



City of Sherwood  
PLANNING COMMISSION  
Sherwood City Hall  
22560 SW Pine Street  
Sherwood, OR 97140  
August 28, 2012 – 7PM

## **AGENDA**

### **1. Call to Order/Roll Call**

### **2. Agenda Review**

- 3. Consent Agenda:** Work session minutes 3/13/12,  
Business meeting minutes 3/27/12,  
Work session minutes 4/24/12,  
Business meeting minutes 5/22/12  
Work session minutes 7/10/12

### **4. Council Liaison Announcements**

### **5. Staff Announcements**

### **6. Community Comments**

### **7. Old Business**

#### ***a. Public Hearing – Sentinel Self- Storage Annex (SP 12-03) (Continued from 8/14 mtg)***

The applicant proposes to build a 430 unit storage facility which will include open, covered, partially enclosed and fully enclosed units. The site is a part of the Langer PUD (PUD 95-01). This site is located on SW Langer Farms Parkway. The properties are zoned PUD- LI.

#### ***b. Public Hearing – Residences at Cannery Square (SP 12-04) (Continued from 8/14 mtg)***

The applicant proposes to construct two multi-family buildings with a total of 101 units. The east building will be 3-stories with a total of 50,802 square feet and the west building will be 3-stories with a total of 53,227 square feet. The proposal will also provide for off-street parking and landscaping. This is part of the Cannery Planned Unit Development.

### **8. New Business**

#### ***a. Public Hearing –Langer Farms Subdivision Appeal (SUB 12-02)***

The applicant has requested preliminary subdivision approval to divide  $\pm$  55.09 acres into five individual lots and two tracts for future development consistent with the Sherwood Village PUD 95-1. The Planned Unit Development was approved in 1995 without a preliminary plat. This proposal constitutes a separate application under the provisions of the Sherwood Zoning and Community Development Code (SZCDC).

### **9. Adjourn**

**Next Meeting: September 11, 2012**

# **Consent Agenda**



**SHERWOOD PLANNING COMMISSION MINUTES  
March 13, 2012 - WORK SESSION**

**WORK SESSION**

- 1. CALL TO ORDER:** Chair Allen opened the meeting at 8:00 p. m.
- 2. COMMISSION MEMBERS PRESENT:** Chair Allen, Commissioner Walker, Commissioner Carey, Commissioner Copfer
- 3. STAFF AND LEGAL COUNSEL PRESENT:** Julia Hajduk, Brad Kilby, Councilor Clark
- 4. TOPICS DISCUSSED: Land Use Review (2 handouts provided)**
  - A. Land use decisions**
  - B. LCDC & LUBA**
  - C. Quasi-judicial**
  - D. Bias, conflict of interest & ex parte'**
- 5. ADJOURNED:** Chair Allen adjourned the Work Session at 9:00 p. m.

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**City of Sherwood, Oregon**  
**Draft Planning Commission Minutes**  
**March 27, 2012**

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**Commission Members Present:**

Chair Allen  
Vice Chair Albert  
Commissioner Copfer  
Commissioner Albert  
Commissioner Clifford  
Commissioner Cary

**Staff:**

Julia Hajduk, Planning Manager  
Brad Kilby, Senior Planner  
Zoe Monahan, Assistant Planner

**Commission Members Absent:**

Commissioner Walker  
Commissioner Griffin

**Council Liaison – Councilor Clark**

1. **Call to Order/Roll Call** – Zoe called roll
2. **Agenda Review** – No changes were made to the meeting agenda.
3. **Consent Agenda** – Contained February Work Session. Commissioner Copfer made a motion to approve the consent agenda item. Commissioner Albert seconded the motion. A vote was taken and all present were in favor. The motion passed.
4. **Staff Announcement** – Julia announced that this year’s Arbor Day celebration would be held April 20<sup>th</sup> at 2:00 pm. The location is a wetland area near the corner of Handley and Cedar Brook Way. The public is invited. There will be a Tonquin Trail Master Plan open house, May 23<sup>rd</sup>. The Planning Commission held a work session on legal issues. Julia felt it was very informative for those that attended and feels it could be beneficial to have a few more. Julia also announced and congratulated Zoe for completing her Master’s Degree program in Public Policy and Administration.
5. **City Council Comments** – Councilor Clark reported that at the previous City Council meeting there was a continuance on the tree canopy discussion and it has been given back to staff to make revisions. Julia added that the revisions would be brought back to Council May 1<sup>st</sup>, 2012.
6. **Community Comments** – No community comments were given.
7. **Old Business** – There was no old business on the agenda.
8. **New Business** –
  - a. **Sherwood Community Center SP 12-01, CUP 12-01, VAR 12-01 and VAR 12-02**

Chair Allen opened the public hearing on the Sherwood Community Center SP 12-01, CUP 12-01, VAR 12-01 and VAR 12-02. Chair Allen asked for any Ex Parte contact declarations or conflicts of interest. None were given. Chair Allen also reminded everyone that the job of the Planning Commission in this process is to determine if the application meets the zoning and development code criteria. While there may be other interesting factors in the proposal, making a decision about them is not the responsibility of the Planning Commission.

Brad Kilby started his staff report by explaining that the project proposed is remodeling the Machine Works Building (13,050 sf building) and parking lot #1, currently owned by the Urban Renewal Agency, into a mixed use community center. He noted that parking lot #2 was in the process of being purchased from the railroad.

The proposed use includes 28% as commercial space rented to private tenants (not exceeding the 40% permitted through the PUD). The public portion will include a 400 seat auditorium, prep kitchen, dressing rooms, lobby, and rest rooms. The applicant is proposing 2 associated parking lots – 1) on the site, 2) Rail Road right-of-way.

The application requires that the applicant obtain a Site Plan review approval, final development plan approval for PUD 09-01, a conditional use approval for the public use building within a retail commercial zone and accessory parking within the high density residential zone. A variance for the parking lot dimension and parking lot landscaping for the Rail Road parking lot will be discussed in the future.

Brad explained the plan views of potential parking lots 1 and 2. Lot 1 has two proposed layouts: 23 spaces with a drive through or 29 spaces without a drive through. Lot 2 includes 41 spaces and approx. 14,944 sq ft.

Building space is a total of 43,787 sf. Total off street parking spaces between lot #1 and lot #2 range between 64 – 70 spaces depending on which option is used for lot 1. The site is located in the Cannery portion of Old Town overlay. Based on code they will need to provide a minimum of 98 parking spaces. 64 on street parking spaces will be counted within 500 feet. The applicant maintains that they will provide a minimum of 128 and a maximum of 134. Brad noted that future phases of the PUD will also be required to provide 65% of minimum parking as they are developed.

Brad reviewed the proposed two variances. The first variance is a request to modify the dimensional standards of the parking lot. They want to reduce the depth of the stalls from 20' to 17' and the width from 9' to 8'11" which would allow them to maintain the required drive aisle width of 23'. The second variance would be to the minimum buffer standards. It would allow the buffer along Washington St. to be reduced from 10' to 7'.

