reminded the Commission of the appreciation dinner scheduled for December 15, 2015.

4. Staff Announcements

Brad Kilby, Planning Manager, announced the following:

- Final Sherwood West Preliminary Concept Plan Community Advisory Committee meeting, November 19
- Cedar Creek Trail project public open house, December 3
- Planning Commission Work Session and Meeting, December 8
    - Sherwood West Preliminary Concept Plan (work session),
    - Parkway Court Plan Amendment and Zone Change,
    - Major Modification on SW Galbreath Drive for Endurance Products, 15,500 sq. ft. expansion
- Boards and Commissions Appreciation Dinner, December 15

Julia Hajduk, Community Development Director informed the Commission that field investigation for the Tannery site had taken place and the samples would be in process at the laboratory.

5. Community Comments

Tony Bevel, Sherwood resident, gave the Commission information on traffic calming devices (see record, Exhibit 1), said he lived on Lynnly Way and had spoken with the Planning Commission, the City Council and a number of other city officials about the traffic on his street. Mr. Bevel commented traffic was bad throughout the city and explained that he was told by city staff that traffic calming devices would hamper emergency vehicles. He asserted that this was not the case and other jurisdictions such as Beaverton, Tigard and Lake Oswego had traffic calming devises. Mr. Bevel noted that the biggest obstacle was the cost and suggested the budget committee could find money. He said he had spoken to his neighbors and each had experienced confrontations resulting from drivers speeding on the street and gave examples of dangerous encounters and animal fatalities. He commented that there are likely other streets needing traffic calming protection and that he paid his taxes to have safe roads so he could walk across the street to his mailbox without feeling threatened. Mr. Bevel acknowledged that traffic would come through his street; he expected it would get worse, and it needed to be calmed. Mr. Bevel commented that Washington County had also told him to educate the public and to have law enforcement present. He predicted that traffic calming devices would make saints of people.

Chair Simson thanked Mr. Bevel for his comments and said they were noted for the record. She said the Commission has asked staff for updates on traffic calming and suggested the matter be placed as a future agenda item to have a conversation with City Council or to make a recommendation.

Julia Hajduk responded that the Planning Commission could be part of the discussion for the issues and development of a formal neighborhood traffic calming program.

6. New business

a. Public Hearing – PA 15-04 Mandel Property Plan Amendment and Zone Change

Chair Simson read the public hearing statement stating the City Council would make the final decision. She asked staff about ex parte, bias or conflicts of interest and was informed that it was a legislative decision and only conflict of interest would apply. Chair Simson asked for any Planning Commissioners that would like to declare a conflict of interest.

Commissioner Rob Rettig stated he would recuse himself, because of a potential conflict of interest in that the company he works for was also representing the applicant. Commissioner Rettig left the dais, leaving four commission members and maintaining a quorum.

Julia Hajduk affirmed the hearing at the City Council level would be a de novo hearing. Chair Simson clarified that proponent and opponent testimony would be accepted in full at the City Council level.

Connie Randall, Associate Planner, gave a staff report and presentation for PA 15-05 Mandel Property Plan Amendment and Zone Change (see record, Exhibit 2). She said the applicant was proposing a Comprehensive Plan and zoning map amendment for a three acre parcel of land located at the southeast corner of Edy and Elwert roads from Neighborhood Commercial to Medium Density Residential Low. The subject site was in active farming and had an existing single family residence and associated out buildings. Ms. Randall explained it was part of a larger 21.28 acre parent parcel and the site was bisected from north to south in an arched manner by the tributary to Chicken Creek which creates a pocket of developable land adjacent to Elwert Road. She identified the portion of land that was the subject property for the action and that it was zoned Neighborhood Commercial. Agricultural

and forestry zoned property in rural Washington County surrounds the site on the north and west. Ms. Randall said the subject property was in the city and adjacent to residentially zoned property; Medium Density Residential Low and High. The site was brought in to the Urban Growth Boundary in 2002 as part of Area 59 with the Area 59 Concept Plan being adopted by the City Council in 2007 when the current land use and zoning designations were applied.

Ms. Randall reported that public and agency notices were provided in accordance with the Sherwood Zoning and Community Development Code (SZCDC) and staff had received one public comment attached as Exhibit C to the staff report; Mr. Reynolds was concerned about the safety of accessing Elwert Road from the subject site. Ms. Randall commented that the request was legislative, about the land use designation of the property, and access to the site would be evaluated with a future land use application, such as a subdivision application, and any access would be required to meet all standards outlined in the Zoning and Community Development Code as well as the City's Engineering Design and Standard Details Manual. She pointed out that the anticipated traffic from future development of residential uses, associated with the proposed amendment, was expected to generate significantly less traffic then the commercial uses which were currently allowed.

Ms. Randall informed the Commission that staff had received agency comments from the Department of Land Conversation and Development (DLCD) and the City's Engineering Department (attached to the staff report as exhibits D & E), and Tualatin Valley Fire and Rescue (TVF&R) notified staff that they did not have any comments on the application. Ms. Randall said DLCD raised the concern that the applicant's narrative had not adequately addressed Statewide Planning Goal 9: Economic Development. The applicant's response to DLCD was attached to the staff report as Exhibit B.

Ms. Randall explained that there were five required findings in the SZCDC that needed to be made. The first was that the proposed amendment be consistent with the Comprehensive Plan and Transportation System Plan (TSP) policies. There are five chapters in the Comprehensive Plan that are applicable which will be covered at the end of the presentation.

Ms. Randall said the second finding was a demonstrated need for the proposed use and zoning and the importance of the use to the economy of the city, existing market demand, presence or absence of other similar uses in the area, and the general public good.

Ms. Randall reminded the Commission of the recent Residential Buildable Lands Inventory and the Housing Needs Analysis performed as part the Sherwood West Preliminary Concept Plan project and stated the studies showed that there were about 96 acres of buildable residential land in the city with an additional 79 acres in the Urban Growth Boundary in the Brookman Area. She continued that within the city 14 acres are zoned Medium Density Residential Low with the bulk of the other land available located in the Brookman Area which has 52 acres of land available for Medium Density Residential Low. Ms. Randall cited that the applicant had discussed in the project narrative, and staff agreed, that Sherwood had a need for a guaranteed land supply for residential uses which meant it could be developed in a timely, reasonable manner. She said the City's ability to annex available land in the Urban Growth Boundary has proven difficult in recent years, as evidenced by the three failed annexation attempts in the Brookman Area, and it was a concern to the City in the ability to meet the need for residential development. Ms. Randall reported that both the Housing Needs Analysis and the applicant's analysis concluded that the city will likely deplete the available residential land supply within the next five years. She noted the table in her presentation was out of date because of developments under way on Cedar Brook Way and Edy Road and an additional fourteen acres of Medium Density Residential Low on the parent parcel of this land use application was planned for development, further

depleting area's available land for residential Medium Density Residential Low uses. Staff believed there was a demonstrated need.

Ms. Randall said the third required finding was that the proposed amendment be timely and considered the development pattern in the area, changes in the neighborhood or community and the availability of utilities and services. She recounted that the two most recently completed residential developments in the city were immediately adjacent to the subject site; Daybreak Estates to the south and Renaissance at Rychlick Farms to the east. The city engineer has reported that existing water, sewer, and storm water facilities are available to serve the site and were planned to be extended to the site at the time of development in all three of the City's master plans.

Ms. Randall pointed out that there had been changes in the neighborhood and community to the adopted plan for Area 59 which called for a mixed use commercial and residential development on the subject site. She said the site was to have two points of access to Elwert Road with the southernmost access crossing the Chicken Creek tributary and connecting development to the surrounding neighborhood. The plan intended the Neighborhood Commercial to have commercial on the bottom floor, residential on top, with connectivity to the surrounding neighborhood so they could get their daily goods and services met at the site. However, crossing the Chicken Creek tributary has been found to be expensive financially and environmentally. Ms. Randall explained that the TSP identified the proposed crossing and associated environmental mitigation to cost more than $2 million for approximately 700 feet of roadway. That has been determined to be excessive and would mostly fall on the city to pay for as you could not expect development to pay the cost to make the connection. Ms. Randall further explained that during the development of the Daybreak Subdivision south of the subject property, it was determined to move the connection between Elwert Road and Copper Terrace further south. The relocated connection did not have any connectivity to the Neighborhood Commercial site, leaving the site isolated and separated from the adjacent residential neighborhoods it would be intended to serve.

Chair Simson asked for clarification of where access to the remaining twenty one acres was. Ms. Randall replied that access to the residential neighborhood could be provided off of Copper Terrace, the proposed area would be accessed from Elwert Road.

Commissioner Pearson asked if Chicken Creek was a flood prone area. Ms. Randall responded that there are floodplains associated with the creek and the need for and width of the buffer would be determined with Clean Water Services. Staff did anticipate preservation and protection of the creek at the time of the concept plan. She commented that if you look at how Sherwood has developed over time, the City has consistently planned for and protected the natural areas and waterways nestling development to fit.

Ms. Randall said the fourth required finding was that other properties zoned Medium Density Residential Low were unavailable or unsuitable for immediate development considering the size, location and other factors. She noted the biggest factor for Sherwood was that there was not a lot of other property zoned Medium Density Residential Low in the City of Sherwood. Land was available in our Urban Growth Boundary, but has had challenges being brought into the City with a guarantee that it will be developed in the near future. For that reason staff believes this required finding has been met.

Ms. Randall stated the fifth required finding was related to the Transportation Planning Rule which requires consistency and findings that the proposed amendment will not negatively impact the functional classification of any of the local, county, regional or state transportation facilities. In looking

at the anticipated peak hour weekday trips generated from new neighborhood commercial (the allowed use) versus the proposed Medium Density Residential Low development trips, there would be a net reduction of 1,860 trips generated based on the proposed amendment.

In answer to a question from Chair Simson, Ms. Randall identified that the traffic analysis provided by the applicant's narrative used the likely types of businesses that could be developed on the site as a neighborhood commercial site. She said the Neighborhood Commercial zoning limited the types and sizes of uses that could be developed with a maximum of four. Ms. Randall explained that the analysis used their best guess on the four most impactful businesses that could be developed at the site.

Returning to the Comprehensive Plan criteria, Ms. Randall explained that Chapter 2, Planning Process outlined the process evaluating proposed amendments, which we are discussing. Chapter 3, Growth Management sought to ensure that the city grew in a manner that respected established growth limits, desired population densities, land capacity, environmental quality and livability; all those things that we talk about that make a good community. She described that the Chapter 4, Land Use goals aimed to accommodate a variety of housing types while preserving the integrity of the community and that the Chapter 6, Transportation goals called for connectivity between land uses. Lastly, Ms. Randall explained that Chapter 8, the Urban Growth Boundary section, summarized the adopted Area 59 Plan, because the Comprehensive Plan pre-dated the inclusion of the area.

Ms. Randall showed a map of the subject property with a circle around it representing a quarter mile. She said the exhibit solidified things in her mind during her review. She disclosed that she found the application to be challenging as her personal bias was that she lived in the area and was frustrated by the lack of easily accessible commercial in the area that could be walked to. She indicated her initial gut reaction was not to get rid of the commercial potential, because it was needed. Ms. Randall explained that as part of her review she took a look at growth and developing livable neighborhoods as discussed in the Comprehensive Plan where quarter mile neighborhoods are typically planned for, because the quarter mile was the established distance most people could and are willing to walk to within a fifteen minute period. She said most of the quarter mile neighborhood was undeveloped county land, which was not under the City's control to develop, limiting the neighborhood area that the property can serve. Ms. Randall set forward that the other contributing factor was the open space area and the bisection of the parcel by the chicken creek tributary. She questioned if the concept plan would have seen this as the best place for neighborhood commercial if the city had known there would not be a tributary crossing. Unfortunately, from staff's perspective, absent that crossing, Neighborhood Commercial was not the best zoning. She said it would be an isolated parcel oriented towards Elwert Road and at about 130 feet deep it would become a long strip commercial site. Ms. Randall commented that type of development was not the intent of the Neighborhood Commercial nor the right place for Neighborhood Commercial in the community and said staff thought it met the general plan policies and the TSP because of the eliminated connectivity.

Ms. Randall noted that Metro and State standards were discussed in detail in the staff report. She wanted to highlight Goal 9: Economic Development which needed to find that the proposed amendment did not negatively impact the City's ability to provide economic development opportunities as identified in the adopted Economic Opportunities Analysis. Ms. Randall said the Economic Opportunities Analysis was part of the City's Economic Development Strategy adopted in 2007. She pointed out that Area 59 was not considered as part of the Economic Development Strategy because it wasn't planned for yet. The concept plan was adopted later in the same year. She explained that the Analysis focused on commercial and industrial lands, the ability to provide jobs and to attract and retain

businesses and that the Neighborhood Commercial zone as a category was not identified or discussed in the strategy. The purpose and intent of the Neighborhood Commercial zone was to be small. Ms. Randall added that the Code limits developments to one acre in size, so per the code, this three acre parcel would have to parcel out and do separate developments. The Code limits the size of the businesses to one acre, the types of businesses, operational hours, and characteristics to make sure that what does go in Neighborhood Commercial was compatible with the residential neighborhood. She said Neighborhood Commercial was seen as a zone that supported residential development as opposed to contributing economically and that it was not intended to create jobs or to draw industry into the City; historically, Neighborhood Commercial was very underutilized in Sherwood with only 1.03 acres of land developed in the Neighborhood Commercial zone. Ms. Randall disclosed that the only other land designated as Neighborhood Commercial was this three acre parcel that has been vacant since it was brought into the city. She said about two acres in the Brookman Area were designated Neighborhood Commercial.

Ms. Randall said the commercial land supply in the Economic Opportunities Analysis determined that the city needed one parcel between one and four acres in size for commercial development. At the time the existing supply was eleven parcels that fit the description. She said removing one of the parcels was not going to be a detriment to the city's ability to provide jobs and services as identified in the Economic Opportunities Analysis. Ms. Randall stated that for all those reasons staff believed the proposed change met Goal 9. Ms. Randall added that she spoke extensively with the DLCD representative and they had acknowledged that it was challenging to do a review based on the old analysis. Ms. Randall revealed that city staff was in the process of applying for funding to update the Economic Opportunities Analysis.

Based on the findings discussed during the presentation and in the staff report, staff recommended that the Planning Commission forward a recommendation of approval of PA 15-04 to the City Council.

Chair Simson asked if any commission members had questions. Receiving none, she asked for applicant testimony.

Mimi Doukas, AKS Engineering, representing the applicant, Venture Properties, came forward. Ms. Doukas commented that staff's presentation represented a good outline for how the materials met the criteria for the application. She said the property was part of the Area 59 Concept Plan and brought into the Urban Growth Boundary primarily to allow the city to accommodate two new schools, which had been built. Ms. Doukas stated the concept planning worked hard to make the schools the top priority and the remaining land was defined by the community as a residential community with detached homes and included a small portion of mixed use commercial within it. She said the best zone for the commercial property was Neighborhood Commercial and it was understandable why the community would want to have a component like that; it leads to a walkable neighborhood and it's nice to have services nearby. Ms. Doukas said the designation was placed on the property in 2007 and the land has been sitting since. She said the land that has been designated Neighborhood Commercial, unfortunately, isn't functional for Neighborhood Commercial, and as pointed out by staff, it was not accessible to the community, fairly isolated in geography by being located at the far northwest corner of the city with community on only two sides, and separated by the Chicken Creek tributary.

Ms. Doukas commented that from a citywide prospective the city had an adequate supply of retail and a shortage of residential lands; there were two components to that. She said the city had a demonstrated need for residential land that had been exacerbated by the recent (Brookman annexation) vote. Ms. Doukas acknowledged Council's comment about remaining a small community and said there were two

sides to that equation. The other side was a demonstrated lack of need for the property to be Neighborhood Commercial, both in the location and functionality, but also in total quantity. Ms. Doukas expressed that Neighborhood Commercial was a special use that had specific locational factors, it was supposed to be small in scale, and have a small service area. She asserted that the site did not have those things; it was oversized for what it was described as, the location was awkward, the depth was awkward, access was awkward and it would end up as a strip commercial. Ms. Doukas stated the reason why the zone change was before the Commission was that the total site of the Mandel property was ready to move forward with development. Venture Properties wanted to move forward with a residential community for the remainder of the property and it was the right time to plan out the entire site to ensure it functions in totality and you don't end up with a remnant piece that sits for years into the future waiting for something else to happen. Ms. Doukas commented that perhaps with a future Urban Growth Boundary expansion in the Sherwood West Concept Plan Area there would be more community adjacent and it could be part of a bigger vision, but if the property was not rezoned at this point, then it may end up as an awkward piece that was left for a long time into the future. Ms. Doukas expressed appreciation for staff's presentation and said she had Kelly Ritz, president of Venture Properties and Bill Reid with PNW Economic available to answer questions.

Chair Simson asked for any questions from the Planning Commission. None were received. Chair Simson stated the applicant had 25 minutes remaining for rebuttal and asked for public testimony.

R. Claus, Sherwood resident, asked for and received confirmation that the City Council public hearing would be de novo. He requested to keep the record open for two weeks because he heard some things that he was confused about.

Mr. Claus said there were MSTIF funds on the site and he wanted to know how the MSTIF would be used going from commercial MSTIF funds to a residential site. He commented that it happened on Langer's property with lots of money available, but there was not any money for the rest of us. Mr. Claus commented that under 16.8.30.30b3 the city had to look at the pattern and asserted that there was no pattern in Sherwood. He cited Home depot as light industrial that was not to be retail commercial and the center across the street that was not supposed to be there, but was. Mr. Claus commented that the then city manager made the decision that the use was a lumber yard and Wendy's was not fast food. He spoke of a butcher shop that would bring things in from Carlton and said it was political decision and we all know that. Mr. Claus said the specific plan was changed and commented on $10 million for Meinecke because the state knew they had come in and ruined the specific plan and bought us off with $10 million which proceeded to put land into play that was supposed to be the prime retail commercial with a road running through it and conditions that would not allow development. Mr. Claus said that Langer and Mayor Hitchcock came back the latter owning forty two acres of Light Industrial that became residential which was matched by Sunset.

Mr. Claus said he was trying to tell the Commission of the political decisions. He said they were not the staffs' problem because they were not here when it happened. Mr. Claus stated that Bormet said he made enough money after Home Depot he did not need to worry. He commented he did not see a vacancy factor, although rents were going down for retail commercial, nor had he seen a number of things like absorption rates, yet staff was stating it complied with economic goals through the economic development director. Mr. Claus stated he did not believe it, he had more faith in the numbers. He commented that vacancy rates had come up, but they were not mentioned.

Mr. Claus commented on traffic and asked if the Commission knew how much money was being spent on Kruger, Edy and Sunset in order to turn that into the spoke it was supposed to be before Hitchcock needed residential zoning in his industrial area. He repeated that the specific plan was destroyed.

Mr. Claus said more and more of these kinds of decisions would come before the Commission, because the roads had effectively destroyed the zoning and there cannot be zoning without the infrastructure. He commented about Sunset Blvd being two lanes, instead of four, not allowing truck traffic on it, and leaving Light Industrial zone would fool nobody but yourself. Mr. Claus indicated he did not really care what happened out there, but wanted a history that these decisions are political and are not made on land use principles, but apparently this one was. He said what was disturbing about this action was it was more zoning on the fly, he commented on the MSTIF money out there; at least the county implied there was MSTIF money. Mr. Claus commented about rezoning it to residential, said it was as bad as Langer from Light Industrial and that he hoped that somebody listened that this was just the beginning of these. He commented that because the zoning was changed the infrastructure was changed. Mr. Claus asked again that the record be kept open so he could make that comment and then when we go de novo at the Council he really wanted to hit on it.

Tony Bevel, Sherwood resident, commented he thought the traffic problems needed to be addressed first, in the whole area there. He said he traveled Edy Road quite often and there had been a fatality when someone was crossing on Elwert Road. Mr. Bevel admonished to get the traffic problems right before starting development.

Chair Simson noted the request to keep the record open and asked staff for counsel. Staff responded that the code required a request must be granted for at least seven days during the first evidentiary hearing and to a *date certain*. Staff gave the commission options to consider. Discussion followed.

Commissioner Pearson commented on possible quorum issues and was reminded that absent Planning Commissioners could watch the recording.

Chair Simson noted that the action was legislative, was not subject to the 120 day rule, and acknowledged a full schedule at future meetings. The preferred option by present commission members was to keep the record open for seven days to accept written testimony, allow seven days for the public response, and allow the applicant to respond at the public hearing.

Brad Kilby explained that the public could respond to written comments at the hearing and the record could be kept open until November 17 at 5 pm.

After confirming the availability of Planning Commission members and the applicant, the following motion was received.

Motion: From Vice Chair Russell Griffin to keep the record open to accept written testimony for the next seven days and continue the hearing to a date certain of November 24, 2015 at 7 pm. Seconded by Commissioner Pearson. All present Planning Commissioners voted in favor (Commissioners Flores and Myer were absent).

Commissioner Rettig returned to the dais.

7. Planning Commissioner Announcements

Chair Simson reminded the commissioners and audience of the November 19th meeting for the Sherwood West Preliminary Concept Plan Community Advisory Committee.

Commissioner Pearson commented on the Disaster Preparedness Town Hall presented at the Police Station on November 9th and encouraged everyone to prepare for the next earthquake event. Commissioner Pearson suggested emergency preparedness be an agenda item for homeowner associations in Sherwood and advised that citizens may need to live on their own from two weeks to two years after a disaster.

Vice Chair Griffin announced the fall high school play, Our Town, which would be showing November 19-21.

8. Adjourn

Chair Simson adjourned the meeting at 8:13 pm.

Submitted by:

_____

Kirsten Allen, Planning Department Program Coordinator

Approval Date: _____

City of Sherwood, Oregon
Planning Commission
November 24, 2015

Planning Commissioners Present:
Chair Jean Simson
Vice Chair Russell Griffin
Commissioner Chris Flores
Commissioner Alan Pearson

Staff Present:
Julia Hajduk, Community Development Director
Josh Soper, City Attorney
Brad Kilby, Planning Manager
Connie Randall, Associate Planner
Kirsten Allen, Planning Dept. Program Coordinator

Planning Commission Members Absent:
Commissioner Michael Meyer
Commissioner Rob Rettig
Commissioner Lisa Walker

Council Members Present:
None

1. Call to Order/Roll Call

Chair Jean Simson called the meeting to order at 7:00 pm.

2. Consent Agenda

a. October 13, 2015 Planning Commission Minutes
b. October 27, 2015 Planning Commission Minutes

Motion: From Commissioner Alan Pearson to approve the Consent Agenda, Seconded by Vice Chair Russell Griffin. All present Planning Commissioners voted in favor (Commissioners Michael Meyer, Rob Rettig, and Lisa Walker were absent).

3. Council Liaison Announcements

There were not Council Liaison Announcements

4. Staff Announcements

Brad Kilby, Planning Manager, announced the Cedar Creek Trail project open house, December 3

- Planning Commission Work Session and Meeting, December 8
    - Sherwood West Preliminary Concept Plan (work session),
    - Sherwood Industrial Zone Uses (work session),
    - Parkway Court Plan Amendment and Zone Change,
    - Major Modification on SW Galbreath Drive for Endurance Products, 15,500 sq. ft. expansion
- Boards and Commissions Appreciation Dinner, December 15

Julia Hajduk, Community Development Director informed the Commission that field investigation for the Tannery site had taken place and the samples would be in process at the laboratory.

5. Community Comments

None were received

6. Old business

a. Public Hearing – PA 15-04 Mandel Property Plan Amendment and Zone Change (continued from November 10, 2015)

Chair Simson read the public hearing statement stating the Planning Commission would make a recommendation to City Council for the final decision. She indicated the applicant had twenty five minutes of testimony time remaining, stated that ex parte and bias did not apply and asked for any conflicts of interest. Commissioner Chris Flores was not present at the previous public hearing, but confirmed that he had watched the video of the meeting.

Connie Randall, Associate Planner, gave an overview for PA 15-05 Mandel Property Plan Amendment and Zone Change with a presentation (see record, Exhibit 1). She reminded the commission that the public hearing was continued from November 10, 2015 and the record was left open for seven days to allow for an additional written testimony. She said that Robert James Claus had submitted additional testimony on November 17th which was distributed to the Planning Commission and posted online on November 18th (see planning record, Exhibit F) Ms. Randall stated that Mr. Claus' testimony appeared to be generally supportive of the applicant's request.

Ms. Randall said the applicant was requesting a Comprehensive Plan and Zoning Map Amendment for a 3-acre parcel of land located at the southeast corner of Edy and Elwert Roads from Neighborhood Commercial to Medium Density Residential Low and the subject site was in active farming with an existing single-family residence and an associated outbuilding. She explained that it was part of a larger 21.28 acre parent parcel with an odd cut out area near the property containing a city-owned stormwater facility.

Ms. Randall said the site was bisected from north to south in an arching manner by a tributary to Chicken Creek, creating a pocket of developable land adjacent to Elwert Road. The site was brought into the Urban Growth Boundary in 2002 as part of Area 59 and the Area 59 Concept Plan was adopted by City Council in 2007 which applied the current land use and zoning designations.

Ms. Randall described that Section 16.80.030 of the Zoning and Community Development Code outlined five required findings that must be made to amend the City's Comprehensive Plan and Zoning Map. One was a demonstrated need for Medium Density Residential Low development in light of the proposed use and its importance to the City's economic health, current market demand, and the availability and location of other residential land in the area as well as the general public good.

Ms. Randall noted that this was discussed in the staff report and the last hearing where data from the Housing Needs Analysis, completed with the Sherwood West Preliminary Concept Plan, and the applicant's narrative demonstrated that there were currently 96 acres of buildable land zoned for residential use inside the current City limits; fourteen of those are zoned MDRL. Ms. Randall said an additional 79 buildable acres were located outside the City limits, within the UGB, in the Brookman area, but there was not a lot of available land in the City zoned for Medium Density Residential Low

development. She added that the proposal would create a cohesive residentially zoned pocket of land west of the Chicken Creek tributary that would allow for better site planning and neighborhood design, which is a public good.

Ms. Randall stated the next finding required that the proposal be timely considering available utilities, the development pattern in the area, and changes in the community. She said the staff report demonstrated that water, sewer and stormwater utilities were available and expected to be extended at the time of development. She commented that there was an existing residential development pattern in the immediate area and a substantial change to the community with respect to the transportation network.

Ms. Randall explained that when Area 59 was planned, a local street connection across the Chicken Creek tributary was envisioned which would connect the neighborhood commercial area with the adjacent residential development, but crossing the tributary proved to be very expensive, both financially and environmentally and during the review of the adjacent Daybreak development, the proposed connection between Elwert Road and Copper Terrace was relocated south to avoid the expensive crossing. She mentioned that the cost of making the crossing was estimated at approximately two million dollars which would be borne mostly by the citizens of Sherwood. Ms. Randall said without the vehicular connection, the site would be left isolated from the very neighborhood it was intended to serve. She said the proposal was a timely response to the changed transportation condition.

Ms. Randall indicated that the next finding sought that other Medium Density Residential Low properties were either unavailable or unsuitable for development. She said the lack of land zoned Medium Density Residential Low properties within the City was previously discussed and the only other similarly zoned land was unavailable for immediate development given the three failed attempts to annex property in the Brookman area.

Ms. Randall explained regarding traffic that the proposed residential uses were anticipated to generate 1,860 fewer weekday, peak hour vehicle trips than what could be expected if the site developed with Neighborhood Commercial uses and would not negatively impact any adjacent transportation facilities.

Ms. Randall summarized that the changes to the planned transportation system, as described in the staff report and discussed at the last hearing, had left the site isolated and detached from the very neighborhood it was intended to serve. She said the sole point of access would be on Elwert Road and the site would be oriented in a manner conducive to strip commercial retail development which was not consistent with the intent of the Neighborhood Commercial designation. Ms. Randall stated the proposed amendment would allow for better site planning for a residential neighborhood that could take advantage of the adjacent Chicken Creek tributary, consistent with the goals of the Comprehensive Plan and Transportation System Plan policies.

Based on findings of fact in the staff report, presentation in the Public Hearing, and the conclusion of law based on the applicable criteria, staff recommended the Planning Commission forward a recommendation of approval of PA 15-04 to the City Council.

Chair Simson asked if any commission members had questions. Receiving none, she asked for applicant testimony.

Mimi Doukas, AKS Engineering, representing the applicant, Venture Properties, stated they would wait for rebuttal.

Chair Simson asked for any testimony in favor of or against the application. None were received. She called the applicant for rebuttal.

Ms. Doukas went over comments received at the public hearing the two weeks previous as well as the written testimony. She said that Mr. Claus appeared to be in favor of the zone change and had some other concerns regarding public policy that were a broader subject to be discussed at a different time. Ms. Doukas said Mr. Bevel had concerns about traffic, but as staff had pointed out, traffic would decrease with the proposed zone change as the traffic impacts of Neighborhood Commercial were significantly less with Medium Density Residential Low. She added that this was supported by the Lancaster traffic report. Ms. Doukas noted that Mr. Bevel probably had valid concerns regarding the impact of a large subdivision which was expected for the larger Mandel property. Ms. Doukas explained that the traffic would then be fully analyzed and a full traffic study submitted with the subdivision application which would discuss impacts and any required mitigation and Mr. Bevel would have an opportunity to review the impact of the subdivision at that time.

Ms. Doukas said that aside from transportation the issue goes back to the overall criteria and whether the site makes sense for neighborhood commercial or for medium density residential and as staff pointed out, there was a demonstrated need for Medium Density Residential Low supported by the PNW economic report showing the overall capacity within the city and the demonstrated need. Ms. Doukas said the site was appropriate for residential in terms of topography and urban services and as stated in the last hearing the primary objective of the application now for timeliness was to incorporate the subject site into the larger Mandel subdivision which would be heard by the Planning Commission shortly following the zone change application.

Ms. Doukas pointed out the other side of the question was whether the property was appropriate for Neighborhood Commercial. She noted staff's outlined challenges of Neighborhood Commercial and said the fundamental challenge was that the roadway connection turned out to not be appropriate resulting in no connection for the Neighborhood Commercial to an actual neighborhood; limiting the functionality of what neighborhood commercial really means. Ms. Doukas commented that as a stand-alone site it was challenging; too large for Neighborhood Commercial; not enough demand for that amount of Neighborhood Commercial; beyond what was envisioned in the definition of Neighborhood Commercial within Sherwood's code. She said Neighborhood Commercial was supposed to be closer to one acre sites as opposed to three acre sites, but even so the location was at the edge of the city, and the edge of the Urban Growth Boundary, that access was challenging, and it did not have a neighborhood to serve.

Ms. Doukas stated from that standpoint the applicant thought it was an appropriate site for a zone change and requested a positive recommendation from the Planning Commission on to the City Council. Ms. Doukas thanked staff for their detailed findings, presentation, and teamwork that was appreciated. She offered to answer questions.

Chair Simson closed the public hearing and moved to deliberation. She asked for questions from the commission or a motion to discuss.

Motion: From Vice Chair Russell Griffin to forward a recommendation of approval to the city council for Mandel property plan amendment and zone change (PA 15-04) based on applicant testimony, public testimony received, and the analysis, finding, and conditions in the staff report. Seconded by Commissioner Pearson.

Chair Simson asked for any discussion.

Commissioner Pearson said he normally was apprehensive to make changes Comprehensive Plans. However, things had changed from what was fine in [2007] when the plan was enacted and having the site as commercial was inappropriate. He stated the reason he was reluctant to make changes to master plans was that chipping away at them soon rendered the master plan a weak suggestion. He said there was a reason for master plans, they held goals and ideas. Commissioner Pearson stated the problem in Sherwood was that it was a growing town that was running out of space to grow and one of the reasons the commission was reviewing the application was the fact that Sherwood needed the space and the housing. He said Sherwood needed to make the change to accommodate reality.

Commissioner Pearson said he would view with jaundiced eye changes to certain areas that were totally inappropriate to convert to residential, because the City could not start chipping away at [zoning]. He said Sherwood needed to expand and stop pirating or stealing from designated areas to accommodate growth when it was quite simple. He stated this was an exception to his rule and he would vote in favor of it as it was clearly justified and needed. Commissioner Pearson said he agreed with Mr. Claus however, and had discussed with him in terms of more affordable housing, which unfortunately, this might not accommodate. He said he was not going to let the perfect get in the way of the good, this was the good, and he would vote in favor.

Vice Chair Griffin added that he was a planning commissioner when Area 59 was planned. He said they positioned the school on the property and then tried to figure out the zoning around it. He said it was a broad stroke and he remembered thinking that commercial strip was not only on the edge of the city, but on the edge of the Urban Growth Boundary and he had thought Sherwood would have to grow quite a bit to accommodate it. Vice Chair Griffin said he had wondered how it would progress and agreed with Commissioner Pearson in that this particular case it made sense to make the change, because Sherwood needed more housing and not necessarily three mini commercial plots.

Chair Simson agreed and commented on the planning of the Area 59 Concept Plan where the intent was to connect the commercial land to the neighborhood and said the change in the transportation plan set that particular parcel up for failure as a commercial property. She said it was a significant change that set a bar and a zone change needed thoughtful consideration for the Planning Commission to recommend it. Chair Simson commented that the city had a way to expand residential when including the Brookman or the Sherwood West areas and should not rob all of the industrial and commercial land. She said in this case the piece of property was setup for failure with no connecting transportation.

Commissioner Flores noted possible changes to Elwert Road as part of the Sherwood West Preliminary Concept planning project and the effect it could have on commercial in the area.

Chair Simson noted that the Sherwood West Preliminary Concept planning project was a fifty year plan and said that the Area 59 concept plan was seven years old. She commented that with such a change it seven years was difficult to tell what would happen in fifty years.

Brad Kilby, Planning Manager, noted that one of the earlier versions of the concept plans in the Sherwood West Preliminary Concept planning project showed commercial in the area, but the preferred alternative did not show commercial in the area. He said any commercial outside of the southern portion of Sherwood west would be neighborhood scale commercial.

Chair Simson called for a vote.

All present Planning Commissioners voted in favor (Commissioners Meyer, Rettig, and Walker were absent).

7. Planning Commissioner Announcements

Chair Simson spoke of the planning commission work session on December 8 and the Council and Board Appreciation Dinner on the December 15.

Vice Chair Griffin said there were no plays until the summer.

8. Adjourn

Chair Simson adjourned the meeting at 7:29 pm.

Submitted by:

_____

Kirsten Allen, Planning Department Program Coordinator

Approval Date: _____

New Business Agenda

Item A

CITY OF SHERWOOD
Staff Report

Date: November 30, 2015
File No: SP 15-05
Endurance Products Expansion

To: Planning Commission

Pre-App. Meeting:	March 16, 2015
App. Submitted:	September 21, 2015
App. Complete:	November 5, 2015
120-Day Deadline:	March 14, 2016
Hearing Date:	December 8, 2015

FROM: _____
Brad Kilby, AICP, Planning Manager

Proposal: The applicant proposes a major modification to make improvements to an existing building increasing the floor area on the site from 8,470 square feet to 24,020 square feet by adding a second building to the site. The property is zoned General Industrial (GI).

I. BACKGROUND

A. Applicant:

Endurance Products Company
Attn: Attn: Joe Brunner
13990 SW Galbreath Drive
Sherwood, OR 97140

Owner:

R. Terry Hammerschmidt
PO Box 1600
Victor, MT 59875

B. Location: The property is located at 13990 SW Galbreath Drive. The property is identified as tax lot 0300 on Washington County Assessor Map 2S128BD.

C. Parcel Size: The subject property is approximately 1.99 acres in size.

D. Existing Development and Site Characteristics:
The property had recently been acquired and is currently developed with an existing building that formerly housed the offices and warehouse for Colamette Construction Co., a commercial contracting firm. The site was also used in the same capacity as a company that provided safety equipment and flagging services for projects located in the public right of way. The site is fairly flat and is located between an existing railroad line to the west, and Galbreath Drive to the east. The property is surrounded by existing industrial uses.

E. Site History: The site was developed under City file SP 96-8 Collamette Construction Co. Under that decision, the property was developed with the existing building, and included plans for a second phase.

F. Zoning Classification and Comprehensive Plan Designation: The property is zoned General Industrial (GI). Endurance Products Company manufactures and distributes

dietary and nutritional supplements. While it is not immediately clear what category the use would fall under, it would most certainly be regulated as one of the following uses. Manufacture, packaging, warehousing, and processing of food products and chemicals; as well as, pharmaceuticals in facilities up to 50,000 square feet in building size are outright permitted uses within the GI zone.

Distribution, warehousing, and storage associated with a permitted use is also allowed. Incidental retail of up to 10% of the floor area is permitted, but the applicant has not indicated that any retail would occur at this location.

G. Adjacent Zoning and Land Use: Properties surrounding the site are developed with a mix of industrial uses. The site is also immediately adjacent to a Southern Pacific Railroad Line to the west.

H. Review Type: According to § 16.90.030(A)1.a.5, an increase in the floor area for a non-residential use by more than 10 percent is a major modification to a site plan and requires a review by the same body that issued the original approval. The Planning Commission issued the original decision for Collamette Construction Co. on June 18, 1996. Therefore, the application is subject to Planning Commission review. An appeal would be heard by the City of Sherwood City Council so long as the person appealing had provided comments prior to the close of public testimony at the public hearing and files an appeal within fourteen 14 days of the decision.

I. Neighborhood Meeting: The applicant held a neighborhood meeting on June 10, 2015 at the facility. Only the applicant and his architect were in attendance. The applicant provided an e-mail, the sign in sheet, and an affidavit of mailing with the application materials. No one from the public attended the meeting.

J. Public Notice and Hearing: Notice of the application was mailed to property owners within 1000 feet, posted on the property and in five locations throughout the City on November 19, 2015 in accordance with the notice provisions of § 16.72.020 of the SZCDC.

K. Review Criteria: Sherwood Zoning and Community Development Code, 16.31 (Industrial Land Use Districts); 16.58.010 (Clear Vision), 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-Street Parking and Loading), 16.96 (On-Site Circulation); 16.98 (On-site Storage), All of Division VI - 16.104-16.118 (Public Improvements), 16.142 (Parks and Open Space), 16.146 (Noise), 16.48 (Vibrations), 16.150 (Air Quality), 16.52 (Odors), 16.154 (Heat and Glare).

II. PUBLIC COMMENTS

Public notice was mailed, posted on the property and in five locations throughout the City on November 19, 2015. Staff has not received any public comments as of the date of this report on the proposal.

III. AGENCY COMMENTS

Staff sent e-notice to affected agencies on November 18, 2015. 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, PE, the City's Civil Engineer submitted comments on November 20, 2015.

The Engineering Department comments are incorporated throughout the report, and where appropriate conditions have been imposed to ensure that the proposal meets the standards which the engineering department is responsible for. Mr. Christensens' comments are attached to this report as Exhibit B.

Clean Water Services (CWS): The CWS Pre-screen letter is attached to this report as Exhibit C. CWS did not provide comments specific to the request beyond the pre-screen letter stating that a service provider letter was not necessary.

Tualatin Valley Fire and Rescue: John Wolff, Deputy Fire Marshal II with Tualatin Valley Fire and Rescue (TVFR), submitted comments for this proposal on November 25, 2015. Mr. Wolff indicated that the district endorses the application provided their fire, life, and safety requirements, listed in the comments, were satisfied. Mr. Wolff's comments are attached to this report as Exhibit D.

The Sherwood School District: Rob Fagliano, of the District submitted an e-mail indicating that the district did not have any comments on the proposal. The e-mail is attached as Exhibit E.

Pride Disposal Co.: Kristin Leichner of Pride Disposal provided comments for this proposal on November 25, 2015 stating that they are aware of the relocation of the enclosure, and that they have concerns regarding the enclosure design and openings. Comments on the proposal are attached to this report as Exhibit F and a condition has been proposed to ensure that the design satisfies the service provider.

PGE: Henry English of PGE submitted an e-mail comment indicating that PGE had no comment on the proposal. His e-mail is attached to this report as Exhibit G.

ODOT: Joshua Brookings, of ODOT submitted an e-mail comment indicating that ODOT would recommend that a fence be located between this use and the railroad right-of-way. They also raised concerns with the proposed stormwater discharge towards the railroad right-of-way. The comments related to the fence are noted. The Sherwood Zoning and Community Development Code does not require the fencing, and ODOT only recommends it to protect the railroad right-of-way. The City Engineer has reviewed and addressed the concerns related to stormwater runoff. Josh's comments are attached as Exhibit H.

WACO, Metro, Tri-Met, Kinder Morgan Energy, Pride Disposal, and NW Natural Gas were also notified of this proposal and 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 (SECTION 16.90)

As mentioned previously, the applicant is proposing an increase in the floor area for a non-residential use by more than 10 percent which dictates that this application be reviewed as a major modification pursuant to § 16.90.030(A)1.a.5. In the case of major modifications, the scope of the review is limited to the modification request and does not open the entire site up for additional review unless impacted by the proposed modification. For this reason, the following discussion is focused on the provisions of the Code that are applicable to the requested improvements in the proposal.

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

   FINDING: This standard can be met as discussed and conditioned in this report.

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: The site is already served by existing water, sanitary, storm water, solid waste, public safety, electrical power and communications providers. The applicant is not proposing any new utility improvements. However, as discussed later in this report, there may be a necessity for the developer to clarify their method of stormwater treatment and conveyance as well as a need to provide Sherwood Broadband utilities. This criterion can be satisfied as conditioned elsewhere in this report.

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: The site is already developed. The maintenance of structures, landscaping, and other on-site features do not appear to be neglected. This criterion is satisfied.

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 site does not include any significant natural features. Therefore, this criterion is not applicable to the proposed development.

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: Because of the size of the addition and the proposed use of the addition, the City Engineer did not believe that the addition would warrant a traffic impact analysis. This criterion is not applicable.

6. **The proposed office, retail, multi-family, institutional or mixed-use development is oriented to the pedestrian and bicycle, and to existing and planned transit facilities. Urban design standards shall include the following:**
   1. **Primary, front entrances shall be located and oriented to the street, and have significant articulation and treatment, via facades, porticos, arcades, porches, portal, forecourt, or stoop to identify the entrance for pedestrians. Additional entrance/exit points for buildings, such as a postern, are allowed from secondary streets or parking areas.**
   2. **Buildings shall be located adjacent to and flush to the street, subject to landscape corridor and setback standards of the underlying zone.**
   3. **The architecture of buildings shall be oriented to the pedestrian and designed for the long term and be adaptable to other uses. Aluminum, vinyl, and T-111 siding shall be prohibited. Street facing elevations shall have windows, transparent fenestration, and divisions to break up the mass of any window. Roll up and sliding doors are acceptable. Awnings that provide a minimum 3 feet of shelter from rain shall be installed unless other architectural elements are provided for similar protection, such as an arcade.**

STAFF ANALYSIS: This proposal is on a property zoned General Industrial, and includes the addition of a 15,550 square foot building for manufacturing, processing, and storage of dietary supplements.

FINDING: The primary building is pre-existing, and already oriented to SW Galbreath Road, a more detailed analysis of the buildings compliance with the Industrial Design Standards that are applicable to this development can be found under the discussion of Industrial Design Guidelines. As conditioned throughout this report, the proposed development will satisfy the development requirements for allowed industrial uses within the zone.

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 shall 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) shall 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 the loading area is visible from an arterial or collector, they 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.

b. As an alternative to 8.a above, an applicant may opt to have a design review hearing before the Planning Commission to demonstrate how the proposed development meets or exceeds the applicable industrial design objectives below (this design review hearing will be processed as a Type IV review):

(1) Provide high-value industrial projects that result in benefits to the community, consumers and developers.

(2) Provide diversified and innovative working environments that take into consideration community needs and activity patterns.

(3) Support the City's goals of economic development.

(4) Complement and enhance projects previously developed under the industrial design standards identified in Section 16.90.020.4.H.

(5) Enhance the appearance of industrial developments visible from arterials and collectors, particularly those considered "entrances" to Sherwood, including but not limited to: Highway 99W, Tualatin-Sherwood Road and Oregon Street.

(6) Reduce the "bulk" appearance of large industrial buildings as viewed from the public street by applying exterior features such as architectural articulation, windows and landscaping.

(7) Protect natural resources and encourage integration of natural resources into site design (including access to natural resources and open space amenities by the employees of the site and the community as a whole).