Staff recommends approval of the proposal with the conditions noted in the staff report, but noted a few proposed revisions to conditions. Brad proposed modifying condition C6 to read: "The applicant shall provide plans showing a cross walk from parking lot 1 and 2 unless the City Engineer determines that it is not be feasible due to grading and ADA requirements." The applicant was required to make improvements to Washington Street and feel that they have done so. Related to the lighting plan, there was some fugitive lighting that was shining on residential property to the south. The applicant is proposing to shield the lights which will illuminate the light exiting the site, so Staff is comfortable removing the condition.

Jason Waters – Civil Engineering with the City of Sherwood spoke to the Commission and referred to condition C-6 which states that the applicant must provide half street improvements for the East side of Washington Street. Staff maintains that the conditions for the improvements will need to be kept.

Brad Kilby continued by saying the applicant has proposed changes to the façades and had given the changes to Staff on March 26, 2012. Staff has reviewed the proposed changes and their recommendations remain the same. Staff is not requiring that the entire building be bricked.

Chair Allen asked about clarification on parking. A discussion continued between Chair Allen, Julia and Brad. It was determined that on street parking within 500' is allowed to be counted as parking in this PUD. Parking within 500' counts, but the on street parking is generally adjacent to the development.

With no more questions of staff at this time Chair Allen opened the public hearing and asked the applicant to come forward for their testimony.

**Jeff Sackett** introduced himself as the applicant, with Capstone Partners LLC. He was in attendance with Keith Jones of HHPR the planner who prepared the application, Scott Wagner of Ankrom Moison who is the designer on the community center project and Jason Phifild of Ankrom Moison the project manager. Their team has a 4 year history with the City of Sherwood and its growth. The community center has been on everyone's mind for a great many years. This is a part of the Cannery Square PUD. Jeff extended many thanks to all who have participated in the planning. They are delighted to show you an actual real building that is almost funded and almost ready to build.

They were ready to discuss objections or concerns on some of the conditions but staff has worked with them cooperatively on adjusting some of the conditions that were appropriate and they agreed. They would like to waive their objection to C6 which had been voiced earlier. Our concern and confusion came from the PUD and sub-division process which had a long series of conditions attached to those approvals. They included constructing all the streets that have not been built, Columbia E & W, some work on Washington Street, some work on Willamette Street and Highland Drive. All of those were conditioned as a PUD. This also includes the Machine Works Building (Sherwood Community Center) frontage improvement on the East side of Washington Street but nothing beyond 3 foot of the gutter and curb line. The city wanted to recommend these conditions and therefore we wanted to waive our objections.

Mr. Sackett discussed that there is a "clash between vision and reality" and that the vision may be bigger than the URA has funds for. While the proposal for brick on the North and East sides is the vision, they have gotten a general contractor involved in the last couple of months to 1) flush out the design, 2) flush the true estimate of cost, (that has not been bid yet but will be soon), and 3) make a first class community center that works on the inside. He noted that the purpose of this building is on the inside where everything will be going on for the community so they were looking at places to trim the budget without diminishing the operations of the facility. What we asked our architects to do is to come up with options to reduce cost without hurting the functions of the inside of the building. We wanted to meet

both the letter and the spirit of the code and the architectural pattern book which was approved by this board as part of the PUD.

**Scott Wagner**, provided additional details on the building design and options for reducing the budget without diminishing the product

He referred to several illustrations which could reduce costs. He noted that use of these ideas could reduce the budget, but we have to keep in mind the codes; as an example, the number of windows is taken into account in the code.

- Option A (drawing) - existing north façade: lots of brick
- Option B (drawing) – removes or reduces several windows
- Option C (drawing)- entries are reduced in heights
- Option D (drawing)- do all of them

Other things to reduce costs: (pointing to illustration) planting and drainage with a less expensive idea. A tree and bench?, or a potted planter? Adding a 2<sup>nd</sup> story windows or storage? A corner entry?

Chair Allen asked for confirmation that Option D would have the least amount of brick and the least amount of window and so if we (the Planning Commission) find that this meets the code then all of the other options would meet the code. He also asked if the removal of the ticket kiosk, planter/drainage system would continue to meet the conditions of the original approval of the PUD. Mr Sackett indicated “yes” to both questions

Commissioner Clifford member asked if there would be anything for the roofline/rooftops (referring to the drawings). Mr. Wagner indicated “No”

Commissioner Carey asked how the different designs, would affect the design for future buildings and phases? Will the South and West side remain the same in design or are there any plans for “re-design”? Mr Wagner responded by stating that anything they build or remodel will blend in and not get in the way of the community vision.

With the applicant’s initial testimony over, Chair Allen asked for testimony on the issue.

**Eugene Stewart**, PO Box 534, Sherwood OR, testified that he owns the building across the railroad tracks from the building in question. He has 7 tenants but with visitors, that equates to 14 cars. He is concerned about the 400 seat auditorium. He would like to see a parking study completed to make sure that there is enough parking for this project and would not encroach on his tenants or any other resident or shop owner. As for Fire Department, he asked if fire hydrants would be located strategically so that hoses are not going across the railroad tracks. He also asked about where light rail would go if it came to town. He questioned how a drive thru for a bank would affect parking for this project. He is concerned that it is going to look like a “hodgepodge” if we approve this now and looking back on it later.

**Frank Dorn** 17427 SW Arbutus Drive, Beaverton OR, indicated that he owns multiple properties in Sherwood; 2 4-plexes on Washington street. He feels that Sherwood should stay in its Robin Hood type town and questions how this building is going to be part of old town if

there is a fence going all away across the rail road tracks that people can't get across unless you go down Pine street and go down Main street. He also raised questions about parking on Washington Street and whether this project would overload one side of the downtown community with parking, or 1 hour parking on Washington Street. His main concern is between Pine and Washington and how it will be connected to Old Town.

With no one else signed up to testify, Chair Allen asked for staff comments

Brad responded to the comments from Mr. Stewart and Mr. Dorn stating that there was no plan to provide a parking study. Parking was based on the 65% allowed in the Cannery portion of Old Town and approved through the PUD. If parking becomes an issue, then implementing timed parking with 15 minute to 1 hour in some areas might be reviewed but based on the proposal, it does not warrant a parking study.

As the SW Corridor planning is some way out we would not know where a light rail station would go.

ODOT would likely not allow putting separate pedestrian crossings crossing the Rail road crossing. People must cross where vehicles cross. At this time it is at Pine Street and Main Street connecting Old Town to the South Side.

Regarding the building design, the PUD has an approved architectural pattern book which stated specifically called out that this building was not going to be able to meet a lot of the Old Town design standards but try to bring it into compliance with the spirit of the code.

Jason Waters provided clarification on the Washington Street improvement conditions. He referred to Staff Report page 11 and 12, Condition E12, item A, stating that it does not affect this phase of the development.

Chair Allen asked how many parking spaces are there in Old Town Sherwood and if you don't know, what data is known on the supply of parking? What are the patterns of usage; time of day, day of week, that sort of thing? He indicated that he was persuaded by the public testimony to be concerned about the parking issue and given that there was no parking standard in Old Town, we should look into this issue. What would the spill over impact be? Should there be a condition to have a parking study performed as part of approval process?

Brad indicated that he was not sure if a parking study has ever been done and explained what a parking study would entail. He cautioned that the 65% parking requirement is in the code and was imposed at the time of the PUD and he was not sure if findings support a study as 65% meets the standards old cannery portion.

Julia agreed with Brad and added that there are no parking standards in the Smockville portion of Old Town and was not sure how to make a condition without findings since they are already meeting the standards.

Chair Allen noted that the general principle of 500 people accessing the facility raises concern if they don't know the impacts that would go outside the Cannery area. Could have a concern with an impact on parking beyond the boundaries of PUD and the Cannery overlay for Old Town and they do not know what those impacts would be and what the supply and demand

would be.

Brad recommended against imposing as a condition but considering a recommendation to council as an action item to discuss before other phases of the PUD are considered.

Commissioner Clifford questioned whether there had been any studies on the traffic and parking on Music on the Green since that is also a community event that somewhat replicates what we have going on here.

Julia indicated that no formal study had been done. Brad pointed out a memo from DKS (Exhibit C in packet), which summarized the land use and vehicle trip generation that was soon to develop west of Pine Street. The Cannery PUD traffic analysis included a conceptual site plan with 8100 sq foot of retail space and 8700 sq foot of community center west of Pine Street. Traffic studies are usually based on an event or an am vs. pm peak traffic time.

Commission Carey questioned future phases and whether allowances had been made for completely off street parking and no on street parking.

Brad indicated that the applicants will need to address this in future phases. The applicant can make the joint parking argument. The west phase would be a catalyst to create a need for parking.

Commissioner Carey asked "Where it says 30 on there in the West Phase, are we including parking lot for that potential commercial site?"

Brad replied yes, the applicant can make a joint parking argument as the community center is not in continued use

Commissioner Copfer asked for staff to put up the slide that shows the three conditions they were proposing to revise. It was confirmed that C-6 would stand as proposed, C-4 would be amended as written in the slide and C-10 would be removed.

Chair Allen proposed to add a parking study condition: C13 prior to final site plan approval completion of a parking study, identify supply and demand for parking in Old Town and projecting parking impact of the proposed development in Old Town outside the cannery overlay. He commented that there should be more study on the parking situation.

Commissioner Carey and Clifford agreed with Chair Allen

Commissioner Albert commented that he would have a hard time conditioning that. It is going against the code and putting more burden on the requirements.

Julia questioned what the study would mean to the project; after a study, what then, what happens then? She reiterated that she recommends against conditioning a parking study as it already meets standards.

Commission Copfer commented that it is better to get a study done now then find out down the road that there is a major impact after its implemented.

Chair Allen called a Break

After calling the Commission back into session, Chair Allen made a motion to amend the conditions of approval to add condition C13 – :Completion of a Parking Study Identifying Supply and Demand for Parking in Old Town, Projecting Impact of the Proposed Development in Old Town outside the Cannery Overlay.” He stated that this is needed to be able to identify impact outside the overlay. Seconded by Commissioner Copfer. If the parking study is negative, then we would know what the patterns of demands are and this would inform us for the future.

Commissioner Carey asked what the action would be as a result of the study. And what if it’s a negative result?

Chair Allen responded that it would be informative for future phases.

Commissioner Albert commented that this project is already meeting the requirements and we are going overboard with this condition. He asked if the applicant doesn’t like this, they can appeal it to the City Council? Julia confirmed this was correct.

Chair Allen called for the vote and the motion passed 3 to 2

Chair Allen asked if there were any other changes to the conditions, after first confirming there were no fundamental concerns with the project:

- Commissioner Clifford commented that he would like to see enhanced landscaping due to the limited landscaping. He would like to see it enhanced more, adding shrubs, landscape boulders, shading, etc. Commissioner Carey asked for classification on the lots. After discussion of whether there was a specific condition he proposed to amend, he stated that he did not proposed changes to the conditions.
- Chair Allen reviewed the issue of which elevation option they needed to review. The Commissioners discussed that if they can find Option D meets the standards, that meant the other options would also meet the standards. After discussion of whether Option D would require a variance. Brad read from the pattern book that addressed the Commission’s questions. If the Commission does not feel they meet the standards in the pattern book, the Commission should impose a condition for the north façade. Brad noted that, as proposed, they met the standards, so if the applicant wants other options to be considered, they should be conditioned to demonstrate compliance with the pattern book. After much discussion, Chair Allen summarized that they could be supportive of options up to and including Option B. Leaving the application as-is but if they determined to change the materials it would have to comply with the pattern book
- The Commission discussed whether they had to make a decision on the drive thru option. Brad reviewed that parking lot – 1A – without drive thru had 29 spaces and 1B with drive thru with 23 spaces. Both options meet the standards. Chair Allen asked if they need to approve one option or could they approve both since they both meet the standards. Brad confirmed that they could approve both and reminded the Commission that they would still need to go through final site review. Commissioner Clifford asked how Pride Disposal is effected with the options. Brad noted that they could have the roll out bins for pick-up but they would need to meet Pride Disposal standards.
- The Commission reviewed the slide with the conditions and confirmed:

- Elevation, no need to deal with elevation options as part of approval process
- Amends condition C4
- Removes condition C10
- Addition of condition C13 as discussed

Commission Copfer made a motion that the Sherwood Planning Commission approve the application for the Sherwood Community Center and Rail Road parking lot upgrade. Site Plan 12-01, Conditional Use Permit 12-01, Variance 12-01, and Variance 12-02, based on the applicant testimony, public testimony received and the analysis, findings and conditions in the staff report with the following modifications: Amendment to condition C4, removal of condition C10 and addition of condition C13 as discussed at the hearing. Commissioner Clifford seconded

The motion passed 3 to 2

Chair Allen asked if there was any other business to discuss. With none, **Chair Allen closed the meeting.**



*Home of the Tualatin River National Wildlife Refuge*

**SHERWOOD PLANNING COMMISSION MINUTES  
April 24, 2012 - WORK SESSION**

**WORK SESSION**

1. **CALL TO ORDER:** Chair Allen opened the meeting at 7:10 p. m.
2. **COMMISSION MEMBERS PRESENT:** Chair Allen, Commissioner Albert, Commissioner Griffin
3. **STAFF AND LEGAL COUNSEL PRESENT:** Julia Hajduk, Brad Kilby
4. **TOPICS DISCUSSED:**
  - A. **Commercial, Industrial and Public & Institutional Zones:**

Brad Kilby discussed proposed changes to the commercial, industrial, and public & institutional zones regarding the use tables and consolidation of charters. Discussion followed.