STAFF ANALYSIS: The site is not located within 200 feet of an arterial or collector. This portion of SW Galbreath Drive in this location is a local street. It should also be noted that the proposed building expansion is located primarily behind the building constructed as approved in SP 96-8. The existing building is constructed of painted concrete, metal, and glass, and is somewhat articulated in that there are four distinct planes associated with the front façade of the building. The loading areas for the proposed expansion are located to the side of the building.

FINDING: The building is not within 200-feet of an arterial or collector, therefore this criterion is not applicable to the proposed expansion.

V. APPLICABLE CODE STANDARDS

Chapter 16.31 Industrial Land Use Districts

16.31.020 Uses

The table speaks to land uses that are permitted outright, permitted conditionally, or not permitted within the Industrial zoning districts. In this instance, the property is zoned General Industrial (GI)

FINDING: Endurance Products Company manufactures and distributes dietary and nutritional supplements. While it is not immediately clear what category the use would fall under, it would most certainly be regulated as one of the following uses. Manufacture, packaging, warehousing, and processing of food products and chemicals; as well as, pharmaceuticals in facilities up to 50,000 square feet in building size are outright permitted uses within the GI zone. Distribution, warehousing, and storage associated with a permitted use is also allowed outright. Incidental retail of up to 10% of the floor area is permitted, but the applicant has not indicated that any retail would occur at this location. The proposed use of the expansion and site are allowed in the General Industrial zone. This criterion is satisfied.

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.

A. Lot Dimensions

Except as otherwise provided, required minimum lot areas and dimensions shall be:

1. Lot area: 20,000 sq ft
2. Lot width at front property line: 100 feet
3. Lot width at building line: 100 feet

FINDING: The existing lot area, lot width and width at the building line exceed the minimum requirement prescribed above. The applicant is not proposing to modify the dimensions of the existing lot; therefore, this criterion is not applicable to the proposal.

B.Setbacks

Except as otherwise provided, required minimum setbacks shall be:

1.	**Front yard:**	**None**
2.	**Side yard:**	**None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.**
3.	**Rear yard:**	**None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.**
4.	**Corner lots:**	**None, except when abutting a residential zone, then there shall be a minimum of forty (40) feet.**

STAFF ANALYSIS: The lot is not adjacent to residentially zoned lots therefore there is not a setback requirement for the side or rear property lines.

FINDING: As proposed, the building is set back 93.9 feet to the front lot line. The proposed addition is even further. The setbacks that are proposed for the expansion are 27.6 feet to the rear property line, 10 feet to the north side property line, and 57 feet from the south property line. This criterion is met.

16.31.060 Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, see Divisions V, VIII and IX.

FINDING: The applicable standards that are listed in the Community Design section are addressed elsewhere in this narrative. As proposed and conditioned, the development will meet these standards: off – street parking, energy conservation, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design. There are not any historic resources on site therefore that standard is not applicable.

<u>Chapter 16.58 Clear Vision and Fence Standards</u>

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 (2 1/2) 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.

FINDING: The site is located in the General Industrial zone, and not subject to any setbacks, however, the applicant is not proposing to construct any new improvements within the clear vision area, so this standard is not applicable to the proposed development.

Division V- Community Design

The applicable provisions of Chapter 5 include: 16.90 (Site Planning), 16.92 (Landscaping), 16.94 (Off-street parking and Loading), and 16.96 (On-site Circulation). 16.98

Compliance with the standards in these sections is discussed below:

16.92 Landscaping

16.92.010 Landscape Plan

All proposed developments for which a site plan is required pursuant to Section 16.90.020 shall submit a landscaping plan which 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. Maintenance of existing not-invasive native vegetation is encouraged within a development and required for portions of the property not being developed.

FINDING: The submitted proposal includes a landscape Plan (sheet L1). The site plan shows planting areas on the site in all areas which are not paved. Where possible, existing landscaping is proposed to be retained on site. This standard is met.

16.92.020 Landscaping Materials

A. Type of Landscaping
Required landscaped areas shall include an appropriate combination of 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 verified by a landscape architect or certified landscape professional.

B. Plant Material Selection and Preparation

1. **Required landscaping materials shall be established and maintained in a healthy condition and of a size sufficient to meet the intent of the approved landscaping plan. Specifications shall be submitted showing that adequate preparation of the topsoil and subsoil will be undertaken**.

FINDING: The proposed landscaping plan does not identify how the new landscape materials will be established and maintained in a healthy condition and sufficient size. The landscaping plans do not indicate how the topsoil or subsoil preparation will be undertaken. This standard is not met, but can be met as conditioned below.

RECOMMENDED CONDITION: Prior to final site plan approval submit additional information on the proposed planting and maintenance plan to ensure that the new landscape islands will be appropriately maintained.

C. Existing Vegetation

1. **All developments subject to site plan review as per Section 16.90.020 and required to submit landscaping plans as per Section 16.92.020 shall preserve existing trees, woodlands and vegetation on the site to the maximum extent possible, as determined by the Commission, in addition to complying with the provisions of 16.142.060.**

FINDING: There are several existing trees within the development that will need to be removed to accommodate the proposed expansion and on-site loading and circulation. Where possible, the applicant is proposing to maintain the existing landscaping. Much of that landscaping was installed with the construction of the building approved under SP 96-8.

D. Non-Vegetative Features

Landscaped areas as required by this Chapter may include architectural features interspersed with planted areas, such as sculptures, benches, masonry or stone walls, fences, rock groupings, bark dust, semi-pervious decorative paving, and graveled areas. Impervious paving shall not be counted as landscaping. Artificial plants are prohibited in any required landscaped area.

FINDING: The proposed plans show a mixture of existing trees, shrubs and low growing ground cover. It does not appear that there are any hardscapes being proposed to be counted towards the landscape requirement, therefore this standard is not applicable.

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.

FINDING: The applicant proposes a ten-foot wide landscape strip comprised of a mix of materials between the abutting properties and the off-street parking and loading areas. This criterion is met.

3. Perimeter Landscape Buffer Reduction

If the separate, abutting property to the proposed development contains an existing perimeter landscape buffer of at least five (5) feet in width, the applicant may reduce the proposed site's required perimeter landscaping up to five (5) feet maximum, if the development is not adjacent to a residential zone. For example, if the separate abutting perimeter landscaping is five (5) feet, then applicant may reduce the perimeter landscaping to five (5) feet in width on their site so there is at least five (5) feet of landscaping on each lot.

FINDING: This criterion is not applicable to the proposed development.

B. Parking Area Landscaping

1. Purpose

The standard is a landscape treatment that uses a combination of trees, shrubs, and ground cover to provide shade, storm water management, aesthetic benefits, and screening to soften the impacts of large expanses of pavement and vehicle movement. It is applied to landscaped areas within and around the parking lot and loading areas.

2. Definitions

a. Parking Area Landscaping: Any landscaped area on the site that is not required as perimeter landscaping § 16.92.030 (Site Landscaping and Screening).

b. Canopy Factor

(1) Landscape trees are assigned a canopy factor to determine the specific number of required trees to be planted. The canopy factor is calculated based on the following formula:

Canopy Factor = Mature Height (in feet) × Canopy Spread (in feet) × Growth Rate Factor × .01

(2) Growth Rate Factor: The growth rate factor is three (3) for fast-growing trees, two (2) for medium growing trees, and one (1) for slow growing trees. The growth rate of a tree is identified in the "Suggested Plant Lists for Required Landscaping Manual."

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.

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 proposed parking lot provides for 37 spaces. The applicant has provided a listing of the plant material as well as the spacing, location and size of the containers of the plants to be planted on site on Sheet L1 of the proposed plans. As proposed, the site is required to provide a minimum of 1,665 square feet of landscaping interior to the parking. The plans illustrate 26,659 square feet of landscaping within and adjacent to the parking area. The majority of the landscaping is intended to landscape and screen the parking area. The Landscape Architects plan demonstrates consistency with the required number of plantings. The applicant has provided ground cover plants to cover for all other areas outside of the developable area, and given the size of the plants, and the manner in which they are proposed to be planted, there is no reason that they would not cover the entire area within three years.

FINDING: As detailed in the analysis above, the applicant has provided a landscape plan with enough detail about the quantity of trees, shrubs, and groundcover to demonstrate that they are compliant with the parking lot landscape requirements. Therefore, these criteria are satisfied.

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.

FINDING: The applicant has provided landscape islands that are either existing, or newly located within the proposed parking lot. There is a minimum of one island proposed for 8 parking spaces, which exceeds the minimum number required. Each landscape island contains one tree. The landscape islands are distributed evenly throughout the development. However, the area of the landscape islands does not appear to meet the minimum requirement of 90 square feet, and there is no discussion of this requirement in the applicant's narrative. Therefore, this criterion is not met and the following condition is warranted.

RECOMMENDED CONDITION: Prior to final site plan approval, the applicant shall provide a revised landscape plan and accompanying narrative demonstrating that the standards of 16.92.030.B are satisfied by the proposal.

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 applicant's plans show that the mechanical equipment, storage and delivery areas are located well interior to the site, and the loading area is screened by landscaping. The trash enclosure will include a gate intended to screen view of the receptacles from the street. The site is not adjacent to residential development. To the extent possible, without compromising the on-site circulation, the applicant has screened the equipment. This criterion is met.

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 adjacent to SW Galbreath Drive, a designated local street. This criterion is not applicable to the proposed development.

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.

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 has indicated on the landscaping plans that the all new landscape areas are to be irrigated with a fully automatic underground irrigation system. This can be confirmed at the time of final inspection. This criterion is met.

16.94. Off-Street Parking and Loading (relevant sections)

16.94.010 Generally

A. Off-Street Parking Required.

No site shall be used for the parking of vehicles until plans are approved providing for off-street parking and loading space as required by this Code. Any change in uses or structures that reduces the current off-street parking and loading spaces provided on site, or that increases the need for off-street parking or loading requirements shall be unlawful and a violation of this Code, unless additional off-street parking or loading areas are provided in accordance with Section 16.94.020, or unless a variance from the minimum or maximum parking standards is approved in accordance with Chapter 16.84 Variances.

16.94.020 Off-street parking standards

16.94.020.A provides the required minimum and maximum parking spaces for uses permitted by the SZCDC.

FINDING: The applicant is proposing to utilize the existing parking spaces on site to meet their minimum parking requirements. The applicant is proposing to add a 15,550 square foot addition to the site. The original approval approved 21 parking stalls for the

previous building. The 15,550 square foot addition would require 1.6 spaces for every 1,000 square feet for a total number of 25 additional parking spaces. The applicant has indicated that the majority of the addition would be for storage and warehousing, which when it is over 150,000 square feet would only require a ratio of .3 spaces per 1,000 square feet of floor area. In combination, the building is 24,020 square feet. At 1.6 spaces per 1,000 square feet of floor area, the applicant would be required to provide 38 parking spaces. The plan only shows 37 parking spaces. This requirement is not satisfied.

RECOMMENDED CONDITION: Prior to final site plan approval, the applicant shall amend the parking plan to demonstrate compliance with the minimum off-street parking requirements. One way to demonstrate compliance is to show how the breakdown of uses within the building would only require the 37 parking spaces. Otherwise, the applicant will need to add at least one parking space to the proposed lot.

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.

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.

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.

c. The paved portion of the parking stall length may be reduced by three (3) feet if replaced with three (3) feet of low lying landscape or hardscape in lieu of a wheel stop; however, a curb is still required. In other words, the traditional three-foot vehicle overhang from a wheel stop may be low-lying landscaping rather than an impervious surface.

FINDING: The applicant indicates that the parking area is designed with parking stalls 9 x 20 and 9 x 18, however the parking spaces do not illustrate wheel stops located at the front of the space or demarcate the compact spaces. Therefore, this standard is not satisfied, and the following condition is warranted.

RECOMMENDED CONDITION: Prior to final site plan approval, the applicant shall provide a revised parking plan illustrating compliance with Chapter 16.94 with respect to design and identification of the parking spaces.

C. Bicycle Parking Facilities

1. Location and Design

a. Bicycle parking shall be conveniently located with respect to both the street right-of-way and at least one (1) building entrance (e.g., no farther away than the closest parking space). Bike parking may be located inside the main building or near the main entrance.

2. Visibility and Security. Bicycle parking shall be visible to cyclists from street sidewalks or building entrances, so that it provides sufficient security from theft and damage.

3. Options for Storage. Bicycle parking requirements for long-term and employee parking can be met by providing a bicycle storage room, bicycle lockers, racks, or other secure storage space inside or outside of the building.

4. Lighting. Bicycle parking shall be at least as well lit as vehicle parking for security.

5. Reserved Areas. Areas set aside for bicycle parking shall be clearly marked and reserved for bicycle parking only.

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.

FINDING: The applicant proposes to provide the required bicycle parking inside and outside of the building which is acceptable. Bicycle parking is based on the number of car parking spaces and in this case, only two spaces are required. The plans do not provide enough specificity to ensure that these criteria are satisfied, and therefore, require the following condition to ensure compliance.

RECOMMENDED CONDITION: Prior to final site plan approval, the applicant shall demonstrate on the plans the location of two required bicycle parking spaces. The plan should show how the proposed spaces are provided in a manner that is consistent with the provisions of section 16.94.020.C.

<u>16.96 On-Site Circulation</u>

16.96.010 – On-site pedestrian and bicycle circulation

On-site facilities shall be provided that accommodate safe and convenient pedestrian access within new subdivisions, multi-family developments, planned unit developments, shopping centers and commercial districts, and connecting to adjacent residential areas and neighborhood activity centers within one half mile of the development. Neighborhood activity centers include but are not limited to existing or planned schools, parks, shopping areas, transit stops or employment centers. All new development, (except single family detached housing), shall provide a continuous system of private pathways/sidewalks at least 6 feet wide.

STAFF ANALYSIS: All proposed access into and along the perimeter of the site is existing. As proposed, the site provides safe, marked, and to the extent practical, convenient pedestrian access, but the site is being developed with an industrial use which already has public sidewalks into the site.

FINDING: Because the proposed use is industrial, the above criterion is not applicable.

16.96.010.D - Connection to Streets

1. **Except for joint access as per 16.96.010, all ingress and egress to a use or parcel shall connect directly to a public street, excepting alleyways.**
2. **Required private sidewalks shall extend from the ground floor entrances or the ground floor landing of stairs, ramps or elevators to the public sidewalk or curb of the public street which provides required ingress and egress.**

FINDING: The proposed development has direct access to SW Galbreath Drive, a public street. This criterion is satisfied.

16.98.020 - Solid Waste Storage

All uses shall provide solid waste storage receptacles which are adequately sized to accommodate all solid waste generated on site. All solid waste storage areas and receptacles shall be located out of public view. Solid waste receptacles for multi-family, commercial and industrial 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: The proposed site plan shows that the trash enclosure is relocated to the rear of the site. The design includes a six-foot high wall. The dimensions of the enclosure appear to meet the requirements of Pride Disposal, but we have not had confirmation from them. This criterion is not satisfied, and therefore the following condition is warranted.

RECOMMENDED CONDITION: Prior to final site plan review, provide the planning department with a letter from Pride disposal approving the design and location of the relocated trash enclosure.

<u>Division VII. Public Infrastructure</u>

<u>16.106 Transportation Facilities</u>

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.

FINDING: Currently SW Galbreath Drive is a 2-lane standard local street with 18 feet of pavement width from centerline to face of curb and a 5-foot wide curb tight sidewalk along the frontage of the subject property within a 25-foot half right-of-way section. Standard commercial streets in the City

of Sherwood Engineering Design Standards have a 20-foot half street width with curb and gutter, a 5-foot landscape strip with 6-foot wide sidewalks on each side within a 32-foot half street right-of-way section. Since the rest of the developed properties along SW Galbreath Drive have the same street section, no changes to the street width or sidewalk are required. However, the site is not consistent with the requirements of the Americans with Disabilities Act (ADA), and the following condition is warranted.

RECOMMENDED CONDITION: The existing western driveway and the existing sidewalk ramps at each driveway do not meet ADA standards. Existing driveway drops shall be reconstructed as necessary to bring them in compliance with ADA standards.

B. Existing Streets

Except as otherwise provided, when a development abuts an existing street, the improvements requirement shall apply to that portion of the street right-of-way located between the centerline of the right-of-way and the property line of the lot proposed for development. In no event shall a required street improvement for an existing street exceed a pavement width of thirty (30) feet.

FINDING: This development will take access from SW Galbreath Drive. According to the City Engineer, there are no public improvements needed at this time. This standard is not applicable.

16.106.030 Location

A. Generally

The location, width and grade of streets shall be considered in their relation to existing and planned streets, topographical conditions, and proposed land uses. The proposed street system shall provide adequate, convenient and safe traffic and pedestrian circulation, and intersection angles, grades, tangents, and curves shall be adequate for expected traffic volumes. Street alignments shall be consistent with solar access requirements as per Chapter 16.156, and topographical considerations.

B. Street Connectivity and Future Street Systems

1. Future Street Systems. The arrangement of public streets shall provide for the continuation and establishment of future street systems as shown on the Local Street Connectivity Map contained in the adopted Transportation System Plan (Figure 8-8).

STAFF ANALYSIS: As previously discussed in this report, the site will take access from SW Galbreath Drive. The site is surrounded by existing development where there are no proposed extensions of any public streets.

FINDING: As discussed above, there will not be future street systems required in this location; therefore this standard is not applicable.

16.106.040 .J. Transit Facilities

Development along an existing or proposed transit route, as illustrated in Figure 7-2 in the TSP, is required to provide areas and facilities for bus turnouts, shelters, and other transit-related facilities to Tri-Met specifications. Transit facilities shall also meet the following requirements:

1. **Locate buildings within 20 feet of or provide a pedestrian plaza at major transit stops.**
2. **Provide reasonably direct pedestrian connections between the transit stop and building entrances on the site.**
3. **Provide a transit passenger landing pad accessible to disabled persons (if not already existing to transit agency standards).**
4. **Provide an easement or dedication for a passenger shelter and underground utility connection from the new development to the transit amenity if requested by the public transit provider.**
5. **Provide lighting at a transit stop (if not already existing to transit agency standards).**

FINDING: There are no existing or proposed transit routes adjacent to or near this site. It is not anticipated that pedestrians will be visiting the site. Transit facilities are not currently available to the site, and do not appear to be necessary for this development. This criterion is not applicable.

16.110 - Sanitary Sewers

16.110.010 Required Improvements
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.

FINDING: Currently a public sanitary sewer main exists within SW Galbreath Drive along the subject property frontage. No public sanitary sewer main extension is required. Sanitary sewer for the subject property already exists serving the existing building. The proposed development shows that it will use the existing sewer lateral to supply service to the new building. Private sanitary sewer shall be installed 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 in compliance with 16.112.

FINDING: Currently there is a public water main existing within SW Galbreath Drive along the subject property frontage. No public water main extension is required. Water service for the subject property already exists serving the existing building. The proposed development shows that it will use the existing water service to supply domestic and fire hydrant water for the new building. Water flows calculations shall be provided to determine adequacy of existing domestic and fire water service. The developer shall submit a statement of business use to determine if a Reduced Pressure Principal Assembly is required. Private water shall be installed in compliance with the current Oregon Plumbing Specialty Code.

16.114 - Storm Water

16.114.010 Required Improvements
Storm water facilities, including appropriate source control and conveyance facilities, shall be installed in new developments and shall connect to the existing downstream drainage system consistent with the Comprehensive Plan, the requirements of the Clean Water Services water quality regulations and section 16.114.

FINDING: Currently no public storm sewer exists within SW Galbreath Drive along the subject site frontage. SW Galbreath Drive has a series of catch basin and conveyance piping that receives street runoff taking it through the adjoining properties and into conveyance ditches on the back side of the adjoining properties. Therefore storm sewer installation within SW Galbreath Drive is not required.

Private storm water runoff within the subject property shall be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code. Private site runoff shall be treated, detained and discharged in a manner and at a location meeting the approval of Clean Water Services and City of Sherwood Engineering Department.

If the proposed storm detention system allows subsurface infiltration, then UIC registration/permit or waiver thereof is required from DEQ.

RECOMMENDED CONDITIONS: Prior to final occupancy, a Private Stormwater Facility Access and Maintenance Covenant meeting the approval of the City of Sherwood Engineering Department shall be recorded by the developer at Washington County with a copy of the recorded document being provided to the city.

Prior to final occupancy, An Operations and Maintenance Plan meeting City of Sherwood Engineering Department approval is required.

16.116 Fire Protection

16.116.020 Standards

A. Capacity

All fire protection facilities shall be approved by and meet the specifications of the Fire District, and shall be sized, constructed, located, and installed consistent with this Code, Chapter 7 of the Community Development Plan, and other applicable City standards, in order to adequately protect life and property in the proposed development.

B. Fire Flow

Standards published by the Insurance Services Office, entitled "Guide for Determination of Required Fire Flows" shall determine the capacity of facilities required to furnish an adequate fire flow. Fire protection facilities shall be adequate to convey quantities of water, as determined by ISO standards, to any outlet in the system, at no less than twenty (20) pounds per square inch residual pressure. Water supply for fire protection purposes shall be restricted to that available from the City water system. The location of hydrants shall be taken into account in determining whether an adequate water supply exists.

C. Access to Facilities

Whenever any hydrant or other appurtenance for use by the Fire District is required by this Chapter, adequate ingress and egress shall be provided. Access shall be in the form of an improved, permanently maintained roadway or open paved area, or any combination thereof, designed, constructed, and at all times maintained, to be clear and unobstructed. Widths, height clearances, ingress and egress shall be adequate for

District firefighting equipment. The Fire District, may further prohibit vehicular parking along private accessways in order to keep them clear and unobstructed, and cause notice to that effect to be posted.

D. Hydrants

Hydrants located along private, accessways shall either have curbs painted yellow or otherwise marked prohibiting parking for a distance of at least fifteen (15) feet in either direction, or where curbs do not exist, markings shall be painted on the pavement, or signs erected, or both, given notice that parking is prohibited for at least fifteen (15) feet in either direction.
(Ord. No. 2010-015, § 2, 10-5-2010; Ord. 91-922, § 3; Ord. 86-851, § 3)

FINDING: The fire district comments indicate the site would need to be constructed consistent with the standards of the fire district for the proposed use. This standard can be satisfied as conditioned below.

RECOMMEDNED CONDITION: Prior to the final site plan approval, provide verification that the fire department has reviewed and approved the plans for fire suppression and emergency services.

<u>16.118. – Public and Private Utilities</u>

16.118.020 Standards

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 feet in width unless a reduced width is specifically exempted by the City Engineer.
C. Where necessary, in the judgment of the City Manager or his designee, to provide for orderly development of adjacent properties, public and franchise utilities shall be extended through the site to the edge of adjacent property (ies).
D. Franchise utility conduits shall be installed per the utility design and specification standards of the utility agency.
E. Public Telecommunication conduits and appurtenances shall be installed per the City of Sherwood telecommunication design standards.
F. Exceptions: Installation shall not be required if the development does not require any other street improvements. In those instances, the developer shall pay a fee in lieu that will finance installation when street or utility improvements in that location occur.

STAFF ANALYSIS: The site is served by existing utilities.

FINDING: With the exception of Sherwood Broadband, utilities are available to the property and, as demonstrated within the plans and narrative will not be altered by the proposed development. Sherwood Broadband is not currently to the proposed site, and is required to be installed when a site is redeveloped. This criterion is not satisfied.

RECOMMENDED CONDITION: Sherwood Broadband utilities shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City

Resolution 2005-074. Since street widening improvements are not being constructed as part of this project, the developer can elect to do a payment in lieu of constructing these facilities.

16.142.050. 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.

FINDING: No new street trees are required for this proposal. Street trees were provided along the sites frontage with the original development. These criteria are not applicable to the proposed development since there are already street trees along the sites frontage.

16.142.060 - Trees on Property Subject to Certain Land Use Applications

All site developments subject to Section 16.92.020 shall be required to preserve trees or woodlands to the maximum extent feasible within the context of the proposed land use plan and relative to other policies and standards of the City Comprehensive Plan, as determined by the City. Review and mitigation shall be consistent with 16.142.060 A, B, C and D.

FINDING: The applicant is proposing to remove 11 Big Leaf Maples and 1 Linden totaling 246 inches (See Sheet L1). This section allows trees to be removed to accommodate the development provided the minimum tree canopy is met. As discussed below in this report, the proposed plan does not satisfy this requirement but it is feasible to meet it with the addition of trees elsewhere on the site. This criterion is not satisfied, but has been conditioned later in this report.

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 πr2 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 x 2
Planting new trees onsite	Yes

FINDING: The applicant has provided a preliminary tree canopy plan, sheet L1 that illustrates 26,762 square feet of canopy. The plan includes existing landscaping and street trees. Street trees in non-residential projects are not allowed to be counted towards the required tree canopy. The proposed canopy is 30.9% of the overall site. With removal of the street trees that were counted towards the canopy the revised site plan would provide site would fall below the required canopy coverage when existing trees are allowed to be removed. This criterion is not satisfied, and the following condition is warranted.

RECOMMENDED CONDITION: Prior to final site plan approval, the applicant shall provide a revised landscape plan that demonstrates compliance with the 30% canopy coverage requirement of 16.142.070.

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.

RECOMMENDATION

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 (SP 15-05) does not fully comply with the standards but can be conditioned to comply, and recommends **approval of** the requests subject to compliance with the following conditions of approval.

VI. CONDITIONS OF APPROVAL

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 dated October 26, 2015 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. 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.
4. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan.
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. A temporary use permit must be obtained from the Planning Department prior to placing a construction trailer on-site.
7. 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.

Prior to issuance of grading or erosion control permits from the Building Department:

1. Obtain City of Sherwood Building Department approval for any grading plans.

Prior to Final Site Plan Approval:

1. Submit the required final site plan review fee along with a brief narrative and supporting documents demonstrating how each of the final site plan conditions are met.
2. Prior to final site plan approval submit additional information on the proposed planting and maintenance plan to ensure that the new landscape islands will be appropriately maintained.
3. Prior to final site plan approval, the applicant shall provide a revised landscape plan and accompanying narrative demonstrating that the standards of 16.92.030.B are satisfied by the proposal.
4. Prior to final site plan approval, the applicant shall amend the parking plan to demonstrate compliance with the minimum off-street parking requirements. One way to demonstrate compliance is to show how the breakdown of uses within the building would only require the 37 parking spaces. Otherwise, the applicant will need to add at least one parking space to the proposed lot.
5. Prior to final site plan approval, the applicant shall provide a revised parking plan illustrating compliance with Chapter 16.94 with respect to design and identification of the parking spaces.
6. Prior to final site plan approval, the applicant shall demonstrate on the plans the location of two required bicycle parking spaces. The plan should show how the proposed spaces are provided in a manner that is consistent with the provisions of section 16.94.020.C.
7. Prior to final site plan review, provide the planning department with a letter from Pride disposal approving the design and location of the relocated trash enclosure.
8. Prior to the final site plan approval, provide verification that the fire department has reviewed and approved the plans for fire suppression and emergency services.
9. Prior to final site plan approval, the applicant shall provide a revised landscape plan that demonstrates compliance with the 30% canopy coverage requirement of 16.142.070.

10. 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.

Prior to Issuance of a Building Permit:

1. Receive Sherwood Engineering Department approval of engineering plans for all public improvements and/or connections to public utilities (water, sewer, storm water, and streets) including compliance with all conditions specified in "Prior to approval of public improvement plans.

2. Obtain final site plan approval from the Planning Department.

Prior to Issuance of Certificate of Occupancy:

1. All site improvements including but not limited to landscaping, parking and site lighting shall be installed per the approved final site plan and inspected and approved by the Planning Department.
2. The existing western driveway and the existing sidewalk ramps at each driveway do not meet ADA standards. Existing driveway drops shall be reconstructed as necessary to bring them in compliance with ADA standards.
3. Prior to final occupancy, a Private Stormwater Facility Access and Maintenance Covenant meeting the approval of the City of Sherwood Engineering Department shall be recorded by the developer at Washington County with a copy of the recorded document being provided to the city.
4. Prior to final occupancy, An Operations and Maintenance Plan meeting City of Sherwood Engineering Department approval is required.
5. Sherwood Broadband utilities shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074. Since street widening improvements are not being constructed as part of this project, the developer can elect to do a payment in lieu of constructing these facilities.

VII. Exhibits

A. Applicant's Materials
B. Letter from Craig Christensen, P.E. – Sherwood Engineering Department
C. Copy of the Clean Water Services pre-screen determination
D. Comments from John Wolff – Tualatin Valley Fire and Rescue
E. E-mail from Rob Fagliano – Sherwood School District
F. Letter from Kristin Leichner – Pride Disposal (garbage/recyclable service provider)
G. E-mail from Henry English – PGE
H. Comments from ODOT

Exhibit A

Exhibit A can be reviewed electronically at the following web address:

http://www.sherwoodoregon.gov/planning/project/endurance-products-company-expansion

Engineering Land Use Application Comments

City of Sherwood Oregon

To:	Brad Kilby, Planning Manager
From:	Craig Christensen, P.E., Engineering Department
Project:	Endurance Products (SP 15-05)
Date:	September 19, 2015

Engineering staff has reviewed the information provided for the above cited project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer
Currently a public sanitary sewer main exists within SW Galbreath Drive along the subject propety frontage. No public sanitary sewer main extension is required. Sanitary sewer for the subject property already exists serving the existing building. The proposed development shows that it will use the existing sewer lateral to supply service to the new building. Private sanitary sewer shall be installed in compliance with the current Oregon Plumbing Specialty Code.

Water
Currently there is a public water main existing within SW Galbreath Drive along the subject property frontage. No public water main extension is required. Water service for the subject property already exists serving the existing building. The proposed development shows that it will use the existing water service to supply domestic and fire hydrant water for the new building. Water flows calculations shall be provided to determine adequacy of existing domestic and fire water service. The developer shall submit a statement of business use to determine if a Reduced Pressure Principal Assembly is required. Private water shall be installed in compliance with the current Oregon Plumbing Specialty Code.

Storm Sewer
Currently no public storm sewer exists within SW Galbreath Drive along the subject site frontage. SW Galbreath Drive has a series of catch basin and conveyance piping that receives street runoff taking it through the adjoining properties and into conveyance ditches on the back side of the adjoining properties. Therefore storm sewer installation within SW Galbreath Drive is not required.

Exhibit B

Private storm water runoff within the subject property shall be collected and conveyed in accordance with the current Oregon Plumbing Specialty Code. Private site runoff shall be treated, detained and discharged in a manner and at a location meeting the approval of Clean Water Services and City of Sherwood Engineering Department.

If the proposed storm detention system allows subsurface infiltration, then UIC registration/permit or waiver thereof is required from DEQ.

A Private Stormwater Facility Access and Maintenance Covenant meeting the approval of the City of Sherwood Engineering Department shall be recorded by the developer at Washington County with a copy of the recorded document being provided to the city.

An Operations and Maintenance Plan meeting City of Sherwood Engineering Department approval is required.

Transportation
Currently SW Galbreath Drive is a 2-lane standard local street with 18 feet of pavement width from centerline to face of curb and a 5-foot wide curb tight sidewalk along the frontage of the subject property within a 25-foot half right-of-way section. Standard commercial streets in the City of Sherwood Engineering Design Standards have a 20-foot half street width with curb and gutter, a 5-foot landscape strip with 6-foot wide sidewalks on each side within a 32-foot half street right-of-way section. Since the rest of the developed properties along SW Galbreath Drive have the same street section, no changes to the street width or sidewalk are required.

The existing western driveway and the existing sidewalk ramps at each driveway do not meet ADA standards. Existing driveway drops shall be reconstructed as necessary to bring them in compliance with ADA standards.

Grading and Erosion Control:
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.

If more than 1 acre of area is to be disturbed, a DEQ NPDES 1200-CN permit shall be obtained.

Project: Endurance Products (SP 15-05)
Date: September 19, 2015
Page: 3 of 3

Other Engineering Issues:
A Service Provider Letter from Clean Water Services is required.

A Storm Water Connection Permit Authorization from Clean Water Services is required.

Sherwood Broadband utilities shall be installed along the subject property's frontage per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074. Since street widening improvements are not being constructed as part of this project, the developer can elect to do a payment in lieu of constructing these facilities.

END OF COMMENTS.

Clean Water Services

MEMORANDUM

Date: November 24, 2015

To: Brad Kilby, Planning Manager, City of Sherwood

From: Jackie Sue Humphreys, Clean Water Services (the District)

Subject: Endurance Products Building Addition, SP-15-05, 2S128BD00300

Please include the following comments when writing your conditions of approval:

PRIOR TO ANY WORK ON THE SITE

A Clean Water Services (the District) Storm Water Connection Permit Authorization must be obtained. Application for the District's Permit Authorization must be in accordance with the requirements of the Design and Construction Standards, Resolution and Order No. 07-20, (or current R&O in effect at time of Engineering plan submittal), and is to include:

a. Detailed plans prepared in accordance with Chapter 2, Section 2.04.2.b-l.

b. Detailed grading and erosion control plan. An Erosion Control Permit will be required. Area of Disturbance must be clearly identified on submitted construction plans. If site area and any offsite improvements required for this development exceed one-acre of disturbance, project will require a 1200-CN Erosion Control Permit.

c. Detailed plans showing the development having direct access by gravity to public storm and sanitary sewer.

d. Provisions for water quality in accordance with the requirements of the above named design standards. Water Quality is required for all new development and redevelopment areas per R&O 07-20, Section 4.05.5, Table 4-1. Access shall be provided for maintenance of facility per R&O 07-20, Section 4.02.4.

e. If use of an existing offsite or regional Water Quality Facility is proposed, it must be clearly identified on plans, showing its location, condition, capacity to treat this site and, any additional improvements and/or upgrades that may be needed to utilize that facility.

Exhibit C

2550 SW Hillsboro Highway • Hillsboro, Oregon 97123
Phone: (503) 681-3600 • Fax: (503) 681-3603 • cleanwaterservices.org

f. If private lot LIDA systems proposed, must comply with the current CWS Design and Construction Standards. A private maintenance agreement, for the proposed private lot LIDA systems, needs to be provided to the City for review and acceptance.

g. Show all existing and proposed easements on plans. Any required storm sewer, sanitary sewer, and water quality related easements must be granted to the City.

h. Application may require additional permitting and plan review from the District's Source Control Program. For any questions or additional information, please contact Source Control at (503) 681-5175.

i. Any proposed offsite construction activities will require an update or amendment to the current Service Provider Letter for this project.

CONCLUSION

This Land Use Review does not constitute the District's approval of storm or sanitary sewer compliance to the NPDES permit held by the District. The District, prior to issuance of any connection permits, must approve final construction plans and drainage calculations.

Tualatin Valley Fire & Rescue

www.tvfr.com

November 25, 2015

Brad Kilby
City of Sherwood
22560 SW Pine St
Sherwood, Oregon
97140

Re: SP 15-05 Endurance Products 13990 SW Galbreath Dr

15,550 sq. ft Industrial Bld 1.99 Acre Site

Thank you for the opportunity to review the proposed site plan surrounding the above named development project. Tualatin Valley Fire & Rescue endorses this proposal predicated on the following criteria and conditions of approval:

FIRE APPARATUS ACCESS:

1. **NO PARKING SIGNS:** Where fire apparatus roadways are not of sufficient width to accommodate parked vehicles and 20 feet of unobstructed driving surface, "No Parking" signs shall be installed on one or both sides of the roadway and in turnarounds as needed. Signs shall read "NO PARKING - FIRE LANE" and shall be installed with a clear space above grade level of 7 feet. Signs shall be 12 inches wide by 18 inches high and shall have red letters on a white reflective background. (OFC D103.6)

2. **NO PARKING:** Parking on emergency access roads shall be as follows (OFC D103.6.1-2):
   1. 20-26 feet road width – no parking on either side of roadway
   2. 26-32 feet road width – parking is allowed on one side
   3. Greater than 32 feet road width – parking is not restricted

3. **PAINTED CURBS:** Where required, fire apparatus access roadway curbs shall be painted red (or as approved) and marked "NO PARKING FIRE LANE" at 25 foot intervals. Lettering shall have a stroke of not less than one inch wide by six inches high. Lettering shall be white on red background (or as approved). (OFC 503.3)

4. **FIRE APPARATUS ACCESS ROADS WITH FIRE HYDRANTS:** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet and shall extend 20 feet before and after the point of the hydrant. (OFC D103.1)

5. **SURFACE AND LOAD CAPACITIES:** Fire apparatus access roads shall be of an all-weather surface that is easily distinguishable from the surrounding area and is capable of supporting not less than 12,500 pounds point load (wheel load) and 75,000 pounds live load (gross vehicle weight). Documentation from a registered engineer that the final construction is in accordance with approved plans or the requirements of the Fire Code may be requested. (OFC 503.2.3)

Exhibit D

6. **GATES:** Gates securing fire apparatus roads shall comply with all of the following (OFC D103.5, and 503.6):
   1. Minimum unobstructed width shall be not less than 20 feet (or the required roadway surface width), or two 10 foot sections with a center post or island.
   2. Gates serving three or less single-family dwellings shall be a minimum of 12 feet in width.
   3. Gates shall be set back at minimum of 30 feet from the intersecting roadway or as approved.
   4. Electric gates shall be equipped with a means for operation by fire department personnel
   5. Electric automatic gates shall comply with ASTM F 2200 and UL 325.
   No gates are shown on plans submitted.

7. **ACCESS DURING CONSTRUCTION:** Approved fire apparatus access roadways shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. Temporary address signage shall also be provided during construction. (OFC 3309 and 3310.1)

FIREFIGHTING WATER SUPPLIES:

8. **MUNICIPAL FIREFIGHTING WATER SUPPLY EXCEPTIONS:** The requirements for firefighting water supplies may be modified as approved by the fire code official where any of the following apply: (OFC 507.5.1 Exceptions)
   1. Buildings are equipped throughout with an approved automatic fire sprinkler system (the approval of this alternate method of construction shall be accomplished in accordance with the provisions of ORS 455.610(5)).
   2. There are not more than three Group R-3 or Group U occupancies.

9. **COMMERCIAL BUILDINGS – REQUIRED FIRE FLOW:** The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be determined in accordance with residual pressure (OFC Table B105.2). The required fire flow for a building shall not exceed the available GPM in the water delivery system at 20 psi.
   Note: OFC B106, Limiting Fire-Flow is also enforced, except for the following:
   - In areas where the water system is already developed, the maximum needed fire flow shall be either 3,000 GPM or the available flow in the system at 20 psi, whichever is greater.
   - In new developed areas, the maximum needed fire flow shall be 3,000 GPM at 20 psi.
   - Tualatin Valley Fire & Rescue does not adopt Occupancy Hazards Modifiers in section B105.4-B105.4.1

10. **FIRE FLOW WATER AVAILABILITY:** Applicants shall provide documentation of a fire hydrant flow test or flow test modeling of water availability from the local water purveyor if the project includes a new structure or increase in the floor area of an existing structure. Tests shall be conducted from a fire hydrant within 400 feet for commercial projects, or 600 feet for residential development. Flow tests will be accepted if they were performed within 5 years as long as no adverse modifications have been made to the supply system. Water availability information may not be required to be submitted for every project. (OFC Appendix B)

11. **WATER SUPPLY DURING CONSTRUCTION:** Approved firefighting water supplies shall be installed and operational prior to any combustible construction or storage of combustible materials on the site. (OFC 3312.1)

FIRE HYDRANTS:

12. **FIRE HYDRANTS – COMMERCIAL BUILDINGS:** Where a portion of the building is more than 400 feet from a hydrant on a fire apparatus access road, as measured in an approved route around the exterior of the building, on-site fire hydrants and mains shall be provided. (OFC 507.5.1)
    - This distance may be increased to 600 feet for buildings equipped throughout with an approved automatic sprinkler system.

- The number and distribution of fire hydrants required for commercial structure(s) is based on Table C105.1, following any fire-flow reductions allowed by section B105.3.1. Additional fire hydrants may be required due to spacing and/or section 507.5 of the Oregon Fire Code.
- ***Hydrants are not shown on plans submitted.***

13. **FIRE HYDRANT NUMBER AND DISTRIBUTION:** The minimum number and distribution of fire hydrants available to a building shall not be less than that listed in Table C 105.1. (OFC Appendix C)

14. **FIRE HYDRANT(S) PLACEMENT:** (OFC C104)
    - Existing hydrants in the area may be used to meet the required number of hydrants as approved. Hydrants that are up to 600 feet away from the nearest point of a subject building that is protected with fire sprinklers may contribute to the required number of hydrants. (OFC 507.5.1)
    - Hydrants that are separated from the subject building by railroad tracks shall not contribute to the required number of hydrants unless approved by the fire code official.
    - Hydrants that are separated from the subject building by divided highways or freeways shall not contribute to the required number of hydrants. Heavily traveled collector streets may be considered when approved by the fire code official.
    - Hydrants that are accessible only by a bridge shall be acceptable to contribute to the required number of hydrants only if approved by the fire code official.

15. **PRIVATE FIRE HYDRANT IDENTIFICATION:** Private fire hydrants shall be painted red in color. Exception: Private fire hydrants within the City of Tualatin shall be yellow in color. (OFC 507)

16. **FIRE HYDRANT DISTANCE FROM AN ACCESS ROAD:** Fire hydrants shall be located not more than 15 feet from an approved fire apparatus access roadway unless approved by the fire code official. (OFC C102.1)

17. **REFLECTIVE HYDRANT MARKERS:** Fire hydrant locations shall be identified by the installation of blue reflective markers. They shall be located adjacent and to the side of the center line of the access roadway that the fire hydrant is located on. In the case that there is no center line, then assume a center line and place the reflectors accordingly. (OFC 507)

18. **PHYSICAL PROTECTION:** Where fire hydrants are subject to impact by a motor vehicle, guard posts, bollards or other approved means of protection shall be provided. (OFC 507.5.6 & OFC 312)

19. **CLEAR SPACE AROUND FIRE HYDRANTS:** A 3 foot clear space shall be provided around the circumference of fire hydrants. (OFC 507.5.5)

20. **FIRE DEPARTMENT CONNECTION (FDC) LOCATIONS:** FDCs shall be located within 100 feet of a fire hydrant (or as approved). Hydrants and FDC's shall be located on the same side of the fire apparatus access roadway or drive aisle, fully visible, and recognizable from the street or nearest point of the fire department vehicle access or as otherwise approved. (OFC 912.2.1 & NFPA 13)
    - Fire department connections (FDCs) shall normally be located remotely and outside of the fall-line of the building when required. FDCs may be mounted on the building they serve, when approved.
    - FDCs shall be plumbed on the system side of the check valve when sprinklers are served by underground lines also serving private fire hydrants.

BUILDING ACCESS AND FIRE SERVICE FEATURES

21. **KNOX BOX:** A Knox Box for building access may be required for structures and gates. See Appendix C for further information and detail on required installations. Order via www.tvfr.com or contact TVF&R for assistance and instructions regarding installation and placement. (OFC 506.1)

22. **UTILITY IDENTIFICATION:** Rooms containing controls to fire suppression and detection equipment shall be identified as "Fire Control Room." Signage shall have letters with a minimum of 4 inches high with a minimum stroke width of 1/2 inch, and be plainly legible, and contrast with its background. (OFC 509.1)

23. **PREMISE IDENTIFICATION**: New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly visible from the street or road fronting the property. The numbers shall contrast with their background. Where required by the fire code official, address numbers shall be required in additional approved locations to facilitate emergency response. Numbers shall be a minimum of 4 inches high with a minimum stroke width of 0.5 inches.

Applicant may apply for use of alternate materials and methods (AM&M) in accordance with 2014 Oregon Fire Code (OFC), Section 104.9. A guideline for Alternate Materials & Methods requests is available.

If you have questions or need further clarification, please feel free to contact me at (503) 259-1504.

Sincerely,

John Wolff

John Wolff
Deputy Fire Marshal II

Cc: TVFR File

Bradley Kilby

From: Rob Fagliano <rfagliano@sherwood.k12.or.us>
Sent: Thursday, November 19, 2015 11:55 AM
To: Bradley Kilby
Subject: Re: New Development in Sherwood

Hi Brad,

The school district doesn't have any comment on this. However, I thought I would let you know when I tried to connect to the link in the email it gave me a 404 error code (page not found).