    - Reviewed packet materials dated 4/6/12
    - Power point presentation provided
  - B. **Code Clean-Up:**

Brad Kilby discussed the code clean-up progress and discussed upcoming development activity with the commission.
5. **ADJOURNED:** Chair Allen adjourned the Work Session at 8:30 p. m.

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**City of Sherwood, Oregon**  
**DRAFT - Planning Commission Minutes**  
**May 22, 2012**

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**Commission Members Present:**

Chair Allen  
Vice Chair Albert  
Commissioner Griffin  
Commissioner Clifford  
Commissioner Copfer  
Commission Albert  
Commissioner Walker  
Commissioner Cary

**Staff:**

Julia Hajduk, Planning Manager  
Michelle Miller, Associate Planner  
Brad Kilby, Senior Planner

**Council Liaison:** Not present

1. **Call to Order/Roll Call** – Vice Chair Albert called the meeting to order. Roll call taken.

**Absentees:**

Chair Allen – will be ½ hour late

2. **Agenda Review** – No changes were made to the agenda
3. **Consent Agenda** – n/a
4. **City Council Comments** – none given
5. **Staff Announcements** – Julia provided staff announcements including:
  - The Grand opening of the Cannery Plaza will be June 2<sup>nd</sup>.
  - Open house of the Tonka Trail - Wednesday – 5:00 pm - 8:00 pm at Fire and Rescue Training Facility on Tonkin Road.
  - TSP Connectivity Refinement open house – May 31 at Police community room 5:00 pm - 6:30 pm regarding the Cedar Brook Way to Elway and Mienike and the Hwy. Property owners immediately affected have been notified but are open to the general public. Flyers are available.
  - Town Center Plan – Transportation Growth Management Grant received. The IGA has been sign and the project is ready to go and starting to form committees. Looking for a liaison from the Planning Commission for the stake holder advisory committee. Old town, six corners, 5 meetings in the course of the year, looking for a volunteer.
  - On May 2<sup>nd</sup>, council approved trees on private property clean up modification.
  - In 2008, the planning commission acting as land mark advisory board approved the demolition of red house off of 1<sup>st</sup> street. Sur-Pak is interested in moving forward with this. It has already gone through the landmark alteration review and the approval is still valid. The house may be demolished soon.
6. **Community Comments** –
  - **Susan Claus**, 22211 SW Pacific Hwy, Sherwood OR – It was her understanding that the meeting this evening was canceled. Would like a continuance as there will be a

number of people who are not here this evening that would be interested in participating. There are quite a few people who would be interested in attending.

**7. Old Business – n/a**

- 8. New Business – PA12-01 Commercial, Industrial, Public and Institutional Uses –**  
This is a Public Hearing on those items; the purpose of this hearing is to provide the public an opportunity to submit testimony concerning this Code Clean-Up portion.

**Staff Report – Brad Kilby** – In response to public testimony – it was brought to his attention by another citizen calling to say that the city calendar showed that the meeting for this evening was canceled. The City website showed on the 8<sup>th</sup> that 57 people visited the website, not exclusively the calendar. It was in error that the calendar was not updated correctly. The meeting was still on the planning commission website, packet material was still there.

**Julia Hajduk** – There is a calendar page on the website that gives all the dates to events; council meetings, park board meetings, public notices, etc. We also sent out notices to 418 property owners in addition to the website. It was in error that the calendar was not updated correctly. Staff misunderstood which meeting was to be canceled.

Brad continued with his staff report by giving a recap of how the Code Clean-Up process has progressed. Including 3 work sessions, an open house and sending out a measure 56 notice. Measure 56 notices are sent out basically anytime you touch the zoning in any way that may or may not affect property value. We sent a notice to every commercial, industrial, public and industrial zoned property. We mailed over 418 notices with only around 20 returned. This proposal does not change anyone's zoning. The project goals are: 1) consolidate chapters, 2) ensure the nomenclature is the same across all similar districts, 3) proposing eliminating Chapter 16-24 - Office Retail Zone, 4) clarification how multi-family uses are permitted within commercially zone properties and 5) establish a use classification system. Brad gave detailed explanation on each goal.

1. Consolidate the chapters for simplicity – we have 3 chapters in the industrial zone, 5 in the commercial zone and 1 in public/institutional zone. Each zone has “allowed”, “conditional” and “prohibited” uses. They also have dimensional standards and possibly have additional guidelines or standards that apply specifically to that zone. What staff has done is consolidated the 4 commercial chapters and are proposing to eliminate the office/retail into a single commercial chapter and put all of the uses into a table with the same with the dimensional standards of the codes. The use table format is where you will see the most changes. Dimensions would be consolidated down to a single table to “allow”, “conditional” and “prohibited” per each zone.
2. As you go through the code, it's listed in alphabetically listed in allowed uses, conditional uses then prohibited uses. In some zones you see hospital and other areas you see hospital with emergency care facility. This should be consolidated to a general term of Hospital.
3. Proposing to eliminate Chapter 16.24 - office/retail - There are currently no properties deemed office/retail in Sherwood.
4. Proposing multi-family in a commercially zoned area. There are currently two ways to build multi-family structures on commercial properties 1) conditional use permit and 2) planned use development permit. There are design guidelines in some chapters and not in

others. We are proposing to allow multi-family housing out-right, not through a conditional use or planned unit development, but require it to be secondary to the commercial uses on site and subject to high density residential standards for density. This would just go across the board. It eliminates processes, could lead to more development that is much more attractive and provide housing for those people working in the community.

5. Proposing creating a classification system. A guidepost for staff with definitions broken down by zone; residential, industrial, commercial, etc. This will not to be used to make decisions but rather help make an interpretation, as an addition to code 16.88.

Brad summarized by saying the overall objective was not to create any non-conforming uses. In a study Brad looked at 127 businesses in different parts of the city and only found 8 non-conforming uses. Proposal would apply to Commercial, Industrial, Public and Institutional Use zones and amend to 16.88 the interpretation of similar uses. In some cases the uses were expanded, for example, the industrial zones we have included some limited commercial and personal service uses that were not previously allowed consistent with what metro allows now.

Discussion ensued between Commissioners and Staff clarifying possible changes and definitions on items like: large scale and small scale power generation, household pets vs. agriculture and recreational vehicle parks and trailer parks with overnight stays.

**Vice Chair Albert mentioned** that he had not asked in the beginning of the meeting if there were any potential conflicts of interest. Julia expanded on the definition of a conflict of interest vs. a potential conflict of interest.

**Commissioner Cary** stated that he could have a potential conflict of interest as he owns a business in Sherwood but does not own any land in the commercial or industrial zones.

With that, Vice Chair Albert moved to the public testimony portion of the meeting.