Thank you. -Rob

On Wed, Nov 18, 2015 at 1:23 PM, Bradley Kilby <KilbyB@sherwoodoregon.gov> wrote:

Good Morning all,

I am attaching a request for comments for a 15,500 square foot building addition in our industrial area. The hearing is scheduled for December 8th, and with the holidays, I will be putting together my staff report early. Please make your comments if you have them no later than November 25th in order for me to respond to them in the staff report. Otherwise, they will be presented at the public hearing. Thank you. If you have any questions, please do not hesitate to contact me.

You can view the application and plans at the following web address (Available after 4:00 PM today):

http://www.sherwoodoregon.gov/planning/project/endurance_products

Brad Kilby, AICP, Planning Manager

22560 SW Pine Street

Sherwood, Oregon 97140

Exhibit E

P★R★I★D★E
DISPOSAL COMPANY
P.O. Box 820 Sherwood, OR 97140
Phone: (503) 625-6177 Fax: (503) 625-6179

November 25, 2015

Brad Kilby, AICP, Planning Manager
22560 SW Pine St
Sherwood, OR 97140

Re: Endurance Products

We have reviewed the site plan for the Endurance Products proposal. The site plans shows 1 enclosure in the SE corner of the property, which allows for straight on access. The site plan shows the enclosures will be 12' deep and 21'4" wide with 2 sets of gates. Some detail necessary is not visible in these plans are those requirements are outlined below:

If the intent is to use 2 sets of gates, the requirements below need to be met for each set of gates:

- The inside measurements of the gate opening needs to be 10' wide
- The gates need to be hinged on front of the enclosure walls to allow for the full 10' width. This will also allow for the 120 degree opening angle that is required.
- The gates need cane bolts and holes put in place for the gates to be locked in the open and closed position. The holes for the gates to be held open need to be at the full 120 degree opening angle.
- There should be no center post at the access point to the enclosure.
- 25' of overhead clearance is required.

The other option is to change the enclosure design to have only 1 large set of gates instead of the 2 smaller sets. If that choice is made, the following requirements must be met:

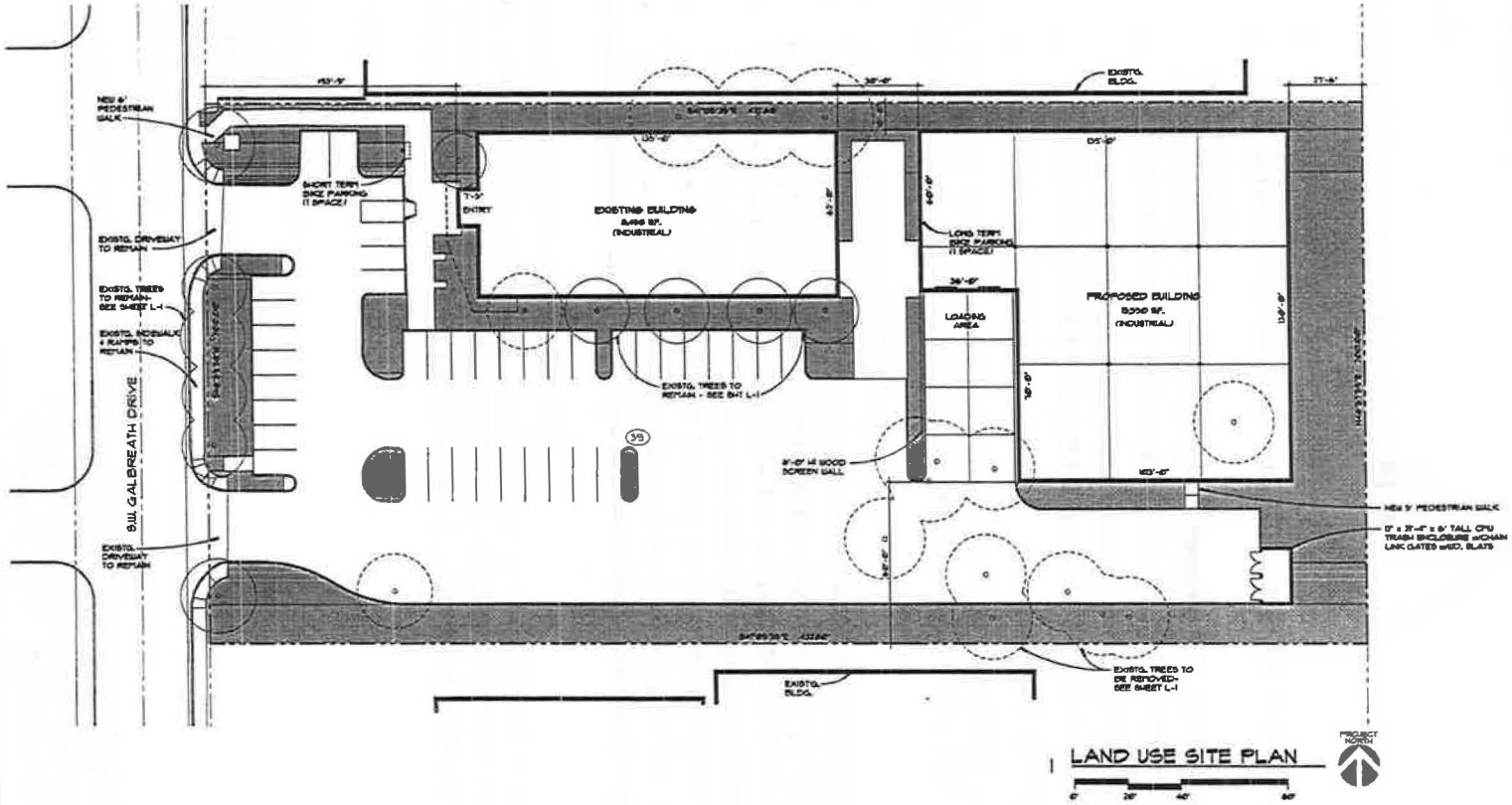
- The inside measurement needs to be no less than 10' deep and 20' wide.
- The gates need to be hinged in front of the enclosure walls to allow for the full 20' width. This will also allow for the 120 degree opening angle that is required.
- The gates need cane bolts and holes put in place for the gates to be locked in the open and closed position. The holes for the gates to be held open need to be at the full 120 degree opening angle.
- There should be no center post at the access point to the enclosure.
- 25' of overhead clearance is required.

If you have any questions, feel free to contact me.

Sincerely,

Kristin Leichner
Pride Disposal Co.
(503) 625-6177

Exhibit F



1 LAND USE SITE PLAN

0' 20' 40' 80'

PROJECT DATA

A. PROJECT LOCATION: ENDURANCE PRODUCTS COMPANY 13990 SW GALBREATH DRIVE, SHERWOOD, OREGON

B. ZONING: GI (GENERAL INDUSTRIAL)

C. SITE AREA: [illegible] ACRES
NO FLOOD PLAIN OR WETLAND AREAS

D. BUILDING AREA:

EXISTING:	8,498 SF
PROPOSED:	15,550 SF
TOTAL	24,048 SF

E. PROPOSED LOT COVERAGE: [illegible]%

F. PROPOSED USES IN 'GI' ZONE:

MANUFACTURING:	PERMITTED USE
WAREHOUSE:	PERMITTED USE

G. DEVELOPMENT STANDARDS FOR 'GI' ZONE:

MINIMUM LOT SIZE:	[illegible] SF
MAXIMUM LOT COVERAGE:	NONE
MINIMUM LOT WIDTH:	NONE
MAXIMUM HEIGHT:	NONE
MINIMUM LANDSCAPE AREA:	10' PERIMETER BUFFER + 45 SF/PARKING SPACE

H. SETBACKS:
FRONT, SIDE, & REAR: NONE

I. LANDSCAPING:
(SEE LANDSCAPE PLAN L-1)

J. PARKING:

REQUIRED PARKING (INDUSTRIAL) (1.5 STALLS / 1,000 SF) x 24,048 SF)	36 SPACES
PROPOSED PARKING:	36 SPACES
ADA STALLS REQUIRED:	2 STALLS
ADA STALLS PROVIDED:	2 STALLS

CODE REVIEW

A. APPLICABLE BUILDING CODE: 2014 OREGON STRUCTURAL SPECIALTY CODE

B. CONSTRUCTION TYPE: 2B

C. PROPOSED OCCUPANCIES:
1. EXISTING BUILDING: B (BUSINESS)
2. PROPOSED BUILDING: F2 (FACTORY LOW-HAZARD)

D. BASIC ALLOWABLE AREA:
1. BASIC ALLOWABLE AREA (TABLE 503): B = [illegible] F2 = [illegible]

E. AREA INCREASE:
1. FRONTAGE: (534+494+525) 30/30 = [illegible]%

F. ALLOWABLE AREA:
1. ALLOWABLE AREA: (18,000 + (18,000 x [illegible]%)) = [illegible]

G. MAXIMUM BUILDING HEIGHT:
1. ALLOWABLE HEIGHT (TABLE 503): F2 = (3) STORY/ 55'-0"
2. BUILDING HEIGHT (EXISTING): +/- 20'-0"
3. BUILDING HEIGHT (PROPOSED): 29'-0"

TILAND / SCHMIDT ARCHITECTS, INC.
[illegible] SW HOOD AVE.
SUITE 300
PORTLAND, OR 97239
(503) 228-8671
FAX (503) 228-8686

DAVID P. GELLOS, ARCHITECT, LLC
[illegible] SW PLAIN DRIVE
TUALATIN, OR 97062
(503) 519-1030

ENDURANCE PRODUCTS COMPANY
13990 SW GALBREATH DRIVE
SHERWOOD, OREGON

PROJECT NO. 15145
DATE: [illegible]
DRAWN BY: [illegible]
CHECKED BY: PLT
REVISIONS

A/2

Bradley Kilby

From: Henry English <Henry.English@pgn.com>
Sent: Thursday, November 19, 2015 7:32 AM
To: Bradley Kilby
Subject: FW: New Development in Sherwood
Attachments: Agency Notice SP 1505_Endurance Products_1118015.docx

PGE has no comment on this project.
Thanks,
Hap

From: Brian Moore
Sent: Wednesday, November 18, 2015 5:57 PM
To: Henry English
Subject: FW: New Development in Sherwood

FYI

Brian Moore
Supervisor, Service & Design
PGE - Western Region
503-672-5474
brian.moore@pgn.com

From: Bradley Kilby [mailto:KilbyB@SherwoodOregon.gov]
Sent: Wednesday, November 18, 2015 1:24 PM
To: 'ehays@sherwood.k12.or.us'; 'karen.mohling@tvfr.com'; 'kristinl@pridedisposal.com'; 'kurt.A.MOHS@odot.state.or.us'; 'd5b@nwnatural.com'; Bob Galati; 'raindrops2refuge@gmail.com'; 'mwerner@gwrr.com'; Brian Moore; 'Naomi_Vogel@co.washington.or.us'; 'Kevin_Rolph@kindermorgan.com'; 'r2g@nwnatural.com'; 'Seth.A.BRUMLEY@odot.state.or.us'; 'brian.harper@oregonmetro.gov'; 'stephen_roberts@co.washington.or.us'; 'Robert.W.EBELING@odot.state.or.us'; 'john.wolff@tvfr.com'; Andrew Stirling; 'humphreysj@CleanWaterServices.org'; 'tumpj@trimet.org'; 'spieringm@CleanWaterServices.org'; 'Region1DEVREVApplications@odot.state.or.us'; 'Paulette.Copperstone@oregonmetro.gov'; Gordon Hill; Jason Waters; Richard Sattler; Jo Guediri; 'erin_holmes@fws.gov'; Craig Christensen; 'pjohanson@sherwood.k12.or.us'; 'rfagliano@sherwood.k12.or.us'
Cc: Kirsten Allen
Subject: New Development in Sherwood

Good Morning all,

I am attaching a request for comments for a 15,500 square foot building addition in our industrial area. The hearing is scheduled for December 8th, and with the holidays, I will be putting together my staff report early. Please make your comments if you have them no later than November 25th in order for me to respond to them in the staff report. Otherwise, they will be presented at the public hearing. Thank you. If you have any questions, please do not hesitate to contact me.

You can view the application and plans at the following web address (Available after 4:00 PM today):

http://www.sherwoodoregon.gov/planning/project/endurance_products

Brad Kilby, AICP, Planning Manager

Exhibit G

New Business Agenda

Item B

CITY OF SHERWOOD **Date: December 2, 2015**
Staff Report **File No: PA 15-05**
Parkway Court Plan Amendment Zone Change

To: **Planning Commission**

FROM: Planning Department

_____
Michelle Miller, AICP
Senior Planner

Proposal:
The applicant requests a comprehensive plan and zone map amendment to change the zoning on four parcels from General Commercial (GC) to Medium Density Residential Low (MDRL). The property subject to the zone change is vacant. The applicant's application materials are attached as Exhibit A.

I. BACKGROUND

A. **Applicant/Owner:** Joe Broadhurst
28440 SW Ladd Hill Road
Sherwood OR 97140

B. **Applicant's Representative**: Danelle Isenhart, AICP
Isenhart Consulting, LLC
P.O. Box. 2364
Beaverton

C. **Location**: The site is located at the northern section of SW Parkway Court, a cul-de sac, near the southwestern intersection of SW Meinecke and Highway 99W. The northern boundary of the property is adjacent to Highway 99W without direct access.

D. **Parcel Size and Tax lots**: The zone change request concerns four parcels:
2S131AB08000 = .23 acres (Parcel 1 of the Parkway Plaza, MLP 2009-03)
2S131AB0 8100 = .23 acres (Parcel 2 of the Parkway Plaza MLP 2009-03)
2S131AB08200 = .25 acres (Parcel 3 of the Parkway Plaza MLP 2009-03)
2S131BA08200 = .50 acres (Lot 7 of the Parkway Plaza Subdivision, SUB 2006-02)

E. **Existing Development and Site Characteristics**: The site is fairly flat with access limited to the Parkway Court cul-de sac. A water quality facility, "Tract A" is located between the property and Highway 99W, adjacent to tax lot 8000 on the northern side. A 30.5' public storm drainage and public access easement and private waterline easements extend through the center of the site.

F. **Site History**: The site has been replatted and subdivided multiple times in the past twelve years. The portion of the site (Parcels 1, 2, and 3 of MLP 09-03) adjacent to SW Meinecke was created when SW Meinecke Road was realigned and purchased by the applicant, Joe Broadhurst. The site is the former location of the "Cherry Tree" produce stand.

Nottingham II Partition, MLP 02-06
In 2003, the applicant received land use approval to partition a 1.37-acre parcel into three lots; a portion of Parcel 3 of the 2003 partition is Tax lot 2S131BA08200. (Nottingham II Partition, MLP 02-06) Parcel 3 was split-zoned with a portion zoned Medium Density Residential High (MDRH) and the other GC. The GC portion is the subject of this zone change.

Parkway Plaza Subdivision, SUB 2006-02
In 2006, the applicant received land use approval to divide Parcel 3 of the MLP 02-06 decision for an eight-lot subdivision, *Parkway Plaza Subdivision***.** (SUB 06-02) That project consisted of six residentially and two commercially zoned parcels (Lot 7 and 8). Lot 8 was the lot created earlier with the SW Meinecke realignment. Both of the commercially zoned properties are the subject of this current zone change application. The Parkway Court Subdivision application proposed a cul-de sac, Parkway Court, for access to the two commercial and four of the six residentially zoned lots. The other two residential lots have access onto SW Dewey Drive.

According to the 2006 decision, the historic zoning maps and prior land use actions on the property showed that GC zoning lined up with the southern portion of the Parkway Court right of way. The subject property had been at various times used as a coffee stand, the Cherry Tree produce stand, and an office. The site is now vacant.

Parkway Plaza Site Plan and Minor Land Partition, SP 09-04, MLP 09-03
In 2009, the applicant requested land use approval for another partition and site plan for Lots 7 and 8 of the Parkway Court Subdivision. (Parkway Plaza MLP 09-03, SP 09-04) The applicant received preliminary site plan approval to construct three single-story commercial buildings to be located on SW Parkway Court and one single-story office building, totaling approximately 11,200 square feet and a partition of Lot 8 to get the property to its final configuration. The site plan approval expired in 2014, but the applicant recorded the plat.

G. **Zoning Classification and Comprehensive Plan Designation**: The site is zoned General Commercial (GC) and generally allows a wide array of commercial uses. The GC permitted uses range from car repair and service, daycare, large and small retail, health clubs, restaurants including drive through, professional office and personal services to residential uses so long as they are clearly secondary to the primary use.

H. **Adjacent Zoning and Land Use**: Land directly to the east and across SW Meinecke is zoned GC and vacant. Land to the south is zoned residential with single-family homes and zoned both medium density residential high (MDRH) and medium density residential low (MDRL). Directly across Highway 99W, the properties are a mix of General Commercial and High Density Residential (HDR).

I. Review Process: The proposed map amendment and zone change require a Type V review, which involves public hearings before the Planning Commission and City Council. The Planning Commission will make a recommendation to the City Council who will make the final decision. There will be a twenty-one (21) day appeal period after the Council issues their decision. Any appeal of the City Council decision would go directly to the Oregon Land Use Board of Appeals (LUBA).

J. 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 November 18, 2015 in accordance with § 16.72.020 of the SZCDC. The notice was published in the Times on November 25, 2015 (a newspaper of general circulation) and the Sherwood Gazette on December 1, 2015 and published in accordance with § 16.72.020 of the SZCDC.

K. Review Criteria: The required findings for the Plan Amendment are identified in §16.80 (Plan Amendments), Comprehensive Plan Criteria: Chapter 2-Planning Process, Chapter 3-Growth Management, Chapter 4-Land Use, Metro Urban Growth Management Functional Plan: Title 1. Housing Capacity, Oregon Transportation Planning Rule: (OAR 660-012-0060), Statewide Planning Goals: Goal 1- Citizen Involvement, Goal 2- Land Use Planning, Goal 9-Economic Development, and Goal 10-Housing.

II. PUBLIC COMMENTS

Staff mailed notice to property owners within 1,000 feet of the subject site on November 18, 2015 and posted notice onsite and at five locations throughout the City. As of the date of this staff report, we have not received any comments.

The applicant held a neighborhood meeting on June 4, 2015. One person attended the meeting and according to the notes, thought the rezone was a good idea. (Applicant's Materials Exhibit A.8)

III. AGENCY COMMENTS

Staff e-mailed notice to affected agencies on November 10, 2015. The following is a summary of comments received as of this date.

ODOT Comments dated November 25, 2015 and attached as Exhibit B.
ODOT has reviewed the traffic impact analysis submitted by the applicant which compares the reasonable highest trip generation for allowed land uses under the existing GC zoning to the reasonable highest trip generation for the proposed MDRL zoning. Since the reasonable highest trip generation under the proposed zoning is less than the existing zoning, ODOT has determined there will not be a significant effect on state highway facilities with the proposed zone change.

Engineering Department Comments dated November 20, 2015 and attached as Exhibit C indicate that the zone change would not negatively influence the transportation system or other public infrastructure. The comments are attached as Exhibit C and discussed below.

Engineering staff has reviewed the information provided for the above-cited project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer
Currently the subject property is served by an 8-inch diameter sanitary sewer main that connects to a 24-inch diameter sanitary trunk line along Cedar Creek northeast of the subject property.

Review of sanitary video inspection of the downstream 8-inch diameter sanitary prior to its connection to a 24-inch diameter sanitary trunk line indicates that there are no capacity issues in the downstream system. Therefore, the proposed change in zoning will not have a significant effect on the sanitary sewer system.

Public/private sanitary sewer facilities may be required at the time of development application.

Water
The subject property is served by an existing 8-inch diameter dead end water main within SW Parkway Court and an existing 8-inch diameter dead end water main within SW Meinecke Parkway.

The proposed zone change will not have a significant effect on the existing water system to serve the subject property.

The proposed zone change, if approved will require modifications to the existing water system that will be conditioned at the time of development application.

Storm Sewer
The subject property is served by a 12-inch storm sewer on the southeast side of Highway 99W. The proposed new zoning will likely have less impervious area than the existing as residential developments usually do not have as much impervious surface as commercial developments. Therefore, the proposed zone change will not be of detriment to the existing storm sewer system.

Public/private storm sewer facilities may be required at the time of development application.

Transportation
The subject property is adjacent to SW Parkway Court, SW Meinecke Parkway and Highway 99W. The subject property will have sole access from SW Parkway Court due to access restriction to SW Meinecke Parkway and Highway 99W. SW Parkway Court intersects SW Meinecke Parkway as a right in/right out intersection. This makes accessing the site difficult as vehicles travelling to the subject property from downtown Sherwood via SW Meinecke Parkway cannot make a left turn onto SW Parkway Court due to the median. This results in traffic having to cross Highway 99W, use the roundabout on the opposite side of the highway and then cross Highway 99W a second time to access the subject property.

A Trip Analysis by Lancaster Engineering has concluded that the proposed zone change from General- Commercial to Medium Density Residential Low would result in less traffic than the current zone designation. Therefore, the new zoning will reduce the future traffic impacts from development of the subject property.

Since the proposed zone change reduces the number of trips to and from the subject zone change property, the change in zoning does not significantly affect an existing or planned transportation facility therefore not requiring any additional measures per OAR 660-012-0060.

Engineering Final Analysis
From a public improvement standpoint, the proposed zone change will not have a significant effect on public facilities.

IV. PLAN AMENDMENT REQUIRED FINDINGS

16.80.030

B. Map Amendment

This section states that an amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and A-D below.

Staff Analysis: The applicable Comprehensive Plan policies are discussed under Section V., below. Section 16.02.080 requires that all development adhere to all applicable regional, State and Federal regulations. Applicable regional regulations are discussed under Section VI. and applicable State regulations are discussed under Section VII.

1. The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.

Staff Analysis: This is discussed in detail below under Section V.

FINDING: The proposed amendment is not consistent with all of the goals and policies in the Comprehensive Plan and they are discussed further within this report.

2. There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and location of other such uses or similar uses in the area, and the general public good.

Staff Analysis: The applicant proposes to amend the Comprehensive Plan and Zoning Map designation from GC to MDRL. The proposed zoning allows for single, two-family and manufactured residential dwelling units with a density of 5.6 to 8 dwelling units per acre. The proposed zoning designation is a typical zoning designation within the City. If the rezone is approved, the property will yield between 7-13 dwelling units based on density calculations.

EcoNorthwest completed a Housing Needs Analysis (HNA) for Sherwood in June of 2015 showing approximately 96 vacant acres of residentially zoned property in the City, with 14 vacant acres zoned MDRL. There are an additional 52 acres of developable MDRL land available within the City's Urban Growth Boundary (UGB), which primarily includes properties within the Brookman area. The following table shows the residential zoning and the vacant acres per zone.

Table 1. Inventory of suitable buildable residential land, gross acres, Sherwood city limits and areas within the UGB, 2014

Zone	Gross Acres	Percent of Total
Land within City Limits		
Very Low Density Residential (VLDR)	24	14%
Very Low Density Residential Planned Unit Development (VLDR-PUD)	1	1%
Low Density Residential (LDR)	22	13%
Medium Density Residential-Low (MDRL)	14	8%
Medium Density Residential-High (MDRH)	21	12%
High Density Residential (HDR)	14	8%
Subtotal	96	55%
Brookman and Other Unincorporated Areas		
Very Low Density Residential (VLDR)	1	1%
Medium Density Residential-Low (MDRL)	52	30%
Medium Density Residential-High (MDRH)	8	4%
Medium Density Residential- Low/High* (MDRL/H)	15	8%
High Density Residential (HDR)	3	2%
Subtotal	79	45%
Total	175	100%

The HNA forecasted the housing need for Sherwood for the next twenty years and compared that demand to the available vacant land within the City limits and UGB limits. Table 2. below, shows that there is not a demand for MDRL land if the Brookman area became immediately available for development. Since the Brookman area is not available for development because it has not been annexed into the city limits, more MDRL sites are needed within the city limits. In fact, the report shows that all types of residential land is needed in order to keep up with demand with the exception of property zoned Very Low Density Residential (VLDR).

Table 2. Comparison of capacity of existing residential land with demand for new dwelling units, dwelling units, Sherwood planning area, 2015-2035

Zone	Capacity (Needed Densities)	Housing Demand	Capacity *minus* Demand
Very Low Density Residential	76	74	2
Low Density Residential	144	141	3
Medium Density Residential-Low	416	416	0
Medium Density Residential-High	318	360	-42
High Density Residential	327	351	-24
Total	1,281	1,342	-61

Specific conclusions found in applicant's Economic Analysis (EA) indicate that the site provides appropriate flexibility for housing type because of its proximity to other residential development

and proximate access to Highway 99W and the amenities along the roadway. The site is currently zoned GC with four individual vacant properties ranging in size from .23 to .5 acres. There are currently 14.62 acres of vacant GC land within the City, including this site. An additional 21.52 acres are underdeveloped for GC use. The following table identifies the vacant and underdeveloped commercial properties and their zoning designation.

Table 3. Current Commercial Zoning Comparison (2015)

	Developed	Partially Developed	Undeveloped	Total
Neighborhood Commercial (NC)	1.03	0.00	3.00	4.03
Office Commercial (OC)	6.90	0.00	20.28	27.18
Retail Commercial (RC)	22.18	47.52	17.07	86.77
General Commercial (GC)	28.29	21.52	14.62	66.58
Light Industrial-Planned Unit Development (LI-PUD)	19.80	0.00	26.00	45.80
Total	65.12	78.79	86.45	230.36

The Sherwood Economic Development Strategy (EDS: 2006) conducted a commercial land demand analysis. The 2006 analysis showed approximately 175 acres of existing commercial land in the City. Since then, annexation, rezones and part of the Langer PUD property developing as commercial ultimately increased the amount of commercially zoned or developed property within the City. Specifically, the Langer PUD Phase 7 area east of Langer Farms Parkway and south of Tualatin Sherwood Road is zoned PUD-LI. At the time of that approval, it was confirmed that GC uses including commercial, retail, and service uses not otherwise not permitted in the LI zone, were permitted in the LI-PUD zone. This has been grandfathered in for these properties and should be taken into account when determining the commercially available land supply. With these changes, there are now approximately 230 acres of commercial property with the City as the table indicates.

The EDS went on to evaluate the future commercial land need within the City in the next 20 years. It indicated that the commercial land demand in Sherwood is expected to range from 15 acres in the low growth forecast to 40 acres under the medium growth forecast and up to 106 acres for the high growth forecast. (*See* Table 18A. of the EDS and marked as Exhibit D) The amount of required commercial land area ranges from 27 acres in the medium growth scenario to 93 acres in the high growth scenario. Since just over 55 acres have been added to the commercial supply since the date of that report, there is an adequate supply of commercial land available to satisfy a medium-to-medium-high growth forecast scenario as outlined in the EDS.

The EDS conducted in 2006 identified an overall jobs/ housing imbalance in the. Sherwood is "housing rich and jobs poor" compared with the rest of Washington County. The jobs -to-population ratio is .30 in Sherwood compared to .40 for Washington County as a whole. The EDS found the employment levels for Sherwood to range from 3,992 to 4,315 jobs and nearly 85% of the workers who live in Sherwood, work outside of the City limits.

Rezoning properties to residential from commercial to meet the immediate residential demand exacerbates the identified jobs imbalance. However, due to the size of the subject parcels it would have a limited impact on the both the immediate need for residential or commercial land within the city limits.

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

3. The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.

Staff Analysis: As discussed above there is immediate short-term need for residential land within the City limits. The proposed amendment is timely as there is a very limited supply of vacant residential properties available within the City's existing boundary.

Like the rest of the country, the City is coming out of the Great Recession where little new development occurred both in the residential and commercial markets. The housing market has rebounded in Sherwood. For example, the property directly to the south of this site on SW Parkway Court received land use approval in 2014 for a three-lot partition with one of the properties constructed and sold this year. The other residential lots with the Parkway Court subdivision have also been sold over the past few years as the housing market improved.

The lack of available housing supply and the available vacant commercial supply within the City limits while not dispositive can be seen as an indicator of availability and timing for the proposed rezone. The nearby commercial property across the street to the northeast on SW Meinecke has been vacant since the intersection was reconfigured in 2002.

Across Highway 99W north on SW Meinecke Parkway, there are four developed and developing properties. Two of the sites are zoned GC and developed with three office buildings. One of the office buildings remains partially vacant but the other building; Pacific Family Dental is at capacity and plans to expand. (Pacific Dental Expansion, MMSP 15-09). Two other properties have been zoned HDR in the area and the 65 unit subdivision on one of the sites is under construction. This will add activity to this corner property. The pattern of recent development in the area is indicating that there is new activity nearby in both residential and commercial development.

Public infrastructure is available and utilities are able to be constructed to serve the site with the extension within SW Parkway Ct. Earlier development conditions have been placed on the property to improve the frontage along Highway 99W. The applicant has addressed the transportation system with the analysis conducted in their submitted traffic analysis to ensure consistency with the Transportation Planning Rule. Based on that analysis and confirmed by the City's Engineering Department, the existing system can serve lower residential density development on this property should the rezone be approved.

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

4. Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.

Staff Analysis: As discussed above there is a need for all types of residentially zoned property within our city limits with the exception of VLDR. There are 15 properties zoned MDRL available for development. Only two of the properties are larger than the subject site and are located within the Area 59 Concept Plan area.

On the other hand, the subject site is one of several commercially zoned properties along Pacific Highway currently vacant or under developed. According to the applicant, the site has been marketed since 2009 as both a large development and as a four-lot commercial development with no success. (See applicant's flyer, Exhibit E) The applicant received land use approval for a commercial development in 2009, but that project fell through and the approval has since expired. Based on his professional experience as a realtor and property developer, the applicant believes that MDRL is the most appropriate zoning because of the irregular shape and size of the parcels along with the easements that limit the development potential.

The site has great visibility in both directions on Highway 99W, but no direct access. Some of the other vacant commercial properties have direct access onto Highway 99W from one direction and remain vacant as well, including property zoned residential. Most of the remaining vacant sites along or near 99W have challenges to development. Over the years, access has been limited on 99W and residential development continues to grow in the area. As discussed in the applicant's narrative, other commercial areas in the City have flourished recently where the commercial area of Highway 99W continues to lag behind despite the over 39,000 average daily trips on 99W and new homes built in the nearby neighborhoods. Rezoning this property to residential, adjacent to the City's busiest roadway coupled with the limited availability of residential vacant land could continue the domino effect on 99W and turn many of the other commercially zoned properties to look to residential use.

FINDING: Based on the applicant's analysis and above discussion, staff finds that this standard is satisfied.

C. Transportation Planning Rule Consistency

The applicant shall demonstrate consistency with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a Traffic Impact Analysis (TIA) shall be prepared pursuant to Section 16.106.080.

The applicant has provided a transportation impacts analysis (TIA) that addressed the TPR consistency. The City's Engineering Department has reviewed the materials and determined that the rezone would have less impact on the transportation facilities than a commercial use. Highway 99W is considered a principal arterial, SW Meinecke is a collector. Because the traffic generated from this development will be less than expected from a property zoned GC, no significant changes can be shown that are inconsistent with the functional classification of a

transportation facility or that reduce the level of service of the facility below the minimum identified on the Transportation System Plan.

FINDING: Based on the above discussion the application is consistent with the Transportation Planning Rule.

V. APPLICABLE COMPREHENSIVE PLAN POLICIES

The applicable portions of the Comprehensive Plan include Chapter 3, Growth Management, Chapter 4, Land Use, Section E – Residential; and Section H -Economic Development, Section I - Commercial

Chapter 3, Growth Management

Policy 1: To adopt and implement a growth management policy, which will accommodate growth consistent with growth limits, desired population densities, land carrying capacity, environmental quality and livability.

Staff Analysis: The property is located within the City limits and within the urban growth boundary. Adjacent properties have urban facilities such as adequate roadways, water, sanitary sewer and pedestrian connections. Due to the small size of the subject properties' size, rezoning this property to residential will have limited impact on the housing need within the area, densities, and land carrying capacity. Since some of the improvements have been made to the site, the environmental quality is not impacted by this development.

The intent of the GC zone is to provide opportunities for commercial uses, which require larger parcels of land, and or uses that involve products or activities that require special attention to environmental impacts as per Division VIII. The site was zoned GC due to its proximity to Highway 99W, one of the City's busiest roadways. Properties to the north along 99W are also a mix of retail-commercial, general commercial, office commercial and high density residential. Properties to the south on 99W are more diverse with both medium and low-density residential uses and other commercially zoned properties. There are no properties zoned MDRL on Highway 99W and no properties are zoned residential at the signalized intersections with the exception of the Elks and YMCA properties at the SW Sunset/99W intersection.

It is questionable that the rezone would be consistent with the city's livability standards. Some of our recent concept planning activities indicate the community's desire for walkable neighborhoods where people can access goods and services within a quarter mile radius of home. This site is also adjacent to the future Cedar Creek Trail and the site will be accessible to people out walking or biking in the community. Other commercial uses across the street on SW Alexander Ln. include a restaurant, hair salon and an office building. With the right use for this site, a commercial property may be viable, add to the vibrancy of this corner and thus improve livability for the neighborhood.

The applicant has platted all of the lots surrounding this development with the exception of a three-lot parcel south of this development and developed the property access arrangement as it exists today. Currently, at least seven homes access Parkway Court with a series of shared drives and flag lots. If approved, an additional 5-13 home may access the cul-de sac in this same way due to the access restrictions to 99W and SW Meinecke.

The growth management policy must accommodate growth consistent with growth limits, desired population densities, land carrying capacity, environmental quality and livability. Livability and desired population densities are implemented through the existing zoning map designations and allowed land uses for each zoning designation. Due to the subjective nature of livability and desired population densities, any proposed changes to the zoning categories are evaluated by the decision-making authority and founded on their understanding of the community's needs and desires.

FINDING: Based on the above discussion, the applicant has provided adequate information for the decision-making authority to make a finding that the requirements of this policy have been met.

Chapter 4, Section E - Residential Land Use

Policy 1 Residential areas will be developed in a manner which will insure that the integrity of the community is preserved and strengthened.

Policy 2 The City will insure that an adequate distribution of housing styles and tenures are available.

Policy 3 The City will insure the availability of affordable housing and locational choice for all income groups.

Policy 4 The City shall provide housing and special care opportunities for the elderly, disadvantaged and children.

Policy 5 The City shall encourage government assisted housing for low to moderate income families.

Policy 6 The City will create, designate and administer five residential zones specifying the purpose and standards of each consistent with the need for a balance in housing densities, styles, prices and tenures.

Staff Analysis: The applicant proposes a residential use at the intersection of a highway and collector. As discussed above, there is limited land available for housing in general within the City but an abundance of existing residential property already zoned MDRL. The applicant has identified an intention to bring a similar housing type that exists already near SW Parkway Court.

The policies identified above seek to encourage and balance a variety of housing types. By approving this zone change to MDRL, it does not address the issues of affordable and diverse housing types identified in the policies above. As discussed earlier, there is an immediate need for residential property zoned HDR or MDRH that could provide affordable options to many of our low and moderate income families. The location along Highway 99W is also not conducive to single-family detached dwelling units without adequate noise buffering in place.

FINDING: Based on the above analysis, the applicant does not appear to meet the Comprehensive Plan policies with the proposed MDRL proposed zoning type.

Chapter 4 H. ECONOMIC DEVELOPMENT POLICIES AND STRATEGIES

Policy 5 The City will seek to diversify and expand commercial and industrial development in order to provide nearby job opportunities, and expand the tax base.
Strategy:

- **The City will encourage the revitalization of the Old Town Commercial area by implementation of 1983's "Old Town Revitalization Plan" and the Old Town Overlay Zone.**
- **The City will encourage the development of light industrial and office parks.**
- **The City will seek to attract industries that are labor and capital intensive.**
- **The City will seek to attract "target" industries which will expand industrial sectors inadequately represented in the urban area in order to diversify and stabilize the local economy.**

Staff Analysis: This economic development strategy seeks to expand commercial and industrial development to add job opportunities within the community. If the parcels are changed from commercial to residential, it must be determined whether this could negatively affect these comprehensive policies and strategies. The policy identified five strategies or areas where the City should encourage growth. The strategies did not specifically include the subject property as an identified area that would benefit from the City's efforts. It is not part of the Old Town commercial area, it is not part of an industrial or office park area, and the current zoning would preclude industrial development.

> **FINDING:** Based on this discussion, the zone change and text amendment would not hinder these economic development policies and strategies.

I. Commercial Land Use
Policy 1 Commercial activities will be located so as to most conveniently service customers.

Staff Analysis: The property is centrally located in Sherwood, visible at the intersection of Highway 99W and SW Meinecke. The constraints to direct access have been discussed earlier. There is a degree of inconvenience for drivers coming north on SW Meinecke to access the site directly. Additionally, drivers on Highway 99W southbound have to turn left at the signal to access the site, but drivers heading north on Highway 99W must turn right at a dedicated deceleration lane to access the site, which is very close to direct access to Highway 99W. It would deter very few vehicles from entering the site from 99W. In fact, the applicant's traffic study shows that as a commercial site, there would be approximately 1,478 weekday trips to the site if used as a shopping center and fast food restaurant and 90 % of the vehicle trips occurring from Highway 99W.

The applicant designed the cul-de sac for both commercial and residential uses and developed the property with that intention. There are many permitted uses within the commercial zone that could provide convenient services for the neighborhood. The site is centrally located within the City as well as along the central travel corridor of Highway 99W.

> **FINDING:** The applicant has not shown that this is not a convenient location to provide services to the neighborhood and has therefore not met this criterion.

Policy 2 –Commercial Uses will be developed so as to compliment rather than detract from adjoining uses.

Staff Analysis: The houses are set back from Parkway Court with either long drives or frontages on SW Meinecke or SW Dewey. The commercial property could be devised to provide a buffer from highway noise and odor to compliment rather than detract from the adjoining uses. Many residential properties in Sherwood are adjacent to commercial uses. The properties in Old Town are a good example of how the commercial uses compliment rather than detract from adjoining uses. The applicant has not shown that commercial property could not be compatible within this particular development, especially as the subject property is located adjacent to a highway, a typical location for commercial uses and further identified in the City's Comprehensive Policy 3 below.

FINDING: The applicant has not shown that this commercial use does not complement rather than detract from adjoining uses and has therefore not met this criterion.

Policy 3- Highway 99W is an appropriate location for commercial development at the highway's intersections with City Arterials and major collector roadways.

Staff Analysis: The applicant's property is located on Highway 99W and at the intersection of one of the City's collectors, SW Meinecke. Despite the applicant's attempts to describe the intersection as unsuitable for commercial development, the policy directly contradicts this assertion. Granted this area has been slower to develop recently than other parts of the City like Old Town and Six Corners. However, new residential development is occurring nearby as well as new commercial development likely across the street. There will soon be more people to provide goods and services, increasing the need for accessible commercial services. Staff is not satisfied that there has been enough analysis provided by the applicant to show that enough time has elapsed for the market to recover before giving up on this property as a viable commercial site.

FINDING: The applicant has not shown that Highway 99W is not a good location for commercial uses at the highways intersections with City Arterials and major collector roadways.

VI. APPLICABLE REGIONAL (METRO) STANDARDS

Staff Analysis: The only applicable Urban Growth Management Functional Plan criteria are found in Title 1 – Housing. The City of Sherwood is currently in compliance with the Functional Plan and any amendment to the Sherwood Plan & Zone Map must show that the community continues to comply. Table 3.01-7 of this Title indicates that Sherwood's dwelling unit capacity is 5,216 and the job capacity is 9,518.

FINDING: Based on staff's analysis, the proposed zone change is consistent with the Metro Functional Plan criteria and the City would continue to be in compliance if the zone change is approved.

VII. APPLICABLE STATE STANDARDS

The applicable Statewide Planning Goals include: Goal 1, 2, 9, and Goal 10.

Goal 1 (Citizen Involvement)

Staff Analysis: Staff utilized the public notice requirements of the Code to notify the public of this proposed plan amendment. The City's public notice requirements have been found to comply with Goal 1 and, therefore, this proposal meets Goal 1. A neighborhood meeting was held on prior to the applicant's submittal to the City. The application is being discussed and decided after a public hearing.

FINDING: Based on the above discussion, the applicant satisfies this planning goal.

Goal 2 (Land Use Planning)

FINDING: The proposed amendment, as demonstrated in this report is processed in compliance with the local, regional and state requirements.

Goal 3 (Agricultural Lands)
Goal 4 (Forest Lands)
Goal 5 (Natural Resources, Scenic and Historic Areas and Open Spaces)
Goal 6 (Air, Water and Land Resources Quality)
Goal 7 (Areas Subject to Natural Hazards)
Goal 8 (Recreational Needs)

FINDING: The Statewide Planning Goals 3-8 do not specifically apply to this proposed plan amendment; however, the proposal does not conflict with the stated goals**.**

Goal 9 (Economic Development)

Staff Analysis: The proposal will change the zoning from GC to MDRL. The applicant intends to provide single-family homes to Sherwood. The applicant provided an Economic Analysis that illustrated the current and future development trends for the urban area over the next twenty-year planning horizon. The applicant's information showed that the population would increase in Sherwood and there would a need for residential land. The applicant's materials indicated that the economy would grow in the Portland metro area and people needed places to live and would choose Sherwood. The materials did not show why the City had too much commercial land to serve the new residential neighborhoods and why this particular property should be rezoned to a residential zone. If we followed this analysis, all vacant property regardless of zoning designation should be rezoned to residential to fit the immediate housing demand at the housing type designation that was preferred single family detached dwelling units.

Statewide Planning Goal 9 is implemented by the comprehensive plan and in the Metro region by OAR 660-009. A city must apply Goal 9 administrative rules to post acknowledgment plan amendments for changes to the designation of employment land to non-employment land if the site is over two acres, and address all applicable planning requirements. In this case, the rezone request is for land that is under 2 acres in size and therefore, Goal 9 is not applicable.

FINDING: Based on the above discussion, Goal 9 does not apply to this rezone, but the applicant must meet local economic development goals identified in the economic development strategy as discussed earlier within this report.

Goal 10 (Housing)

Staff Analysis: This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types. Due to the size of the parcels under review, any zone change would have limited effect on the City's overall housing inventory.

The applicant proposes MDRL, the most common housing type and zoning designation for Sherwood. The applicant's EA shows that the remaining 14 acres of MDRL provide a four-year supply of MDRL zoned property if 60% of the new households require detached single-family housing. The recent HNA indicated a greater need for more vacant land zoned MDRH and HDR for multi-family and higher density housing. Since GC allows for HDR development as a secondary use, keeping the GC provides an alternative housing type that would help fulfill the immediate housing need for higher density housing within the City. Zoning the property at MDRL does not achieve the goal of providing a mix of densities and housing types that Goal 10 requires. The applicant discusses that perhaps the site can accommodate accessory dwelling units or duplexes in order to accommodate a variety of housing types. However, this would not necessarily be a requirement within that zone, nor would it achieve higher density within the City boundaries.

Statewide Planning Goal 10 is implemented by the comprehensive plan and in the Metro region by OAR 660-007 (Metropolitan Housing). OAR 660-007 provides density standards and methodology for land need and supply comparisons. Metro Title 1 responds to the requirements of the Metropolitan Housing Rule. By complying with Metro Title 1, Sherwood complies with OAR 660-007 as well as Statewide Planning Goal 10.

FINDING: Based on the analysis as discussed above, the City provides for the housing needs of the citizens with a variety of housing types. The applicant's proposal requests a residential zone that meets the Goal.

Goal 11 (Public Facilities and Services
Goal 12 (Transportation)

FINDING: As discussed earlier in this report, the proposed amendment is consistent with the "Transportation Planning Rule" which implements Goal 12.

Goal 13 (Energy Conservation)
Goal 14 (Urbanization)
Goal 15 (Willamette River Greenway)
Goal 16 (Estuarine Resources)

Goal 17 (Coastal Shorelands)
Goal 18 (Beaches and Dunes)
Goal 19 (Ocean Resources)

FINDING: The Statewide Planning Goals 13-19 do not specifically apply to this proposed plan amendment; however, the proposal does not conflict with the stated goals.

Staff recommendation on the Plan Amendment:

Based on the analysis above, the applicant meets certain criteria by identifying an immediate short-term general need for residential land within the City limits. In addition, findings can be made that the proposed amendment is timely as there is a very limited supply of vacant residential properties available within the City's existing boundary. However, the applicant has not shown that MDRL is the best residential zoning designation based on the immediate housing need. The applicant has not met certain criteria found within our comprehensive plan concerning economic development policies and strategies. The applicant has not shown that the commercial use is not convenient and complementary to adjoining uses and that the location on Highway 99W is not suitable for commercial development at the highway's intersections with City arterials and major collector roadways. Therefore, STAFF recommends denial of the application for a zone change for **Parkway Court PA 15-05**.

VIII. ATTACHMENTS

A. Applicant's submittal packet
B. ODOT's Comments dated
C. Engineering Comments
D. Table 18A. of the Economic Development Strategy: 2006
E. Applicant's supplemental material: Marketing Flyer

Isenhart Consulting, LLC

SW Parkway Court Zone Change

APPLICANT/OWNER:	Joe Broadhurst 28440 SW Ladd Hill Road Sherwood, OR 97140
APPLICANT'S REPRESENTATIVE:	Danelle Isenhart, AICP Isenhart Consulting, LLC P.O. Box 2364 Beaverton, Oregon 97075
REQUEST:	Zone Change from GC TO MDRL
SITE LEGAL DESCRIPTION:	Tax Lots 8000, 8100, and 8200; Tax Map 2S1 31AB Tax Lot 8200; Tax Map 2S1 31BA Sherwood, Oregon
SIZE:	+/- 1.0 acre

RECEIVED
AUG 3 2015
BY: PA 15-05

Exhibit A

Isenhart Consulting, LLC

List of Exhibits

Land Use Application Form & Checklist	1
Findings for Re-Zone/Map Amendment	2
Needs Analysis Report	3
Tax Maps	4
Deed/Preliminary Title Report	5
CWS Service Provider Letter	6
Pre-Application Notes	7
Neighborhood Meeting Information	8
Plans	9
Traffic Report Memo	10

Case No. PA 15-05
Fee 5330
Receipt # 308810
Date 8-27-15
TYPE V

City of Sherwood Oregon
Home of the Tualatin River National Wildlife Refuge

City of Sherwood

Application for Land Use Action

Type of Land Use Action Requested: (check all that apply)

- ☐ Annexation
- ☒ Plan Amendment (Proposed Zone MDRL)
- ☐ Variance(list standard(s) to be varied in description
- ☐ Site Plan (Sq. footage of building and parking area)
- ☐ Planned Unit Development
- ☐ Conditional Use
- ☐ Partition (# of lots _____)
- ☐ Subdivision (# of lots _____)
- ☐ Other: _____

By submitting this form the Owner, or Owner's authorized agent/ representative, acknowledges and agrees that City of Sherwood employees, and appointed or elected City Officials, have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related specifically to the project site.

Note: See City of Sherwood current Fee Schedule, which includes the "Publication/Distribution of Notice" fee, at **www.sherwoodoregon.gov.** Click on Departments/Planning/Fee Schedule.

Owner/Applicant Information:

Applicant: Joe Broadhurst Phone: 503-625-4653
Applicant Address: 28440 SW Ladd Hill Road, Sherwood, OR 97140 Email: jbroadhrst@aol.com
Owner: Joseph and Mara Broadhurst Phone: 503-625-4653
Owner Address: Same as Applicant Email: _____
Contact for Additional Information: Danelle Isenhart, Isenhart Consulting, LLC, P.O. Box 2364, Beaverton, Oregon 97075, 503-880-4979, danelle@isenhartconsulting.com

Property Information:

Street Location: Vacant corner of SW Parkway Court and SW Meinecke Parkway
Tax Lot and Map No: 8000, 8100 and 8200 of 2S1 31AB and 8200 of 2S1 31BA
Existing Structures/Use: Vacant
Existing Plan/Zone Designation: GC
Size of Property(ies) +/- 1.0 acre

Proposed Action:

Purpose and Description of Proposed Action: Zone change from General Commercial to MDR-L.

Proposed Use: Future subdivision for single-family dwellings

Proposed No. of Phases (one year each): One

Continued on Reverse

LAND USE APPLICATION FORM

Authorizing Signatures:

I am the owner/authorized agent of the owner empowered to submit this application and affirm that the information submitted with this application is correct to the best of my knowledge.

I further acknowledge that I have read the applicable standards for review of the land use action I am requesting and understand that I must demonstrate to the City review authorities compliance with these standards prior to approval of my request.

Joseph Broadhurst — 8-19-2015
Applicant's Signature — Date

Joseph Broadhurst — 8-19-2015
Owner's Signature — Date

Mara Broadhurst — 8-19-2015

The following materials must be submitted with your application or it will not be accepted at the counter. Once taken at the counter, the City has up to 30 days to review the materials submitted to determine if we have everything we need to complete the review.

[X] **3 * copies of Application Form** completely filled out and signed by the property owner (or person with authority to make decisions on the property.

[X] **Copy of Deed** to verify ownership, easements, etc.

[X] **At least 3 * folded** sets of plans

[X] **At least 3 * sets** of narrative addressing application criteria

[X] **Fee** (along with calculations utilized to determine fee if applicable)

[X] **Neighborhood Meeting Verification** including affidavit, sign-in sheet and meeting summary (required for Type III, IV and V projects)

[X] **Signed checklist** verifying submittal includes specific materials necessary for the application process

* **Note** that the required numbers of copies identified on the checklist are required for completeness; however, upon initial submittal applicants are encouraged to submit only 3 copies for completeness review. Prior to completeness, the required number of copies identified on the checklist and one full electronic copy will be required to be submitted.

October 6, 2015

A P P L I C A N T ' S S T A T E M E N T

APPLICANT/OWNER:	Joe Broadhurst 28440 SW Ladd Hill Road Sherwood, OR 97140
APPLICANT'S REPRESENTATIVE:	Danelle Isenhart, AICP Isenhart Consulting, LLC P.O. Box 2364 Beaverton, Oregon 97075
REQUEST:	Zone Change from GC to MDRL
SITE LEGAL DESCRIPTION:	Tax Lots 8000, 8100, and 8200; Tax Map 2S1 31AB Tax Lot 8200; Tax Map 2S1 31BA Sherwood, Oregon
ADDRESS:	Vacant property at corner of SW Parkway Court and SW Meinecke Parkway
SIZE:	+/- 1.0 acre
LAND- USE DISTRICT:	GC

I. APPLICABLE REGULATIONS

A. City of Sherwood Comprehensive Plan II

Chapter 2	Planning Process
Chapter 3	Growth Management
Chapter 4	Land Use
Chapter 5	Environmental Resources
Chapter 7	Community Facilities and Services

B. City of Sherwood Municipal Code Title 16: Zoning and Community Development Code

Chapter 16.70	General Provisions
Chapter 16.80	Plan Amendments
Chapter 16.106	Transportation Facilities

C. Metro Urban Growth Management Functional Plan

Title 1	Housing Capacity
Title 2	Water Quality and Flood Management

D. Statewide Planning Goals

Goal 1	Citizen Involvement
Goal 2	Land Use Planning
Goal 3	Agricultural Lands
Goal 4	Forest Lands
Goal 5	Open Space, Scenic and Historic Ares, and Natural Resources
Goal 6	Air, Water and Land Resources Quality
Goal 7	Areas Subject to Natural Disasters and Hazards
Goal 8	Recreational Needs
Goal 9	Economic Development
Goal 10	Housing
Goal 11	Public Facilities and Services
Goal 12	Transportation
Goal 13	Energy Conservation
Goal 14	Urbanization

II. BACKGROUND:

The applicant is requesting a comprehensive plan map amendment and zone change for the subject site located at 2S1 31AB, Tax Lots 8000, 8100 and 8200 and 2S1 31BA, Tax Lot 8200 from General Commercial to Medium Density Residential Low (MDRL). This application is for the comprehensive plan amendment and zone change. A separate application will be submitted for a single-family subdivision and associated improvements. Sherwood zoning and community development code, Comprehensive Plan, Metro plans, transportation planning rule and the Oregon Statewide Planning Goals are addressed within this narrative. As a Type V process, this application will include a public hearing before the Planning Commission. As required by Sherwood code, this review includes a public notice and neighborhood meeting, which was held on June 4, 2105. A copy of the noticing and meeting materials are included with this narrative under Exhibit 8.

Comprehensive Plan and Zoning Map Amendment

The site is currently designated Commercial on the City's Comprehensive Plan and is zone for commercial development. The applicant is proposing to redesignate and rezone the site for residential development. The applicant has examined the needs of the community and has determined the need for additional residential zoning to meet the community's needs. A detailed analysis has been prepared in support of this application request and is attached as Exhibit 3.

Surrounding Uses

To the north of the site is Highway 99W and across from the highway properties are zoned commercial. To the east the properties are commercial and residential. To the south and west the properties are residential.

III. FINDINGS

A. CITY OF SHERWOOD COMPREHENSIVE PLAN II

The applicable Sherwood Comprehensive Plan Policies and Goals are set forth below along with findings in support of the Comprehensive Plan Map Amendment – Zone Change.

CHAPTER 2 – PLANNING PROCESS

COMMENT:

Chapter 2 of the Sherwood Comprehensive Plan highlights citizen involvement, agency involvement, the plan development process, plan interpretation and plan amendments. As previously stated, a neighborhood meeting was completed for this application on June 4, 2015. Service providers from agencies outside of Sherwood have been contacted regarding this proposal. The Sherwood City Council will have final decision-making authority in this Comprehensive Plan Map Amendment and Zone Change.

CHAPTER 3 – GROWTH MANAGEMENT

Policy 1 – The City will periodically review and propose to Metro appropriate revisions to the Urban Growth Boundary (UGB) in conformance with the Metro 2040 Growth Concept Plan and the need to accommodate urban growth to the year 2017.

COMMENT:

This application does not propose any changes to the UGB. The proposed Comprehensive Plan Map Amendment and Zone Change from commercial to residential are in conformance with the Metro 2040 Growth Concept Plan.

CHAPTER 4 – LAND USE

E. Residential Land Use

Policy 1- Residential areas will be developed in a manner which will insure that the integrity of the community is preserved and strengthened.

COMMENT:

The proposed Comprehensive Plan Map Amendment and Zone Change would enable the site to be developed at a density that will take advantage of existing infrastructure and other amenities, addressing one of the strategies related to this policy and addressing the City's need to provide residential development as detailed in Exhibit 3.

The immediate community adjacent to this proposed rezone is single-family detached homes priced in the $300,000s. This property shares a cul-de-sac, SW Parkway Court, with those homes. The broader community in this corridor of Sherwood is residential with a high volume of pedestrian, bike, skateboard, stroller and runner traffic. The improvements to 99W that this property will provide would enhance this pedestrian connectivity with public safety. With the new housing development in this cul-de-sac, street parking was allowed on that side. This results in narrowing the access to SW Parkway Court. This area would benefit from no commercial traffic impact from this property. There is Class A office space across 99W that has been vacant for years. This property was marketed for professional medical and dental buildings, but due to poor access, limited shared parking and high cost of 99W improvements, these uses as well as other small business or office use was deemed infeasible. Across SW Meinecke, there is commercial land available and also developed commercial. Lately, the main interest in this property has been for a bar (like across the street) or marijuana dispensary. This property's use was recently switched to light industrial zone from general commercial. These uses are not compatible with the residential nature of the cul-de-sac. The best use of this land would be to redevelop this site and rezone it to residential. The street and sidewalk improvements on SW Meinecke have already been built by this property and oversized utilities installed. The additional 600 feet of highway frontage can be feasible with a residential development due to the higher residential land value presenting a viable path for this one acre property to absorb the disproportionate costs of development compared to other properties.

Policy 2- The City will insure that an adequate distribution of housing styles and tenures are available.

COMMENT:

To the south and east of the site includes single-family homes on lots 5,000 to 7,000 square feet. The Comprehensive Plan Map Amendment and Zone Change would provide another housing option for existing and future residents of Sherwood while increasing density in meeting the stated goal of maintaining a minimum overall density of six dwelling units per acre. As noted above, this request will provide the City the opportunity to provide additional housing land. The proposed development will allow for single-family detached dwellings.

This proposed rezone to MDRL while maintaining large lot sizes promotes the availability of a variety of housing styles unavailable elsewhere in Sherwood. The three 10,000 square foot existing lots already have oversized utilities which can accommodate duplexes with two car garages or single family homes with accessory dwellings and building packages to accommodate single story ranch style homes. Due to driveway access restrictions of three off of a street, the irregular shape and easements, the three 10,000 square foot lots will remain. The other 21,000 square foot lot could be partitioned into either 2 duplex lots, a duplex and single family detached lot, or three single family lots. Recent new homes are being built on this cul-de-sac and sold promptly, evidencing this location as desirable residential land of comparable property values to the neighborhood. At least one new home

has become a rental, and tenure availability would be encouraged with duplexes or accessory dwelling units which could be rented.

Policy 3- The City will insure the availability of affordable housing and locational choice for all income groups.

COMMENT:

Taking into account the characteristics of Sherwood, with higher income levels and demand for Sherwood's amenities, these large lots in a desirable close-in location would be able to serve a broad scope of demographic trends. Adding infill lots like these to the residential inventory that are available for immediate development keeps supply and demand more steady and affordable.

Policy 4- The City shall provide housing and special care opportunities for the elderly, disadvantaged and children.

COMMENT:

This proposed rezone provides housing opportunities for the elderly with either Accessory Dwelling Units for caretakers, extended families or additional rental income. Single story ranch style building styles could be built. If duplexes, there would be more affordable rental opportunities to downsize. The close-in location would benefit any special needs and children who would be near schools.

Policy 5- The City shall encourage government assisted housing for low to moderate incomes.

COMMENT:

Government assisted housing can occur in any residential zoning.

Policy 6- The City will create, designate and administer five residential zones specifying the purpose and standards of each consistent with the need for a balance in housing densities, styles, prices, and tenures.

COMMENT:

This rezone to MDRL makes the best use of the purpose and standards of that zoning by providing the greatest variety and unique diversity of housing unavailable elsewhere in Sherwood.

I. Commercial Land Use

Policy 1- Commercial activities will be located so as to most conveniently service customers.

COMMENT:

There is no direct access to the subject site off Highway 99 or left turn in from SW Meinecke; therefore, service is not convenient to customers from this location. Having to cross over Highway 99 and back again to reach this property from Sherwood is highly undesirable for any commercial activity or center even though it is near major roadways.

Commercial activity is not compatible with the close proximity and shared cul-de-sac of the existing residential neighborhood, and it would strain public safety and parking. This property is irregular in shape and has challenging commercial building issues with limiting easements and setbacks.

Policy 2- Commercial uses will be developed so as to compliment rather than detract from adjoining uses.

COMMENT:

The adjoining uses are single-family detached homes. The commercial zoning could negatively impact this residential use with increased traffic and safety risks while MDRL zoning would enhance the livability of the neighborhood.

Policy 3- Highway 99 is an appropriate location for commercial development at the highway's intersections with City arterials and major collector roadways.

COMMENT:

Since this property is no longer directly accessible from Highway 99W and there is no left turn from SW Meinecke the site is no longer an appropriate location for commercial development. The residential rezone to HDR from General Commercial of the property located diagonally across the highway from this proposed rezone has altered the demographics of this area. The 55-acre Langer PUD has shifted commercial development to Tualatin Sherwood Road. Urban Renewal land has become a more defining factor in identifying appropriate commercial locations with the Old Town overlay and the rezone of the Urban Renewal land of Driftwood Mobile Park from residential to commercial. The recently annexed light industrial zoned land on SW 124th will also provide a strong job base and retail opportunities within the industrial zoning.

Again, this intersection is not suitable for commercial due to irregular shape, bad access, parking limitations and cost of improvements. These factors would not inhibit residential development and would be a better use of the land. A goal of this policy is the creation or expansion of general commercial zone will not create undo congestion or produce substantial conflict with the established land use pattern. General commercial is for large commercial uses and wholesale which is not appropriate in residential neighborhoods.

CHAPTER 5 – ENVIRONMENTAL RESOURCES

A. ENVIRONMENTAL RESOURCES POLICY GOALS

Planning Goals: Energy Resources

Policy 4 – Encourage energy efficiency in the design and use of sites, structures, transportation systems and utilities.

COMMENT:

The Comprehensive Plan Map Amendment and Zone Change would allow the site to be designed and developed in way to maximize energy efficiency in the use of the site, structures, transportation systems and utilities.

B. NATURAL RESOURCES AND HAZARDS

Policy 1 – Flood plain shall be prohibited from development in order to reduce the risk of flooding, prevent or reduce risk of human life and property, and maintain functions and values of floodplains such as allowing for the storage and conveyance of stream flows through existing and natural flood conveyance systems.

COMMENT:

The site is not within a flood plain. There is no creek/stream running through or near the site.

Policy 4 – Provide drainage facilities and regulate development in areas of runoff or erosion hazard.

COMMENT:

This application is for the Comprehensive Plan Map Amendment and Zone Change only. A subsequent application will be submitted for a partition or subdivision on this site. At partition/subdivision submittal time, the proposal will provide drainage facilities and regulate development in areas of runoff or erosion hazard to meet the standards of Sherwood, Clean Water Services and Metro. That being said, there is a storm water facility on the site and was developed and built with commercial development (greater impervious area) in mind. This facility has also been sized to take care of the storm water from the future improvements along the site frontage of Highway 99.

C. ENVIRONMENTAL QUALITY

Policy 1 – Water quality will be protected from erosion and other forms of degradation.

COMMENT:

The proposed Comprehensive Plan Amendment and Zone Change and subsequent partition/subdivision will protect the water quality facility already constructed through erosion control measures throughout construction of the site.

Policy 2 – Air quality will be protected from significant degradation.

COMMENT:

The proposed development will protect air quality by utilizing the site in an efficient manner.

Policy 3 – Noise sources will be shielded from residential neighborhoods.

COMMENT:

This application will not result in any additional noise sources that would necessitate shielding from residential neighborhoods. The proposal will be to develop the site with single-family owner-occupied residences consistent with the existing surrounding development.

D. RECREATIONAL RESOURCES

Policy 4 – The City will encourage and support the private sector in the provision of needed recreational opportunities.

COMMENT:

The subsequent partition/subdivision will provide sidewalks were still required which will provide access into the existing neighborhood to the existing recreational opportunities (i.e. schools and parks).

E. ENERGY RESOURCES

Policy 4 – The City will encourage energy efficiency in the design and use of sites, structures, transportation systems and utilities.

COMMENT:

The Comprehensive Plan Map Amendment and Zone Change would allow the site to be designed and developed in a way to maximize energy efficiency in the use of the site, structures, transportation systems and utilities. The subject property is currently surrounded by existing residential developments, is connected to existing roadways and has access to existing utility services. The availability of the existing infrastructure results in resource efficiency and encourages the use of existing systems.

CHAPTER 7 – COMMUNITY FACILITIES AND SERVICES

COMMENT:

The applicant will support and adhere to all City of Sherwood requirements relating to facilities and services.

B. CITY OF SHERWOOD MUNICIPAL CODE TITLE 16: ZONING AND COMMUNITY DEVELOPMENT CODE

CHAPTER 16.70: GENERAL PROVISIONS

SECTION 16.70.010 Pre-Application Conference.

Pre-application conferences are encouraged and shall be scheduled to provide applicants with the informational and procedural requirements of this Code; to exchange information regarding applicable policies, goals and standards of the Comprehensive Plan; to provide technical and design assistance; and to identify opportunities and constraints for a proposed land use action. An applicant may apply at one time for all permits or zone changes needed for a development project as determined in the pre-application conference.

COMMENT:

A pre-application conference was conducted on May 11, 2015 for this Comprehensive Plan Map Amendment – Zone Change. A copy of the pre-application notes is include with this submittal package as Exhibit 7.

SECTION 16.70.020 Neighborhood Meeting.

A. The purpose of the neighborhood meeting is to solicit input and exchange information about the proposed development.

B. Applicants of Type III, IV and V applications are required to hold a meeting, at a public location for adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject application, prior to submitting their application to the City. Affidavits of mailing, sign-in sheets and a summary of the meeting notes must be included with the application when submitted. Applicants for Type II land use action are encouraged, but not required to hold a neighborhood meeting.

1. Projects requiring a neighborhood meeting in which the City or Urban Renewal District is the property owner or applicant shall also provide published and posted notice of the neighborhood meeting consistent with the notice requirements in 16.72.020.

COMMENT:

A neighborhood meeting for this Comprehensive Plan Map Amendment and Zone Change was conducted on June 4, 2015 at the Sherwood Senior Center. Notice was sent via mail to property owners and recognized neighborhood organizations within 1,000 feet of the site. Copies of the affidavit of mailing, sign-in sheet and meeting summary are include with this application in Exhibit 8.

SECTION 16.70.030 Application Requirements.

A. Form

Any request for a land use action shall be made on forms prescribed and provided by the City and shall be prepared and submitted in compliance with this Code. A land use application shall be reviewed against the standards and criteria effective at the time of application submittal. Original signatures from all owners or their legal representative must be on the application form.

B. Copies

To assist in determining the compliance of proposed land use actions with the Comprehensive Plan and provisions of this Code, applicants shall submit one (1) complete electronic copy of the full application packet, one reduced (8½ × 11) copy of the full application packet and the required number of hard copies as outlined on the applicable forms prescribed and provided by the City.

C. Content

1. In addition to the required application form, all applications for Type II-V land use approval must include the following:

a. Appropriate fee(s) for the requested land use action required based on the City of Sherwood Fee Schedule.

b. Documentation of neighborhood meeting per 16.70.020.

c. Tax Map showing property within at least 300 feet with scale (1" = 100' or 1" = 200') north point, date and legend.

d. Two (2) sets of mailing labels for property owners of record within 1,000 feet of the subject site, including a map of the area showing the properties to receive notice and a list of the property owners, addresses and tax lots. Ownership records shall be based on the most current available information from the Tax Assessor's office.

e. Vicinity Map showing a minimum radius of 500 feet around the property and the closest intersection of two Principal Arterial, Arterial, Collector or Neighborhood roads.

f. A narrative explaining the proposal in detail and a response to the Required Findings for Land Use Review for the land use approval(s) being sought.

g. Two (2) copies of a current preliminary title report.

h. Existing conditions plan drawn to scale showing: property lines and dimensions, existing structures and other improvements such as streets and utilities, existing vegetation, any floodplains or wetlands and any easements on the property.

i. Proposed development plans sufficient for the Hearing Authority to determine compliance with the applicable standards. Checklists shall be provided by the City detailing information typically needed to adequately review specific land use actions.

j. A trip analysis verifying compliance with the Capacity Allocation Program, if required per 16.108.070.

k. A traffic study, if required by other sections of this code,

l. Other special studies or reports that may be identified by the City Manager or his or her designee to address unique issues identified in the pre-application meeting or during project review including but not limited to:

1) Wetland assessment and delineation

2) Geotechnical report

3) Traffic study

4) Verification of compliance with other agency standards such as CWS, DSL, Army Corps of Engineers, ODOT, PGE, BPA, Washington County.

m. Plan sets must have:

1) The proposed name of the development. If a proposed project name is the same as or similar to other existing projects in the City of Sherwood, the applicant may be required to modify the project name.

2) The name, address and phone of the owner, developer, applicant and plan producer.

3) North arrow,

4) Legend,

5) Date plans were prepared and date of any revisions

6) Scale clearly shown. Other than architectural elevations, all plans must be drawn to an engineer scale.

7) All dimensions clearly shown.

2. **Exemptions can be made when items in 16.70.030.C.1 are not necessary in order to make a land use decision, such as for text amendments to the development code. Additional written documentation may be necessary to adequately demonstrate compliance with the criteria.**

COMMENT:

All applicable materials have been submitted with this application for a Comprehensive Plan Map Amendment and Zone Change.

CHAPTER 16.80: PLAN AMENDMENTS

SECTION 16.80.010 Initiation of Amendments.

An amendment to the City Zoning Map, the text of the Comprehensive Plan, or the text of the Zoning and Community Development Code may be initiated by the Council, Commission, or an owner of property within the City.

COMMENT:

The Comprehensive Plan Map Amendment and Zone Change is being initiated by the property owner within the City of Sherwood.

SECTION 16.80.030 Review Criteria.

C. **Map Amendment**

An amendment to the City Zoning Map may be granted, provided that the proposal satisfies all applicable requirements of the adopted Sherwood Comprehensive Plan, the Transportation System Plan and this Code, and that:

1. **The proposed amendment is consistent with the goals and policies of the Comprehensive Plan and the Transportation System Plan.**

COMMENT:

The Comprehensive Map Amendment application proposes to change the zoning of the subject property from General Commercial (GC) to Medium Density Residential Low (MDRL). This narrative will address the requirements of the Sherwood Comprehensive Plan, the Transportation System Plan and the zoning and development code. This proposal complies with Goal 10 policies governing planning for housing and residential land, Metropolitan Housing Rule OAR660-007, and Metro's 2040 Functional Growth Management Plan. This rezone meets the requirement and primary obligation of Goal 10 by providing a land designation to this property which allows for single family attached housing.

2. **There is an existing and demonstrable need for the particular uses and zoning proposed, taking into account the importance of such uses to the economy of the City, the existing market demand for any goods or services which such uses will provide, the presence or absence and**

location of other such uses or similar uses in the area, and the general public good.

COMMENT:

There is an existing and demonstrable need for MDRL zoning. At best, "compared to demand, Sherwood has a small surplus of residential land." This includes the Brookman annexation and Sherwood West, which is not for certain and years away, and redevelopable land. The 20-year projected need for housing supply in Sherwood is 1,156 homes, with a projected supply of 1,281 counting land within the City (606) and the Brookman annexation area (550). This forecast of growth is below historical rates for Sherwood which had a growth of 3.4% for 2000 – 2013 and 8% from 1990 – 2013. If Sherwood grows faster than the 1% per year forecast of Metro for 2015 – 2035, which has been the trend, Sherwood won't have sufficient land to accommodate growth. If the 80% ownership/20% tenure historical pattern in Sherwood continues, there will be a faster depletion of supply and home prices will escalate due to scarcity. At this rate, Sherwood will need 79 acres of MDRL instead of 60 acres, and 4 acres developed annually instead of 3 acres.

The known 14 acres of MDRL currently in the City represents 8% and 88 units and can last until 2018-19. Sherwood will face a deficit of MDRL within 4 years and again during planning period of Brookman. However, there is an immediate need for MDRL zoned land with services available now. The existing 14 acres of MDRL zoned land is in small pieces throughout Sherwood. A majority of these properties have a single-family dwelling and outbuildings with access to roads and services (utilities). None of these properties are currently in process for development. Many of these property owners have been approached by developers and the owners have no desire to sell. It is unknown when or if these properties will ever develop to their full MDRL potential.

Sherwood population is rapidly growing and slowly aging. Sherwood annual growth rate is 8% while Washington County is 2.5% and Portland 1.6%. The fastest growing age group in Sherwood from 2000-2010 was 45 +. By 2035, 60+ will account for 24% of Washington County. Aging population results in increased demand for seniors and their particular needs. Whether downsizing or remaining in their homes as long as possible, seniors prefer to remain in the same town. The proposed rezone could address that demand through single family homes with accessory dwelling units for caretakers, extended family or additional rental income. These lots could accommodate single story ranch style homes or duplexes with lower rent than home ownership.

In 2010, the median age in Sherwood was 34 years. Sherwood has a larger share of households with children at 47%, compared to Washington County at 33% and Portland at 29%. For a younger more diversified household, there will be a need for a moderate price for home ownership and rental opportunities. The proposed rezone would provide a variety of choices for a wide range of millennial households including traditional families, never marrieds, dinks or double incomes, and empty nesters that include affordable ownership and rental scenarios.

"Income is the key to determinant of housing choice" and Sherwood households have a relatively high income. At $78,400 Sherwood is 20% higher than Washington County at $64,200. 75% of housing stock is single family detached with 75% ownership. 8% is single family attached townhouses or duplexes. Housing affordability will depend on the relationship between income and housing prices. 2004 – 2014, house sales prices were up 30% from $245,000 - $316,500. This is higher than Washington County at $281,700, Portland at $269,000 or Oregon at $237,000. Sherwood prices were also higher than

Tualatin, Tigard and Beaverton but lower than West Linn and Wilsonville. Rents were also higher in Sherwood at an average of $1064 compared to $850 in Washington County.

To ensure the existing supply of a diverse range of housing types, maintain the existing supply of affordable housing and increase opportunities for new affordable housing and households of all incomes, a steady supply of residential land needs to be available. Scarcity will increase prices due to market demand. These proposed rezoned MDRL lots are ready for development and can fill the immediate need for housing now while keeping a balance to supply and demand to maintain affordability without compromising property values.

Also included in housing needs besides shelter, is its proximity to other attractions, amenities, access to public services and quality schools. The close in location of these infill lots and proximity to public services and schools would be highly desirable to residential lots. There is extensive shopping choices and professional services nearby as well as the YMCA. Even though the second largest job growth sector is in the professional/office sector, this land has not been desirable for this use, which is most successful in a business park or larger commercial center with large anchor tenants. Most of the people who live in Sherwood work outside the City and most of those who work in Sherwood do not live here. There is little job potential on this small commercial piece while residential development of this proposed rezone will bring needed improvements to the highway with landscaped corridors, bike lane, and extra pedestrian safety and connectivity adding to the amenities of the area making better and more efficient use of the land resources.

The key findings of the Housing Needs Analysis (See Exhibit 3) were to designate land for single family housing and that Sherwood was meeting its obligation to plan for needed housing types for all incomes. To provide an adequate supply of land, voters will need to take in Brookman and will still need Sherwood West. The proposed rezone would designate this land MDRL allowing for duplexes and other unique housing types for all incomes. Since the annexation of either the Brookman land or Sherwood West is unsure and years away, this proposed annexation is very timely to meet current demands.

3. **The proposed amendment is timely, considering the pattern of development in the area, surrounding land uses, any changes which may have occurred in the neighborhood or community to warrant the proposed amendment, and the availability of utilities and services to serve all potential uses in the proposed zoning district.**

COMMENT:

This Comprehensive Plan Map Amendment is timely as there is a potential shortage of housing in Sherwood. There is a very limited supply of vacant MDRL properties available within the City's existing boundary. Most undeveloped or vacant commercially zoned property in the City is located primarily along SW Tualatin Sherwood Road, SW Roy Rogers or along Highway 99W. Although the site has frontage along Highway 99W it does not have the benefit of good circulation and connection as other commercial properties in the area. SW Parkway Court is a right-in and right-out movement due to the traffic circle on SW Meinecke Parkway. Originally this property was marketed for commercial development and the storm water facility was constructed to handle the impervious surfaces from commercial development. Due to timing with the construction of the Walmart and other businesses near Walmart this property has become undesirable for commercial development due to location and access.

Public infrastructure is available and utilities are able to be constructed to serve the site as they are already in SW Parkway Court. Traffic impacts from single-family residential development will be less impactful than commercial development on the site.

The proposed rezone of the three 10,000 sq ft lots and one 21,000 sq ft lot (which could be partitioned into three 7,000 sq ft lots), would add a total of 6 buildable lots. The irregular shape and traffic movement restrictions significantly limit the development choices available to this site. Granting this request would promote the connectivity and enhance the living environment of the neighborhood, protecting property values and providing an aesthetically pleasing, functioning environment that preserves the character of the neighborhood.

The MDRL zone includes a variety of housing types currently unavailable in Sherwood and satisfies the need for multi-generational and affordable housing. This could include a duplex or single story with three car garage. These large lots could also accommodate ADU – accessory dwelling units – for caretakers, family members or additional rental income.

This property is located on half of a single-family dwelling residential cul-de-sac. The existing property owners in the neighborhood support this rezone. This property installed the trees and sidewalk improvement on SW Meinecke Parkway for greater neighborhood connectivity and pedestrian and bicycle linkage. When this property is developed, an additional 600 feet of 99W highway improvements are conditioned, including widening, sidewalks, bike path and landscaped visual corridor. This integration of land use and transportation greatly benefits local pedestrian traffic safety while generating less commercial traffic and parking congestion, improving the capacity of the surrounding streets. The existing traffic pattern of no left turn off SW Meinecke Parkway and crossing back over 99W is not practical or functional for this commercial property and isolates it from its neighborhood demographic. It is the main deterrent of commercial development, especially coffee shops and mini markets. The limited shared parking and cost of improvements for such a small site also hinder commercial development.

This property has been professionally marketed by multiple brokerages for over 10 years. Allowing the Langer PUD of 55 acres of Light Industrial Land a General Commercial use directed commercial development and small business/retail to Tualatin Sherwood Road. That property is in the Urban Renewal District which benefits the City. The 10 acre Driftwood mobile home park, also in the Urban Renewal District, was rezoned from residential to General Commercial. The remainder of commercial attraction is the Old Town Urban Renewal District. This property is not in the Urban Renewal District. The Cedar Brook PUD rezoned the property across 99W from General Commercial to HDR. This trend has remade and identified this 99W corridor as residential and more valuable to the community as such.

This use is more compatible with the surrounding houses. New homes are being built within and near this cul-de-sac, demonstrating the desirability of inner community lots close to schools, parks and public transportation, even if near 99W, and consistent with the nature of the given setting.

4. **Other lands in the City already zoned for the proposed uses are either unavailable or unsuitable for immediate development due to location, size or other factors.**

COMMENT:

There is a very limited supply of vacant MDRL properties available within the City's existing boundary (14 acres). The existing 14 acres of MDRL zoned land is in small pieces throughout Sherwood. A majority of these properties have a single-family dwelling and outbuildings with access to roads and services (utilities). None of these properties are currently in process for development. Many of these property owners have been approached by developers and the owners have no desire to sell. It is unknown when or if these properties will ever develop to their full MDRL potential.

Looking at land currently within the City Limits, the following is the amount of acres available for development in each residential zone.

Table 5. Inventory of suitable buildable residential land, net acres, Sherwood city limits and areas within the UGB, 2014

Zone	Gross Acres	Percent of Total
Land within City Limits		
Very **L**ow **D**ensity **Residential (VLDR)**	24	14%
Very Low Density Residential Planned Unit Development (VLDR-PUD)	1	1%
Low Density Residential (LDR)	22	13%
Medium Density Residential – Low (MDRL)	14	8%
Medium Density Residential – High (HDRL)	21	12%
High Density Residential (HDR)	14	8%

Within the city limits there is more land available in the VLDR, LDR and HDRL zones than in the MDRL zone. The site is not sufficient in size or have adequate access for HDR or for VLDR-PUD zoning. Therefore, the MDRL zone has the greatest need. The subject site is 1 acre and would add to the existing 14 acre inventory and is ready to build on portion of the site and the rest of the site will go through a partition application prior to development. The MDRL zone makes the most sense for this site off the existing cul-de-sac and other properties zoned MDRL.

MDRL is the preferred new zoning designation due to the irregular shape and size of the parcels. Building envelopes are limited by easements and setbacks and driveway access restrictions of 3 off a street. These limitations really limit the development potential to MDRL. The MDRL zoning also allows for duplexes which are one of the residential housing styles possible in this proposal.

C. Transportation Planning Rule Consistency

1. **The applicant shall demonstrate consistency with the Transportation Planning Rule, specifically by addressing whether the proposed amendment creates a significant effect on the transportation system pursuant to OAR 660-012-0060. If required, a Traffic Impact Analysis (TIA) shall be prepared pursuant to Section 16.106.080.**

COMMENT:

A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

CHAPTER 16.106: TRANSPORTATION FACILITIES

SECTION 16.106.080 Traffic Impact Analysis (TIA).

A. Purpose

The purpose of this section is to implement Sections 660-012-0045(2)(b) and -0045(2)(e) of the State Transportation Planning Rule (TPR), which require the City to adopt performance standards and a process to apply conditions to land use proposals in order to minimize impacts on and protect transportation facilities. This section establishes requirements for when a traffic impact analysis (TIA) must be prepared and submitted; the analysis methods and content involved in a TIA; criteria used to review the TIA; and authority to attach conditions of approval to minimize the impacts of the proposal on transportation facilities.

This section refers to the TSP for performance standards for transportation facilities as well as for projects that may need to be constructed as mitigation measures for a proposal's projected impacts. This section also relies on the City's Engineering Design Manual to provide street design standards and construction specifications for improvements and projects that may be constructed as part of the proposal and mitigation measures approved for the proposal.

B. Applicability

A traffic impact analysis (TIA) shall be required to be submitted to the City with a land use application at the request of the City Engineer or if the proposal is expected to involve one (1) or more of the following:

1. **An amendment to the Sherwood Comprehensive Plan or zoning map.**
2. **A new direct property approach road to Highway 99W is proposed.**
3. **The proposed development generates fifty (50) or more PM peak-hour trips on Highway 99W, or one hundred (100) PM peak-hour trips on the local transportation system.**
4. **An increase in use of any adjacent street or direct property approach road to Highway 99W by ten (10) vehicles or more per day that exceed the twenty thousand-pound gross vehicle weight.**
5. **The location of an existing or proposed access driveway does not meet minimum spacing or sight distance requirements, or is located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, thereby creating a safety hazard.**
6. **A change in internal traffic patterns that may cause safety problems, such as back up onto the highway or traffic crashes in the approach area.**

COMMENT:

A TIA was done for the site when it was proposed to be developed as commercial. A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

C. Requirements

The following are typical requirements that may be modified in coordination with Engineering Staff based on the specific application.

1. **Pre-application Conference. The applicant shall meet with the City Engineer prior to submitting an application that requires a TIA. This meeting will be coordinated with Washington County and ODOT when an approach road to a County road or Highway 99W serves the property, so that the TIA will meet the requirements of all relevant agencies.**
2. **Preparation. The TIA shall be prepared by an Oregon Registered Professional Engineer qualified to perform traffic Engineering analysis and will be paid for by the applicant.**
3. **Typical Average Daily Trips and Peak Hour Trips. The latest edition of the Trip Generation Manual, published by the Institute of Transportation Engineers (ITE), shall be used to gauge PM peak hour vehicle trips, unless a specific trip generation study that is approved by the City Engineer indicates an alternative trip generation rate is appropriate.**
4. **Intersection-level Analysis. Intersection-level analysis shall occur at every intersection where the analysis shows that fifty (50) or more peak hour vehicle trips can be expected to result from the development.**
5. **Transportation Planning Rule Compliance. The requirements of OAR 660-012-0060 shall apply to those land use actions that significantly affect the transportation system, as defined by the Transportation Planning Rule.**

COMMENT:

The Applicant attended a pre-application meeting on May 11, 2015. At this meeting it was determined by staff that only a revision letter from the traffic consultant was needed to show the change in use for the site. A TIA was completed on this site for commercial development. A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

D. Study Area

The following facilities shall be included in the study area for all TIAs:

1. **All site-access points and intersections (signalized and unsignalized) adjacent to the proposed development site. If the site fronts an arterial or collector street, the analysis shall address all intersections and driveways along the site frontage and within the access spacing distances extending out from the boundary of the site frontage.**
2. **Roads and streets through and adjacent to the site.**
3. **All intersections needed for signal progression analysis.**
4. **In addition to these requirements, the City Engineer may require analysis of any additional intersections or roadway links that may be adversely affected as a result of the proposed development.**

COMMENT:

A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

E. Analysis Periods

To adequately assess the impacts of a proposed land use action, the following study periods, or horizon years, should be addressed in the transportation impact analysis where applicable:

1. **Existing Year.**
2. **Background Conditions in Project Completion Year. The conditions in the year in which the proposed land use action will be completed and occupied, but without the expected traffic from the proposed land use action. This analysis should account for all City-approved developments that are expected to be fully built out in the proposed land use action horizon year, as well as all planned transportation system improvements.**
3. **Full Buildout Conditions in Project Completion Year. The background condition plus traffic from the proposed land use action assuming full build-out and occupancy.**
4. **Phased Years of Completion. If the project involves construction or occupancy in phases, the applicant shall assess the expected roadway and intersection conditions resulting from major development phases. Phased years of analysis will be determined in coordination with City staff.**
5. **Twenty-Year or TSP Horizon Year. For planned unit developments, comprehensive plan amendments or zoning map amendments, the applicant shall assess the expected future roadway, intersection, and land use conditions as compared to approved comprehensive planning documents.**

COMMENT:

A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

F. Approval Criteria

When a TIA is required, a proposal is subject to the following criteria, in addition to all criteria otherwise applicable to the underlying land use proposal:

1. **The analysis complies with the requirements of 16.106.080.C;**
2. **The analysis demonstrates that adequate transportation facilities exist to serve the proposed development or identifies mitigation measures that resolve identified traffic safety problems in a manner that is satisfactory to the City Engineer and, when County or State highway facilities are affected, to Washington County and ODOT;**

3. **For affected non-highway facilities, the TIA demonstrates that mobility and other applicable performance standards established in the adopted City TSP have been met; and**
4. **Proposed public improvements are designed and will be constructed to the street standards specified in Section 16.106.010 and the Engineering Design Manual, and to the access standards in Section 16.106.040.**
5. **Proposed public improvements and mitigation measures will provide safe connections across adjacent right-of-way (e.g., protected crossings) when pedestrian or bicycle facilities are present or planned on the far side of the right-of-way.**

COMMENT:

A transportation impact analysis (TIA) revision letter addressing the change in proposed use is included with this application as Exhibit 10.

C. METRO URBAN GROWTH MANAGEMENT FUNCTIONAL PLAN

TITLE 1 – HOUSING CAPACITY

The Regional Framework Plan calls for a compact urban form and a "fair-share" approach to meeting regional housing needs. It is the purpose of Title 1 to accomplish these policies by requiring each city and county to maintain or increase its housing capacity as provided in section 2.07.120.

COMMENT:

This Comprehensive Plan Map Amendment and Zone Change would increase Sherwood's housing capacity and meet the Title 1 purpose by providing the opportunity for development of residentially zoned property with a compact form.

TITLE 3 – WATER QUALITY AND FLOOD MANAGEMENT

To protect the beneficial water uses and functions and values of resources with the Water Quality and Flood Management Areas by limiting or mitigating the impact on these areas from development activities and protecting life and property from dangers associated with flooding.

COMMENT:

According to Metro's RLIS Database, there are no Title 3 lands on the site. Therefore, there is no area on site that needs to be protected from flooding.

D. STATEWIDE PLANNING GOALS

Since the Sherwood Comprehensive Plan was acknowledged by LCDC to carry out the Statewide Planning Goals, the subsequent analysis shows how the proposed actions affect the Sherwood Comprehensive Plan's compliance with the Statewide Planning Goals.

GOAL 1 – CITIZEN INVOLVEMENT

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

COMMENT:

The City's public hearing process meets the requirements of this Goal for citizen involvement in the land use process. Notice of the proposal will be provided to all property owners within the notice area, published in the newspaper, and will also be posted on the subject property giving interested citizens an opportunity to be involved in the process. A public hearing to consider the request will be held by the Planning Commission and then City Council. Through the notice and public hearing process all interest parties are afforded the opportunity to review the application, comment on the proposal, and participate in the decision. This process meets the requirements of this Goal for citizen involvement in the land use planning process. In accordance with the findings presented above, the proposed Comprehensive Plan and Zoning Map Amendment are consistent with Goal 1.

GOAL 2 – LAND USE PLANNING

To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

COMMENT:

The Sherwood Comprehensive Plan is acknowledged to be in compliance with the Statewide Planning Goals and provides goals, policies and procedures for reviewing and evaluating land use requests. The City's adopted Type V land use planning process provides for Plan Map Amendments and is consistent with Goal 2.

GOAL 3 – AGRICULTURAL LANDS

To preserve and maintain agricultural lands.

COMMENT:

The subject property is comprised of land that is currently located within the Urban Growth Boundary (UGB) and fully within the City of Sherwood's Incorporated City limits. The Comprehensive Plan Map Amendment and Zone Change will only affect the subject site. Therefore, it will not have a direct impact on any Goal 3 Agriculture Lands. Therefore, this Goal is not applicable.

GOAL 4 – FOREST LANDS

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

COMMENT:

The subject property is comprised of land that is currently located within the UGB and fully within the City of Sherwood's Incorporated City limits. The Comprehensive Plan Map Amendment and Zone Change will only affect the subject site. Therefore, it will not have a direct impact on any Goal 4 Forest Lands, and as such this Goal is not applicable.

GOAL 5 – OPEN SPACE, SCENIC AND HISTORIC AREAS, AND NATURAL RESOURCES

To protect natural resources and conserve scenic and historic areas and open space.

COMMENT:

The proposed Comprehensive Map Amendment and Zone Change will not affect or alter the natural resources in the area. According to CWS there are no known Sensitive Areas on-site or within 200 feet of the subject site.