**Tim Voorhees**, PO Box 908, Sherwood OR – Owner of Steel Tek Industries. One of his concerns was how many other commercial/ industrial property owners did not attend this meeting and voice their opinions because they looked at the calendar and thought the meeting was cancelled. He deals with cities and their codes all the time. He has difficult time with interpretation of zoning laws with the City of Sherwood. His example was from the Industrial/Commercial: he read “General retail use may include but are not limited to..” Why not be direct and say what we can do or not do on our properties. See Industrial page 4 of 8. Under Industrial: “Mini warehouse, housing and self-storage, light industrial – not permitted”. He believes if you refer back to the interpretations under industrials and it says “maybe”. He would prefer wording such as will or will not, rather than “may”. He also had concerns over the inconsistency of non-numbered pages.

**Eugene Stewart**, 22595 SW Pine Street, Sherwood, OR – His main concern is the process that is followed during the hearing. He feel that the City does not allow the involvement of the citizens enough and that they would like to have some input and an opportunity to voice their opinions. He received a measure 56 notice with the wording “may affect you property value”, and was frustrated about not having details whether his value would be effected or not.

He stated that the in the old process he was involved in there was more public involvement and he felt it worked better.

Commissioner Walker responded to Mr. Stewart's testimony by listing the many ways notice is posted and mailed to let people know that there will be meetings held on different issues and that they would love more citizen involvement. She invited him to write some suggestions he may have on how to reach more citizens.

**Tim Voorhees**, PO Box 908, Sherwood OR – Owner of Steel Tek added additional testimony: Something he would like the City to take a look at is if someone comes in for a conditional use permit or asks for permission to do something on their land and they have to go back through and read all the material. He believes the staff gets paid to do the work to go make decisions against the applicant. All the research he has to do takes away from the profit of his business. He sees that if a property owner comes in and brings up a point; the city has attorneys and staff pitted against the property owner.

**Susan Claus**, 22211 SW Pacific Hwy, Sherwood OR – she asked if before the clock be started if she could ask a couple of questions: 1) the staff made mention of a survey they did of existing commercial property and found that these changes did not increase the non-conformity. She asked if that is part of the record. 2) She stated that the proposal would apply to all commercial, industrial and institutional of public use zones but that it is not mentioned the Langer PUD. She continued by saying that none of this applies to the Langer PUD. They have "grandfathered" zoning that goes back to 1995. They have 57 acres of industrial land that they use as commercial uses. She feels that when the codes are put together people act like they are just amorphous changes, but that they do have very serious impacts. At this point Susan asked for a continuance since she thought the meeting was cancelled she does not have all of her material together and believes two of their properties will be highly impacted by changes suggested in this code. She would like for this to be heard by the Planning Commission. Directing a comment to Commissioner Walker about comments she made earlier about public involvement Mrs. Claus voiced her concern about lack of time for the public to respond, since the staff report does not come out until 7 days before the formal hearing. When written materials are submitted by the public there is no verification that any Commissioners or City Council members have read the material. Citizens only receive 5 minutes to speak but are not given a chance to make a counter point after other testimony has been given. There are only 2 pieces of property on the highway that are impacted. Most of the general commercial that is left to be built is on the highway. She does not feel this is addressing the whole town but just the properties on the highway. there is now another Transportation System Plan amendment that will drive a road through those remaining properties on the highway. She would like to have an opportunity to speak in front of the citizens. She believes people do not show up because they are afraid or disgusted or they don't want to speak up. She feels that even if you try to sell your property, you have no idea what the staff is telling a potential buyer. Since the Planning Commission decision is only a recommendation she does not know if a language change will do any good.

Discussed was held regarding the request for a continuance. Julia updated Chair Allen on the calendar issue that showed this meeting had been cancelled. The meeting is legislative and a recommendation to the City Council. There were 418 notices to property owners as well as posting the notices around town. The Commissions considered the ramifications of continuing the hearing.

An additional blue card was submitted for public testimony and was allowed.

**Susan Russell**, 22852 SW Forest Creek Drive #101, Sherwood OR – she has been in communication with Brad as she was one of the 418 notices sent out that did not get delivered due to a bad address. She currently lives in the Woodhaven Crossing community which includes commercial and residential property. People there consider her the manager and seek her out if they don't understand issues within the community as she is in contact with the HOA frequently. She tried to understand if the changes would affect the property values of any of the homeowner in that community. She would like to request a continuance and allow one more public hearing that is put on the calendar and allow the homeowner's time to read the documents available.

The commission discussed the requests for continuation. Julie reiterated her staff recommendation which is that it would not hurt to continue the hearing.

Commissioner Cary asked what the pros and cons would be for taking out the conditional uses and only having permitted and non-permitted uses.

Brad's response was that generally conditional uses are uses that would not be permitted outright in a zone because they may or may not be compatible. Until something is submitted there is no way to know what would be proposed and how the property would be used and how it could affect neighboring properties.

Brad continued by saying he feels his job is not to put obstacles in front of people that want to develop, but rather to help facilitate development and if it is a permitted use he will try to help set it up so it can move through the process simply, if it is a conditional use he will try to help understand what the citizen's concerns are going to be, so they can be adequately addressed. If it is not a permitted use he will convey that at the counter so that time and money are not wasted pursuing something that is not allowed.

**Chair Allen:** Move to continue PA12-01 Commercial and Industrial and Public uses code update to the meeting of June 12 and return to the order of public testimony.

Commissioner Cary seconded the motion. A vote was taken and all present were in favor. The motion passed.

Chair Allen commented that he feels that the Planning Commission has made some great steps to try to broaden public input. As Commissioner Walked mention the Commission has expanded the public notice to 1000' which is one of the largest notice ranges in the entire state. That was changed after receiving public input. The public notice signs have been changed to make it easier to see that something is going on and figure out how to engage in the process. He does agree that the Commission needs to do more, but that it is a body and a process that is geared to encourage public testimony and takes it into consideration.

**Vice Chair Albert closed the meeting**



*Home of the Tualatin River National Wildlife Refuge*

**SHERWOOD PLANNING COMMISSION MINUTES  
July 10, 2012 - WORK SESSION**

**WORK SESSION**

- 1. CALL TO ORDER:** Chair Allen opened the meeting at 8:00 p.m.
- 2. COMMISSION MEMBERS PRESENT:** Commissioner Griffin, Commissioner Clifford, Commissioner Allen, Commissioner Walker, Commissioner Carey, Commissioner Copfer (pending re-appointment)
- 3. STAFF AND LEGAL COUNSEL PRESENT:** Julia Hajduk, Chris Crean, James Copfer – pending re-appointment.
- 4. TOPICS DISCUSSED: Legal Training**
  - A. Chris Crean reviewed the materials Pam Beery handed out 3/13/12 at the first of a series of legal trainings with the commission. He reviewed the difference between quasi-judgment and legislative actions. He also focused on quasi-judicial criteria, findings and evidence in the record.
- 5. ADJOURNED:** Chair Allen adjourned the Work Session at 9:30 p. m.