GOAL 6 – AIR, WATER AND LAND RESOURCES QUALITY

To maintain and improve the quality of the air, water and land resources of the state.

COMMENT:

The subject property is located within the UGB and City limits, where development at an urban scale and density is anticipated to occur. While the organization of uses and those uses specifically allowed within the property will change, no significant negative change in the quality of air is expected to occur. The proposed uses do not involve any additional noise or smoke that would affect the surrounding air, water, or land resource quality.

City sewer and water are readily available to the subject property as well as storm drainage facilities. The stormwater facility is already constructed and was sized for commercial development (roof and parking lot) and for the future (approved) improvements of Highway 99W along the site. Therefore, the water quality facility will have adequate capacity for the proposed residential use as it will have less storm water runoff than a commercial development. The proposal does not threaten the availability of local or regional air, water, and land resources. In accordance with the findings presented above the proposed Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 6.

GOAL 7 – AREAS SUBJECT TO NATURAL DISASTERS AND HAZARDS

To protect people and property from natural hazards.

COMMENT:

The subject property is located outside the 100-year floodplain. The site is flat with no areas identified as landslide hazards or steep slopes. Detailed review of the site will be completed during the subsequent partition/subdivision process to assure natural hazards are mitigated to the greatest extent practical.

GOAL 8 – RECREATIONAL NEEDS

To satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

COMMENT:

The proposed Comprehensive Plan Map Amendment and Zone Change will allow for the development of the subject site. The proposed future lots will provide individual open space on each lot.

Upon approval of this application, a partition or subdivision application will be submitted to Sherwood. The proposed plan will include the construction of sidewalk along Highway 99W (already approved by ODOT). Sidewalk already exists along the site's frontages of SW Parkway Court and SW Meinecke Parkway. These sidewalks will provide access to recreational areas in the neighborhood (parks and schools). Therefore, the proposed Comprehensive Plan Map Amendment and Zone Change are in compliance with Goal 8 by providing opportunities consistent with guidelines identified in the Comprehensive Plan.

GOAL 9 – ECONOMIC DEVELOPMENT

To provide adequate opportunities throughout the state for the variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

COMMENT:

The proposed change will redesignate approximately 1.0 acre from General Commercial to Medium Density Residential Low. The intent is to provide single-family residential housing to the area. Data necessary to address this Goal in relation to the proposed change, as required by OAR 660-009-0015, is available in the Economic Opportunity Analysis (EOA) that is included in this application (See Exhibit 3). This report provides the most recent and comprehensive data available for economic development trends and for the inventory of commercial and industrial land within the urban area for the 20-year planning period.

In summary, the proposal conforms to the City's EOA by providing a location for housing. The proposal serves to provide an opportunity for the residential activities that are vital to the citizens of Sherwood, which is consistent with the requirements of this Goal.

GOAL 10 – HOUSING

To provide for the housing needs of the citizens of the state.

COMMENT:

The proposed change will redesignate approximately 1.0 acre from General Commercial to Medium Density Residential Low. The intent is to provide opportunities for the development of additional housing in Sherwood.

The proposed Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 10, based on available data, the reduction of vacant commercial land inventory represented by this proposal will not cause a significant impact on the ability to provide commercial/retail within the urban area. For these reasons approval of the proposed Plan

change will not have a significant impact on the ability to provide commercial/retail within the UGB or in the local area, and the proposal does not adversely impact the requirements of this Goal.

GOAL 11 – PUBLIC FACILITIES AND SERVICES

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

COMMENT:

The City maintains an infrastructure of public facilities and services to support urban development. The City has adopted a Transportation, Stormwater, Wastewater and Water master facility plans. These plans outline the public facilities and services needed to serve land within the UGB. The existing public services and facilities in the area (SW Parkway Ct and SW Meinecke Parkway) are adequate to serve the site. Private laterals/water meters will be added during the partition/subdivision. In accordance with the findings presented above the plan proposed is consistent with Goal 11.

GOAL 12 – TRANSPORTATION

To provide and encourage a safe, convenient and economic transportation system.

COMMENT:

The City of Sherwood's Transportation System Plan (TSP) is in compliance with the requirements of this Goal. The relationship of the proposal to the transportation system, and its impacts, have been set forth in detail in the Traffic Impact Analysis letter/memo revision included as Exhibit 10. The original TIA for this site was done for commercial development. The proposed residential development will have less impact on the transportation system. The Applicant has demonstrated that the identified amendments do not require mitigation to ensure that adopted operating standards will be met. The analysis has found that the traffic impacts of the project will not cause a change in the functional classification of any street or transportation facility, will not require or result in changes to the standards that implement the functional classifications system, will result in traffic volumes that are consistent with the functional classifications of the affected streets, and no mitigation will be required to assure that adequate level of service and the functionality of the transportation system is maintained. The proposed amendments are therefore in compliance with the Oregon Transportation Planning Rule, the Sherwood Transportation System Plan and the goals and policies contained within the Sherwood Comprehensive Plan. In accordance with findings presented above the proposed plan is consistent with Goal 12.

GOAL 13 – ENERGY CONSERVATION

To conserve energy.

COMMENT:

The design of the proposed development strives to provide an integration residential land uses resulting in a livable, connected community within the City of Sherwood. Inherent in the design is the ability to live in close proximity to other land uses allowing for less vehicle trips and miles traveled resulting in a reduction in the consumption of gasoline and associated emissions. The proposed future partition or subdivision of the site encourages

the use of alternative modes of transportation (bicycles, walking) adjacent to the proposed development through the provision of sidewalks (mostly tree-lined).

The existing transportation system adjacent to the site will serve the site and no additional streets will be required. Therefore, the existing system will provide direct, efficient and convenient access to the future lots. The proximity of the development to adjacent developed residential neighborhoods and employment area will reduce the vehicle miles traveled to and from the subject property. The location and nature of the proposed development promotes the conservation of energy needed for transportation. For these reasons the proposal will help conserve energy and be energy efficient, in keeping with the intent of this Goal.

GOAL 14 – URBANIZATION

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

COMMENT:

The entire subject property is located within the Sherwood City limits. All required public facilities and services are available to the property. The site consists of vacant urban land. The use of the site as proposed will contribute to an efficient arrangement of land uses within the UGB, and to the efficient use of urban services, consistent with the directives of this Goal. The proposal does not affect the size or location of the UGB. In accordance with the findings presented above the Comprehensive Plan Map Amendment and Zone Change is consistent with Goal 14.

IV. SUMMARY AND CONCLUSIONS

Based upon the findings of this report and the submitted supplemental graphics material, the applicant has demonstrated compliance with the requirements of the relevant sections of the City of Sherwood Municipal Code, Comprehensive Plan, Metro Urban Growth Management Functional Plan, and Statewide Planning Goals for the requested Comprehensive Plan Map Amendment and Zone Change from General Commercial to Medium Density Residential Low for the subject site. Therefore, the request should be approved.

NEED ANALYSIS IN SUPPORT OF RESIDENTIAL ZONE CHANGE IN SHERWOOD, OREGON

JOE BROADHURST

Prepared by: PNW Economics, LLC

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I. INTRODUCTION

General Information

Applicant:	Joe Broadhurst 28440 SW Ladd Hill Road Sherwood, Oregon Phone: (503) 625-4653 Contact: Joe Broadhurst
Applicant's Representative	PNW Economics 2323 NW 188th Avenue #624 Hillsboro, Oregon 97124 (503) 522-1236 phone Contact: Bill Reid bill@pnweconomics.com
Location:	City of Sherwood, Oregon Along SW Parkway Court at SW Meinecke Parkway
Current Zoning District:	General Commercial (GC)
Project Site Area:	+/- 1.0 acres

Summary of Proposal

PNW Economics was retained by Joe Broadhurst to evaluate market need to rezone a two parcels totaling roughly 1.0 acre from General Commercial (GC) to Medium Density Residential Low (MDRL). The rezone to MDRL would enable the development of up to 8 additional single-family residential units likely ranging in size from 1,800 to 3,000 square feet.

This analysis will assess the unmet need for this residential product type in Sherwood, Oregon, as well as findings to show how the proposed action helps to satisfy that demand and unmet need in the larger market context.

This memorandum summarizes these trends and our preliminary conclusions regarding potential at the subject site.

II. EXECUTIVE SUMMARY

Analysis in this report documents demand and supply conditions related to single-family residential development in the City of Sherwood over a twenty-year land use planning horizon, from 2015 to 2035. Market findings expressed in this document are crucial for answering several key questions integral to this application for a zone change for the subject property from GC to MDRL. These key questions include:

1. *Is the existing supply of land sufficient to provide attainable residential ownership for detached housing within the City of Sherwood?*

Based on the most recent residential land inventory completed by the City of Sherwood in the Draft *2015 Housing Needs Analysis*, the existing acreage within the city limits dedicated to MDRL use is 14 acres accounts for only 8% of the overall capacity. This translates into capacity of 88 dwelling units based on historical densities as assumed in the 2015 Draft *Housing Needs Analysis*.

An additional 56 acres of MDRL-zoned land is anticipated within the Brookman Addition, though the area is uncertain as to when it will be approved by voters for annexation, and then after that, when specifically the MDRL-zoned land would be serviced by utilities and infrastructure.

2. *Is there market demand to dictate additional acreage needed for MDRL-zoned residential development in the City of Sherwood?*

Analysis of detached ownership housing supply shows that current <u>guaranteed, incorporated inventory</u> for MDRL-zoned land is approximately:

- 4 years of supply at a maximum if only 60% of new households require detached single-family homes as projected in the 2015 Draft *Housing Needs Analysis*; and
- 3 years of supply if 80% of new households require detached single-family housing consistent with historical Sherwood residential growth.
- 56 acres in the Brookman Addition would meet need for MDRL-zoned land in Sherwood, but after existing supply is depleted over the short-term and the City likely suffers housing cost escalation based purely on scarcity.

In other words, there is an immediate need for MDRL-zoned land in Sherwood – the largest segment of housing demand expressed in this report as well as the City's 2015 Draft *Housing Needs Analysis* – and the 1.0-acre subject site would help fill the immediate unmet need.

3. *Can the subject property better serve demand for medium density residential development with MDRL versus GC zoning?*

GC zoning precludes medium-density residential development within the zone, while the MDRL designation is provided to meet the medium-density detached residential needs of the City of Sherwood with flexibility to include accessory dwelling units or duplexes. Therefore, the subject property would better serve demand for medium-density residential development with an MDRL zoning designation.

III. SUBJECT SITE & SURROUNDING AREA

Subject Site Description

The subject site is an irregularly shaped combination of parcels that together total 1.0 acres located in the City of Sherwood, Oregon. Although located along SW Pacific Highway with highway frontage, primary access to the site is from SW Parkway Court via SW Meinecke Parkway. The site is vacant and flat, bound by SW Pacific Highway west and north, SW Meinecke Parkway to the east, SW Parkway Court to the southeast, and existing detached, single-family development to the south. An aerial image of the subject site and immediately surrounding environs is found in FIGURE 1.

FIGURE 1: AERIAL VIEW OF SUBJECT SITE

Transportation & Access

Although situated along SW Pacific Highway and SW Meinecke Parkway, entry access to the site is limited to the one-way, south-bound divided lanes of SW Meinecke Parkway. Exit from the site via SW Parkway is also limited to southbound, one-way SW Meinecke Parkway and utilization of the roundabout to the south with return trip on the one-way northbound lanes of SW Meinecke Road. The site cannot be accessed directly via SW Pacific Highway and cannot be accessed via a left turn from the northbound lanes of SW Meinecke Parkway due to a tree-landscaped divider.

Such limited access renders the site a better residential location than a commercial location as it is currently zoned. Limited, lower traffic access would be consistent with the needs of a residential neighborhood and is inconsistent with the current General Commercial zoning, most commonly associated with freeway commercial development along Pacific Highway in Sherwood. In fact, though marketed for development for a number of years, the site has failed to attract commercial development opportunity very specifically because of the difficult access issues.[1]

Subject Locational Features

Figure 2 provides an aerial map of the subject property in the context of the broader Sherwood, Oregon area and its important economic and community features. Via SW Meinecke Parkway and SW Pacific Highway, the site is a short distance from Langer Drive Commercial District, a Target, Albertsons, Home Depot and the Sherwood City Center.

FIGURE 2: AERIAL VIEW OF SUBJECT SITE & AREA AMENITIES

[1] Interview with Joe Broadhurst, June 19, 2015.

The site is also equidistant from both Laurel Ridge Middle School and Sherwood High School. Major employers within the City of Sherwood include the school district and the Allied System Company.

All of the above should be considered amenities for residential development specifically. On the other hand, highly limited access to the site via either SW Pacific Highway or SW Meinecke Parkway should be considered significant hindrances to General Commercial development of the site. Furthermore, with its irregular shape due in part to SW Parkway Court, physically the site is far less conducive to commercial development including retail or smaller scale business park/services development with suburban form floor area ratios (FARs).

FARs for a site of barely an acre in size in a suburban highway corridor would likely be 0.25 at best, indicating significant parking need. This would in turn create parking conflict on SW Parkway Court and adjacent residential structures. The irregular shape of the site can be far better accommodated by detached single-family lots that can individually have somewhat irregular shape without parking and traffic volume conflict.

Subject Site Conclusions

In short, it is concluded that the site is both appropriate and highly amenable to residential development:

- At 1.0 acres, undeveloped, and flat, the site provides appropriate flexibility with regard to residential development feasibility, unit mix, and site plan to provide appropriate detached, single-family lots and homes.
- Locationally the site affords adequate access by residences on the site to various public and commercial amenities in the Sherwood and greater regional area via both SW Meinecke Parkway and SW Pacific Highway.
- Adjacent to already successfully developed single-family homes on SW Dewey and currently under construction on SW Parkway Court to the south, the site would offer single-family homes of comparable size, type, proximity to Pacific Highway, and seamless consistency with adjacent, existing neighborhood development.

Alternatively, it is found that the site currently has significant disadvantages as a commercial development site:

- Access to and from the site via SW Meinecke Parkway and SW Pacific Highway is limited to southbound Meinecke Parkway traffic. No left turn is possible from northbound SW Meinecke Parkway
- Other retail or employment commercial development and sites with direct access from Pacific Highway, of greater size and regular shape for better retail commercial planning and development are at a significant competitive advantage. The site has proven

difficulty attracting commercial development because of difficulties with access, size, and shape.

IV. PRIMARY MARKET AREA

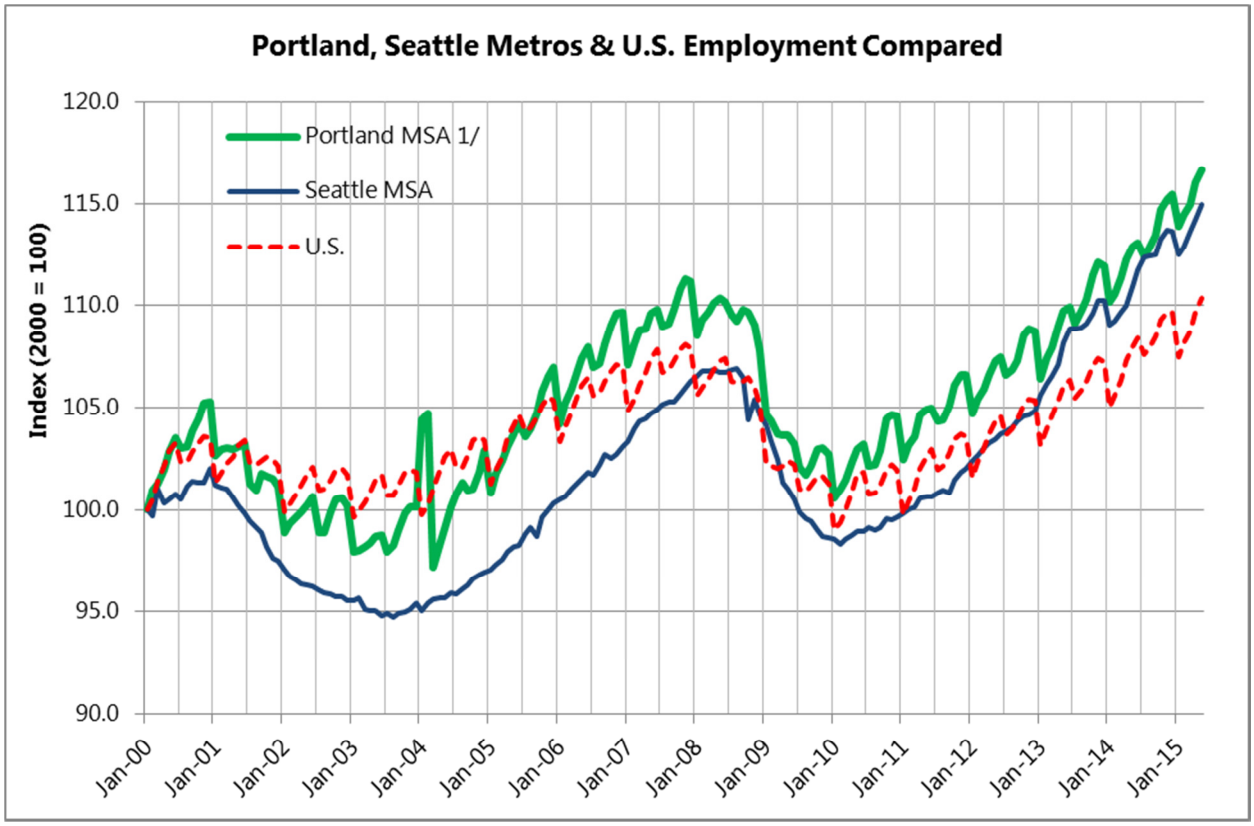
The Primary Market Area (PMA) for the subject site in this analysis is defined as the City of Sherwood. Sherwood represents the geographic area from which the subject development will likely draw the majority of its demand due to the local need for high-density attainable housing based on demographics, income levels, and younger families seeking affordable housing alternatives.

V. ECONOMIC OVERVIEW

PORTLAND METRO ECONOMY

The Pacific Northwest economy continued its trend of exceeding the nation in terms of job growth through the First Quarter of 2015. The Portland metro area has trended closely with the Seattle metro area in terms of total percentage expansion.

FIGURE 3: PORTLAND MSA, SEATTLE MSA, & U.S. ECONOMIC TREND



1/ The Portland-Vancouver-Hillsboro MSA includes all of Clackamas, Columbia, Multnomah, Washington and Yamhill counties in Oregon and Clark and Skamania counties in Washington State.
Source: U.S. Bureau of Labor Statistics, Oregon Employment Department, Washington Employment Department

First Quarter details for the Portland economy include:

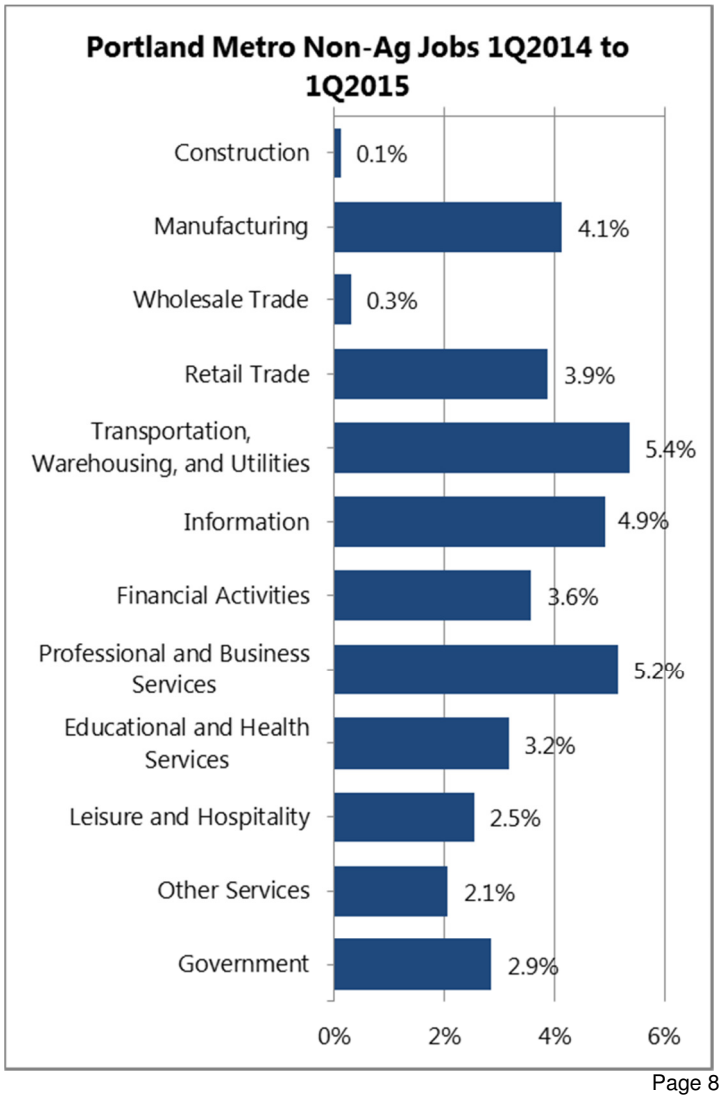
- The Portland metro added 33,900 jobs from March 2014 through March 2015. The expansion translates into a 3.2% annualized rate of growth.
- The metro area economy returned to its 2007 peak of 1.04 million jobs in May of 2013 and has since added 65,900 jobs.
- Current total jobs in the Portland metro area stand at 1.11 million.
- The Portland area continues to have significantly greater seasonal fluctuation to job gains due to stronger ties to agricultural industries, as well as major construction projects in Washington County.

Fastest Portland Job Growth Among Industrial & Office/Business Park Growth Sectors

FIGURE 4: PORTLAND METRO INDUSTRY 1-YEAR JOB GROWTH RATES

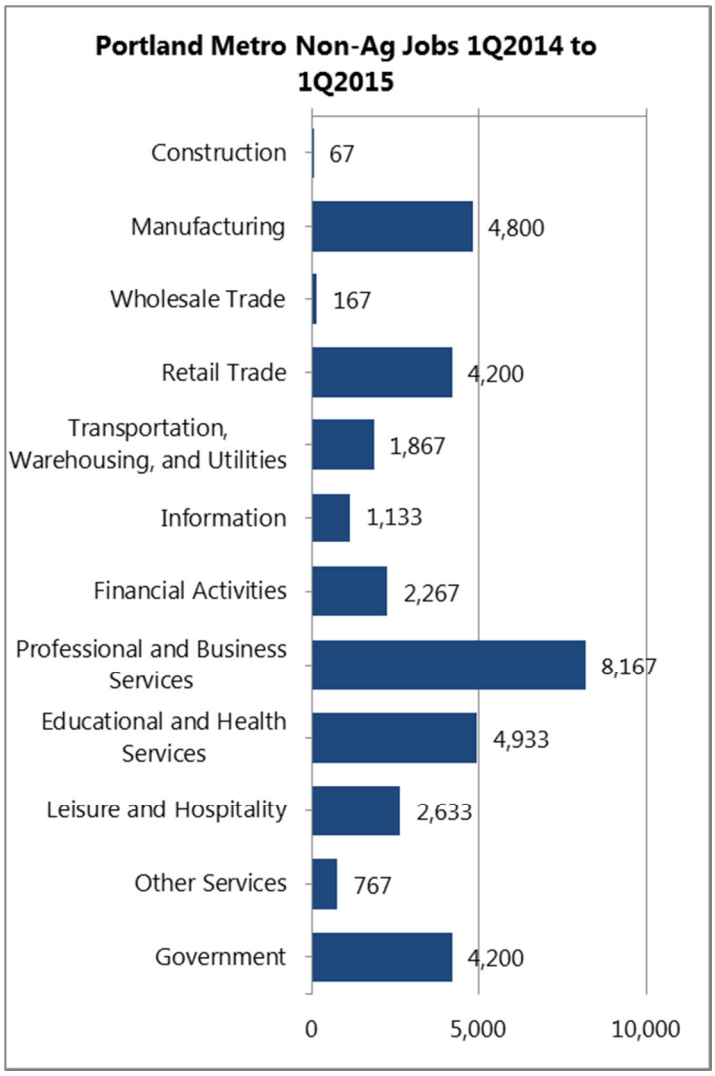
Portland metro area industry sector growth over the past year was positive for all sectors. It was most brisk in Transportation, Warehousing and Utilities (5.9%), Professional & Business Services (5.2%), Information (4.9%) and Manufacturing. The uptick in expansion in those four sectors indicates returning balance and strength to the overall Portland economy.

Sectors with positive but less-pronounced expansion between March 2014 and March 2015 were Other Services (2.1%) and Leisure and Hospitality (2.5%). Construction and Wholesale Trade experienced negligible growth at 0.1 percent and 0.3 percent, respectively.



Most New Jobs in Portland Metro Among Office/Business Park Growth Sectors

FIGURE 5: PORTLAND METRO INDUSTRY 1-YEAR JOB LEVEL GROWTH



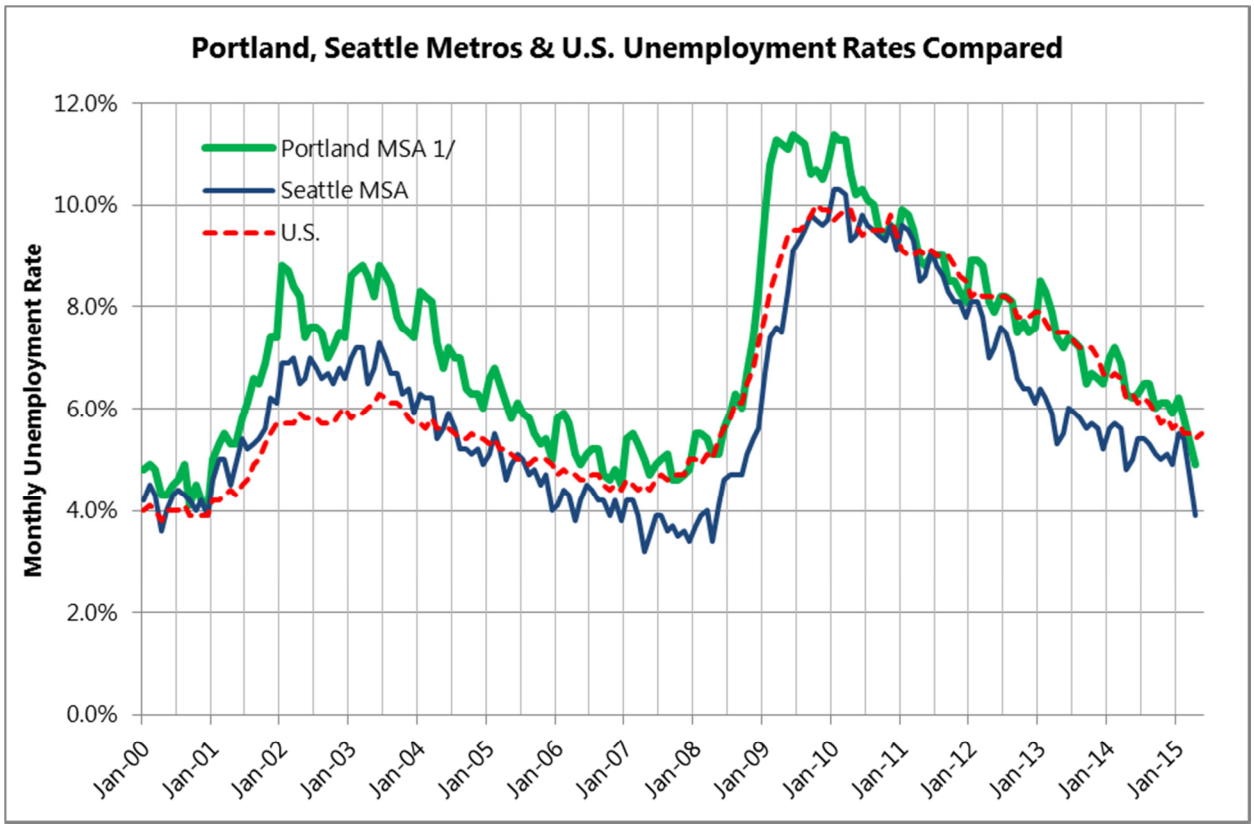
In terms of total jobs added over the last twelve months, Portland metro was led by Professional & Business Services at 8,167. Also experiencing exceptional total job growth was Educational and Health Services adding 4,933 jobs, Manufacturing adding 4,800 jobs and Retail Trade adding 4,200 jobs. Although Transportation, Warehousing and Utilities enjoyed the highest growth rate during the period, the sector added 1,867 jobs to a smaller industry sector base.

Information and Financial Activities together added 3,400 jobs. Leisure and Hospitality added 2,633 jobs. Meanwhile, Portland metro area Construction and Wholesale Trade combined for 234 new jobs between March of 2014 and 2015.

Portland Metro Unemployment Returns to National Average

The Portland metro economy continued its steady decline in the regional unemployment rate between March of 2014 and March of 2015. The jobless rate in the region now stands at 4.9% with the national rate at 5.5%.

FIGURE 6: PORTLAND METRO, SEATTLE METRO, & U.S. UNEMPLOYMENT TREND



1/ Not Seasonally Adjusted

At its worst, the Portland metro area unemployment rate hovered around 11 percent for most of the months between February of 2009 and April of 2010, reaching a peak of 11.4 percent in January of 2010. The regional jobless rate is now below the level of the pre-Great Recession economy in 2004.

VIII. PROPOSED PRODUCT & DEMOGRAPHICS DEFINED

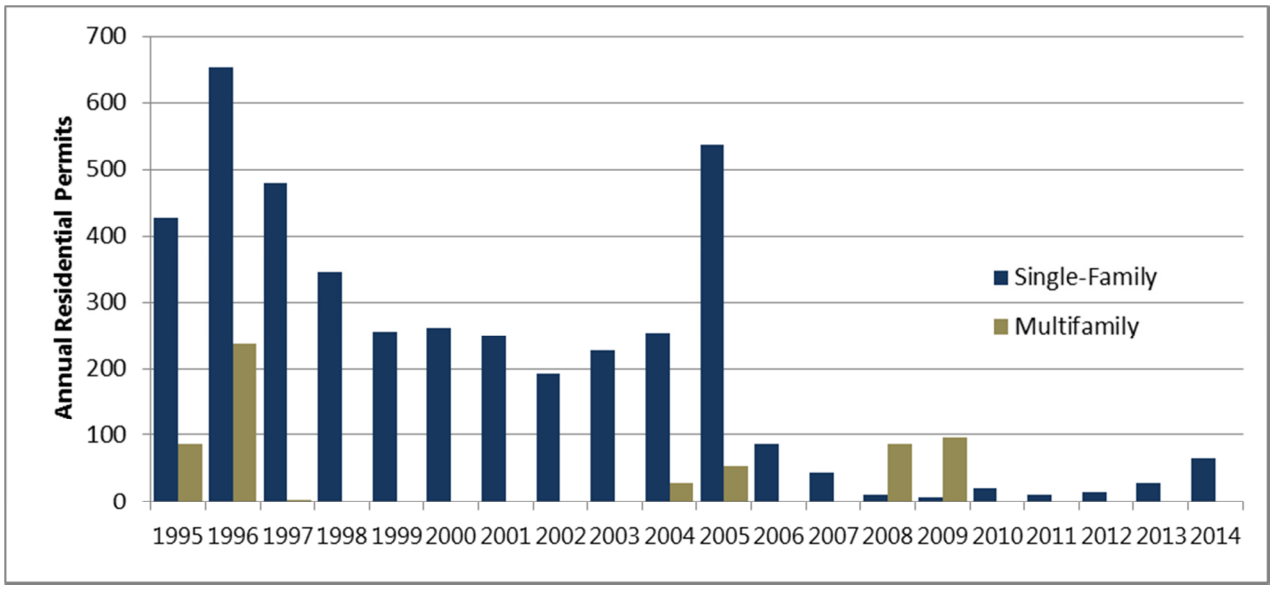
Sherwood Housing Development Trend

Housing development in Sherwood has experienced two distinct periods over the last twenty years. (Figure 7)

- 1995-2005: Sherwood averaged 309 single-family permits between 1995 and 2005, peaking in 2006 at roughly 650 single-family units.
- 2006-Current: Housing market weakness, which ultimately resulted in the Great Recession, began early for the Sherwood housing market in 2006. From 2006 through 2014, Sherwood has averaged 23 single-family residential permits annually.

Single-family permitting has begun an upswing, recording more permits in 2014 than in 2007.

FIGURE 7: CITY OF SHERWOOD HISTORICAL BUILDING PERMIT ACTIVITY



SOURCE: State of the Cities Data Systems (SOCDS), U.S. Department of HUD

Overall, since 1995, Sherwood has permitted an average of 209 single-family residences annually and 30 multifamily units annually. 2009 was the last year in which multifamily units were permitted at nearly 100 total units.

Finally, since 1995, the City of Sherwood has had the following average structure type split:

- Single-Family: 88% of all permitted residential units (80% since 2006); and
- Multifamily: 12% of all permitted units (20% since 2006).

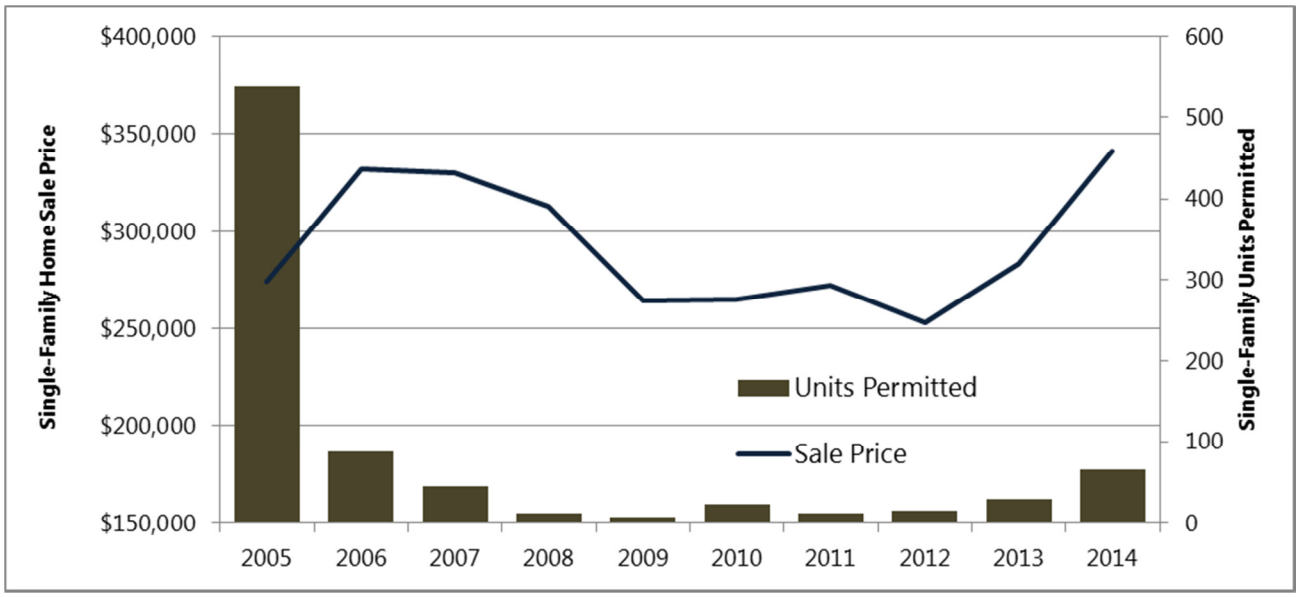
In other words:

- Sherwood's residential growth has gone through a pre-Great Recession growth phase (Pre-2006) and is now winding down from a Great Recession & Recovery phase (2006-Current);
- Single-family permitting is now showing signs of recovery long-delayed by the extremely severe Great Recession.
- Households that move into Sherwood have long shown an overwhelming preference for single-family detached housing at 88% over overall demand since 1995 and even 80% during the slower Great Recession & Recovery period for the City.

Sherwood Home Price Trend

In 2013 and 2014, Sherwood experienced sharp recovery in home sale prices as depicted in Figure 8. By 2014, the average sale price for a single-family home in Sherwood reached $341,000 after several years of Great Recession-induced weakness and lost home values.

FIGURE 8: CITY OF SHERWOOD SINGLE-FAMILY HOUSE SALE PRICE & PERMITTING TREND



SOURCE: State of the Cities Data Systems (SOCDS), U.S. Department of HUD and Zillow.com (Zip Code 97140)

In fact, home sale prices in Sherwood have escalated by an average of over 16% annually over the past two years, recording over 20% growth in 2014 alone.

As Figure 8 also demonstrates, however, the sharp escalation in home sales prices in Sherwood over the past couple of years have not been attributable to major new home development and new product pricing leading the market as happened between 1995 and 2006.

With Sherwood single-family permitting recovering but still low compared to pre-Recession years, the spike in home prices over the past two years has occurred with limited new supply on the market. In other words, new for-sale home scarcity is contributing escalating housing prices in Sherwood instead of home builder cost-pushed home price growth.

In other words:

- Sherwood's home values have recovered from the Great Recession, growing by a steep average of over 16% in 2013 and 2014 (20.5% price growth in 2014 alone);
- Steep home price escalation has been driven by growth in housing demand while recovering but modest new supply has been built.

New Household Residential Demand

PNW Economics conducted an analysis of likely expected household demographics growth projected for a 20-year planning period through 2035 (Figure 9).

FIGURE 9: SHERWOOD FORECASTED RESIDENTIAL DEMAND, 2015-2035

Household	Net HH Increase		Assumed Tenure Split		Net Increase	
Income Range	Total	%	Owner	Renter	Owner	Renter
Income Less than $15,000	29	2.5%	5.0%	95.0%	1	28
Income $15,000 - $24,999	38	3.3%	10.0%	90.0%	4	34
Income $25,000 - $34,999	69	6.0%	25.0%	75.0%	17	52
Income $35,000 - $49,999	62	5.4%	40.0%	60.0%	25	37
Income $50,000 - $74,999	170	14.7%	60.0%	40.0%	102	68
Income $75,000 - $99,999	196	17.0%	60.0%	40.0%	118	78
Income $100,000 - $124,999	193	16.7%	65.0%	35.0%	126	68
Income $125,000 - $149,999	152	13.2%	70.0%	30.0%	107	46
Income $150,000 - $199,999	135	11.7%	75.0%	25.0%	101	34
Income $200,000 or more	111	9.6%	85.0%	15.0%	95	17
Total/Weighted Avg.	1,156	99.9%	60.0%	40.0%	696	461

All Ownership Housing	Net	Qualified Payment 1/		% of	Affordable Home 2/	
Income Range	Increase	Minimum	Maximum	Max	Minimum	Maximum
Income Less than $15,000	1	$0	$250	100.0%	$0	$58,200
Income $15,000 - $24,999	4	$250	$375	100.0%	$58,200	$87,300
Income $25,000 - $34,999	17	$375	$625	95.0%	$83,000	$138,300
Income $35,000 - $49,999	25	$625	$875	95.0%	$138,300	$193,600
Income $50,000 - $74,999	102	$875	$1,250	90.0%	$183,400	$262,000
Income $75,000 - $99,999	118	$1,250	$1,875	90.0%	$262,000	$392,900
Income $100,000 - $124,999	126	$1,875	$2,500	85.0%	$371,100	$460,300
Income $125,000 - $149,999	107	$2,500	$3,750	85.0%	$460,300	$742,200
Income $150,000 - $199,999	101	$3,750	$6,250	80.0%	$698,600	$1,164,300
Income $200,000 or more	95	$6,250	$12,500	75.0%	$1,091,500	$2,183,000
Total/Weighted Avg.	696			85.2%		

1/ Assumes 30% of gross income towards payment.

2/ Based on the following financing assumptions

Interest Rate	5.00%
Mortgage Term	30
% of Income	30.00%
% Financed	80.00%

Analysis utilizes household growth projections documented in the recent Draft *Sherwood Housing Needs Analysis*.[2] Projections of housing demand by specific income levels are not treated with the same detail in the Housing Needs Analysis as it is in Figure 9. Figure 9 does, however, utilize the assumed future housing demand tenure split of 60% ownership, 40% rental.

[2]http://www.sherwoodoregon.gov/sites/default/files/fileattachments/Planning/page/3740/08_21928_hna_march_25_2015.pdf

As pointed out earlier in this report, historically over 80% of housing development in Sherwood has been detached single-family and 20% attached residential product. This would indicate that projected housing need in the Housing Needs Analysis dramatically departs from historical trend. The implications of this are treated later in this document.

Estimates in Figure 9 are provided for both the total household growth in the Sherwood market, as well as income qualifying households for for-sale housing product across the planning period.

Findings can be summarized as follows:

- The Sherwood PMA is anticipated to grow by 1,156 new households through 2035.
- The single largest-growing cohort in Sherwood is expected to be households with an income range of between $75,000 and $99,999.
- Households within the $100,000 to $124.999 income are expected to comprise the largest number of households seeking homeownership, followed by households that earn between $75,000 and $99,999 annually.
- PNW Economics, based on review of the Sherwood market, finds that demand for homes typically on land zoned MDRL and associated density are represented by households that earn between $75,000 and $149,999 annually (highlighted in blue).
- Demand for homes developed on MDRL-zoned land is estimated to be 368 single-family homes through 2035.

IX. SHERWOOD LAND SUPPLY AND DEMAND RECONCILIATION

This final section of the report considers whether MDRL-zoned land capacity within Sherwood, as documented by the Draft 2015 *Sherwood Housing Needs Analysis* is sufficient to meet need similarly documented by that report and further analyzed in this study.

Three scenarios are considered:

1. Guaranteed Incorporated Sherwood MDRL Land Capacity
2. Incorporated Sherwood & Potential Brookman Addition MDRL Land Capacity
3. Historical (80%) Single-Family Tenure Split Demand for MDRL Land

MDRL-Zoned Land Demand & Supply Reconciliation: Incorporated City of Sherwood

Based on the most recent residential land inventory completed for City of Sherwood in the Draft 2015 *Housing Needs Analysis*, the existing and <u>developable acreage within the city limits</u> dedicated to medium-density residential-low (MDRL) is the following:

- 14 acres, or 8% of overall capacity;
- Unit capacity of roughly 85 units zoned MDRL based on a historical average density of 6.1 units per acre.

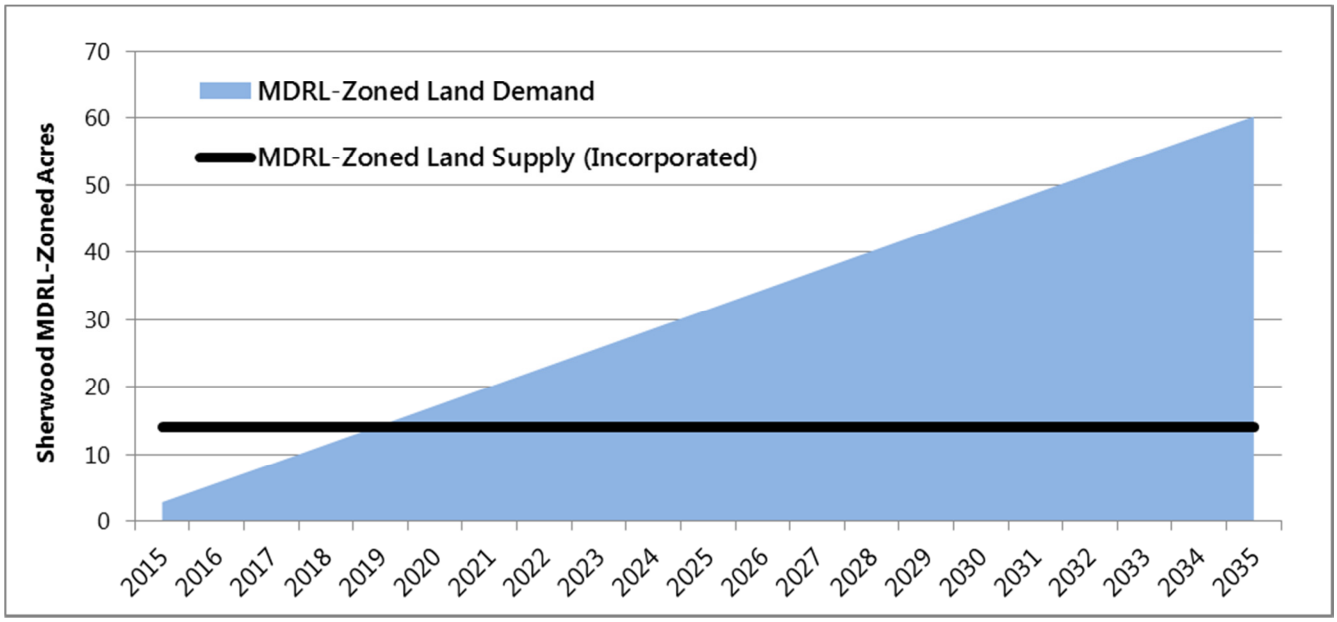
Alternatively, at 6.1 units per acre, 20-year demand for MDRL-zoned land is estimated to be 60 acres.