# **Old Business Agenda Item**

**7.a**

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Keith Mays

Council President  
Dave Grant

Councillors  
Linda Henderson  
Robyn Folsom  
Bill Butterfield  
Matt Langer  
Krisanna Clark

City Manager  
Joseph Gail

**DATE:** August 20, 2012  
**TO:** Sherwood City Planning Commission  
**FROM:** Brad Kilby, AICP Senior Planner  
**SUBJECT:** Sentinel Storage Facility

The purpose of this memorandum is to answer some of your questions as they pertain to the public hearing that was continued on August 14<sup>th</sup> to the meeting on August 28<sup>th</sup> regarding the proposed Sentinel Storage Facility SP12-03.

Specifically, the Planning Commission requested additional information regarding the following items:

- Secondary Fire Access
- Question of ownership
- National Fish and Wildlife comments
- ADA Access to the bathroom
- Fueling station regulations and licensing
- Turn Around
- Permanent communication line
- Video Surveillance

Some of the items listed deal with the specific operations of the facility, and the applicant has submitted a memorandum that is included within your packet that will speak to the operational issues. Staff specifically contacted several agencies to discuss the items that are more directly concerned with the land use itself. The findings of that research are discussed below.

**Secondary Fire Access/Turn around** – The SZCDC requires on-site circulation, but does not require a turn-around or secondary access to the facility. In speaking with Deputy Fire Marshal John Wolff, the Fire District recommended to the owner that they provide a secondary access but their code does not require a secondary access. Mr. Wolff indicated that a secondary access is always recommended as a proven benefit to safety and firefighting operations; however, it is not required in this instance. From an emergency access standpoint, fire trucks



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would be able to get on the site and turn around; therefore, an additional turn around on the access drive is not necessary. The applicant has proposed additional signage within their testimony that staff supports.

**Question of Ownership** – The SZCDC only requires that the owner, or a legal representative sign the application prior to the application being accepted for review. The City does not mandate ownership of businesses or land, and it is not clear what the concern raised by one of the opponents is, or has to do with this application. Even though the applicant/owner is referring to the operation as an annex, it is clear in staff's mind that the business could function on its own, and the question of who owns the business is not germane to the review of the application provided it meets all of the local, state and federal requirements as they pertain to the use of the land. Specifically, an office is not required for this use. Although an office may be customarily associated with the use, and may someday be necessary if the site were to be operated independent of the main facility on Tualatin-Sherwood road, modifications to site plans are permitted pending additional review, and an office could be added separately.

**National Fish and Wildlife Comments** – A representative of the National Fish and Wildlife Service from the Tualatin River Wildlife Refuge, specifically, Erin Holmes, the Manager of the Refuge, was contacted regarding the proposal. She indicated that they would typically not comment unless the project was in their acquisition area which is adjacent to Rock Creek and includes the Onion Flats. Staff mentioned that the resource that runs adjacent to the project may be a tributary of Rock Creek to which she replied that their concern would be storm water and invasive species management. Erin mentioned that they would defer comment regarding those items to Clean Water Services and the City for those items given the project location.

**ADA access to the bathroom** – The City Building Official, Scott McKie indicated that the bathroom would be required to be ADA compliant. He said that it would not be likely that a 6-foot by 6-foot space would be large enough for an ADA bathroom given that there would be a requirement for a five foot clear turning radius within the restroom and the need for a setback of the toilets and cabinets, but he has not reviewed the design. He didn't think that the bathroom would have to be significantly larger to be ADA accessible, but that he has not evaluated a specific design for the bathroom. The Commission might consider adding a condition that requires the applicant to modify the site plan to reflect an ADA compliant bathroom that still meets setbacks and circulation requirements.

**Fueling regulations and licensing** – The Oregon Department of Environmental Quality was contacted about the diesel and propane fueling station that is proposed. As mentioned at the hearing, one of the general conditions in all of our approvals is that the applicant is responsible for obtaining any required state or federal permits as we do not specifically review a proposal

against other agency regulations. To that end, the two divisions that would potentially have regulations that pertain to fueling are the air quality and underground tank facilities. In both cases, the local liason for those divisions, Johnny Baumgartner and Greg Toran have indicated that this facility would not likely require either approval unless they were dispensing gasoline (as opposed to diesel) or the tanks they were dispensing from were placed underground. The building official indicated that he would review the set up for seismic loads and attachment.

The remaining agency would be the Tualatin Valley Fire District, and they do in fact have a permit that would be required. According to John Wolff, the Deputy Fire Marshal and TVFR liason to Sherwood, the applicant has been in contact with the district regarding a permit, and that it is not uncommon for the District to review and approve such permits. They will look at such things as tank design, piping, vehicle impact protection (i.e. bollards), separation requirements, spill containment, secondary containment, venting, drainage control, and other items.

Staff continues to recommend approval of the application based on the findings in the staff report, subject to the recommended conditions of approval.

**Attachment 1** –Letter sent via e-mail from Chris Goodell at AKS Engineering and Forestry dated August 20, 2012.

**Attachment 2** – Letter delivered to City staff on August 16, 2012 by Gary Langer.

August 20, 2012

VIA EMAIL ONLY

Patrick Allen, Chair  
City of Sherwood Planning Commission  
c/o Brad Kilby, AICP - Senior Planner  
City of Sherwood Planning Department  
22560 SW Pine Street  
Sherwood, OR 97140

**RE: City of Sherwood File No. 12-03 – Sentinel Self-Storage Annex – Site Plan Review**

Dear Chair Allen and Members of the Planning Commission:

Sentinel Self-Storage has a tremendous amount of experience operating a self-storage business. The owners and employees understand the details of operating a self-storage business and take great pride in the fact that they have provided excellent service to its customers over the past 15 years in the City of Sherwood. The purpose of this letter is to describe some of the basic operational characteristics of the business in order to provide the Planning Commission with an improved understanding of how the business will function and operate at the Sentinel Self-Storage Annex site.

**Business Overview**

The proposed Sentinel Self-Storage Annex is unlike any other facility that exists in Sherwood today. It offers a wide variety of options for safe, secure, and convenient storage that will meet the needs of local business and residents. Individual secure storage units of multiple sizes as well as climate controlled storage units will be provided. Areas for storage of recreational vehicles are also featured, with over 90 percent of the spaces being covered. Other amenities proposed for the facility include a protected RV fueling and washdown station, vacuum, air compressor, and restroom. The owners' believe that these types of amenities, as well as the level of care provided by management and employees will make the Sentinel Self-Storage Annex the premier facility of its kind in the area.