This would indicate a deficit of guaranteed, buildable MDRL-zoned land within incorporated City of Sherwood over the 20-year planning period of 46 acres.

Figure 10 provides a graphical representation of the City's known 14-acre supply of MDRL-zoned land along with demand for MDRL-zoned land as it cumulatively grows to 60 acres of demand-driven need.

- Based on existing MDRL-zoned land inventory within the City and need expressed, the currently incorporated City of Sherwood has enough capacity in this zoning category to last only 5 years, or through 2019.

FIGURE 10: INCORPORATED SHERWOOD MDRL-ZONED LAND RECONCILIATION, 2015-2035



MDRL-Zoned Land Demand & Supply Reconciliation: Incorporated City & Brookman Addition

According to the Draft 2015 *Housing Needs Analysis*, total MDRL-zoned land capacity in both incorporated Sherwood and within the Brookman Addition proposed annexation area is expressed as follows:

- 66 acres, or 38% of overall incorporated and Brookman Addition capacity;
- Unit capacity of roughly 403 units zoned MDRL based on a historical average density of 6.1 units per acre.

As before, at 6.1 units per acre, 20-year demand for MDRL-zoned land is estimated to be 60 acres for the City of Sherwood.

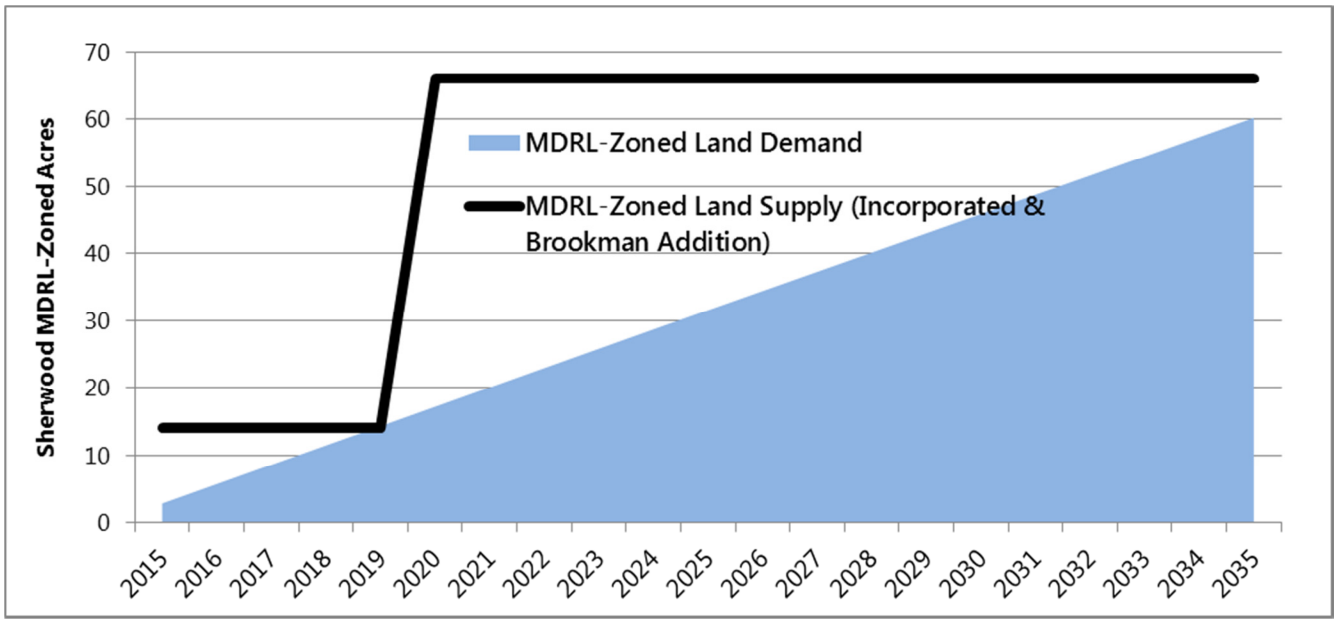
<u>This would indicate that with the Brookman Addition, the City of Sherwood has six more acres of MDRL-zoned land capacity than needed over the 20-year planning period.</u>

Given that Sherwood voters have once already rejected the annexation of the Brookman Addition area, there is no certainty about when Brookman Addition MDRL-zoned land capacity would be added to Sherwood, not to mention be feasibly serviced by infrastructure and utilities.

For purposes of analysis, PNW Economics assumed a five-year timeframe for Brookman Addition annexation and infrastructure and utility extension to all land zoned MDRL. Figure 11 provides a resulting graphical representation of the City's known 66-acre supply of MDRL-zoned land including the Brookman Addition, along with demand for MDRL-zoned land as it cumulatively grows to 60 acres of demand-driven need.

- By 2035, total MDRL-zoned land capacity including Brookman Addition (66 acres total) is sufficient for estimated twenty-year need.
- However, before the Brookman Addition is annexed and fully serviceable and buildable, Sherwood is still expected to have a short-term shortage of MDRL-zoned land with full depletion expected within five years (2019).

FIGURE 11: INCORPORATED & BROOKMAN ADDITION MDRL-ZONED LAND RECONCILIATION, 2015-2035



Historical (80%) Need For Single-Family & Total Sherwood Land Capacity Reconciliation

The Draft 2015 *Housing Needs Analysis* made the assumption that future housing tenure in Sherwood would be the following:

- Ownership: 60%;
- Rental: 40%.

Historical housing market data for Sherwood indicate, however, that that assumption is a significant change from the previous twenty years. Households that have moved to Sherwood have demonstrated something far closer to the following:

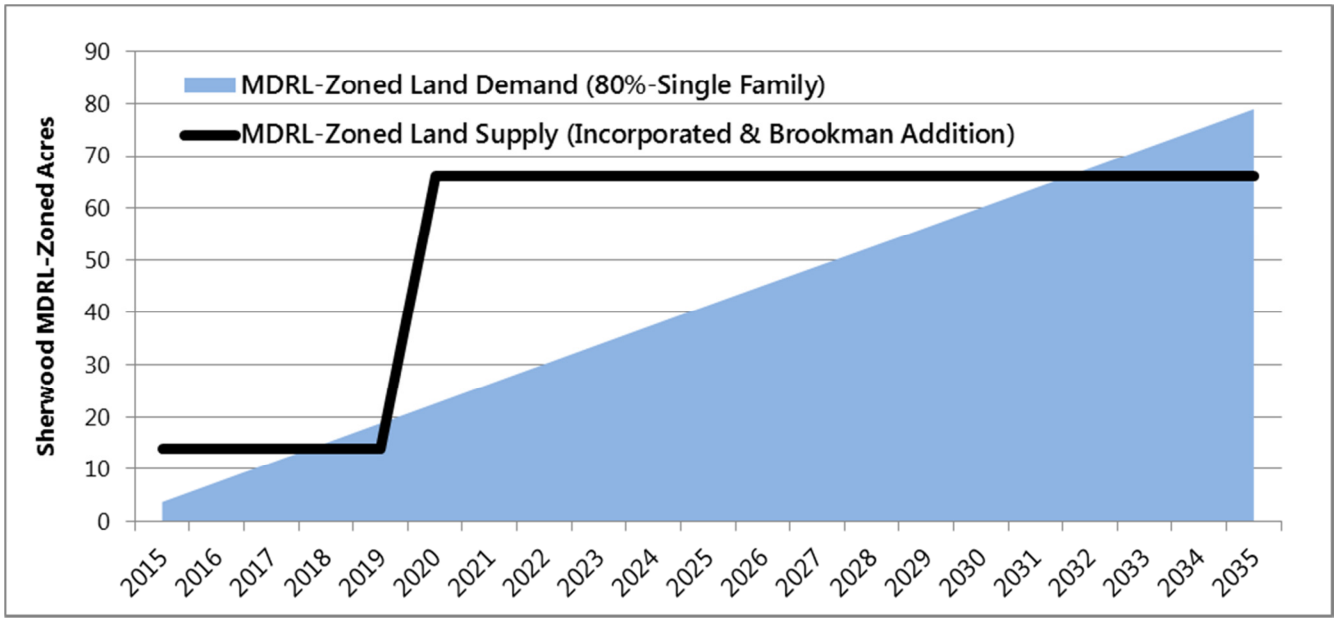
- Ownership: 80%+;
- Rental: 20% maximum.

To the extent that future demand for Sherwood housing more closely follows historic pattern and does not change so dramatically, the Draft 2015 *Housing Needs Analysis* underestimates housing demand that the City will ultimately realize. This will have two specific effects:

- Faster depletion of existing residential land capacity; and
- Home price escalation and increasing housing affordability issues driven by scarcity.

At 80% of housing demand going to for-sale, detached homes based on historical average, 20-year MDRL-zoned land demand is estimated to be 79 acres (roughly 4 acres annually) rather than 60 acres (roughly 3 acres annually). Figure 12 provides a graphical representation of the 80% single-family housing demand scenario, the City's known 14-acre supply of MDRL-zoned land within the current incorporated area of the City, and the addition of Brookman Addition acreage by 2020.

FIGURE 12: SHERWOOD MDRL-ZONED LAND & 80% SINGLE-FAMILY DEMAND RECONCILIATION, 2015-2035

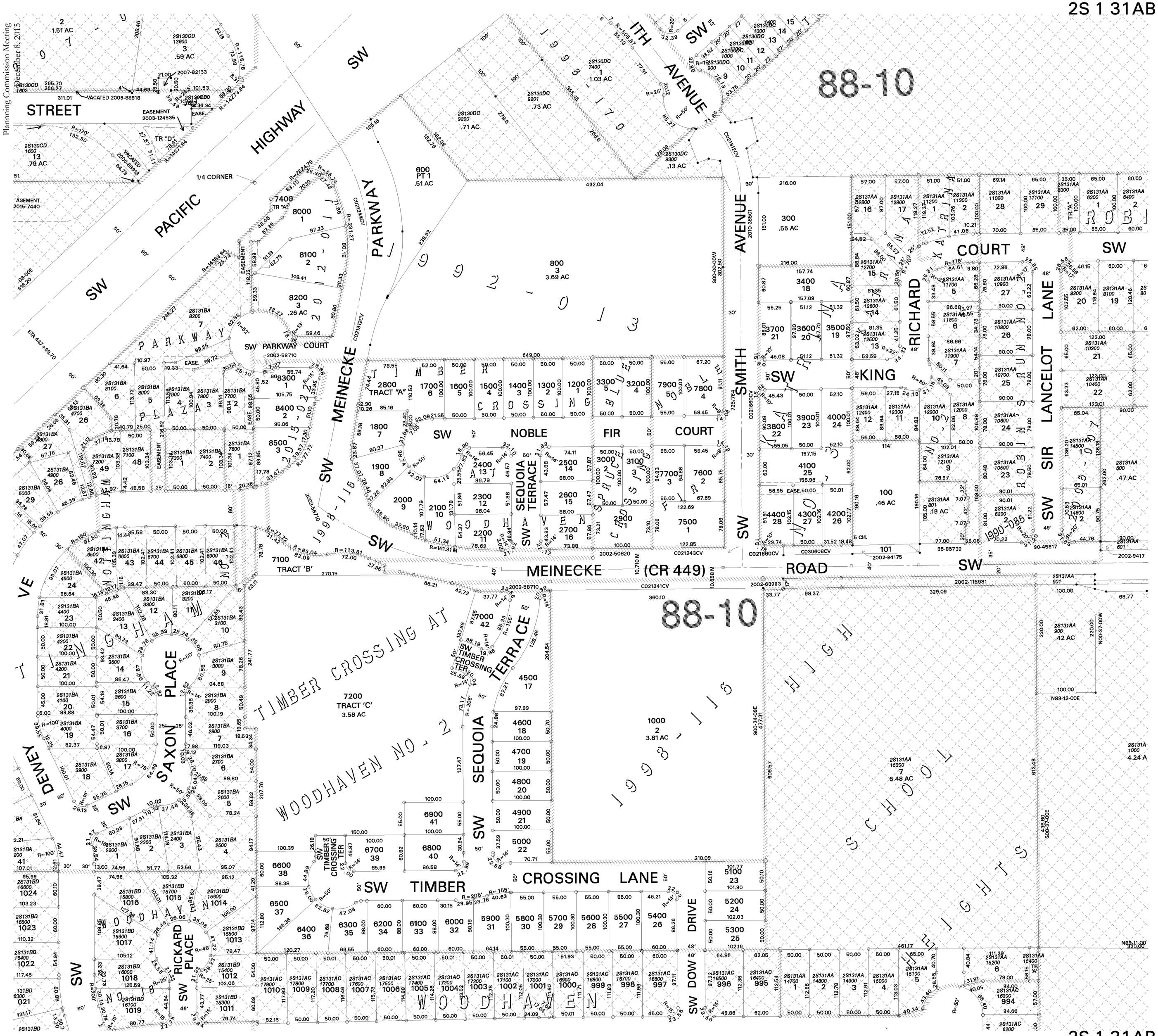


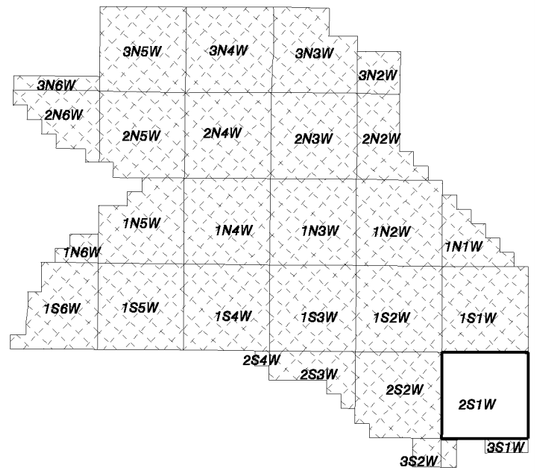
Results are summarized as follows:

- By 2018, the existing 14-acre inventory of MDRL-zoned land is insufficient to meet Sherwood housing need.
- The MDRL-zoned land deficit would continue for another year into 2019, with local housing price escalation and affordability impacts.
- The addition of the Brookman Addition inventory of zoned land by 2020 would mitigate the land shortage, but after the fact.
- By 2032, demand for MDRL-zoned land would again exceed the total 66-acre inventory in Sherwood.

In other words, <u>if Sherwood housing demand is more consistent with historical patterns, Sherwood will face both a deficit of MDRL-zoned land within 4 years and again during the planning period even with the Brookman Addition.</u>

Planning Commission Meeting
December 8, 2015

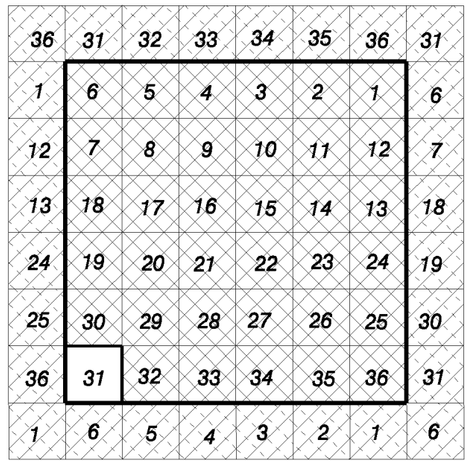




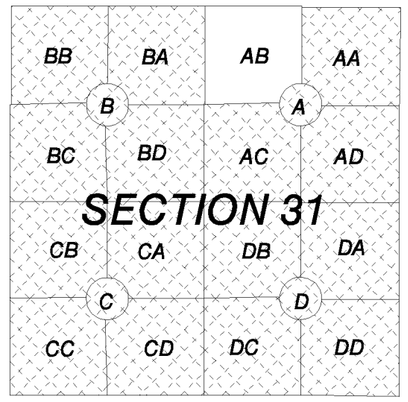
WASHINGTON COUNTY OREGON

NW1/4 NE1/4 SECTION 31 T2S R1W W.M.

SCALE 1" = 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
www.co.washington.or.us



Cancelled Taxlots For: 2S131AB

1100,500,700,200,900,901,1102,601,400,7300,1101,

SCALE 1" = 100'

0 50 100 200 300

WASHINGTON COUNTY 1843 OREGON

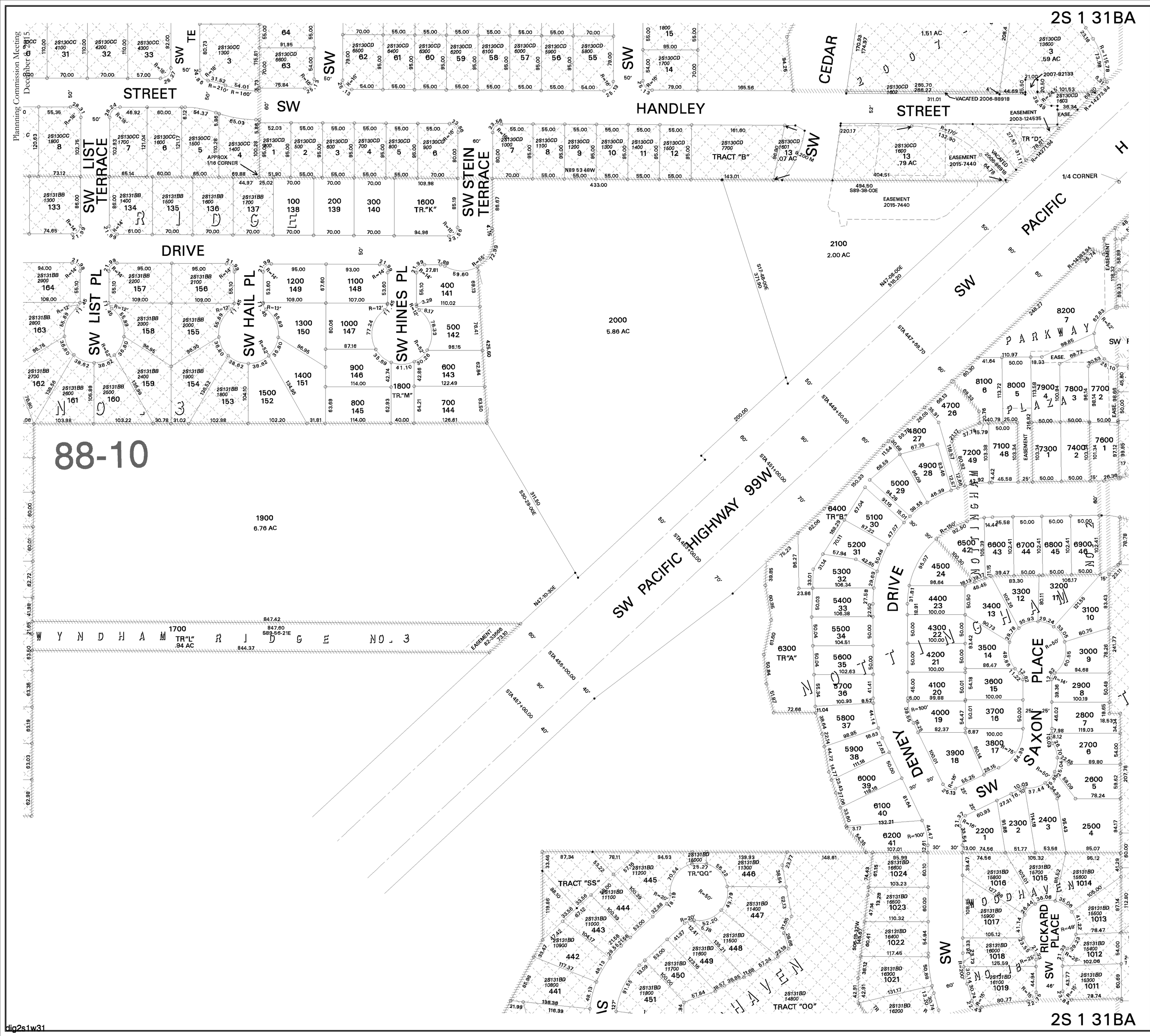
Assessment
CARTOGRAPHY
Taxation

PLOT DATE: May 01, 2015

FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

SHERWOOD
2S 1 31AB



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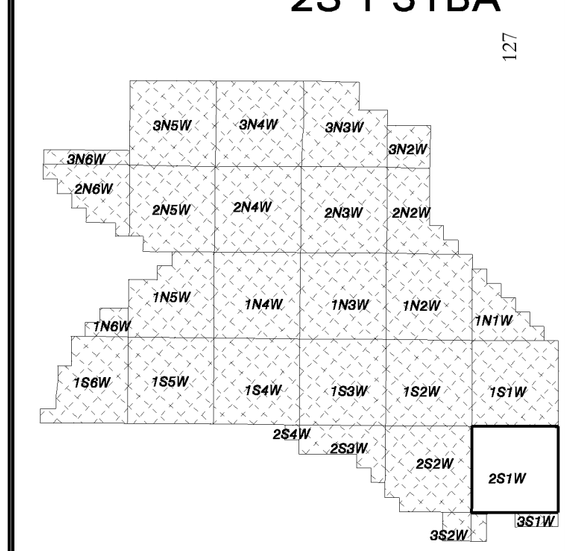

WASHINGTON COUNTY OREGON

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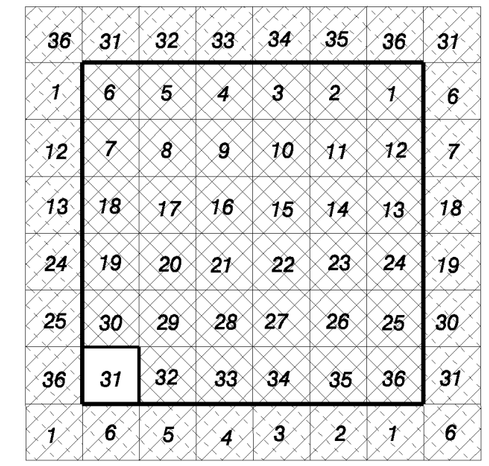

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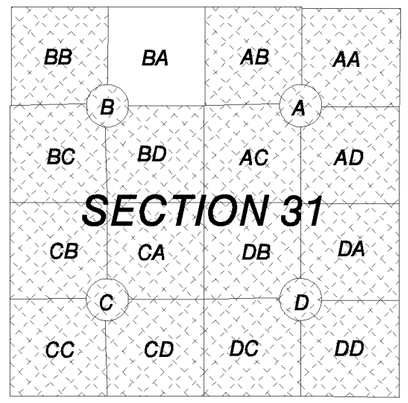

Cancelled Taxlots For: 2S131BA
4600,7000,7500,

SCALE 1" = 100'

0 50 100 200 300

WASHINGTON COUNTY 1843 OREGON

Assessment
CARTOGRAPHY
Taxation

PLOT DATE: July 29, 2015

FOR ASSESSMENT PURPOSES ONLY - DO NOT RELY ON FOR OTHER USE

Map areas delineated by either gray shading or a cross-hatched pattern are for reference only and may not indicate the most current property boundaries. Please consult the appropriate map for the most current information.

SHERWOOD
2S 1 31BA

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Fidelity National Title
Company of Oregon

PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Fidelity National Title Company of Oregon hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Company of Oregon, a/an Oregon corporation.

Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

Countersigned

Fidelity National Title
Company of Oregon

5400 SW Meadows Road, Suite 100, Lake Oswego, OR 97035
(503)684-9236 FAX (503)684-7274

PRELIMINARY REPORT

ESCROW OFFICER: Samuel Goold
TITLE OFFICER: David Boutin
ORDER NO.: 45141513518

TO: Fidelity National Title Company of Oregon
5400 SW Meadows Road, Suite 100
Lake Oswego, OR 97035

OWNER/SELLER: Joe M. Broadhurst and Mara J. Broadhurst

BUYER/BORROWER: TBD

PROPERTY ADDRESS: 17457 SW Parkway Court, Sherwood, OR 97140
17473 SW Parkway Court, Sherwood, OR 97140
17489 SW Parkway Court, Sherwood, OR 97140
17525 SW Parkway Court, Sherwood, OR 97140

EFFECTIVE DATE: August 13, 2015, 08:00 AM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

		AMOUNT		PREMIUM
ALTA Owner's Policy 2006	$	TBD	$	TBD
Government Lien Search			$	100.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

   A Fee

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

   Joe M. Broadhurst and Mara J. Broadhurst

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE CITY OF SHERWOOD, COUNTY OF WASHINGTON, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

   SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Order No.: 45141513518

EXHIBIT "A"

Legal Description

TRACT 1:

Lot 7, PARKWAY PLAZA, in the City of Sherwood, County of Washington and State of Oregon

TRACT 2:

Parcels 1, 2 and 3, PARTITION PLAT NO. 2012-011, in the City of Sherwood, County of Washington and State of Oregon

Order No.: 45141513518

AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.

2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.

3. Easements, or claims of easement, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.

4. Any encroachment (of existing improvements located on the Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.

5. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

SPECIFIC ITEMS AND EXCEPTIONS:

6. Unpaid Property Taxes are as follows:

Fiscal Year: 2014-2015
Amount: $3,605.16, plus interest, if any
Levy Code: 088.10
Account No.: R2160936
Map No.: 2S131BA-08200
Affects: Tract 1

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

7. Unpaid Property Taxes are as follows:

Fiscal Year: 2014-2015
Amount: $1,565.38, plus interest, if any
Levy Code: 088.10
Account No.: R2177901
Map No.: 2S131AB-08000
Affects: Parcel 1 Tract 2

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

8. Unpaid Property Taxes are as follows:

Fiscal Year: 2014-2015
Amount: $1,565.38, plus interest, if any
Levy Code: 088.10

Order No.: 45141513518

Account No.: R2177903
Map No.: 2S131AB-08100
Affects: Parcel 2 Tract 2

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

9. Unpaid Property Taxes are as follows:

Fiscal Year: 2014-2015
Amount: $1,672.62, plus interest, if any
Levy Code: 088.10
Account No.: R2177904
Map No.: 2S131AB-08200
Affects: Parcel 3 Tract 2

Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.

10. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2015-2016.

11. City Liens, if any, in favor of the City of Sherwood. An inquiry has been directed to the City Clerk concerning the status of said liens and a report will follow if such liens are found.

12. Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantee: The Stat of Oregon, by and through the State Highway Commision
Recording Date: May 28, 1953
Recording No.: Book 345, Page 212

13. Limited access to and from the Land as set forth in Deed shown below, which provides that there shall be no right of easement or right of access to, from or across the State Highway other than as expressly provided for in said Deed:

Grantee: The Stat of Oregon, by and through the State Highway Commission
Recording Date: August 10, 1954
Recording No.: Book 359, Page 250

Amendment(s)/Modification(s) by instrument:

Recording Date: June 6, 1980
Recording No: 80-020266

14. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: The State of Oregon, by and through its Department of Transportation
Purpose: Slopes, water, gas, electric and communication service lines, privacy, maintenance and road approach
Recording Date: December 10, 2003
Recording No: 2003-203802
Affects: Reference is hereby made to said document for full particulars

15. Conditions and restrictions as established by the City of Sherwood:

Granted to: The State of Oregon, by and through its Department of Transportation
Purpose: Slopes, utility and right-of-way
Ordinance No. / File No.: 2003-1151
Recording Date: December 10, 2003
Recording No.: 2003-203802
Affects: Reference is hereby made to said document for full particulars

16. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: The State of Oregon, by and through its Department of Transportation
Purpose: Slopes, water, gas, electric communication service lines, fixtures and facilities
Recording Date: December 14, 2004
Recording No: 2004-142139
Affects: Reference is hereby made to said document for full particulars

Note: Said easement also delineated by plat

17. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: Parkway Plaza
Affects: Tract 1

18. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Public utility, public sanitary sewer and public storm sewer
Affects: A portion of the South 20 feet of Tract 1, Reference is hereby made to said document for full particulars

19. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Public storm drainage, private waterline and public access easement
Affects: Tracts 1 and 2, Reference is hereby made to said document for full particulars

20. A deed of trust to secure an indebtedness in the amount shown below,

Amount: $1,000,000.00
Dated: January 22, 2007
Trustor/Grantor: Joseph and Mara Broadhurst, as tenants by the entirety
Trustee: First American Title Insurance Company
Beneficiary: Community Financial Corporation, an Oregon corporation
Loan No.: 300 59135
Recording Date: January 25, 2007
Recording No.: 2007-008892
Note: Affects additional property

The Deed of Trust set forth above is purported to be a “Credit Line” Deed of Trust. It is a requirement that the Trustor/Grantor of said Deed of Trust provide written authorization to close said credit line account to the Lender when the Deed of Trust is being paid off through the Company or other Settlement/Escrow Agent or provide a satisfactory subordination of this Deed of Trust to the proposed Deed of Trust to be recorded at closing.

Consent Affidavit,

Recording Date: April 21, 2008
Recording No: 2008-036044

Amendment to said trust deed for a credit limit increase

Executed by: Joseph M. and Mara J. Broadhurst and Community Financial Corporation
New Principal Amount: $1,250,000.00
Recording Date: January 27, 2009
Recording No: 2009-006424

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Joseph M. and Mara J. Broadhurst and Community Financial Corporation
Recording Date: June 30, 2011
Recording No: 2011-046246

Memorandum of Workout and Priority Agreement

Recording Date: June 30, 2011
Recording No.: 2011-046248

21. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: October 14, 2010
Recording No: 2010-081774
Affects: Tract 1

Amendment(s)/Modification(s) of said covenants, conditions and restrictions

Recording Date: October 26, 2010
Recording No: 2010-084681

22. Restrictions, but omitting restrictions, if any, based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said restriction is permitted by applicable law, as shown on that certain plat

Name of Plat: Partition Plat No. 2012-011
Affects: Tract 2

23. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Slope, water, gas, electric and communication service lines, fixtures and facilities
Affects: East 13.12 feet of Tract 2

24. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Public access
Affects: Tract 2, reference is hereby made to said document for full particulars.

25. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Private storm drainage
Affects: Parcel 1 of Tract 2, reference is hereby made to said document for full particulars.

26. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Private sanitary sewer easement
Affects: Parcel 2 of Tract 2, reference is hereby made to said document for full particulars.

27. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Public sanitary sewer
Affects: Reference is hereby made to said document for full particulars

28. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat;

Purpose: Public utility
Affects: South 8.00 feet of Tract 1 and Parcel 3 of Tract 2

29. Declaration of Access Easement and Maintenance Agreement, including the terms and provisions thereof

Recording Date: March 20, 2012
Recording No.: 2012-020907
Affects: Tract 2

30. Reciprocal Parking Agreement, including the terms and provisions thereof

Recording Date: March 20, 2012
Recording No.: 2012-020908
Affects: Tract 2

31. If requested to issue an extended coverage ALTA loan policy, the following matters must be addressed:

a) The rights of tenants holding under unrecorded leases or tenancies
b) Matters disclosed by a statement as to parties in possession and as to any construction, alterations or repairs to the Land within the last 75 days. The Company must be notified in the event that any funds are to be used for construction, alterations or repairs.
c) Any facts which would be disclosed by an accurate survey of the Land

ADDITIONAL REQUIREMENTS/NOTES:

A. Washington County imposes a transfer tax of $1.00 per $1,000 (or fraction thereof) of the selling price in a real estate transfer, unless the county approves an exemption application. Exemption criteria and applications are available at the county's website, see: http://www.co.washington.or.us/AssessmentTaxation/Recording/TransferTaxExemption/index.cfm.

B. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final 2006 ALTA Policy unless removed prior to issuance.

Order No.: 45141513518

C. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

D. Note: We find no Notice of Completion recorded on said Land.

E. Note: The name(s) of the proposed insured(s) furnished with this application for title insurance is/are:

No names were furnished with the application. Please provide the name(s) of the buyers as soon as possible.

F. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

G. Recording Charge (Per Document) is the following:

County	First Page	Each Additional Page
Multnomah	$46.00	$5.00
Washington	$41.00	$5.00
Clackamas	$53.00	$5.00
Yamhill	$41.00	$5.00

Note: When possible the company will record electronically. An additional charge of $5.00 applies to each document that is recorded electronically.

H. Note: Effective January 1, 2008, Oregon law (ORS 314.258) mandates withholding of Oregon income taxes from sellers who do not continue to be Oregon residents or qualify for an exemption. Please contact your Escrow Closer for further information.

I. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

J. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

EXHIBIT ONE

2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement erected on the land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06)
EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
   (i) the occupancy, use, or enjoyment of the Land;
   (ii) the character, dimensions or location of any improvement erected on the land;
   (iii) the subdivision of land; or
   (iv) environmental protection;
   or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
   (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
   (a) created, suffered, assumed or agreed to by the Insured Claimant;
   (b) not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
   (c) resulting in no loss or damage to the Insured Claimant;
   (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
   (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
   (a) a fraudulent conveyance or fraudulent transfer, or
   (b) a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

FIDELITY NATIONAL FINANCIAL
PRIVACY NOTICE
Effective: May 1, 2015

Order No.: 45141513518--SG

Fidelity National Financial, Inc. and its majority-owned subsidiary companies providing real estate- and loan-related services (collectively, "FNF", "our" or "we") respect and are committed to protecting your privacy. This Privacy Notice lets you know how and for what purposes your Personal Information (as defined herein) is being collected, processed and used by FNF. We pledge that we will take reasonable steps to ensure that your Personal Information will only be used in ways that are in compliance with this Privacy Notice. The provision of this Privacy Notice to you does not create any express or implied relationship, or create any express or implied duty or other obligation, between Fidelity National Financial, Inc. and you. See also **No Representations or Warranties** below.

This Privacy Notice is only in effect for any generic information and Personal Information collected and/or owned by FNF, including collection through any FNF website and any online features, services and/or programs offered by FNF (collectively, the "Website"). This Privacy Notice is not applicable to any other web pages, mobile applications, social media sites, email lists, generic information or Personal Information collected and/or owned by any entity other than FNF.

How Information is Collected

The types of personal information FNF collects may include, among other things (collectively, "Personal Information"): (1) contact information (*e.g.*, name, address, phone number, email address); (2) demographic information (*e.g.*, date of birth, gender marital status); (3) Internet protocol (or IP) address or device ID/UDID; (4) social security number (SSN), student ID (SIN), driver's license, passport, and other government ID numbers; (5) financial account information; and (6) information related to offenses or criminal convictions.

In the course of our business, we may collect Personal Information about you from the following sources:

- Applications or other forms we receive from you or your authorized representative;
- Information we receive from you through the Website;
- Information about your transactions with or services performed by us, our affiliates, or others; and
- From consumer or other reporting agencies and public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates or others.

Additional Ways Information is Collected Through the Website

Browser Log Files. Our servers automatically log each visitor to the Website and collect and record certain information about each visitor. This information may include IP address, browser language, browser type, operating system, domain names, browsing history (including time spent at a domain, time and date of your visit), referring/exit web pages and URLs, and number of clicks. The domain name and IP address reveal nothing personal about the user other than the IP address from which the user has accessed the Website.

Cookies. From time to time, FNF or other third parties may send a "cookie" to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive and that can be re-sent to the serving website on subsequent visits. A cookie, by itself, cannot read other data from your hard disk or read other cookie files already on your computer. A cookie, by itself, does not damage your system. We, our advertisers and other third parties may use cookies to identify and keep track of, among other things, those areas of the Website and third party websites that you have visited in the past in order to enhance your next visit to the Website. You can choose whether or not to accept cookies by changing the settings of your Internet browser, but some functionality of the Website may be impaired or not function as intended. See the Third Party Opt Out section below.

Web Beacons. Some of our web pages and electronic communications may contain images, which may or may not be visible to you, known as Web Beacons (sometimes referred to as "clear gifs"). Web Beacons collect only limited information that includes a cookie number; time and date of a page view; and a description of the page on which the Web Beacon resides. We may also carry Web Beacons placed by third party advertisers. These Web Beacons do not carry any Personal Information and are only used to track usage of the Website and activities associated with the Website. See the Third Party Opt Out section below.

Unique Identifier. We may assign you a unique internal identifier to help keep track of your future visits. We may use this information to gather aggregate demographic information about our visitors, and we may use it to personalize the information you see on the Website and some of the electronic communications you receive from us. We keep this information for our internal use, and this information is not shared with others.

Third Party Opt Out. Although we do not presently, in the future we may allow third-party companies to serve advertisements and/or collect certain anonymous information when you visit the Website. These companies may use non-personally identifiable information (*e.g.*, click stream information, browser type, time and date, subject of advertisements clicked or scrolled over) during your visits to the Website in order to provide advertisements about products and services likely to be of greater interest to you. These companies typically use a cookie or third party Web Beacon to collect this information, as further described above. Through these technologies, the third party may have access to and use non-personalized information about your online usage activity.

You can opt-out of certain online behavioral services through any one of the ways described below. After you opt-out, you may continue to receive advertisements, but those advertisements will no longer be as relevant to you.

- You can opt-out via the Network Advertising Initiative industry opt-out at http://www.networkadvertising.org/.
- You can opt-out via the Consumer Choice Page at www.aboutads.info.
- For those in the U.K., you can opt-out via the IAB UK's industry opt-out at www.youronlinechoices.com.
- You can configure your web browser (Chrome, Firefox, Internet Explorer, Safari, etc.) to delete and/or control the use of cookies.

More information can be found in the Help system of your browser. Note: If you opt-out as described above, you should not delete your cookies. If you delete your cookies, you will need to opt-out again.

Use of Personal Information

Information collected by FNF is used for three main purposes:

- To provide products and services to you or one or more third party service providers (collectively, "Third Parties") who are obtaining services on your behalf or in connection with a transaction involving you.
- To improve our products and services that we perform for you or for Third Parties.
- To communicate with you and to inform you about FNF's, FNF's affiliates and third parties' products and services.

When Information Is Disclosed By FNF

We may provide your Personal Information (excluding information we receive from consumer or other credit reporting agencies) to various individuals and companies, as permitted by law, without obtaining your prior authorization. Such laws do not allow consumers to restrict these disclosures. Disclosures may include, without limitation, the following:

- To agents, brokers, representatives, or others to provide you with services you have requested, and to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure in connection with an insurance transaction;
- To third-party contractors or service providers who provide services or perform marketing services or other functions on our behalf;
- To law enforcement or other governmental authority in connection with an investigation, or civil or criminal subpoenas or court orders; and/or
- To lenders, lien holders, judgment creditors, or other parties claiming an encumbrance or an interest in title whose claim or interest must be determined, settled, paid or released prior to a title or escrow closing.

In addition to the other times when we might disclose information about you, we might also disclose information when required by law or in the good-faith belief that such disclosure is necessary to: (1) comply with a legal process or applicable laws; (2) enforce this Privacy Notice; (3) respond to claims that any materials, documents, images, graphics, logos, designs, audio, video and any other information provided by you violates the rights of third parties; or (4) protect the rights, property or personal safety of FNF, its users or the public.

We maintain reasonable safeguards to keep the Personal Information that is disclosed to us secure. We provide Personal Information and non-Personal Information to our subsidiaries, affiliated companies, and other businesses or persons for the purposes of processing such information on our behalf and promoting the services of our trusted business partners, some or all of which may store your information on servers outside of the United States. We require that these parties agree to process such information in compliance with our Privacy Notice or in a similar, industry-standard manner, and we use reasonable efforts to limit their use of such information and to use other appropriate confidentiality and security measures. The use of your information by one of our trusted business partners may be subject to that party's own Privacy Notice. We do not, however, disclose information we collect from consumer or credit reporting agencies with our affiliates or others without your consent, in conformity with applicable law, unless such disclosure is otherwise permitted by law.

We also reserve the right to disclose Personal Information and/or non-Personal Information to take precautions against liability, investigate and defend against any third-party claims or allegations, assist government enforcement agencies, protect the security or integrity of the Website, and protect the rights, property, or personal safety of FNF, our users or others.

We reserve the right to transfer your Personal Information, as well as any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets. We also cannot make any representations regarding the use or transfer of your Personal Information or other information that we may have in the event of our bankruptcy, reorganization, insolvency, receivership or an assignment for the benefit of creditors, and you expressly agree and consent to the use and/or transfer of your Personal Information or other information in connection with a sale or transfer of some or all of our assets in any of the above described proceedings. Furthermore, we cannot and will not be responsible for any breach of security by any third parties or for any actions of any third parties that receive any of the information that is disclosed to us.

Information From Children

We do not collect Personal Information from any person that we know to be under the age of thirteen (13). Specifically, the Website is not intended or designed to attract children under the age of thirteen (13). You affirm that you are either more than 18 years of age, or an emancipated minor, or possess legal parental or guardian consent, and are fully able and competent to enter into the terms, conditions, obligations, affirmations, representations, and warranties set forth in this Privacy Notice, and to abide by and comply with this Privacy Notice. In any case, you affirm that you are over the age of 13, as **THE WEBSITE IS NOT INTENDED FOR CHILDREN UNDER 13 THAT ARE UNACCOMPANIED BY HIS OR HER PARENT OR LEGAL GUARDIAN.**

Parents should be aware that FNF's Privacy Notice will govern our use of Personal Information, but also that information that is voluntarily given by children – or others – in email exchanges, bulletin boards or the like may be used by other parties to generate unsolicited communications. FNF encourages all parents to instruct their children in the safe and responsible use of their Personal Information while using the Internet.

Privacy Outside the Website

The Website may contain various links to other websites, including links to various third party service providers. FNF is not and cannot be responsible for the privacy practices or the content of any of those other websites. Other than under agreements with certain reputable organizations and companies, and except for third party service providers whose services either we use or you voluntarily elect to utilize, we do not share any of the Personal Information that you provide to us with any of the websites to which the Website links, although we may share aggregate, non-Personal Information with those other third parties. Please check with those websites in order to determine their privacy policies and your rights under them.

European Union Users

If you are a citizen of the European Union, please note that we may transfer your Personal Information outside the European Union for use for any of the purposes described in this Privacy Notice. By providing FNF with your Personal Information, you consent to both our collection and such transfer of your Personal Information in accordance with this Privacy Notice.

Choices With Your Personal Information

Whether you submit Personal Information to FNF is entirely up to you. You may decide not to submit Personal Information, in which case FNF may not be able to provide certain services or products to you.

You may choose to prevent FNF from disclosing or using your Personal Information under certain circumstances ("opt out"). You may opt out of any disclosure or use of your Personal Information for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization by notifying us by one of the methods at the end of this Privacy Notice. Furthermore, even where your Personal Information is to be disclosed and used in accordance with the stated purposes in this Privacy Notice, you may elect to opt out of such disclosure to and use by a third party that is not acting as an agent of FNF. As described above, there are some uses from which you cannot opt-out.

Please note that opting out of the disclosure and use of your Personal Information as a prospective employee may prevent you from being hired as an employee by FNF to the extent that provision of your Personal Information is required to apply for an open position.

If FNF collects Personal Information from you, such information will not be disclosed or used by FNF for purposes that are incompatible with the purpose(s) for which it was originally collected or for which you subsequently gave authorization unless you affirmatively consent to such disclosure and use.

You may opt out of online behavioral advertising by following the instructions set forth above under the above section "Additional Ways That Information Is Collected Through the Website," subsection "Third Party Opt Out."

Access and Correction

To access your Personal Information in the possession of FNF and correct inaccuracies of that information in our records, please contact us in the manner specified at the end of this Privacy Notice. We ask individuals to identify themselves and the information requested to be accessed and amended before processing such requests, and we may decline to process requests in limited circumstances as permitted by applicable privacy legislation.

Your California Privacy Rights

Under California's "Shine the Light" law, California residents who provide certain personally identifiable information in connection with obtaining products or services for personal, family or household use are entitled to request and obtain from us once a calendar year information about the customer information we shared, if any, with other businesses for their own direct marketing uses. If applicable, this information would include the categories of customer information and the names and addresses of those businesses with which we shared customer information for the immediately prior calendar year (*e.g.*, requests made in 2015 will receive information regarding 2014 sharing activities).

To obtain this information on behalf of FNF, please send an email message to privacy@fnf.com with "Request for California Privacy Information" in the subject line and in the body of your message. We will provide the requested information to you at your email address in response.

Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

Additionally, because we may collect your Personal Information from time to time, California's Online Privacy Protection Act requires us to disclose how we respond to "do not track" requests and other similar mechanisms. Currently, our policy is that we do not recognize "do not track" requests from Internet browsers and similar devices.

FNF Compliance with California Online Privacy Protection Act

For some websites which FNF or one of its companies owns, such as the Customer CareNet ("CCN"), FNF is acting as a third party service provider to a mortgage loan servicer. In those instances, we may collect certain information on behalf of that mortgage loan servicer for fulfilling a service to that mortgage loan servicer. For example, you may access CCN to complete a transaction with your mortgage loan servicer. During this transaction, the information which we may collect on behalf of the mortgage loan servicer is as follows:

- First and Last Name
- Property Address
- User Name
- Password
- Loan Number
- Social Security Number - masked upon entry
- Email Address
- Three Security Questions and Answers
- IP Address

The information you submit is then transferred to your mortgage loan servicer by way of CCN.

The mortgage loan servicer is responsible for taking action or making changes to any consumer information submitted through this website. For example, if you believe that your payment or user information is incorrect, you must contact your mortgage loan servicer.

CCN does not share consumer information with third parties, other than those with which the mortgage loan servicer has contracted to interface with the CCN application.

All sections of the FNF Privacy Notice apply to your interaction with CCN, except for the sections titled Choices with Your Personal Information and Access and Correction. If you have questions regarding the choices you have with regard to your personal information or how to access or correct your personal information, you should contact your mortgage loan servicer.

No Representations or Warranties

By providing this Privacy Notice, Fidelity National Financial, Inc. does not make any representations or warranties whatsoever concerning any products or services provided to you by its majority-owned subsidiaries. In addition, you also expressly agree that your use of the Website is at your own risk. Any services provided to you by Fidelity National Financial, Inc. and/or the Website are provided "as is" and "as available" for your use, without representations or warranties of any kind, either express or implied, unless such warranties are legally incapable of exclusion. Fidelity National Financial, Inc. makes no representations or warranties that any services provided to you by it or the Website, or any services offered in connection with the Website are or will remain uninterrupted or error-free, that defects will be corrected, or that the web pages on or accessed through the Website, or the servers used in connection with the Website, are or will remain free from any viruses, worms, time bombs, drop dead devices, Trojan horses or other harmful components. Any liability of Fidelity National Financial, Inc. and your exclusive remedy with respect to the use of any product or service provided by Fidelity National Financial, Inc. including on or accessed through the Website, will be the re-performance of such service found to be inadequate.

Your Consent To This Privacy Notice

By submitting Personal Information to FNF, you consent to the collection and use of information by us as specified above or as we otherwise see fit, in compliance with this Privacy Notice, unless you inform us otherwise by means of the procedure identified below. If we decide to change this Privacy Notice, we will make an effort to post those changes on the Website. Each time we collect information from you following any amendment of this Privacy Notice will signify your assent to and acceptance of its revised terms for all previously collected information and information collected from you in the future. We may use comments, information or feedback that you may submit in any manner that we may choose without notice or compensation to you.

If you have additional questions or comments, please let us know by sending your comments or requests to:

Fidelity National Financial, Inc.
601 Riverside Avenue
Jacksonville, Florida 32204
Attn: Chief Privacy Officer
(888) 934-3354
privacy@fnf.com

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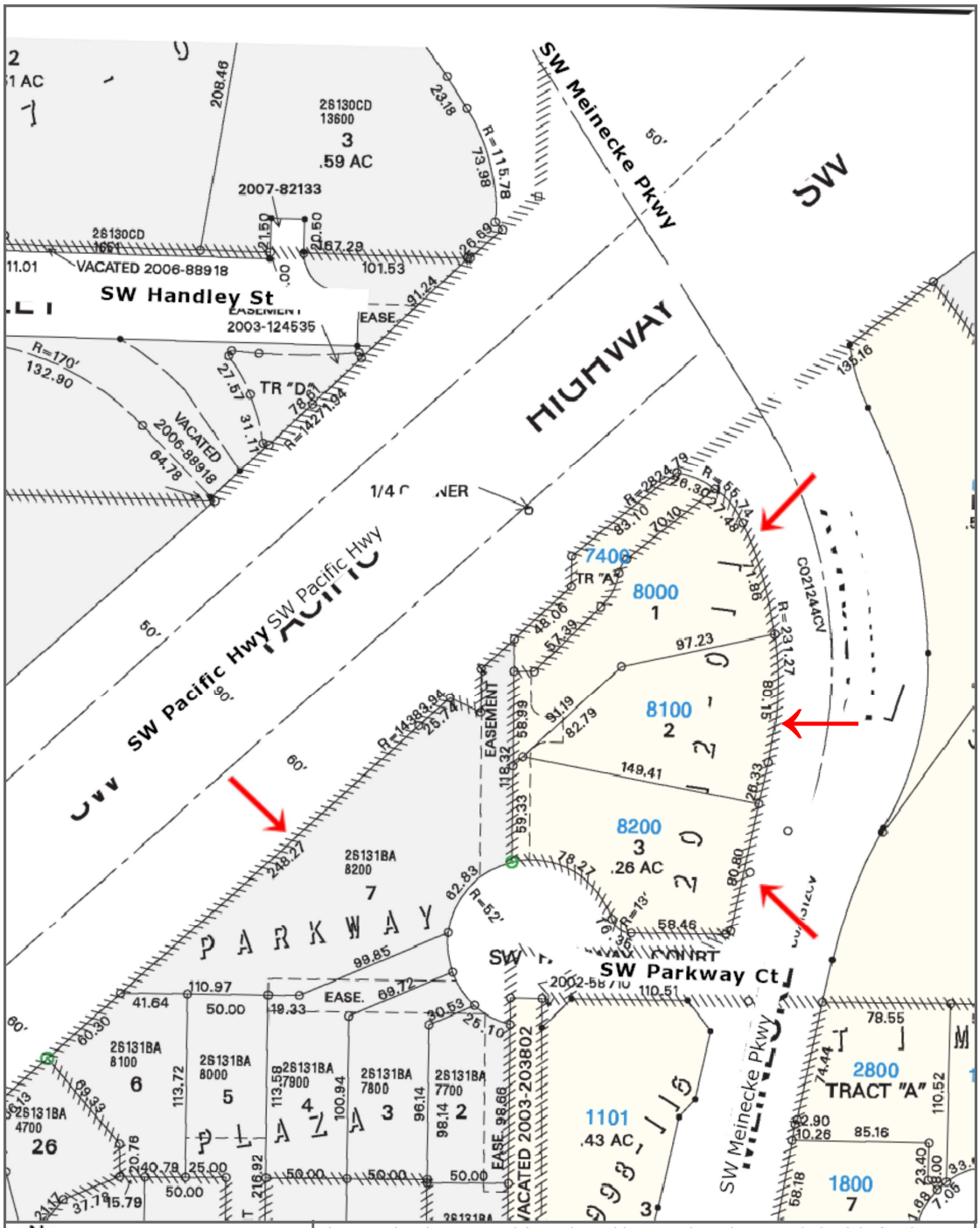
EFFECTIVE AS OF: MAY 1, 2015



This map has been copied from the public records and is provided solely for the purpose of assisting in locating the premises. No liabilities are assumed for inaccuracies contained herein or for variations, if any, in dimensions, area or location of the premises or the location of improvements ascertained by actual survey.

Clean Water Services

Clean Water Services File Number

15-001661

Sensitive Area Pre-Screening Site Assessment

1. Jurisdiction: Washington County

2. Property Information *(example 1S234AB01400)*

Tax lot ID(s): 2S131AB08200, 2S131AB08100
2S131AB08000, 2S131BA08200

Site Address: 17457,17473,17525 & 17489 SW Parkway Court

City, State, Zip: sherwood, Or. 97140

Nearest Cross Street: SW Meinecke Parkway

3. Owner Information

Name: Joseph and Mara Broadhurst

Company:

Address: 28440 SW Ladd Hill Road

City, State, Zip: Sherwood, Or. 97140

Phone/Fax: 503-625-3988

E-Mail: jbroadhrst@aol.com

4. Development Activity *(check **all** that apply)*

- ☐ Addition to Single Family Residence (rooms, deck, garage)
- ☐ Lot Line Adjustment
- ☐ Minor Land Partition
- ☐ Residential Condominium
- ☐ Commercial Condominium
- ☒ Residential Subdivision
- ☐ Commercial Subdivision
- ☐ Single Lot Commercial
- ☐ Multi Lot Commercial

Other

5. Applicant Information

Name: Joseph Broadhurst

Company:

Address: 28440 SW Ladd Hill Road

City, State, Zip: Sherwood, Or. 97140

Phone/Fax: 503-625-3988

E-Mail: jbroadhrst@aol.com

6. Will the project involve any off-site work? ☐ Yes ☒ No ☐ Unknown

Location and description of off-site work

7. Additional comments or information that may be needed to understand your project

This is a last piece of land that has been a part of 3 previous subdivisions. It has been pre-screen

This application does NOT replace Grading and Erosion Control Permits, Connection Permits, Building Permits, Site Development Permits, DEQ 1200-C Permit or other permits as issued by the Department of Environmental Quality, Department of State Lands and/or Department of the Army COE. All required permits and approvals must be obtained and completed under applicable local, state, and federal law.

By signing this form, the Owner or Owner's authorized agent or representative, acknowledges and agrees that employees of Clean Water Services have authority to enter the project site at all reasonable times for the purpose of inspecting project site conditions and gathering information related to the project site. I certify that I am familiar with the information contained in this document, and to the best of my knowledge and belief, this information is true, complete, and accurate.

Print/Type Name Joseph Broadhurst **Print/Type Title** Owner

ONLINE SUBMITTAL **Date** 5/29/2015

FOR DISTRICT USE ONLY

☐ Sensitive areas potentially exist on site or within 200' of the site. **THE APPLICANT MUST PERFORM A SITE ASSESSMENT PRIOR TO ISSUANCE OF A SERVICE PROVIDER LETTER.** If Sensitive Areas exist on the site or within 200 feet on adjacent properties, a Natural Resources Assessment Report may also be required.

☒ Based on review of the submitted materials and best available information Sensitive areas do not appear to exist on site or within 200' of the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, State, and federal law.

☐ Based on review of the submitted materials and best available information the above referenced project will not significantly impact the existing or potentially sensitive area(s) found near the site. This Sensitive Area Pre-Screening Site Assessment does NOT eliminate the need to evaluate and protect additional water quality sensitive areas if they are subsequently discovered. This document will serve as your Service Provider letter as required by Resolution and Order 07-20, Section 3.02.1. All required permits and approvals must be obtained and completed under applicable local, state and federal law.

☐ **This Service Provider Letter is not valid unless _____ CWS approved site plan(s) are attached.**

☐ The proposed activity does not meet the definition of development or the lot was platted after 9/9/95 ORS 92.040(2). NO SITE ASSESSMENT OR SERVICE PROVIDER LETTER IS REQUIRED.

Reviewed by Chuck Bichelbaum Date 6/1/15

City of Sherwood Oregon

Home of the Tualatin River National Wildlife Refuge

Pre-Application Conference Notes

PAC 15-03

Meeting Date: May 11, 2015

Planning Staff Contact: Michelle Miller

503-625-4242 or millerm@sherwoodoregon.gov

Zone Change and Subdivision (s)

PLEASE NOTE: The conference and notes cannot cover all Code requirements and aspects related to site planning that should apply to the development of your proposal. Failure of the staff to provide information required by the Code shall not constitute a waiver of the applicable standards or requirements. It is recommended that a prospective applicant either obtain and read the Community Development Code or ask any questions of City staff relative to Code requirements prior to submitting an application.

Proposed project name: Broadhurst Rezone, Parkway Plaza Residential Subdivision

PROPOSAL DESCRIPTION:

Change the zone from GC to MDRH
Proposal for an 8-lot subdivision for single-family homes

OWNER/APPLICANT:

Applicant's Representative: **AKS Engineering**
12965 SW Herman RD.
Tualatin OR 97062
Contact: Chris Goodell-503-563-6151

PROPERTY LOCATION: 17457, 17473, 17489, SW Parkway Ct.

Identified potential constraints/issues (wetlands, steep slopes, easements, etc?) steep slopes verify easement locations

Issues identified in the pre-app will likely concern the zone change and the easement issues.

Based on the information provided, NECESSARY APPLICATIONS: Subdivision, Plan Amendment

PROPOSED ZONING DISTRICT DIMENSIONAL REQUIREMENTS (Refer to Code § 16. 12 Residential Land Use Districts

C. Medium Density Residential High (MDRH)

The MDRH zoning district provides for a variety of medium density housing, including single-family, two-family housing, manufactured housing multi-family housing, and other related uses with a density of 5.5 to 11 dwelling units per acre. Minor land partitions are exempt from the minimum density requirement.

MINIMUM LOT SIZE: 5,000 sq. ft.

LOT WIDTH AT FRONT PROPERTY LINE: 25 ft

LOT WIDTH AT BUILDING LINE: 50 ft.

MINIMUM LOT DEPTH: 80 ft.

MAXIMUM HEIGHT: 30 ft. or two stories

Setbacks: Front 20ft. Side 5ft.(depends on height) Rear 20 ft. Corner Side 15 ft.
*Garage must be 20 ft.

☒ **NARRATIVE**
The applicant shall submit a narrative which provides findings based on the applicable approval standards. Failure to provide a narrative or adequately address criteria would be reason to consider an application incomplete and delay review of the proposal. The applicant should review the code for applicable criteria. This housing type is an entirely new concept for Sherwood, and standards would need to be addressed through the code amendment.

☒ **CLEAN WATER SERVICES SERVICE PROVIDER LETTER**

The applicant shall submit a CWS Service Provider Letter at time of application submittal. An application will not be deemed complete without a CWS Service Provider Letter or a CWS prescreening noting that a Service Provider Letter is not required.

☒ **LANDSCAPING (16.92)**

All areas not covered by buildings, required parking and/or circulation drives shall be landscaped with plants native to the Pacific Northwest. Perimeter and parking lot landscaping is required. A landscaping plan must be submitted with every development proposal application.

☒ **ON-SITE STORAGE (16.98)**

External material storage must be approved as part of a site plan. Storage areas must be designated and screened appropriately. **Garbage and recycling facilities are required to meet the standards of Pride Disposal.**

☒ **SIGNS (16.102)**

A separate permit is required for all permanent signs. Sign permits may be applied for through

the Sherwood Building Department. Banner sign permits are issued through the Sherwood Planning Department.

☒ **PUBLIC IMPROVEMENTS (16.104) CAREFULLY REVIEW ENGINEERING COMMENTS FOR THESE SPECIFIC REQUIREMENTS.**

16.122.010 Generally

Chapter 16.120 - SUBDIVISIONS

Sections: Editor's note—Ord. No. 2011-011, § 1, adopted October 4, 2011, amended the Code by, in effect, repealing former Ch. 16.120, §§ 16.120.010 and 16.120.020, and adding a new Ch. 16.120. Former Ch. 16.120 pertained to general provisions, and derived from Ord. 86-851; Ord. 98-1053; and Ord. No. 2010-015, adopted October 5, 2010.

16.120.010 - Purpose

Subdivision regulations are intended to promote the public health, safety and general welfare; lessen traffic congestion; provide adequate light and air; prevent overcrowding of land; and facilitate adequate water supply, sewage and drainage.

16.120.020 - General Subdivision Provisions

A. Approval of a subdivision occurs through a two-step process: the preliminary plat and the final plat.

1.The preliminary plat shall be approved by the Approval Authority before the final plat can be submitted for approval consideration; and

2. The final plat shall reflect all conditions of approval of the preliminary plat.

B.All subdivision proposals shall conform to all state regulations set forth in ORS Chapter 92, Subdivisions and Partitions.

C. Future re-division

When subdividing tracts into large lots, the Approval Authority shall require that the lots be of such size and shape as to facilitate future re-division in accordance with the requirements of the zoning district and this Division.

D. Future Partitioning

When subdividing tracts into large lots which may be resubdivided, the City shall require that the lots be of a size and shape, and apply additional building site restrictions, to allow for the subsequent division of any parcel into lots of smaller size and the creation and extension of future streets.

E. Lot averaging

Lot size may be averaged to allow lots less than the minimum lot size allowed in the underlying zoning district subject to the following regulations:

1. The average lot area for all lots is not less than allowed by the underlying zoning district.

2. No lot created under this provision shall be less than 90 % of the minimum lot size allowed in the underlying zoning district.

3. The maximum lot size cannot be greater than 10 % of the minimum lot size.

F. Required Setbacks

All required building setback lines as established by this Code, shall be shown in the preliminary subdivision plat.

G.Property Sales

No property shall be disposed of, transferred, or sold until required subdivision approvals are obtained, pursuant to this Code.

16.120.030 - Approval Procedure-Preliminary Plat

A. Approval Authority

1. The approving authority for preliminary and final plats of subdivisions shall be in accordance with Section 16.72.010 of this Code.

a.A subdivision application for 4-10 lots will follow a Type II review process.

b.A subdivision application for 11-50 lots will follow a Type III review process.

c.A subdivision application for over 50 lots will follow a Type IV review process.

2.Approval of subdivisions is required in accordance with this Code before a plat for any such subdivision may be filed or recorded with County. Appeals to a decision may be filed pursuant to Chapter 16.76.

16.120.040 - Approval Criteria: Preliminary Plat

No preliminary plat shall be approved unless:

A. Streets and roads conform to plats approved for adjoining properties as to widths, alignments, grades, and other standards, unless the City determines that the public interest is served by modifying streets or road patterns.

B. Streets and roads held for private use are clearly indicated on the plat and all reservations or restrictions relating to such private roads and streets are set forth thereon.

C. The plat complies with applicable zoning district standards and design standards in Division II, and all provisions of Divisions IV, VI, VIII and IX. The subdivision complies with Chapter 16.128 (Land Division Design Standards).

D. Adequate water, sanitary sewer, and other public facilities exist to support the use of land proposed in the plat.

E. Development of additional, contiguous property under the same ownership can be accomplished in accordance with this Code.

F. Adjoining land can either be developed independently or is provided access that will allow

development in accordance with this Code.

G. Tree and woodland inventories have been submitted and approved as per Section 16.142.060.

H.The plat clearly shows the proposed lot numbers, setbacks, dedications and easements.

I. A minimum of five percent (5%) open space has been provided per Section 16.44.010.B.8 (Townhome-Standards) or Section 16.142.030 (Parks, Open Spaces and Trees-Single-Family Residential Subdivisions), if applicable.B. City Action

☒ TRANSPORTATION FACILITIES (16.106)

☒ SANITARY SEWER (16.110)

Sanitary sewers shall be installed to serve all new developments and shall connect to existing sanitary sewer mains.

☒ WATER (16.112)

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 this Code, the Water System Master Plan, the City Design and Construction Manual, and with other applicable City standards and specifications, in order to adequately serve the proposed development and allow for future extensions.

☒ STORM WATER (16.114)

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 04-0, or its replacement.

☒ FIRE (16.116)

All developments are required to comply with the regulations of Tualatin Valley Fire & Rescue. TVF&R regulations can be found on their website at: www.tvfr.com/Dept/fm/const/index.html.

☒ OVERHEAD UTILITIES (16.118)

All existing and proposed utilities must be placed underground, unless specifically authorized for above ground installation, because the points of connection to existing utilities make underground installation impractical, or for other reasons deemed acceptable by the Commission.

☒ **ENVIRONMENTAL RESOURCES (16.132)**. The applicant will need to confirm that CWS does not have any environmental resources on or near the site through the provision of a Service Provider Letter.

☒ STREET TREES (16.142.060) Minimum spacing based on canopy spread and based on the tree selected

☒ TREES ON PRIVATE PROPERTY (16.142.070)

16.142.030 - Single-Family or Duplex Residential Subdivisions

A. A minimum of five percent (5%) of the net buildable site (after exclusion of public right-of-way and environmentally constrained areas) shall be maintained as "open space". Open space must include usable areas such as public parks, swimming and wading pools, grass areas for picnics and recreational play, walking paths, and other like space. The following may not be used to calculate open space:

1. Required yards or setbacks.

2. Required visual corridors.

3. Required sensitive areas and buffers.

4. Any area required to meet a standard found elsewhere in this code.

B. Enhanced streetscapes such as "boulevard treatments" in excess of the minimum public street requirements may count toward a maximum of 10,000 square feet of the open space requirement.

1. Example: if a 52-foot-wide right-of-way [ROW] is required for a 1,000 foot-long street and a 62-foot wide ROW with 5-foot additional plantings/meandering pathway is provided on each side of the street, the additional 10-foot-wide area x 1,000 linear feet, or 10,000 square feet, counts toward the open space requirement.

C. The open space shall be conveyed in accordance with one of the following methods:

1. By dedication to the City as public open space (if acceptable to the City). Open space proposed for dedication to the City must be acceptable to the City Manager or the Manager's designee with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities;

2. By leasing or conveying title (including beneficial ownership) to a corporation, homeowners' association or other legal entity, with the City retaining the development rights to the open space. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the City.

D. The density of a single-family residential subdivision shall be calculated based on the net buildable site prior to exclusion of open space per this Section.

1. Example: a 40,000 square foot net buildable site would be required to maintain 2,000 square feet (5%) of open space but would calculate density based on 40,000 square feet.

E. If a proposed residential subdivision contains or is adjacent to a site identified as "parks" on the Acquisition Map of the Parks Master Plan (2006) or has been identified for acquisition by the Sherwood Parks and Recreation Board, establishment of open space shall occur in the designated areas if the subdivision contains the park site, or immediately adjacent to the parks site if the subdivision is adjacent to it.

F. If the proposed residential subdivision does not contain or is not adjacent to a site identified on the Parks Master Plan map or otherwise identified for acquisition by the Parks and Recreation Board, the

applicant may elect to convey off-site park/open space.

G. This standard does not apply to a residential partition provided that a development may not use phasing or series partitions to avoid the minimum open space requirement. A partition of land that was part of an approved partition within the previous five (5) years shall be required to provide the minimum five percent (5%) open space in accordance with subsection (A) above.

H. The value of the open space conveyed under Subsection (A) above may be eligible for Parks System Development Charges (SDCs) credits based on the methodology identified in the most current Parks and Recreation System Development Charges Methodology Report.

(Ord. No. 2011-009, § 2, 7-19-2011)

16.142.040 - Visual Corridors

A. Corridors Required

New developments located outside of the Old Town Overlay with frontage on Highway 99W, or arterial or collector streets designated on Figure 8-1 of the Transportation System Plan shall be required to establish a landscaped visual corridor according to the following standards:

1. Highway 99W 25 feet

In residential developments where fences are typically desired adjoining the above described major street the corridor may be placed in the road right-of-way between the property line and the sidewalk. In all other developments, the visual corridor shall be on private property adjacent to the right-of-way.

B. Landscape Materials

The required visual corridor areas shall be planted as specified by the review authority to provide a continuous visual and/or acoustical buffer between major streets and developed uses. Except as provided for above, fences and walls shall not be substituted for landscaping within the visual corridor. Uniformly planted, drought resistant street trees and ground cover, as specified in Section 16.142.060, shall be planted in the corridor by the developer. The improvements shall be included in the compliance agreement. In no case shall trees be removed from the required visual corridor.

C. Establishment and Maintenance

Designated visual corridors shall be established as a portion of landscaping requirements pursuant to Chapter 16.92. To assure continuous maintenance of the visual corridors, the review authority may require that the development rights to the corridor areas be dedicated to the City or that restrictive covenants be recorded prior to the issuance of a building permit.

D. Required Yard

Visual corridors may be established in required yards, except that where the required visual corridor width exceeds the required yard width, the visual corridor requirement shall take precedence. In no case shall buildings be sited within the required visual corridor, with the exception of front porches on townhomes, as permitted in Section 16.44.010(E)(4)(c).

E. Pacific Highway 99W Visual Corridor

1. Provide a landscape plan for the highway median paralleling the subject frontage. In order to assure continuity, appropriate plant materials and spacing, the plan shall be coordinated with the City Planning Department and ODOT.

2. Provide a visual corridor landscape plan with a variety of trees and shrubs. Fifty percent (50%) of the visual corridor plant materials shall consist of groupings of at least five (5) native evergreen trees a minimum of ten (10) feet in height each, spaced no less than fifty (50) feet apart, if feasible. Deciduous trees shall be a minimum of four (4) inches DBH and twelve (12) feet high, spaced no less than twenty-five (25) feet apart, if feasible.

New developments are required to achieve minimum canopy requirements, and may be required to inventory any existing trees. 40% single family.

APPLICABLE CODE CRITERIA

(These sections ***must*** be addressed in the narrative submitted with the land use application)

X Division II (Zoning Districts)	X 16.92 (Landscaping)	
16.12 Residential Land Use	X 16.94 (Off-Street Parking and Loading)	___ 16.124 (Property Line Adjustments)
	X 16.96 (On-Site Circulation)	x 16.128. (Land Division Design Standards)
	X 16.98 (On-Site Storage)	X 16.142 (Parks and Open Space)
	___ 16.102 (Signs)	___ 16.146 (Noise)
	X 16.106 (Transportation Facilities)	___ 16.148 (Vibrations)
	___ 16.106.030(D) (Additional Setbacks)	
	X 16.108.040.D (Clear Vision Areas)	___ 16.150 (Air Quality)
___	X 16.110 (Sanitary Sewers)	___ 16.152 (Odors)
___	X 16.112 (Water Supply)	___ 16.154 (Heat and Glare)
	X 16.114 (Storm Water)	___ 16.162 (Old Town Overlay District)
___	X 16.116 (Fire Protection)	___ 16.166 (Landmark Designation)
___	X 16.118 (Private Improvements)	___ 16.168 (Landmark Alteration)
	x 16.120 (Subdivisions)	

ADDITIONAL CONCERNS OR COMMENTS:

CONFIRM FEES WITH STAFF PRIOR TO SUBMITTAL. WE WILL HELP YOU TO CALCULATE THE FEES.

Fees from July 1, 2014

Type V Zone Change: $5330

Subdivision $6,222 plus $20 per lot

$466 per partition application

PROCEDURE

Type V Zone Change application is a recommendation by the Planning Commission and approval by the City Council

Private Street:
16.118.050 Private Streets
The construction of new private streets, serving single-family residential developments shall be prohibited unless it provides principal access to two or fewer residential lots or parcels i.e. flag lots. Provisions

Engineering Pre-Application Comments

City of Sherwood Oregon

To:	Brad Kilby, Planning Manager
From:	Craig Christensen, P.E., Engineering Department
Project:	PAC 15-03 (17457, 17473, 17489 & 17525 SW Parkway Court)
Date:	May 1, 2015

Engineering staff has reviewed the information provided for the above cited project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer

The existing subject property has an 8-inch diameter sanitary sewer main along its south side within SW Parkway Court and along the south side of Lot 7 of the "Parkway Plaza" subdivision. There is also an 8-inch diameter sanitary sewer main along the east side of Parcel 3 and a portion of Parcel 2 of Partition Plat 2012-011 within a public sanitary sewer easement. Sanitary sewer service will be required for all new lots within the proposed subdivision. It may be necessary to install a public sanitary sewer main to provide this service.

Any public sanitary sewer mains within private property will require a public easement meeting City of Sherwood standards. A private easement will need to be provided/obtained for any sanitary lateral that serves a lot by going through an adjacent lot or neighboring property. Additional access easement to access any existing or new sanitary sewer may be required. Any portion of the existing sanitary sewer system that will not be used shall be abandoned.

Water

An existing 8-inch diameter water main exists within SW Parkway Court with an 8-inch diameter water main/service serving the subject property. The blow off at the end of the 8-inch diameter water line within the subject property will likely need to be moved to the public street. Each lot within the new subdivision shall be provided a public water service. No water meters may be located within hardscape areas. Some existing services may need to be relocated/abandoned.

Any public water mains within private property will require a public easement meeting City of Sherwood standards. A private easement will need to be provided for any water

service that serves a lot by going through an adjacent lot. Any portion of the existing water system that will not be used shall be abandoned.

Storm Sewer

There is an existing 12-inch diameter storm sewer main along the east side of Lot 7 of the "Parkway Plaza" subdivision within a public storm drainage easement. There is also a 12-inch storm sewer south of Lot 7 of the "Parkway Plaza" subdivision. Storm sewer service will be required for all new lots within the proposed subdivision. It may be necessary to install a public storm sewer main to provide this service.

Any public storm sewer mains within private property will require a public easement meeting City of Sherwood standards. A private easement will need to be provided/obtained for any storm lateral that serves a lot by going through an adjacent lot or neighboring property. Additional access easement to access any existing or new storm sewer may be required. Any portion of the existing storm sewer system that will not be used shall be abandoned. A fence gate in the existing fence for access to the storm manhole south of Lot 7 of the "Parkway Plaza" subdivision may be required.

There is an existing water quality treatment facility northwest of Parcel 1 of Partition Plat 2012-011. The developer's engineer will be required to show the adequacy of the existing facility to provide treatment for the new subdivision.

Transportation

Currently the subject property has 2 driveways that access SW Parkway Court. New driveway installation and removal of existing driveways may be required. Currently SW Parkway Court is 28 feet curb to curb with a 5-foot wide landscape strip and 6-foot wide sidewalk on each side. This meets current design standards. Currently SW Parkway Court cul-de-sac is at full build out with a 40-foot curb radius with a 5-foot wide landscape strip and 6-foot wide sidewalk within a 52-foot right-of-way radius. This is below the current standard of 48-foot curb radius within a 60-foot right-of-way radius, however, upgrading the cul-de-sac to current standards would not likely have any significant benefits to the city as the cul-de-sac is short and it is likely not necessary for emergency vehicles to use it for a turn around. Therefore, no new improvements along SW Parkway Court are anticipated.

Highway 99 improvements were previously deferred until the development of Lots 7 and 8 of the "Parkway Plaza" subdivision. Street and sidewalk improvements will likely be required to be constructed as a condition of this development. An engineering plan was submitted in 2011 that shows the improvements that will likely be required within Highway 99 right-of-way.

A trip analysis of the subject property will be required to determine if new zoning will result in an increase of trips to/from the site.

From the subdivision layout submitted it appears that multiple lots will have access from the same driveway. Planning approval will be required for this condition.

No driveway access to Highway 99 or SW Meinecke Parkway will be allowed.

Other Engineering Issues:
Highway 99 is an Oregon Department of Transportation (ODOT) right-of-way and is subject to conditions imposed by ODOT.

Highway 99 (principal arterial) and SW Meinecke Parkway (arterial) will likely be required to have visual corridors meeting Sherwood Municipal Code standards.

Existing street lighting along SW Meinecke Parkway and SW Parkway Court appears adequate. No additional lighting is anticipated.

Lots configurations do not appear to be in compliance with the Sherwood Municipal Code. Planning approval of lot configuration required.

City of Sherwood standards require a minimum 8-foot wide Public Utility Easement (PUE) along all right-of-way. An 8-foot wide PUE exists along the subject property frontage to SW Parkway Court with 13.12 feet of PUE along the subject property frontage to SW Meinecke Parkway. However there is currently no 8-foot wide PUE along the subject property frontage to Highway 99. Dedication of an 8-foot wide PUE along the subject property frontage to Highway 99 will likely be required.

Additional private easement to encompass gas line may be necessary.

Sherwood Broadband utilities may be required to be installed along the subject property's frontage as per requirements set forth in City Ordinance 2005-017 and City Resolution 2005-074.

END OF COMMENTS

DISCLAIMER: The comments provided above are initial in nature and are in no way binding as to what conditions may or may not be imposed upon the development in the Notice of Decision.

Sherwood Senior Center, June 4th, 2015, 6:30-8:30pm
Zone Change Neighborhood Meeting
Parkway Court, Sherwood, Oregon

Summary

A neighborhood meeting was held at the Sherwood Senior Center to inform neighborhood residents of a proposed zone change to the property located on Parkway Court at the intersection of Pacific Highway 99W and Meinecke Parkway from General Commercial to Medium Density Residential Low (MDRL) zoning. Two hundred thirty-six notices were mailed on May 27th, 2015 to all residents within 1000 feet of the property; two were returned to the sender.

Joe and Mara Broadhurst were present to provide any information requested from attendees. An aerial vicinity map and two plat maps representing allowed uses within MDRL zoning were presented. One neighborhood resident attended the meeting.

Questions/comments

- Concern regarding high-density housing in the neighborhood.
- Would condominiums be permitted in the new zoning?
- Would this zone change increase or change traffic patterns in the neighborhood?
- Attendee expressed that he felt the rezone was a good idea and wished the applicants well.

Information provided

Specific information was provided regarding the housing density allowed in the proposed rezone to MDRL. It was explained that less traffic is generated from MDRL zoning than General Commercial zoning, and that there would be no new direct access from Highway 99W to this property as a result of the proposed rezone.

NEIGHBORHOOD MEETING SIGN IN SHEET

Proposed Project: ZONE CHANGE GC → MDRL

Proposed Project Location: 99 W / MEINECKE PARKWAY

Project Contact: JOE BROADHURST

Meeting Location: SHERWOOD SENIOR CENTER

Meeting Date: JUNE 4, 2015

Name	Address	E-Mail	Please identify yourself (check all that apply)			
			Resident	Property owner	Business owner	Other
Chris Austin		austinc@hotmail.com	X			

Updated October 2010

Affidavit of Mailing

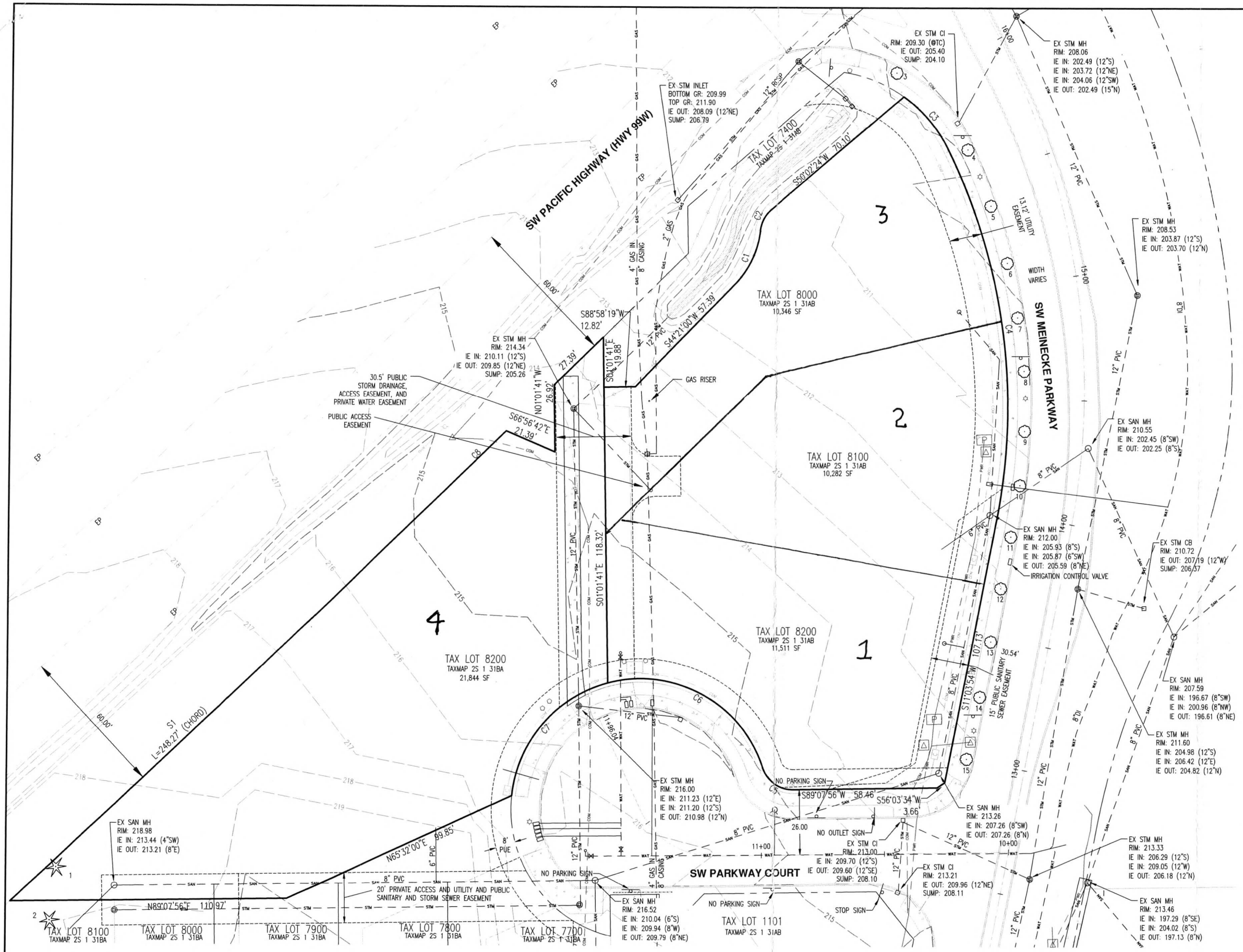
DATE:

STATE OF OREGON)
)
Washington County)

I, JOE BROADHURST, representative for the BROADHURST RE-ZONE proposed development project do hereby certify that the attached notice to adjacent property owners and recognized neighborhood organizations that are within 1,000 feet of the subject project, was placed in a U.S. Postal receptacle on MAY 27 . 2015

Representatives Name:
Name of the Organization:

Updated October 2010



NOTES:

1. INFORMATION SHOWN ON THIS MAP WAS LOCATED UTILIZING STANDARD TOPOGRAPHIC MAPPING PROCEDURES. THIRD PARTY USERS OF THIS MAP PROVIDED VIA AUTOCAD DRAWING FILES OR DATA EXCHANGE FILES SHOULD NOT RELY ON ANY AUTOCAD GENERATED INFORMATION WHICH IS BEYOND THE LIMITS OF PRECISION OF THIS MAP. CONTACT AKS ENGINEERING & FORESTRY FOR FURTHER INFORMATION. FURTHERMORE, AKS ENGINEERING & FORESTRY WILL NOT BE HELD RESPONSIBLE NOR HELD LIABLE FOR ANY DESIGN OR CONSTRUCTION RELATED PROBLEMS THAT ARISE OUT OF THIRD PARTY USAGE OF THIS MAP (IN AUTOCAD OR OTHER FORMAT) FOR ANY PURPOSE OTHER THAN IT'S INTENDED PURPOSE.
2. UTILITIES SHOWN ARE BASED ON FIELD LOCATES, ARE APPROXIMATE, AND WERE THE ONLY ONES SURVEYED AT THIS TIME. ADDITIONAL UTILITIES MAY EXIST. CONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS PRIOR TO BEGINNING CONSTRUCTION.
3. FIELD WORK WAS CONDUCTED MARCH 2005 AND APRIL 2009.
4. VERTICAL DATUM: ELEVATIONS ARE BASED ON A 2" DIAMETER BRASS CAP IN A MONUMENT BOX, LOCATED NEAR THE INTERSECTION OF HIGHWAY 99W AND N. SHERWOOD BOULEVARD IN THE CHEVRON GAS STATION PARKING LOT. THE ELEVATION OF THE BENCHMARK IS 213.90 (NAVD 1988).
5. INFORMATION SHOWN IS BASED ON A TOPOGRAPHIC SURVEY AND TAX ASSESSOR MAP DATA. THIS MAP DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY.
6. CONTOUR INTERVAL IS 1 FOOT.

TREE TABLE

TREE #	SPECIES	DBH (IN)
1	DOUGLAS FIR	16"
2	DOUGLAS FIR	16"
3	HORNBEAM	3"
4	HORNBEAM	5"
5	HORNBEAM	4"
6	HORNBEAM	4"
7	HORNBEAM	4"
8	HORNBEAM	4"
9	HORNBEAM	3"
10	HORNBEAM	5"
11	HORNBEAM	5"
12	HORNBEAM	4"
13	HORNBEAM	5"
14	HORNBEAM	4"
15	HORNBEAM	4"

NO 100-YEAR FLOOD PLAIN, FLOODWAY, WETLAND BOUNDARIES OR SENSITIVE AREAS EXIST ON SITE.