It is envisioned that the Sentinel Self-Storage Annex will operate in conjunction with the existing Sentinel Self-Storage business, capitalizing upon its management experience and knowledge as well as existing local employees' skills. However, as described herein, successful operation of the Sentinel Self-Storage Annex in no way depends upon the existing Sentinel Self-Storage site. In other words, both are perfectly capable of standing on their own, separately, without shared management or operations.

**Site Entry / Turn Around**

- The driveway is provided for private use for access by customers of the self-storage business and not for access by others.

- Appropriate informational signage will be provided at the entryway to notify parties that the access is not a public way and is provided solely for the use of business customers and that a turn-around is not provided.
- An electronic keypad / call box will be provided at the gated entry to permit access to the facility for authorized parties. In the event that that access is unable to be obtained from the keypad / card-swipe, customers will be able to utilize the call box (land line connection to business management) provided or their own personal mobile phone to contact a representative from the business. A business representative will be available 24 hours a day / 7 days a week to accommodate any such issues including allowing access remotely and/ or a trip to the site if necessary to address such an issue.
- It is an extremely rare occurrence that such calls are placed.

#### **Gasoline and Propane Fueling Facility**

- Many owners of larger bus type recreational vehicles (Class C motor coaches) struggle to find convenient access to fuel and propane locally. This facility will offer both.
- The fueling facility will be operated only by management and employees of the business in a manner similar to all gasoline fuel stations in Oregon. In the case of Sentinel Self-Storage Annex, customers will be able to contact the business ahead of time or at the time the service is desired and owners / employees of the business will pump gas for customers.
- The propane filling facility will operate in a comparable manner to other similar facilities that are licensed and found throughout Oregon. The customer must request propane service from the business and an appropriately licensed employee / operator of the business will perform the fueling. A liquefied petroleum gas company license will be obtained for the business and the appropriate liquefied petroleum gas fitter licenses will be obtained for the operator(s) from the Oregon State Fire Marshal (agency having permitting authority) and all applicable statutes, rules, and fire life safety codes will be implemented and adhered to.
- Even if security of these facilities was not a requirement of these licenses, they would certainly be locked to prevent unapproved use. Loss of expensive fuel by theft would be extremely detrimental to the business.

#### **Climate Controlled Building**

- The climate controlled building provides customers with the opportunity to securely store climate sensitive items that must be kept within certain temperature and/or humidity ranges. The building is not an office. Entry into the building will be obtained by customers having leased units within the building by keypad or swipe-card access. An open corridor, illuminated naturally by windows and lighting will provide access to the individual climate controlled units.

#### **Security and Video Surveillance**

- Security cameras, strategically located throughout the facility will ensure that the entire site is under surveillance. Specifically, there will be dedicated video surveillance of the washdown station to protect the many assets provided for customer use and keep vigilant watch of the sewer dump and fueling stations.

Thank you for your consideration of this information. The project and ownership team hope that this information is helpful to you while considering the merits of the application. The volunteer effort that each one of you put forward to our community is deeply appreciated.

Sincerely,

***AKS Engineering & Forestry, LLC***

A handwritten signature in black ink, appearing to read "Chris Goodell". The signature is fluid and cursive, with a large initial "C" and "G".

Chris Goodell, AICP, LEED<sup>AP</sup>  
Associate

August 16, 2012

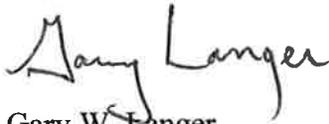
Attention: Brad Kilby and Julia Hajduk

Attached is my rebuttal on the Planning Commission meeting of August 14, 2012, regarding Sentinel Self Storage Annex Application. This rebuttal will clarify some of the issues the Planning Commission needs to be aware of in order to sort out the facts that were led astray by one opponent and his wife. More than six community members responded with full involvement and positive remarks.

Sherwood is a growing community and because of the CC&R's in new subdivisions, this self Storage Development plan will meet the needs and provide solutions for storage in the Sherwood community.

Please include these comments in the public records for the Sentinel Self Storage Annex.

Regards,



Gary W. Langer  
17384 SW Timber Crossing Lane  
Sherwood, OR 97140

Home Phone: 503-625-5556

Cell Phone: 503-318-7965

## City of Sherwood

### Planning Commission

#### Open Record Submittal for Sentinel Self Storage Annex Application 8/14/12

The 8/14/12 Planning Commission hearing for Sentinel Self Storage generated several bits of intentionally misleading testimony from Opponents that need attention. I offer this information to help the Planning Commission stay on course and do their job without the fear that could sometimes be created by such misleading testimony. Following is a list of the meritless testimony that was thrown into the air with aspirations of causing doubt and distraction from making a Code based Land Use decision:

1. **Home Depot & Sentinel Self Storage were somehow illegally built against Zoning and Code language at the time.** - Both projects were built per Code and Zoning requirements. This comment is pure slander about two projects built over 10 years ago. Since most of the current Planning Commissioners were not involved in City Government during that time the opponent mentioning this, hopes the Planning Commission will believe and cast doubt on the Applicants integrity.
2. **Sentinel Self Storage ownership vs. Langer Family LLC ownership regarding the word "Annex" in the title of the application.** - This has nothing to do with a Land Use decision and is irrelevant regardless. Clearly a sign the opponent is grasping at ways to distract the Planning Commission.
3. **Sanitary Sewer Spillage** - An RV user could accidentally or intentionally dump their sewer anywhere at any time around Sherwood. This project actually offers a better solution so users have an easy place to dump their tanks conveniently located in the heart of Sherwood. The grading and concrete structures provide a safe dump station that will be an amenity for Sherwood.
4. **"They don't know what they are doing...."** - Sentinel Self Storage has been a successful Sherwood business since 1997. Anyone making a statement of this nature is clearly misinformed and simply trying to distract the Planning Commission from their job.
5. **There is "well water stored" in the farm field** - The opponent is trying to say that a City well will be short of ground water because of this project. There isn't a City well anywhere near this site. This statement completely lacks merit and is another feeble effort to distract the Planning Commission.
6. **Landscape ordinance is not met because of some creative use of the term Annex in the application title** - The opponent is clearly misinformed. This application meets all Code

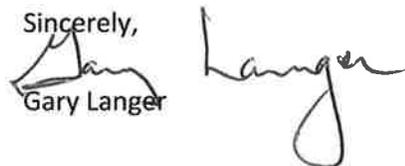
requirements with conditions per the Staff report. This is another meager attempt to discredit the Applicants integrity.

7. **Fish and Wildlife have not been contacted** - This has no bearing on the Planning Commission's job in making a Land Use decision. The applicant has acquired a permit from the Army Corps of Engineers and Clean Water Services as is a standard requirement in applications of this nature and as conditioned by Staff prior to issuing building permits. This is another attempt to distract the Planning Commission from the actual pertinent facts in this application.
8. **Statement of Economic Interest for Matt Langer** - This has no merit or relevance with the Land Use decision process. This is just another desperate effort to distract the Planning Commission and degrade the Applicant's integrity.
9. **These are not covered RV parking spaces** - Over 90% of the parking spaces are covered. This is a facility unlike any other in Sherwood that offers covered parking with dump station, vacuum, air compressor, restroom, etc.