CURVE TABLE

CURVE	RADIUS	DELTA	LENGTH	CHORD
C1	37.00'	37°21'19"	24.12'	N25°40'20"E 23.70'
C2	13.00'	43°02'45"	9.77'	S28°31'03"W 9.54'
C3	55.74'	28°14'43"	27.48'	N40°43'02"W 27.20'
C4	231.27'	37°39'35"	152.01'	N07°45'53"W 149.29'
C5	13.00'	72°04'47"	16.35'	S54°49'41"E 15.30'
C6	52.00'	86°15'06"	78.28'	N61°54'50"W 71.09'
C7	52.00'	69°13'52"	62.83'	S40°20'41"W 59.08'
C8	14383.94'	0°06'09"	25.74'	N46°05'41"E 25.74'

SPIRAL TABLE

SPIRAL	INFORMATION	LENGTH	CHORD
S1	400.00'SP S=00°48' a=0.01	248.27'	N46°32'18"E 248.27'

AKS ENGINEERING & FORESTRY, LLC
12965 SW HERMAN RD STE 100
TUALATIN, OR 97062
P: 503.563.6151
F: 503.563.6152
aks-eng.com

AKS
ENGINEERING · SURVEYING · NATURAL RESOURCES
FORESTRY · PLANNING · LANDSCAPE ARCHITECTURE

PARKWAY PLAZA

SHERWOOD OREGON
TAX LOTS 7300 & 8200 WASHINGTON COUNTY TAX MAP 2S 1 31AB & 2S 1 31BA

EXISTING CONDITIONS PLAN

DESIGNED BY: MBH
DRAWN BY: RSW
CHECKED BY: MBH
SCALE: AS NOTED
DATE: 4/24/2015

DRAFT

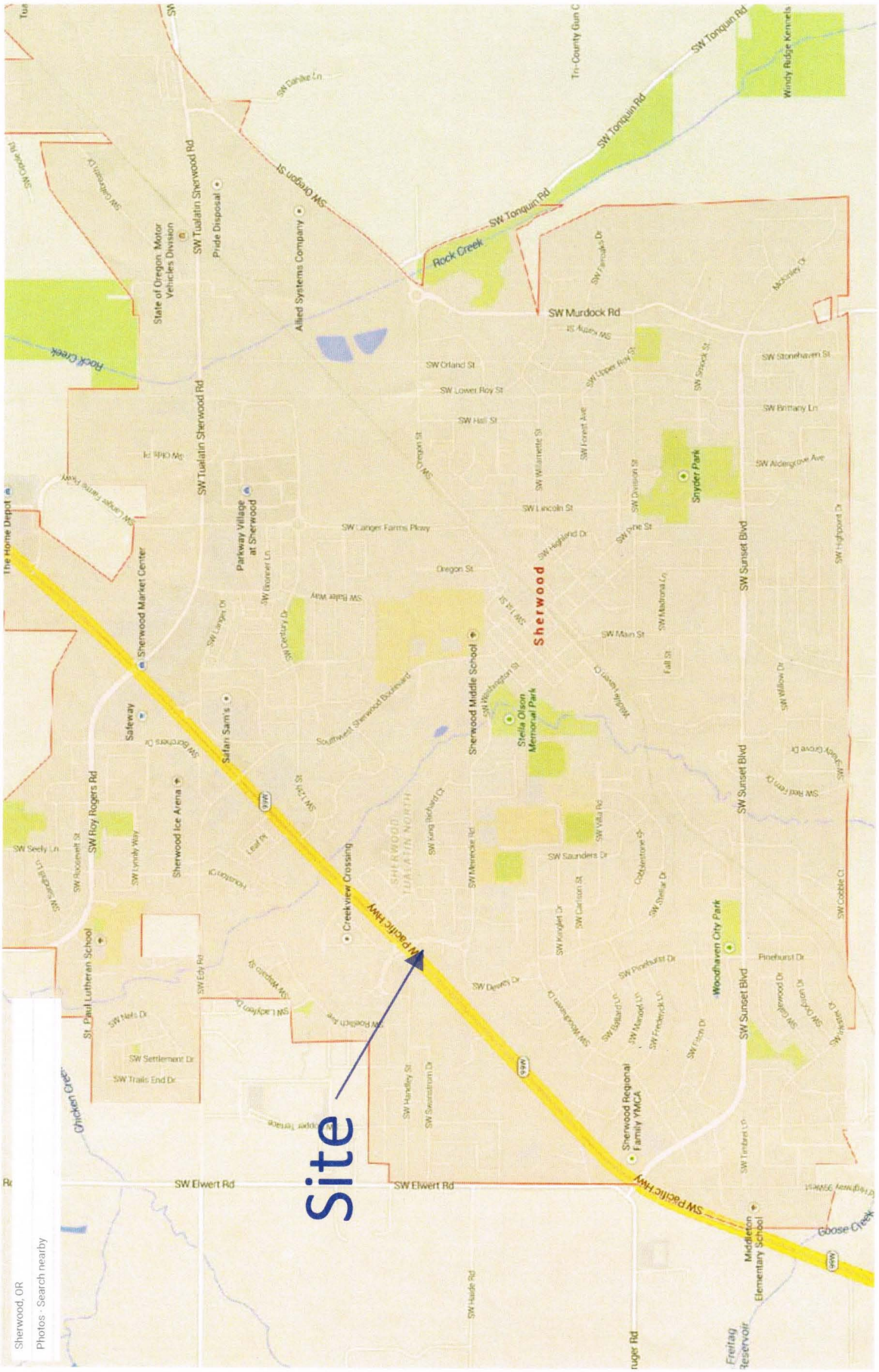
REVISIONS

JOB NUMBER
1373

SHEET
1

AKS DRAWING FILE: 1373 EXCOND.DWG | LAYOUT: EXCOND

Vicinity Map



AERIAL MAP

N
SMITH
SMITH
NOBLE TR
MEINECKE
MEINECKE
SEQUOIA
TIMBER CROSSING
DOW
VERDANT
KINGLET
CARLSON
VILLA
STELLAR
DEWEY
SAXON
DEWEY
WOODHAVEN
PINEHURST
VANDOLAH
HOSTLER
CEDAR BROOK
PACIFIC
STEIN
HINES
HALL
HANDLEY
FIST
SWANSTROM
BUSHONG
FISK
ORCHARD HILL
FLETCHER
ELWERT
= 125 feet

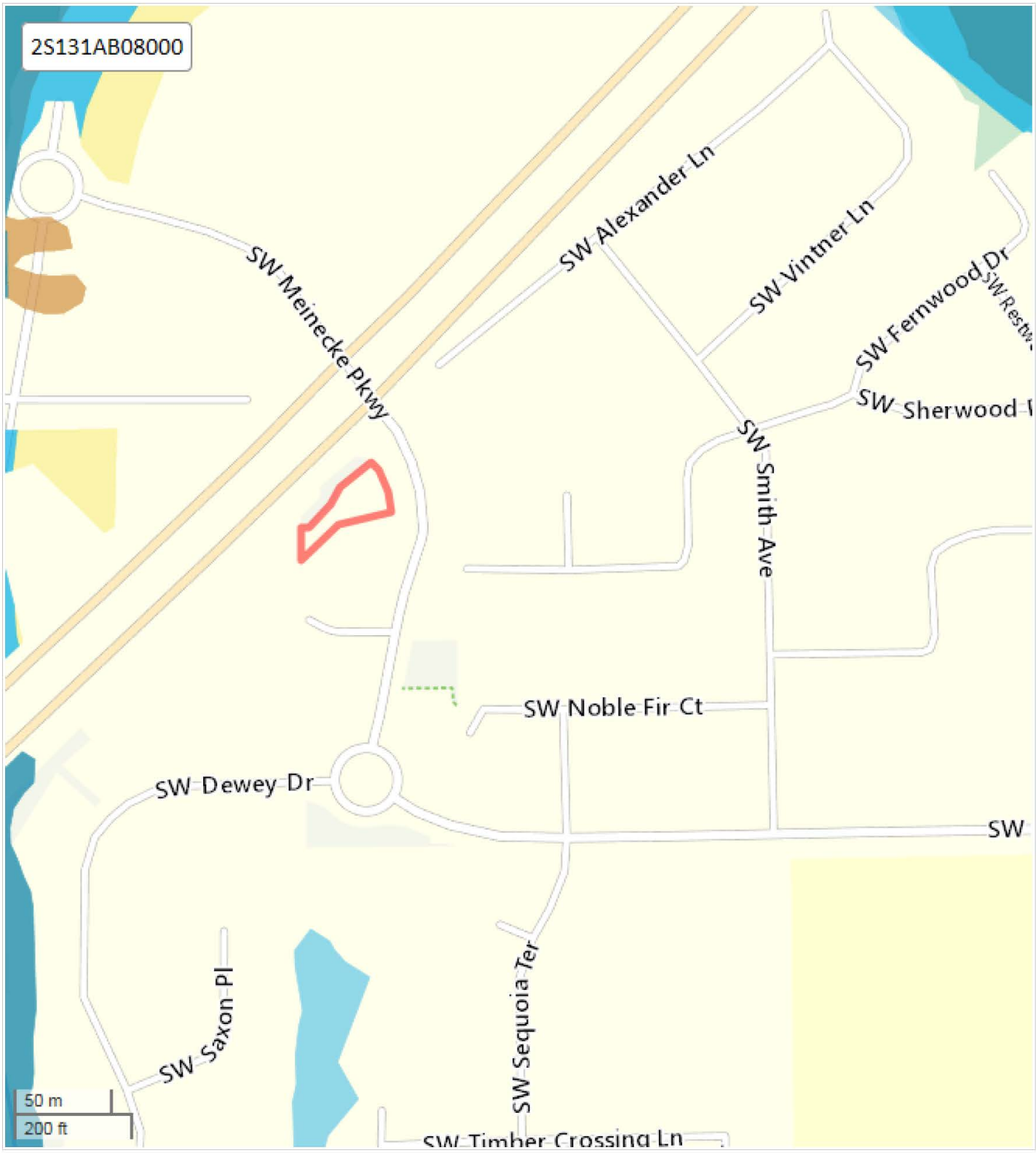
Overall Site

Metro

Data Resource Center
600 NE Grand Ave, Portland, OR 97232
503.797.1742 – drc@oregonmetro.gov

This Web site is offered as a public service, integrating various government records into a region-wide mapping system. The property assessment records are a multi-county integration of Clackamas, Multnomah and Washington County records. MetroMap blends each county's records into a common database on a quarterly basis. Therefore, to view each county's official records, go to their respective web sites or offices. The other MetroMap data are derived from city, county, state, federal and Metro sources. The metadata (data about the data) are included on this site, including the sources to be consulted for verification of the information contained herein. It describes some cases where Metro blends city and county records by generalizing the disparities. Metro assumes no legal responsibility for the compilation of multi-source government information displayed by Metro Map.

Habitat



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Zoning

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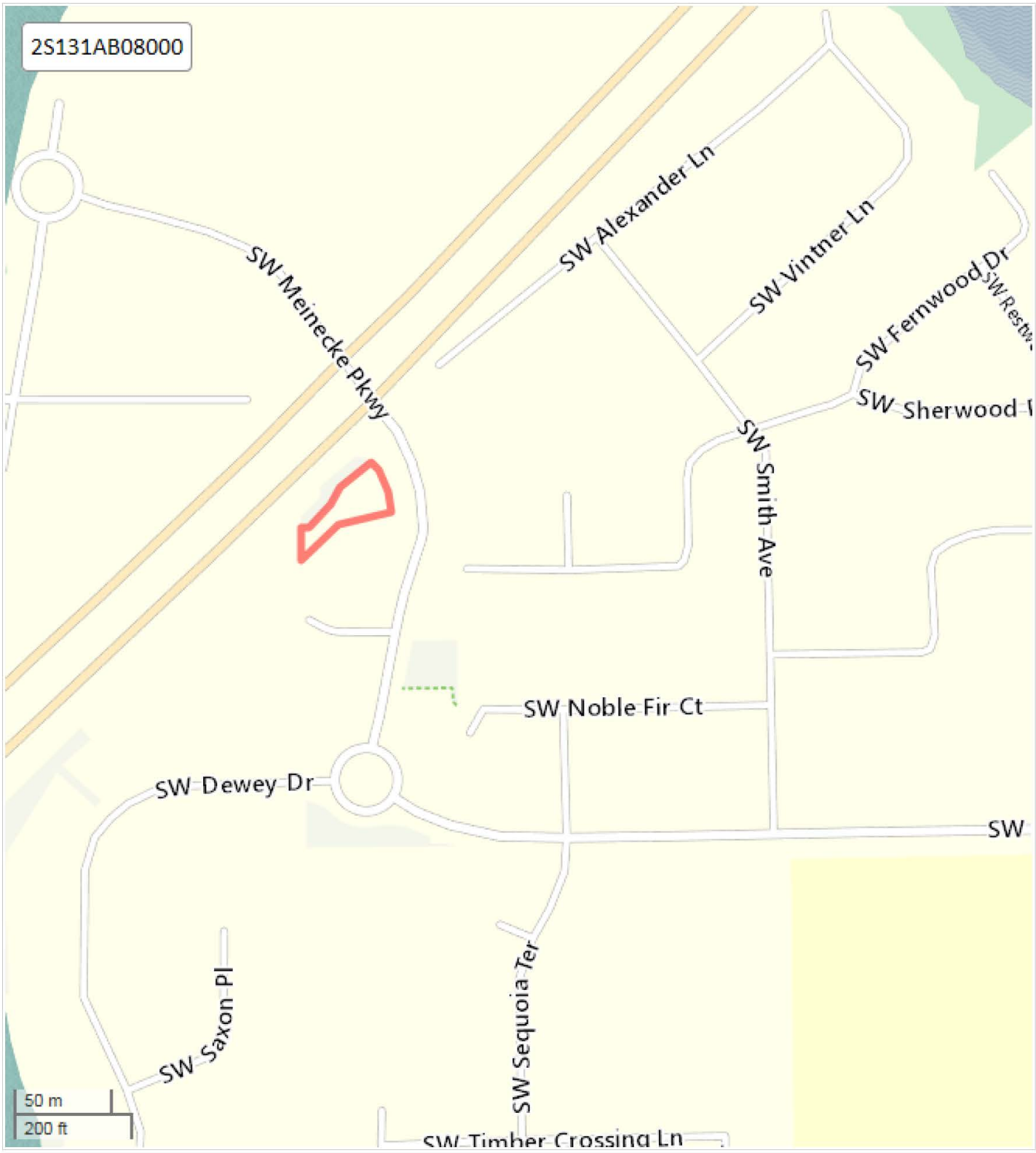
Floodplain & Wetland



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REGISTERED PROFESSIONAL ENGINEER 54983PE OREGON JULY 10, 2002 MICHAEL T. FARLEY

EXPIRES 12/31/15

LANCASTER
ENGINEERING

321 SW 4th Ave., Suite 400
Portland, OR 97204
phone: 503.248.0313
fax: 503.248.9251
lancasterengineering.com

TECHNICAL MEMORANDUM

TO: Joe Broadhurst

FROM: Gwen Shaw
William Farley, PE

DATE: October 16, 2015

SUBJECT: *OR 99W & SW Meinecke Road Property Zone Change Memorandum*

This memorandum examines trip generation for a proposed zone change for the property fronting the west side of SW Meinecke Road and the south side of SW Pacific Highway (OR 99W). The property will be rezoned from GC (*General Commercial)* to MDRL (*Medium Density Residential Low*) in order to accommodate residential development on the property. Oregon's Transportation Planning Rule (TPR) will also be addressed.

Project & Location Description

The property proposed for rezoning comprises Tax Lots 8200 and 7300 as shown on Washington County Tax Maps 2S131BA and AB. The site fronts SW Meinecke Road to the east, SW Parkway Court to the south and SW Pacific Highway to the north. In 2009, the site owner proposed and was approved for the development of the "Parkway Plaza," made up of four commercial lots: three buildings totaling 11,800 square feet and one coffee drive through totaling 480 square feet. The owner is now proposing to rezone the area to allow residential uses. Lancaster Engineering conducted the Transportation Impact Study for the prior proposed Parkway Plaza development in 2009.

SW Pacific Highway (OR 99W) operates under the jurisdiction of ODOT and is classified as a Statewide Highway. In the project study area, it is generally a four-lane facility (two through lanes in each direction) separated by a large center median and has a designated speed of 45 mph. The highway has paved shoulders along both sides of the highway.

SW Meinecke Road is under the jurisdiction of the City of Sherwood and is classified as a Collector roadway in the vicinity of the site. It is a two-lane facility with a single travel lane in each direction and a posted speed of 25 mph. A raised curb center median extends from SW Pacific Highway to SW Dewey Drive in front of the site. Bicycle lanes are present along both sides of the roadway fronting the site, and sidewalks are also in place along both sides of the roadway.

The intersection of OR 99W at SW Meinecke Road is a four-legged intersection controlled by an actuated traffic signal. The northeast-bound and southwest-bound approaches on OR 99W each have a dedicated left-turn lane served by protected phasing, two through lanes, and a channelized right-turn slip-lane. The northbound and southbound approaches on SW Meinecke Road each have a dedi-

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OCT 19 2015
PA 15-05

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cated left-turn lane served with permissive phasing, a through lane, and a channelized right-turn slip-lane.

The intersection of SW Meinecke Road at SW Parkway Court is a three-legged intersection controlled by a STOP sign on the eastbound SW Parkway Court approach. Only right-in and right-out turn maneuvers are allowed to and from SW Parkway Court due to the previously mentioned raised curb median dividing SW Meinecke Road. SW Parkway Court is a short cul-de-sac street along the west side of SW Meinecke Road that will be used primarily for access to the proposed residential development.

Trip Generation

To evaluate the potential traffic impacts that could result from the proposed zone change, the reasonable worst-case development scenarios under the current zoning and proposed zoning designations were examined. To estimate the trips that could be generated by the proposed zone change, trip rates from the *TRIP GENERATION MANUAL*, Ninth Edition, published by the Institute of Transportation Engineers (ITE), were used.

The subject property has a gross area of 53,982 square feet. The reasonable worst-case development scenario for the current zone (GC) was estimated based on the allowed uses under the city's zoning code, assuming a maximum reasonable commercial building footprint of 25 percent of the gross area of the site. A combination of trip rates for land-use code 820, *Shopping Center* and 934, *Fast Food Restaurant with Drive-Through Window* were used. Up to 5,000 square feet of the building area was assumed to be associated with the fast food use(s), and the remainder of the site was assumed to be developed with various retail uses that fit the shopping center land use description. Between the two uses, the trip generation calculations show that a total of 121 trips could be generated during the morning peak hour, 103 trips during the evening peak hour, and 1,478 total trips on a typical weekday.

For both land uses, a pass-by trip reduction was taken from the total trip estimates in accordance with ITE's recommended practice. This adjustment accounts for pass-by trips that patronize the site while driving by on an adjacent roadway, returning to their original direction of travel. Such trips do not add traffic to the adjacent roadways since they would have traveled past the site even if they had not stopped.

For the proposed zoning, the City of Sherwood zoning code calls for a density of 5.6 to 8 dwelling units per acre. The subject property is 1.24 acres total, which can accommodate up to 9 dwelling units. Trip rates for land-use code 210, *Single-Family Detached Housing*, were used to estimate the trips generated under the proposed zoning. The trip generation calculations show that the reasonable worst-case development scenario under the proposed zoning will generate up to 7 trips during the morning peak hour, 9 trips during the evening peak hour, and 86 daily trips.

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This change in zoning would decrease the trip generation potential of the property under the reasonable worst case development scenarios by 110 trips during the morning peak hour and 78 trips during the evening peak hour. A decrease of 1,444 daily trips would be anticipated.

A summary of the trip generation calculations for each of the zoning scenarios and the planned development is shown in the following table. Detailed trip generation calculations are included in the appendix to this memorandum.

Trip Generation Summary

	Size (sf)	Morning Peak Hour			Evening Peak Hour			Weekday
		In	Out	Total	In	Out	Total	Total
Existing Zoning (GC)								
Shopping Center	8,500	5	3	8	15	17	32	362
Pass-By Trips		-1	-1	-2	-5	-5	-10	-124
Fast-Food with Drive-Through	5,000	116	111	227	85	78	163	2480
Pass-By Trips		-56	-56	-112	-41	-41	-82	-1240
Total	**13,500**	**64**	**57**	**121**	**54**	**49**	**103**	**1478**
Proposed Zoning (MDRL)								
Single-Family Dwelling	9 Units	**2**	**5**	**7**	**6**	**3**	**9**	**86**
Net Impact from Zone Change		**-62**	**-52**	**-114**	**-48**	**-46**	**-94**	**-1392**

Transportation Planning Rule

The Transportation Planning Rule (TPR) is in place to ensure that the transportation system is capable of supporting possible increases in traffic intensity that could result from changes to adopted plans and land use regulations. The applicable elements of the TPR are each quoted directly in *italics*, with a response directly following.

660-012-0060

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

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(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

In the case of this report, subsections (A) and (B) are not triggered, since the proposed zone change will not impact or alter the functional classification of any existing or planned facility and the proposal does not include a change to any functional classification standards.

As demonstrated in the previous section, the net increase in trips generated by the potential worst-case development allowed as a result of the change in zoning will result in a reduction to the possible trip generation of the subject property. Accordingly, subsection (C) is also not triggered and the Transportation Planning Rule is satisfied. No mitigations are necessary or recommended in conjunction with the proposed zone change.

Conclusions

The proposed zone change from GC to MDRL of the property located at SW Pacific Highway (OR 99W) and SW Meinecke Road in Sherwood, Oregon is projected to result in a net decrease in site trips under the reasonable worst case development scenario. Accordingly the zone change will not cause any detrimental impacts to the nearby transportation network. The zone change will not affect existing or planned transportation facilities as defined under Oregon's Transportation Planning Rule. Based on the analysis, no mitigations are necessary or recommended in conjunction with the proposed zone change.

APPENDIX

1e

TRIP GENERATION CALCULATIONS

Land Use: Shopping Center
Land Use Code: 820
Variable: 1,000 Sq Ft Gross Leasable Area
Variable Value: 8.5

AM PEAK HOUR

Trip Rate: 0.96

	Enter	Exit	Total
Directional Distribution	62%	38%	
Trip Ends	5	3	8

PM PEAK HOUR

Trip Rate: 3.71

	Enter	Exit	Total
Directional Distribution	48%	52%	
Trip Ends	15	17	32

WEEKDAY

Trip Rate: 42.7

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	181	181	362

SATURDAY

Trip Rate: 49.97

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	212	212	424

Source: TRIP GENERATION, Ninth Edition

1e

TRIP GENERATION CALCULATIONS

Land Use: Fast Food Restaurant with Drive-Through Window
Land Use Code: 934
Variable: 1000 Sq Ft Gross Floor Area
Variable Quantity: 5

AM PEAK HOUR

Trip Rate: 45.42

	Enter	Exit	Total
Directional Distribution	51%	49%	
Trip Ends	**116**	**111**	**227**

PM PEAK HOUR

Trip Rate: 32.65

	Enter	Exit	Total
Directional Distribution	52%	48%	
Trip Ends	**85**	**78**	**163**

WEEKDAY

Trip Rate: 496.12

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**1,240**	**1,240**	**2,480**

SATURDAY

Trip Rate: 722.03

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**1805**	**1805**	**3,610**

Source: TRIP GENERATION, Ninth Edition

1e

TRIP GENERATION CALCULATIONS

Land Use: Single-Family Detached Housing
Land Use Code: 210
Variable: Dwelling Units
Variable Value: 9

AM PEAK HOUR

Trip Rate: 0.75

	Enter	Exit	Total
Directional Distribution	25%	75%	
Trip Ends	**2**	**5**	**7**

PM PEAK HOUR

Trip Rate: 1.00

	Enter	Exit	Total
Directional Distribution	63%	37%	
Trip Ends	**6**	**3**	**9**

WEEKDAY

Trip Rate: 9.52

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**43**	**43**	**86**

SATURDAY

Trip Rate: 9.91

	Enter	Exit	Total
Directional Distribution	50%	50%	
Trip Ends	**45**	**45**	**90**

Source: TRIP GENERATION, Ninth Edition

Oregon
Kate Brown, Governor

Department of Transportation
Region 1 Headquarters
123 NE Flanders Street
Portland, Oregon 97209
(503) 731.8200
FAX (503) 731.8259

November 25, 2015 ODOT #6494

ODOT Response

Project Name: Parkway Plaza (Broadhurst)	**Applicant:** Joe Broadhurst
Jurisdiction: City of Sherwood	**Jurisdiction Case #:** PAC15-03
Site Address: , Sherwood, OR 97140	**Legal Description:** 02S 01W 31AB **Tax Lot(s):** 08000
State Highway: OR 99W	**Mileposts:** 15.95 to 15.99

The site of this proposed land use action adjacent to OR-99W. ODOT has permitting authority for this facility and an interest in ensuring that this proposed land use is compatible with its safe and efficient operation.

ODOT has reviewed the Technical Memorandum prepared by Lancaster Engineering, dated October 16, 2015, addressing the Transportation Planning Rule (TPR), OAR660-012-0060. ODOT has determined there will be no significant impacts to state highway facilities.

Furthermore, at the time of development ODOT will provide commentary regarding right-of-way, bicycle and pedestrian improvements, and necessary ODOT permits. The applicant and City should be aware that ODOT has previously recommended a change to the adjacent northeast bound OR-99W cross section to include a marked bike lane and sidewalk improvements.

Please send a copy of the Notice of Decision including conditions of approval to:

ODOT Region 1 Planning
Development Review
123 NW Flanders St
Portland, OR 97209
Region1_DEVREV_Applications@odot.state.or.us

Development Review Planner: Joshua Brooking	503.731.3049, joshua.c.brooking@odot.state.or.us

Exhibit B

Engineering Land Use Application Comments

To:	Michelle Miller, Senior Planner
From:	Craig Christensen, P.E., Engineering Department
Project:	Parkway Zone Change (PA 15-03)
Date:	November 17, 2015

Engineering staff has reviewed the information provided for the above cited project. Final construction plans will need to meet the standards established by the City of Sherwood Engineering Department and Public Works Department, Clean Water Services (CWS) and Tualatin Valley Fire & Rescue in addition to requirements established by other jurisdictional agencies providing land use comments. City of Sherwood Engineering Department comments are as follows:

Sanitary Sewer

Currently the subject property is served by an 8-inch diameter sanitary sewer main that connects to a 24-inch diameter sanitary trunk line along Cedar Creek northeast of the subject property.

Review of sanitary video inspection of the downstream 8-inch diameter sanitary prior to its connection to a 24-inch diameter sanitary trunk line indicates that there are no capacity issues in the downstream system. Therefore the proposed change in zoning will not have a significant effect on the sanitary sewer system.

Public/private sanitary sewer facilities may be required at the time of development application.

Water

Currently the subject property is served by an existing 8-inch diameter dead end water main within SW Parkway Court and an existing 8-inch diameter dead end water main within SW Meinecke Parkway.

The proposed zone change will not have a significant effect on the existing water system to serve the subject property.

The proposed zone change, if approved will require modifications to the existing water system which will be conditioned at the time of development application.

Exhibit C

Storm Sewer

Currently the subject property is served by a 12-inch storm sewer on the southeast side of Highway 99. The proposed new zoning will likely have less impervious area than the existing as residential developments usually do not have as much impervious surface as commercial developments. Therefore, the proposed zone change will not be of detriment to the existing storm sewer system.

Public/private storm sewer facilities may be required at the time of development application.

Transportation

The subject property is adjacent to SW Parkway Court, SW Meinecke Parkway and Highway 99. The subject property will have sole access from SW Parkway Court due to access restriction to SW Meinecke Parkway and Highway 99. Currently SW Parkway Court intersects SW Meinecke Parkway as a right in/right out intersection. This makes accessing the site difficult as vehicles travelling to the subject property from downtown Sherwood via SW Meinecke Parkway can't make a left turn onto SW Parkway Court due to the median. This results in traffic having to cross Highway 99, use the round-about on the opposite side of the highway and then cross Highway 99 a second time to access the subject property.

A Trip Analysis by Lancaster Engineering has concluded that the proposed zone change from Retail Commercial to Medium Density Residential Low would result in less traffic than the current zone designation. Therefore the new zoning will reduce the future traffic impacts from development of the subject property.

Since the proposed zone change reduces the number of trips to and from the subject zone change property, the change in zoning does not significantly affect an existing or planned transportation facility therefore not requiring any additional measures per OAR 660-012-0060.

Public street improvements may be required at the time of development application.

Final Analysis

From a public improvement standpoint, the proposed zone change will not have a significant effect on public facilities.

Engineering conditions for the subject property will be made at the time of development of the subject property. Therefore there are no engineering conditions at this time.

END OF COMMENTS

Table 18A. Commercial 20-Year Land Demand Forecast

Sherwood Urban Growth Boundary

	Low Growth Forecast (acres)	Medium Growth Forecast (acres)	High Growth Forecast (acres)
Demand for Vacant Land (acres)	15	40	106
Less Supply of Vacant Land (acres)	13	13	13
Equals Net Land Need (demand less demand)*	**2**	**27**	**93**

Table 18B Commercial 20-Year Parcel Demand Forecast (tax lots)

Sherwood Urban Growth Boundary

Medium Growth Forecast, Parcel Distribution (tax lots)	Existing Supply of Vacant Tax Lots	Forecast of Demand (Tax Lots)	Forecast of Net Land Need (Tax Lots)
Less Than 1 acre	5	7	2
1 to 4 acres	11	1	(10)
5 to 9 acres	4	2	(2)
10 to 19 acres	0	1	1
20-49 acres	1	1	0
50+ acres	2	0	(2)
Total	**23**	**12**	**(11)**
High Growth Forecast, Parcel Distribution (tax lots)	Existing Supply of Vacant Tax Lots	Forecast of Demand (Tax Lots)	Forecast of Net Land Need (Tax Lots)

Less Than 1 acre	5	32	27
1 to 4 acres	11	9	(2)
5 to 9 acres	4	4	0
10 to 19 acres	0	3	3
20-49 acres	1	1	0
50+ acres	2	0	(2)
Total	**23**	**42**	**28**

** gross buildable acres. Note, numbers in parentheses denote a land supply surplus.*

Source: Otak, based upon findings included in demand and supply analysis.

Industrial Land Needs

The demand analysis summarized in **Table 19A** indicates that the long-term vacant industrial land demand in Sherwood is expected to range from 123 acres in the low growth forecast, to 276 acres under the medium growth forecast, and up to 415 acres under the high-growth forecast.

The existing 202 acres of vacant industrial/other employment land supply within the city limits is expected to meet the needs of long-term industrial land demand under the low growth scenario. However, additional vacant industrial land would need to be added to the Sherwood UGB to accommodate future industrial land needs for both the medium and high growth forecasts. The amount of additional required industrial land area ranges from 74 buildable acres in the medium growth scenario to 213 buildable acres in the high growth scenario. Preliminary recommended parcel (tax lot) configurations are summarized in **Table 19B**.

The demand analysis summarized earlier in this EOA indicates that short-term industrial land demand in Sherwood is expected to range from 31 acres in the low growth forecast, to 69 acres under the medium growth forecast, and up to 104 acres under the high-growth forecast. In light of the fact that there are several project ready and short term commercial tax lots within the existing city limits, the City should focus on retaining and expanding existing employers and developing existing vacant industrial areas as a short term strategy.

Long term strategies should include planning for new industrial sites (with integrated commercial and residential development) within future master-planned employment districts in Area 48.

FOR SALE / FOR LEASE MULTIFAMILY/COMMERCIAL LAND
22019 SW PACIFIC HIGHWAY
SHERWOOD, OR 97140

PROPERTY FEATURES

- **PRICE: $1,100,000**
- Approximately 55,000 Total SF
- Can Be Divided Into:
  - 2 10,000 SF Lots
  - 1 22,000 SF Lot
  - 1 Drive-Thru Coffee Pad
- Build To Suit & Ground Lease Opportunities
- Zoned GC - General Commercial
- Close Proximity To Retail & Schools
- Location in Sherwood
- Potential For Build To Suite :
  - 3,500 SF - 7,000 SF Building

For More Information Call:
George Diamond 503-222-2178
Nicholas Diamond 503-222-2655 or
Austin Cain 503-222-1683

REAL ESTATE INVESTMENT GROUP

2839 SW Second Avenue, Portland, Oregon, 97201 • Ph. 503-222-1655 Fax 503-274-6510 • www.reig.com • invest@reig.com

The information contained herein has been obtained from sources we deem reliable. We cannot, however, guarantee its accuracy.

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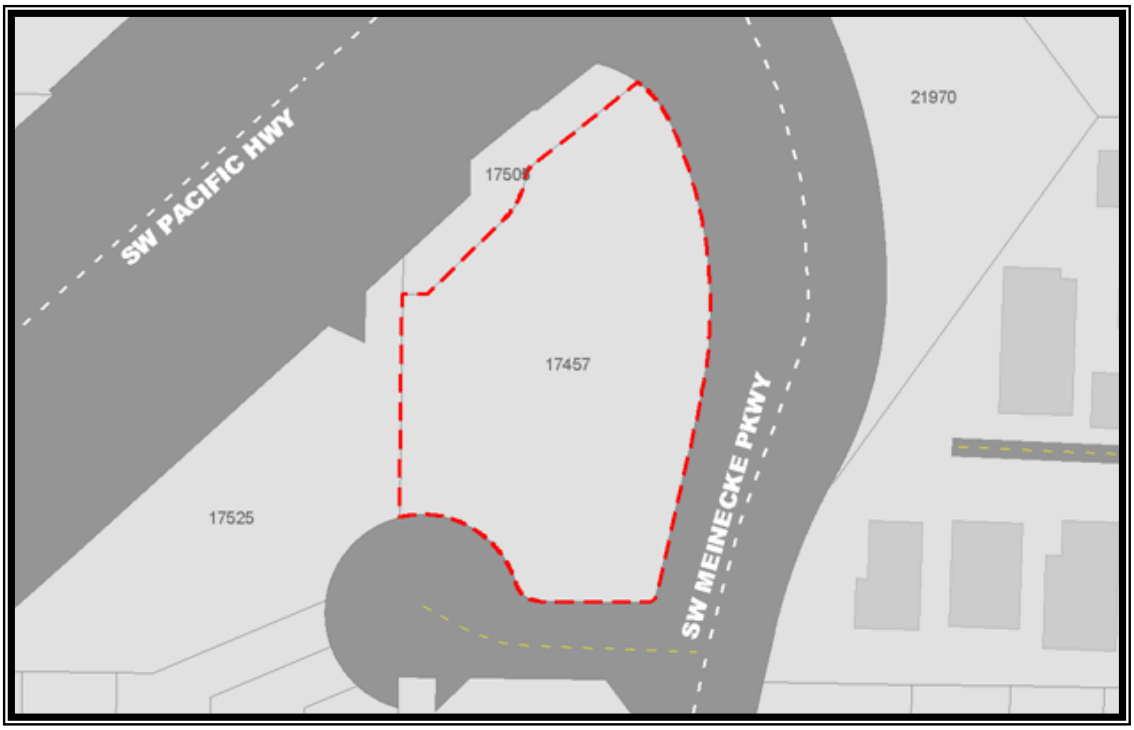


ZONING: GC-General Commercial

Permitted Uses

The following land use types are permitted uses in the GC-1 General Commercial Zone. Unless specifically listed, any other use is not a permitted use in the zone. Uses listed as conditional or accessory uses are allowed in the zone only in accordance with the criteria established in this ordinance.

a. General retail stores and shops b. Grocery stores c. Large scale commercial buildings
d. Restaurants and fast food e. Personal service establishments f. Furniture and home furnishing stores
g. Travel agencies h. Financial, insurance, and real estate services i. Business services
j. Watch, clock, and jewelry repair and sales k. Legal services l. Professional services m. Hardware and variety stores
n. Video rental shops o. Machinery rental shops p. Service and gasoline stations q. Automobile Dealerships
r. Public or private utilities and maintenance facilities

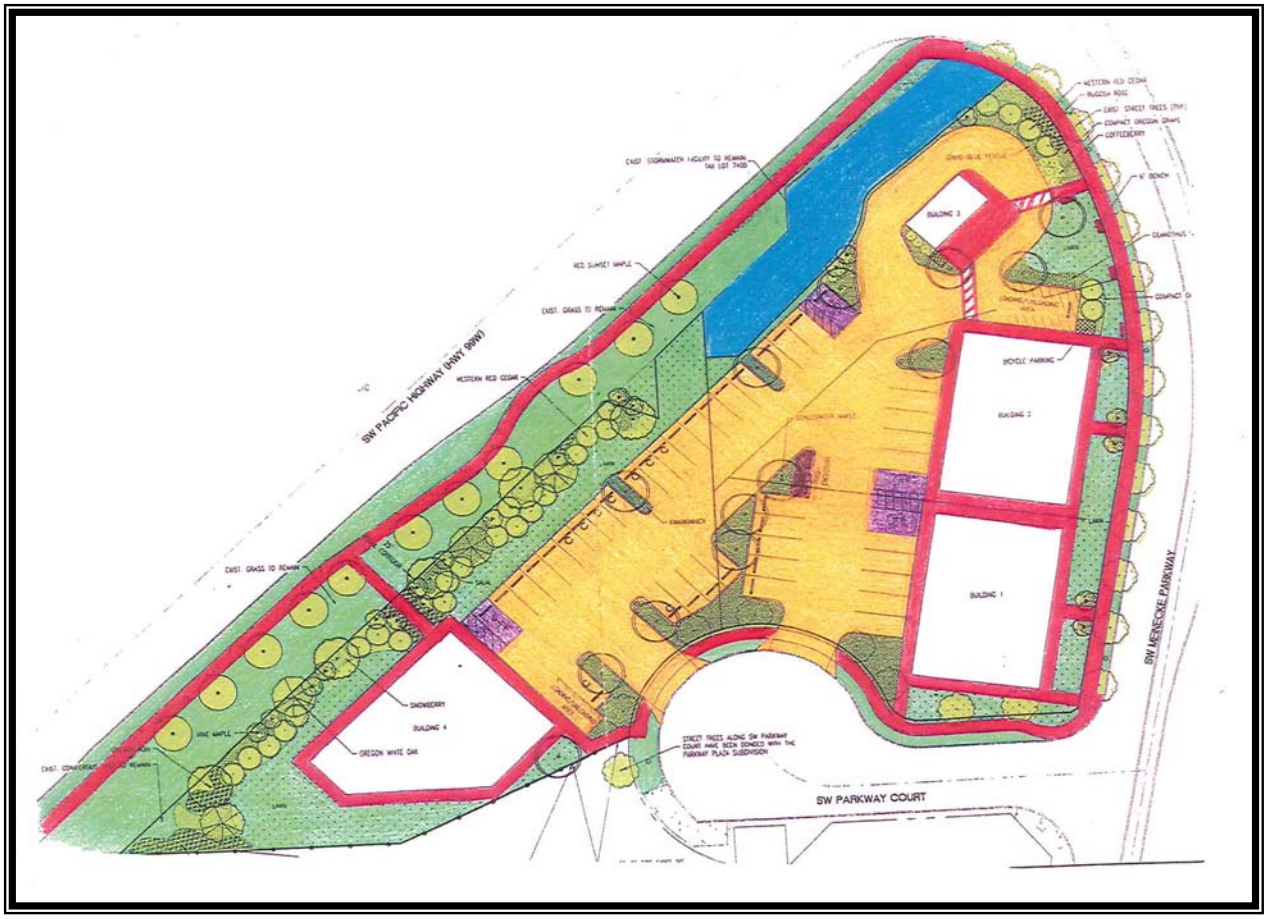
Conditional Uses

The following list of land use types are allowed as conditional uses in the CC-1 Zone. Unless specifically listed, any other use is not allowed as a conditional use in the zone. Each conditional use must be reviewed and approved in accordance with Section 12.13 of this ordinance. **(amended Ord. 2006-12, 12-12-06)**

1. Religious buildings and structures
2. Commercial day care centers and commercial schools
3. Public uses **(amended 10/8/2002 Ord. 2002-12)**
4. Private lodges, fraternal organizations, country clubs, sports and racquet clubs, and other similar clubs, but excluding golf courses which are prohibited
5. Motels or lodges
6. Residential apartments when located on the upper floors, in the rear of, or otherwise clearly secondary to a commercial building as defined in Section 16.30.060 (B)

The information contained herein has been obtained from sources we deem reliable. We cannot, however, guarantee its accuracy.

FOR SALE / FOR LEASE MULTIFAMILY/COMMERCIAL LAND
22019 SW PACIFIC HIGHWAY
SHERWOOD, OR 97140



Demographics

Mile Radius	—- 1—-	—3—-	—5 —-
Avg. Est. Population 2010	6,987	20,940	57,203
Avg. Est. Population 2015	8,209	23,621	63,557
Avg. Est. # Households 2010	2,424	7,460	21,054
Avg. Est. # Households 2015	2,842	8,400	23,288
Avg. Est. HHI 2010	$84,996	$81,377	$73,847
Avg. Est. HHI 2015	$100,825	$97,940	$85,725

Location

Sherwood is approximately 15 miles southwest of downtown Portland in suburban Washington County. The city is transitioning towards higher density residential and significant commercial and industrial development is under way.

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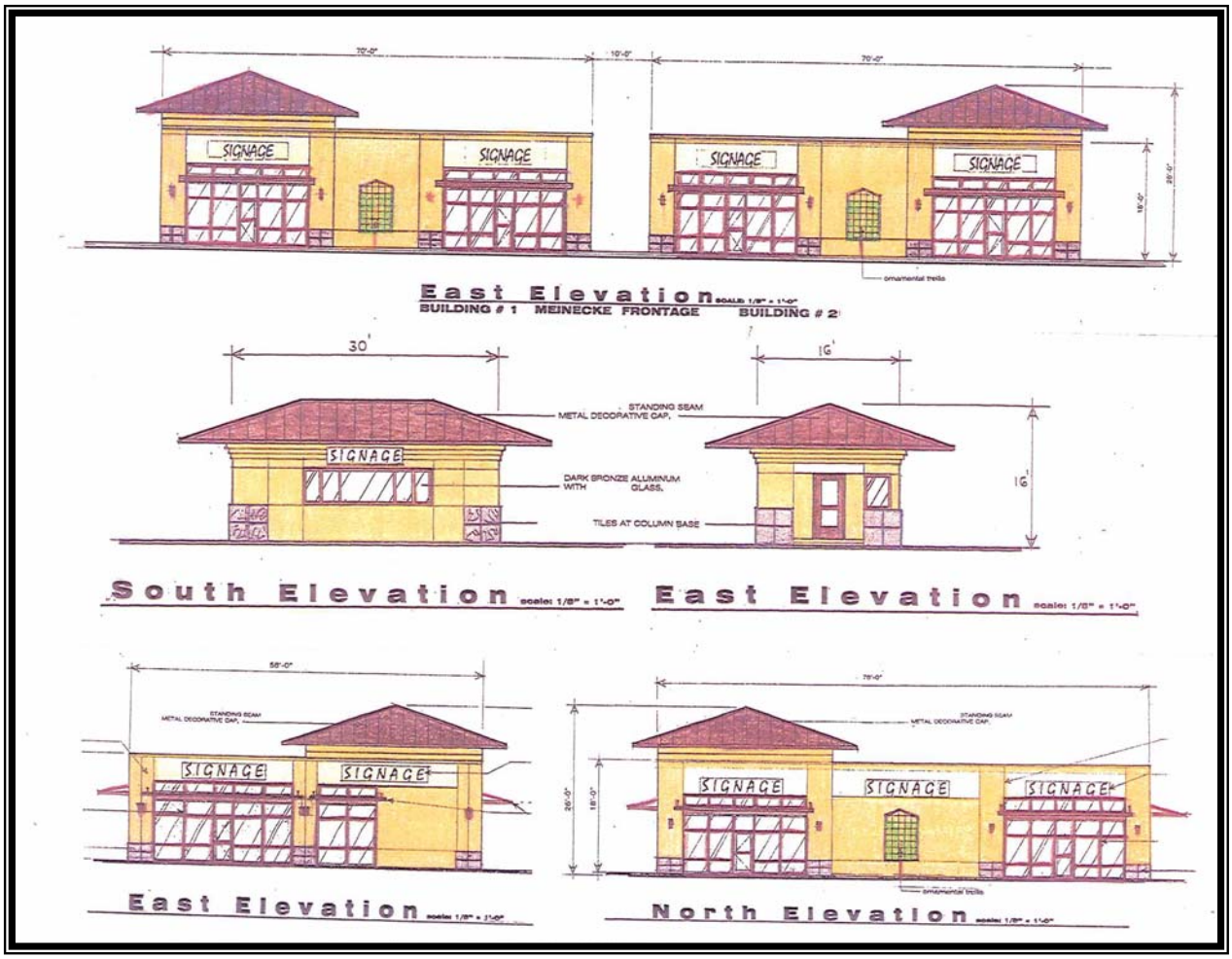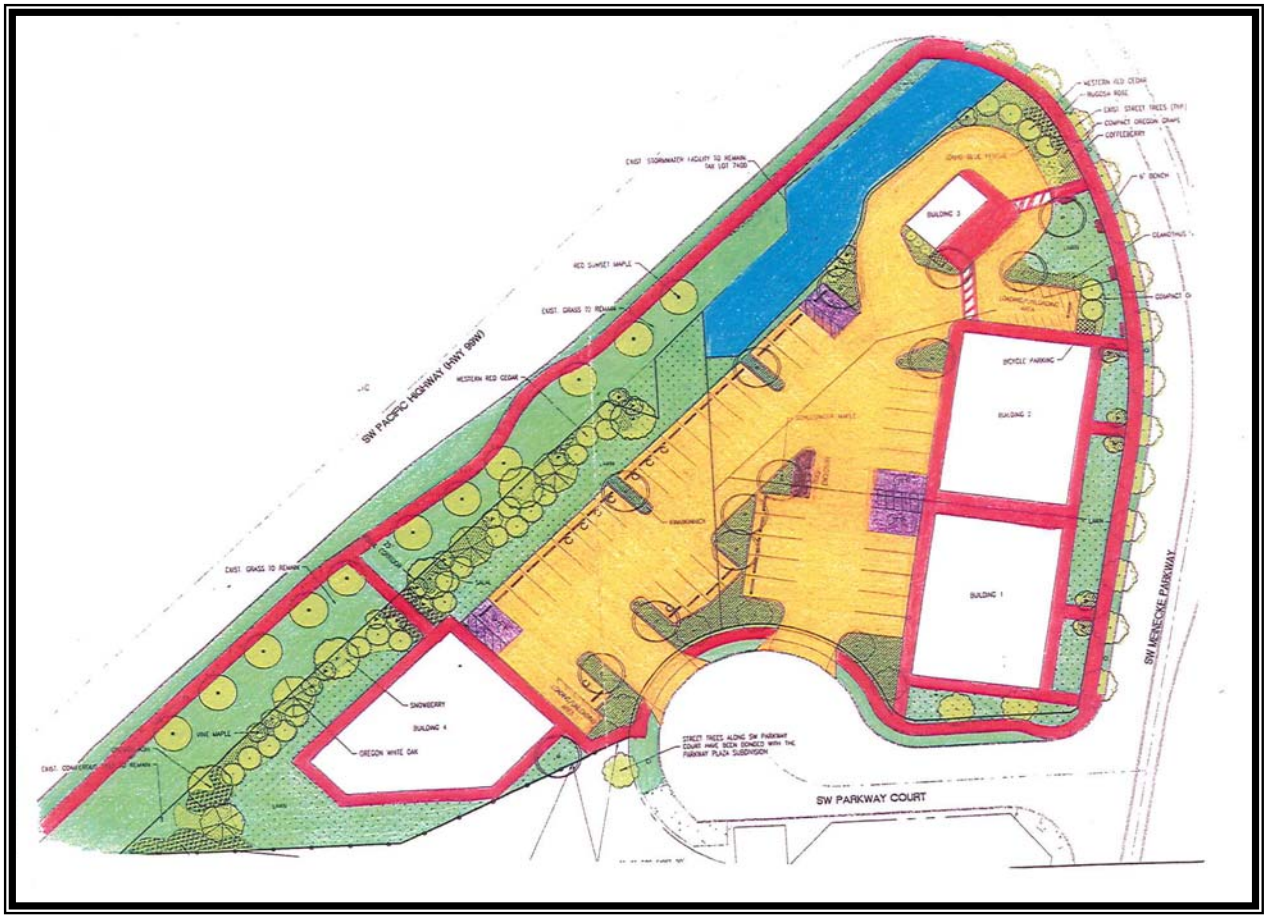
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