Going forward I hope the Planning Commission is able to sort through the opponents' baseless attacks and make an informed decision regarding the Application. One opponent last night actually said he wished no additional tax dollars or City resources would be wasted on decisions of this nature, but it is senseless ranting of this type that have that precise result. The reality is this project has followed all Code/Permit requirements and will generate much needed property tax revenue while providing a state-of-the-art storage facility loaded with amenities unlike any in our region including elaborate security systems and use of technology.

The same opponents that raised these concerns above will likely submit additional concerns of this nature into the record prior to 8/28/14. Please recognize such data for what it truly is and move business forward according to Code based facts.

I wish Planning Commissioners the best and thank them deeply for the volunteer effort they put forward to our community.

Sincerely,  
  
Gary Langer

**Old Business**  
**Agenda Item**  
**7.b**



## MEMORANDUM

City of Sherwood  
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Matt Langer  
Krisanna Clark

City Manager  
Jason Gall



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2007 18th Best Place to Live

**Sherwood**  
**2006**  
All-America City Finalist

**DATE:** August 20, 2012  
**TO:** Sherwood City Planning Commission  
**FROM:** Brad Kilby, AICP Senior Planner  
**SUBJECT:** Residences at Cannery Square

The purpose of this memorandum is to provide you with an amended list of conditions based on your discussions at the August 14<sup>th</sup> hearing for SP 12-04.

Staff has highlighted the conditions that were changed, and continues to recommend approval of the application based on the findings in the staff report, subject to the recommended conditions of approval. The recommended conditions would be as follows:

### VI. CONDITIONS OF APPROVAL

#### A. General Conditions

1. Compliance with the Conditions of Approval is the responsibility of the developer or its successor in interest.
2. This land use approval shall substantially comply with the submitted preliminary site plans dated May 8, 2012 prepared by HHPRE Engineering except as indicated in the following conditions of the Notice of Decision. Additional development or change of use may require a new development application and approval.
3. The developer/owner/applicant is responsible for all costs associated with private/public facility improvements.
4. This approval is valid for a period of two (2) years from the date of the decision notice. Extensions may be granted by the City as afforded by the Sherwood Zoning and Community Development Code.
5. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan. In the event that landscaping is not maintained, in spite of the assurances provided, this would become a code compliance issue.

6. The continual operation of the property shall comply with the applicable requirements of the Sherwood Zoning and Community Development Code and Municipal Code.
7. A temporary use permit must be obtained from the Planning Department prior to placing a construction trailer on-site.
8. 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.

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

1. Obtain City of Sherwood Building Department approval of grading plans.
2. Provide an Erosion and Sediment Control Plan that is consistent with the applicable requirements of CWS and or the DEQ for the duration of construction.

**C. 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 of the east or west residential development, the developer shall provide an agreement for approval by the City that requires an on-site manager for the residential buildings. The on-site manager will be required to ensure that tenants understand the parking limits prior to entering into a lease agreement, and understand and adhere to the approved parking locations.
3. Prior to final site plan approval submit revised plans showing that the developer will install a 6-foot tall fence, wall or evergreen screen along the east property line of the east residential building site, and the west property line of the west residential building.
4. Obtain construction plan approval from the Engineering Department. If the City's schedule for construction of the regional storm water quality facility coincides with the construction schedule of this phase of the site development, the applicant may then take advantage of the regional storm water quality facility and pay a fee in-lieu-of amount of \$15,000.00 and not construct the on-site water quality treatment facilities. Otherwise the applicant shall construct on-site storm water quality treatment facilities that comply with City of Sherwood and CWS standards and.

**D. Prior to Issuance of a Building Permit:**

1. Prior to the issuance of building permits for the east and west residential buildings, the applicant shall submit revised drawings that illustrate an enhanced decorative treatment of the southeast portion of the buildings and/or sites facing SW Willamette St. Such architectural revisions shall involve variations of texture, materials, patterns, and color which are distinct yet complementary to the buildings, or shall include brick or stone elements which serve to add visual interest to the portion of the project visible from SW Willamette St.
2. Receive Sherwood Engineering Department approval of engineering plans for all public improvements and/or connections to public utilities (water, sewer, storm water, and streets).
3. Obtain approval from the Engineering Department for storm water treatment.
4. Obtain a Storm Water Connection Permit from Clean Water Services.
5. Obtain final site plan approval from the Planning Department.
6. Provide evidence in writing from the fire marshal that the applicant has submitted evidence demonstrating that the existing water lines will provide at least 20 psi of dedicated water service.
7. The applicant shall provide evidence in writing from the fire marshal that the requirements within his comments have been satisfied by the proposed development.
8. Provide a set of plans that clearly demonstrates compliance with the pitch of the roof as permitted by the approved architectural pattern book.

**E. Prior to Final Inspection of the Building Official & Certificate of Occupancy:**

1. Provide public utility easements for the water meter and the FDC vault and assembly in conformance with City standards.
2. All public improvements shall be completed, inspected and approved, as applicable, by the City, CWS, TVF&R, TVWD and other applicable agencies.
3. All agreements required as conditions of this approval must be signed and recorded.
4. 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.
5. All other appropriate department and agency conditions have been met.

**F. On-going Conditions:**

1. An on-going condition of the approval is that the site be maintained in accordance with the approved site plan. In the event that landscaping is not maintained, in spite of the assurances provided, this would become a code compliance issue.
3. Install all site improvements in accordance with the approved final site plan.
4. The applicant shall continue to comply with the conditions of approval. Including those which were established as a part of the PUD 09-01.

**New Business**  
**Agenda Item**  
**8.a**



## MEMORANDUM

City of Sherwood  
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Mayor  
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City Manager  
Dave Lamm

City Clerk  
Linda Anderson  
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503-626-5802  
Fax: 503-626-5524

City Council  
12930 SW Pine St

DATE: August 20, 2012  
TO: Sherwood City Planning Commission  
FROM: Brad Kilby, AICP Senior Planner  
SUBJECT: Langer Subdivision Appeal

This is a friendly reminder that the packet items for the Langer Subdivision appeal were previously sent to you on July 17<sup>th</sup> for the July 24<sup>th</sup> meeting that was rescheduled. If you need new materials, please contact staff, or refer to the online packet found at:

[http://www.sherwoodoregon.gov/sites/default/files/files/city\\_boards/planning\\_commission/pc\\_packet/2012/7-24-12/PC%20Packet%20July%2024,%202012%20REVISED.pdf](http://www.sherwoodoregon.gov/sites/default/files/files/city_boards/planning_commission/pc_packet/2012/7-24-12/PC%20Packet%20July%2024,%202012%20REVISED.pdf)

Thank you for your time.



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All-America City Finalist